

Accessibility of the websites and mobile applications of public sector bodies

2012/0340(COD) - 26/02/2014 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 593 votes to 40, with 13 abstentions, a legislative resolution on the proposal for a directive of the European Parliament and of the Council on the accessibility of public sector bodies' websites.

Parliament's position adopted at first reading under the ordinary legislative procedure amended the Commission's proposal as follows:

Subject and scope: this Directive aims to approximate the laws, regulations and administrative provisions of the Member States in relation to the accessibility to **all users** of the content of **public sector bodies' websites and websites operated by entities performing public tasks to the public**, in particular to persons with disabilities and elderly persons.

The new scope would reflect the binding obligations set out in the United Nations Convention on the Rights of Persons with Disabilities and the commitments in the Digital Agenda for Europe to promote digital inclusion and confidence in the market for barrier-free access.

A new Annex Ia has been introduced which lays down the functionality and content of websites operated by other entities performing the following types of public tasks: network services (gas, heat, electricity, postal services); transport-related services; basic banking and insurance services; education; statutory and complementary social security schemes; health-related services; childcare services; other essential services to facilitate social inclusion; cultural activities and tourist information.

Definitions: Members considered that the definitions proposed by the Commission do not reflect significant technological developments. Online information and services are increasingly obtained by handheld mobile devices as opposed to desktop computers. The definitions on 'website concerned', 'website content' and 'user agents' must explicitly acknowledge this fact.

Furthermore, the report suggested strengthening the **definition of 'website content'** and to include in particular functions provided through websites, which are external to the website of the public body or entity in question.

Requirements for web-accessibility: the amendments stipulated that the websites concerned should be accessible:

- in a consistent and adequate way for users' autonomous perception, navigation, operation, interaction, readability and understanding, including adaptability of content presentation, when necessary, providing an accessible electronic alternative;
- in a way which ensures **interoperability** with a broad variety of user agents and assistive technologies at Union and international level
- through a universal design approach.

Accessibility training: Member States should promote and support web accessibility training programmes for relevant stakeholders, including staff of public sector bodies and entities performing public tasks, to create, manage and update web pages, including their content.

Member States should support appropriate mechanisms for **consultations on web accessibility with relevant stakeholders and organisations representing the interests of people with disabilities and of the elderly**, and make public any developments in web accessibility policy together with the experiences and findings from the implementation of conformity of web accessibility requirements. They should also take the necessary measures to ensure that the **relevant social partners participate** in the development and application of the training programmes and awareness-raising schemes.

Monitoring and reporting: Parliament proposed that the Commission should establish an **expert group** to meet at least every two years, upon the Commission's invitation, in order to discuss the results of the monitoring, to exchange best practices regarding the implementation of this Directive and to assess the need for any additional specifications of the web accessibility requirements.

Enforcement body: Member States should designate a **competent authority** (enforcement body) responsible for enforcing the compliance of the websites concerned with the requirements for web accessibility. The designated competent authority should have the necessary human and financial resources to fulfil its tasks and it should be responsible for following up any **complaints** lodged by website users or other interested parties about failures to comply with the requirements for web-accessibility of the websites concerned.

Member States should report to the Commission every two years on the outcome of the monitoring carried out. That report shall be made public in readily accessible formats.

Fines: Member States should take all measures to establish an effective enforcement mechanism laying down the rules on effective and proportionate sanctions applicable to infringements of the national provisions. Member States should notify those provisions to the Commission by 30 June 2014.

Delegated acts: the European Commission requests to be empowered to adopt delegated acts to specify, where appropriate, the harmonised requirement for web-accessibility. The report recommended **restricting** the use of power to adopt delegated acts only to certain situations and purposes without modifying the requirements themselves.

Application: Member States should apply the measures concerning the requirements for web-accessibility for all new content of websites concerned by one year from the entry into force of the Directive and for all existing content of websites concerned by **three years** from the date of entry into force of this Directive.

The application deadlines set out shall be extended by two years as regards the requirements for web accessibility related to live audio content.