

**Mr. Borut Pahor**  
**Prime Minister of the Republic of Slovenia**  
Gregorčičeva 20, 25  
SI-1000 Ljubljana  
Slovenia

E-mail: [gp.kpv@gov.si](mailto:gp.kpv@gov.si)

Brussels, 6 June 2011

Dear Prime Minister,

I am writing to you on behalf of the Council of Bars and Law Societies of Europe (CCBE) which represents around one million European lawyers through its member bars and law societies from 31 full member countries, and 11 further associate and observer countries.

The CCBE has been informed that the Ministry of Finance of the Republic of Slovenia has proposed a draft law, which foresees mandatory use of fiscal cash registers for lawyers.

The CCBE would like to emphasise that lawyers are guardians of fundamental rights, freedoms and liberties as well as of the rule of law principle. Lawyers ensure the essential foundations of a democratic society, having a vital role in the administration of justice and in maintaining the rule of law. The role of lawyers in society has been explicitly recognised by the Council of Europe Recommendation Nr. R (2000) 21 on the freedom of exercise of the profession of lawyer of 25 October 2000 as well as by the United Nations Basic Principles on the Role of Lawyers of 14 December 1990.

The CCBE would also like to draw your attention to the fact that lawyers are subject to core values such as independence, absence of conflicts, integrity and professional confidentiality (which is fundamental in the lawyer-client relationship). It is important to note that the rules applicable to lawyers have not as their objective to secure the rights and benefits of lawyers, but to secure the rights and benefits of their clients in the interest of effective access to justice and a sound legal order.

If the use of fiscal cash registers would become mandatory for lawyers, the CCBE does not see how to guarantee the above mentioned fundamental rights and avoid serious negative implications to the administration of justice as a whole. In addition to this, the CCBE would like to point out that fiscal cash registers are used for commercial activities (selling activities) but not for professional (service rendering) activities. As stated above, lawyers have a very particular role in the administration of justice and therefore their services should not be compared to standard commercial activities.

The CCBE would appreciate to learn more about the reasoning behind this proposal and would be pleased to provide further input into the discussion or to attend any relevant meetings on the topic, if this would be of any assistance.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'G. Dal', with a long horizontal line extending to the right from the end of the signature.

Georges-Albert Dal  
CCBE President

CC:

**Mr. Franc Križanič**  
**Minister of Finance of the Republic of Slovenia**  
E-mail: [franc.krizanic@mf-rs.si](mailto:franc.krizanic@mf-rs.si)

**Mr. Aleš Zalar**  
**Minister of Justice of the Republic of Slovenia**  
E-mail: [ales.zalar@gov.si](mailto:ales.zalar@gov.si)

**Mr. Miha Kozinc**  
**President of the Slovenian Bar Association**  
E-mail: [miha.kozinc@siol.net](mailto:miha.kozinc@siol.net)