

Accessibility of the websites and mobile applications of public sector bodies

2012/0340(COD) - 19/07/2016 - Commission communication on Council's position

The Commission supported the results of the interinstitutional negotiations and therefore accepted the Council's position at first reading with a view to the adoption of a proposal for a Directive of the European Parliament and of the Council on the accessibility of the websites and mobile applications of public sector bodies.

Overall, the Council accepted the need to legislate in this area and endorsed the core objectives of the Commission proposal, namely to improve the accessibility of public sector websites. However, the Council made some changes on how to achieve those objectives. In particular:

- the scope of the proposal was extended to cover websites and mobile applications of all public sector bodies, with some limited exceptions on the types of body and content covered;
- new provisions allowing public sector bodies to apply the accessibility requirements to the extent that they do not impose a disproportionate burden;
- the definition of public sector body clarifies that the extension to associations formed by one or several authorities or bodies governed by public law covers associations established for the specific purpose of meeting needs of general interest, not having an industrial or commercial character;
- Member States may maintain or introduce measures (in conformity with Union law) which go beyond the minimum requirements provided by the Directive;
- the provisions on standards have been adapted to take account of the adoption of the European standard in 2014 on Accessibility requirements suitable for public procurement of ICT products and services in Europe (EN 301 549), resulting from Mandate 376, and also to take account of the fact that there is ongoing standardisation work on mobile applications;
- the Commission will be required to adopt implementing acts within 24 months from the entry into force of the Directive providing technical specifications for mobile applications in cases where no reference to a harmonised standard covering them has been published;
- the text lays down requirements on transparency (public sector bodies will need to publish information on the accessibility of their websites and mobile applications) and for users to request certain content otherwise exempted from accessibility requirements;
- the amended text lays down requirements for an effective enforcement procedure, including the possibility to contact an ombudsman and monitoring and reporting by Member States;
- the Commission is further requested to establish through implementing acts the model statement on accessibility which public sector bodies will be required to publish;
- Member States must transpose the Directive into national law within 21 months after the date of its entry into force. They then have 12 months to apply the provisions to new public sector bodies websites, 24 months to existing websites and 33 months to mobile applications of public sector bodies.

The Commission supports this outcome.