Accessibility of the websites and mobile applications of public sector bodies

2012/0340(COD) - 12/12/2013 - Committee report tabled for plenary, 1st reading/single reading

The Committee on the Internal Market and Consumer Protection adopted the report by Jorgo CHATZIMARKAKIS (ADLE, DE) on the proposal for a directive of the European Parliament and of the Council on the accessibility of public sector bodies' websites.

The parliamentary committee recommended that the European Parliaments position adopted at first reading under the ordinary legislative procedure should be to amend the Commissions 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.

Member States may extend the application of this Directive beyond the types of public tasks specified in Annex Ia.

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.

Member States shall 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 shall 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: Members 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.

Moreover, Member States should designate a competent authority (enforcement body) responsible for enforcing the compliance of the websites concerned with the requirements for web accessibility. This authority 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.