The European Accessibility Act is an important law. It helps make products and services easier to use for people with disabilities. But legal language can be hard to understand. This book explains the EAA in simple words, so everyone can learn what it means and what to do. Easy to follow and clear for all.

Source: Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services.

Last updated: 29 April 2025

Chapter 0

[**Foreword**](https://allyship.dev/eaa/0.0-foreword)

**Introduction.**

The European Accessibility Act (EAA) is a law known as Directive (EU) 2019/882. It sets rules for making products and services accessible across the European Union. The law helps people with disabilities take part fully in society and use important services.

This law creates clear guidelines for businesses to make accessible products and services. By setting the same rules across the EU, the EAA makes it easier for companies to follow the rules while helping all people access what they need.

**Navigating Complexity.**

Following accessibility rules can be hard. Many organizations struggle to understand multiple rules, technical standards, and how to put them in place. The EAA adds new rules to learn.

Accessibility is not just about following rules or meeting legal needs. It is about real people. Each rule exists to remove a barrier and include more people in your products and services.

Remember that making things accessible is an ongoing process. It needs constant commitment, learning, and change as technology grows and we better understand what people need.

**About This Guide.**

This guide makes the European Accessibility Act easier to understand and use for all sizes of organizations. We have turned complex legal rules into practical advice, examples, and steps to help you make things accessible.

Our approach focuses on:

* Simple language explanations that make legal requirements easy to understand without losing their meaning.
* Practical advice based on real experience and best ways to do things.
* Clear steps to follow the law that organizations can follow one by one.
* Connecting rules to human needs to keep focus on the people you design for.

While this guide gives helpful information, it is not legal advice. Organizations should talk to legal experts to make sure they fully follow the EAA and other laws.

**How to Use This Resource.**

You can use this guide in different ways, based on what you need and how much you know about accessibility:

* Reading from start to finish gives you a full understanding of the EAA from basics to specific rules.
* Jumping to specific topics lets you go right to sections that matter to you now.
* Role-specific guidance helps different team members understand what they need to do.

We suggest starting with the overview sections to build basic knowledge before looking at specific rules. The sidebar menu gives quick access to sections as you work on accessibility in your organization.

Remember that accessibility works best when it's part of your normal processes, not a separate task. Use this guide to inform your approach, but adapt it to fit your organization's unique needs and workflows.

Chapter 1

[**Introduction**](https://allyship.dev/eaa/1.0-introduction)

**About the EAA.**

The European Accessibility Act (EAA) is an important law that makes products and services accessible in the European market. It removes barriers created by different rules in EU countries and improves access for people with disabilities.

The official name is Directive (EU) 2019/882 of the European Parliament and Council. It creates a system that ensures accessible products and services across the EU market. This law makes a big change in how accessibility works in the European Union.

The EAA is not just about following rules. It's a chance to create products and services that work better for everyone, especially the 87 million people with disabilities in the EU.

**What This Guide Covers.**

This guide gives a complete and practical explanation of the European Accessibility Act. We cover:

* Main requirements and scope of the EAA, including which products and services must follow the rules.
* Key definitions and concepts that are important to understand the law.
* Specific duties for different business roles (manufacturers, importers, distributors, service providers).
* How to check compliance and how to document that you follow the rules.
* Exceptions, including when changes would be too costly or change the product too much.
* Timeline for following the rules and key dates for compliance.
* Real examples to show how these requirements work in actual situations.
* How the EAA connects to other laws such as the Web Accessibility Directive.

Each section uses plain language and focuses on practical use rather than legal details.

**What This Guide Doesn't Cover.**

While this guide covers a lot, it does have some limits:

* Legal advice — We try to be accurate, but this guide is not legal advice and should not replace talking with qualified legal experts.
* Country-specific details — We focus on the EU-wide law rather than how individual countries have put it into their national laws.
* Detailed technical standards — We mention relevant standards, but don't provide full technical details.
* Other accessibility laws — This guide focuses on the EAA rather than other accessibility rules (though we note important connections).
* How to make technical solutions — We explain what needs to be accessible but don't give detailed guidance on how to build technical solutions.

For these areas, we suggest looking at specialized resources, technical documents, or talking to professional advisors.

**How to Use This Guide.**

This guide is flexible. You can read it from start to finish or look at specific sections as needed:

* Introduction and Purpose — Start here to understand why the EAA matters.
* Scope and Requirements — These sections help you figure out if and how the EAA applies to your products or services.
* Obligations chapters — Find the specific section that matches your role in the supply chain.
* Compliance sections — Learn about the practical steps to show and document that you follow the rules.
* Examples — Look at these for specific details and real-world applications.

Use the table of contents, section links, and chapter navigation to quickly find the information that matters most to you.

**Who Should Read This Guide.**

This guide is written for many different people involved in making products and services accessible:

* Business leaders and decision-makers who need to understand what the EAA means for their organizations.
* Legal and compliance teams working to make sure their organizations follow the rules.
* Product managers and designers who need to build accessibility into their products.
* Developers and engineers implementing technical accessibility solutions.
* UX and accessibility specialists guiding organizations toward better accessibility practices.
* Procurement professionals who need to check if products they buy follow the rules.

This guide is also useful for anyone who wants to learn about how the EU is making digital products and services more accessible for everyone.

* [Purpose & Definitions](https://allyship.dev/eaa/1.1-purpose-and-definitions)

**Purpose.**

This law makes the EU market work better. It creates the same rules for accessible products and services in all EU countries. These rules help remove barriers that stop accessible products and services from moving between countries.

With these rules, more accessible products and services will be available for everyone. People will also have better access to important information.

**Persons with Disabilities.**

This law follows the United Nations agreement on rights for people with disabilities. The EU joined this agreement in 2011. All EU countries have agreed to follow it.

The UN agreement states that people with disabilities include those with long-term physical, mental, intellectual, or sensory challenges. These challenges, along with various barriers, can make it hard for them to fully take part in society.

This law helps everyone participate equally. It makes regular products and services more accessible. These products and services are designed to meet the needs of people with disabilities.

**Persons with Functional Limitations.**

Other people will also benefit from this law. This includes:

* Older people.
* Pregnant women.
* People traveling with luggage.

"People with functional limitations" means anyone who has trouble using or accessing things. These limitations can be due to:

* Physical issues.
* Mental issues.
* Intellectual issues.
* Sensory issues.
* Age-related problems.
* Other physical conditions.

These limitations can be permanent or temporary. When these people face barriers, they have a harder time using products and services. Products and services need to be designed for their needs.

**Internal Market Issues.**

Different EU countries have different laws about accessible products and services. These differences create problems:

* They block selling products between countries.
* They make fair competition harder.

After the UN agreement took effect, these differences became more obvious. These barriers are especially hard for small and medium-sized businesses. They cannot easily follow all the different rules across countries.

Because each country has different rules, small businesses avoid selling in other countries. Each country has its own requirements. The rules differ in what they cover and how detailed they are. Companies have to spend extra money to create accessible products for each country.

**Consumer Issues.**

People who need accessible products, services, and assistive technology face high prices. This happens because:

* Not enough companies make these products.
* There is not enough competition to lower prices.
* Different rules in each country mean good ideas about new technology are not shared well.

**Harmonization Benefits.**

Creating the same rules across the EU will help the market work better. These rules will:

* Unite the market for accessible products and services.
* Lower costs through larger production.
* Make it easier to sell across borders.
* Help businesses focus on creating new ideas instead of managing different rules.

We have already seen benefits from making accessibility rules the same across the EU. This has worked well for elevator regulations and transportation rules.

**Source References.**

This page primarily references the following sections of Directive (EU) 2019/882:

* Article 1 (Subject matter)
* Article 3, Point 1 (Definition: persons with disabilities)
* Recital 1 (Purpose and Internal Market)
* Recital 3 (Definition Alignment with UN CRPD)
* Recital 4 (Persons with Functional Limitations)
* Recital 5, 6 (Internal Market Barriers)
* Recital 7 (Consumer Issues)
* Recital 8, 9 (Benefits of Harmonization)

* [Existing Law & Free Movement](https://allyship.dev/eaa/1.2-existing-law-and-free-movement)

**Existing Union Law**

**Existing Transport Regulations.**

Some services already follow other EU laws about providing accessible information. If they follow these laws, they also meet the requirements of this Directive:

* Regulation (EC) No 261/2004 - Air passenger rights when denied boarding, canceled, or delayed flights.
* Regulation (EC) No 1107/2006 - Rights of disabled persons when traveling by air.
* Regulation (EC) No 1371/2007 - Rail passenger rights and obligations.
* Regulation (EU) No 1177/2010 - Rights of passengers traveling by sea and inland waterway.
* Regulation (EU) No 181/2011 - Rights of bus and coach passengers.
* Acts based on Directive 2008/57/EC - Railway system interoperability.

If this Directive has extra requirements not in those laws, the extra requirements still apply.

**Additional EAA Requirements.**

The European Accessibility Act recognizes existing transport regulations. It adds new requirements to make transportation more accessible, such as:

* Websites and mobile apps must meet accessibility standards.
* Self-service terminals need to be accessible to people with disabilities.
* E-ticketing systems should be usable by everyone.
* Real-time travel information must be provided in accessible formats.
* Digital transport documents should be accessible to all users.

These extra requirements work with existing rules to create better accessibility in passenger transport services.

**Free Movement Across the EU**

**Free Movement Principle.**

Article 6 of the European Accessibility Act states a simple rule:

*"EU countries cannot block products or services that meet this law's accessibility requirements from being sold in their country."*

When products and services follow the accessibility rules in this law, they can be sold in any EU country without extra barriers.

**Harmonization Benefits.**

Free movement is key to the EU's single market. Having the same accessibility rules for all EU countries helps with:

* Selling products across all EU borders.
* Making rules clearer for businesses.
* Lowering costs to create products.
* Creating better business competition.
* Giving people more choices at better prices.

**Removing Trade Barriers.**

Before this law, each country had its own accessibility rules. This created these problems for businesses:

* They had to follow different rules in each country.
* They needed to change products for each market.
* They paid more for multiple checks.
* They dealt with many complex laws.

With one set of rules, the European Accessibility Act fixes these problems. Now businesses can:

* Design one product for all EU countries.
* Offer their services in all EU countries.
* Save money on development costs.
* Focus on creating new ideas instead of studying rules.

**Source References**

This page refers to these parts of Directive (EU) 2019/882:

* Article 5 (Existing Union law in the field of passenger transport)
* Article 6 (Free movement)
* Recitals 1, 5, 6, 8 (Background on market benefits)
* Recital 36 (Context on existing transport regulations)

* [Implementation Timeline](https://allyship.dev/eaa/1.3-implementation-timeline)

**Key Dates.**

The European Accessibility Act follows a step-by-step timeline with several important deadlines. Understanding these dates will help you plan how your organization will follow the rules.

17 April 2019 - EAA Adoption

European Accessibility Act adopted by European Parliament and Council

28 June 2022 - National Implementation Deadline

Deadline for EU Member States to adopt and publish laws, regulations and administrative provisions necessary to comply with the EAA

28 June 2025 - Application of Requirements

Member States shall apply the measures regarding the accessibility requirements for products and services

28 June 2030 - Service Providers Transition Ends

End of transition period for service providers to continue providing services using products which were lawfully used before this date

These deadlines are the main milestones in putting the EAA into practice. Each phase has specific requirements for different groups involved in making things accessible.

**Adoption Phase.**

April 17, 2019: The European Parliament and Council officially adopted the European Accessibility Act as Directive (EU) 2019/882. This was the start of the implementation process.

Key activities during this phase:

* Publishing the law in the Official Journal of the European Union.
* Raising awareness among EU countries.
* Early planning to put the law into national rules.
* Talking with interested groups at EU and national levels.

This phase created the foundation for a unified approach to accessibility across the European Union.

**Implementation Phase.**

June 28, 2022: Deadline for EU Member States to put the EAA into their national laws. By this date, all EU countries had to adopt and publish the laws, rules, and procedures needed to follow the EAA.

What this means:

* Each member country created its own legal system for putting the EAA in place.
* Countries set up ways to enforce the rules.
* Specific national requirements may differ while still following the main EAA rules.
* Organizations should look at both the EU law and their specific national versions.

The process created a network of national laws that put the EAA's requirements in place while allowing for some country-specific adjustments.

**Transition Periods.**

June 28, 2025: The date when the accessibility requirements become fully required. From this date, all new products sold and services provided must follow the accessibility requirements of the EAA.

What this means:

* Products designed, made, and sold after this date must be accessible.
* Services provided to consumers after this date must be accessible.
* Authorities will start checking if products and services follow the rules.
* Products or services that don't follow the rules may be restricted or removed from the market.

June 28, 2030: End of the extra time period for service providers. Until this date, service providers can keep using products that were legally used before June 28, 2025.

Additional details:

* Service contracts signed before June 28, 2025, can continue unchanged until they end or for a maximum of 5 years.
* Self-service machines legally used before June 28, 2025, can continue to be used until the end of their useful life, but not longer than 20 years.

These transition periods give a gradual approach to full compliance, giving organizations time to adapt while ensuring progress toward accessible products and services.

**Planning Guide.**

Here's a practical guide to help your organization prepare for each phase of EAA implementation:

**Now Until June 2025.**

Assessment and planning phase:

* Make a list of all your products and services that the EAA covers.
* Check current accessibility levels against EAA requirements.
* Find gaps where your products or services don't meet the rules.
* Create a step-by-step plan to fix these gaps before June 2025.
* Start training staff on accessibility requirements and best practices.
* Begin updating design and development processes to include accessibility from the start.

**June 2025 Milestone.**

Full compliance deadline:

* All new products must meet accessibility requirements when placed on the market.
* All services must be accessible when provided to consumers.
* Products designed or made before this date but released later must still follow the rules.
* Have documentation ready that shows how you follow the accessibility requirements.
* Make sure your technical files and declarations are complete and accurate.

**June 2025 - June 2030.**

Transition management:

* Review service contracts signed before June 2025 and plan for updates when they expire (or by June 2030 at the latest).
* Start planning replacement of any non-accessible self-service terminals used before June 2025.
* Keep tracking and fixing accessibility issues that users report.
* Continue improving accessibility in all products and services.
* Check that suppliers and partners also follow the EAA requirements.

**Beyond June 2030.**

Full implementation:

* All services, including those using pre-2025 products, must be fully accessible.
* All service contracts must include accessibility provisions.
* Self-service terminals from before June 2025 should be replaced with accessible versions if they've reached the end of their useful life.
* Maintain ongoing compliance as accessibility standards and technologies evolve.

Pro tip: Don't wait until the deadline to start planning. Organizations that begin early will:

* Spread costs over a longer period.
* Have more time to test and refine accessibility solutions.
* Build expertise and processes that make ongoing compliance easier.
* Gain market advantage by serving customers with disabilities sooner.
* Reduce the risk of non-compliance penalties.

Chapter 2

[**Scope and Requirements**](https://allyship.dev/eaa/2.0-scope-and-requirements)

**General Principles.**

The European Accessibility Act establishes requirements to ensure products and services are designed and delivered in ways that maximize their usability by persons with disabilities. These requirements follow four key principles from the [Web Content Accessibility Guidelines (WCAG)](https://www.w3.org/WAI/standards-guidelines/wcag/):

* Perceivable: Information and user interface components must be presentable to users in ways they can perceive through different senses.
* Operable: User interface components and navigation must be operable by all users, regardless of ability or method of interaction.
* Understandable: Information and the operation of user interface must be understandable, with clear instructions and intuitive design.
* Robust: Content must be robust enough to be reliably interpreted by a wide variety of user agents, including assistive technologies.

These principles ensure that accessibility is addressed comprehensively, making products and services usable by people with various disabilities, including:

* Visual impairments (blindness, low vision, color blindness)
* Hearing impairments (deafness, hard of hearing)
* Motor disabilities (limited dexterity, strength, or range of motion)
* Cognitive disabilities (learning differences, memory issues)
* Speech disabilities
* Photosensitivity

**Product Requirements.**

General Product Requirements.

Products covered by the EAA must be designed with accessibility in mind. Key requirements include:

* Accessible Information: Product information (instructions, warnings, labels) must be:
  + Available through more than one sensory channel (e.g., both visual and tactile)
  + Presented in comprehensible ways
  + Provided in text formats that can be used to generate alternative formats
  + Presented with adequate contrast and font size
* Accessible User Interface: Product interfaces must:
  + Be perceivable through more than one sense
  + Provide alternatives to speech-based interaction
  + Allow for flexible magnification and contrast
  + Provide alternatives when color is used to convey information
  + Avoid triggering seizures and allow adequate time for interaction
  + Accommodate different motor skills and physical capabilities
* Compatibility: Products must be compatible with assistive technologies such as:
  + Screen readers and alternative input devices
  + Hearing aids and cochlear implants
  + Assistive listening devices
* Support Services: Help desks, call centers, and technical support must provide information about product accessibility in accessible formats.

Specific Product Categories.

Additional requirements exist for specific product categories:

* Self-Service Terminals: ATMs, ticketing machines, and check-in kiosks must:
  + Support text-to-speech functionality
  + Allow use of personal headsets
  + Provide alternatives to timed responses
  + Be physically accessible to people with different abilities
* Computing Hardware and Operating Systems: Must:
  + Support text-to-speech conversion
  + Provide reliable connection to assistive technologies
  + Enable keyboard control of all functions
  + Allow for alternative input methods
* E-readers: Must:
  + Support text-to-speech technology
  + Ensure accessibility features aren't blocked by copy protection
  + Include metadata about accessibility features

**Service Requirements.**

General Service Requirements.

Services covered by the EAA must:

* Provide Information: About how the service works and its accessibility features in accessible formats.
* Make Digital Interfaces Accessible: Including websites and mobile applications by following these principles:
  + Making content perceivable and operable for users
  + Ensuring content is understandable and robust
  + Providing text alternatives for non-text content
  + Supporting various input methods beyond standard keyboards and pointing devices
  + Giving users enough time to read and use content
  + Not designing content that could cause seizures or physical reactions
  + Helping users navigate and find content
  + Making text readable and understandable
  + Making functionality appear and operate in predictable ways
  + Helping users avoid and correct mistakes
  + Ensuring compatibility with assistive technologies
* Design Accessible Policies: Have practices, policies, and procedures addressing the accessibility needs of persons with disabilities.
* Ensure Support Functions are Accessible: Including electronic identification, security, and payment systems.

**Sector-Specific Requirements.**

Electronic Communications.

Electronic communication services must:

* Provide real-time text capability alongside voice communication
* Support total conversation services (audio, video, and real-time text)
* Ensure that emergency communications using voice, text, and video can function simultaneously

Audiovisual Media Services.

These services must:

* Make electronic program guides perceivable, operable, understandable, and robust
* Ensure accessibility components (subtitles, audio descriptions, etc.) are fully transmitted
* Make sure all parts of the service, including apps, are accessible

E-Books.

E-book services must:

* Support compatibility with assistive technology
* Ensure digital rights management doesn't block accessibility features
* Include metadata about accessibility features
* Make text content and formatting accessible to assistive technology

E-Commerce.

E-commerce services must:

* Provide information about product accessibility
* Make all aspects of the shopping process accessible
* Ensure checkout, payment, and account systems are accessible
* Provide accessible identification and security methods

Banking Services.

Banking services must:

* Make consumer banking websites and apps accessible
* Provide accessible identification methods
* Ensure banking machines (ATMs) can be used by people with disabilities
* Make documents and banking information understandable

Transport Services.

Transport services must:

* Provide accessible information about service accessibility
* Make self-service terminals like ticketing kiosks accessible
* Ensure check-in systems and boarding passes are accessible
* Provide accessible information about schedules, routes, and service disruptions

**Functional Performance Criteria.**

The EAA includes functional performance criteria to ensure products and services are usable by people with various disabilities. These criteria serve as a framework when specific technical requirements don't fully address all features. Products and services must be usable by people:

* Without vision
* With limited vision
* Who cannot perceive color
* Without hearing
* With limited hearing
* Without vocal capability
* With limited manipulation or strength
* With limited reach
* With photosensitive seizure disorders
* With cognitive limitations
* With privacy concerns related to their disability

These criteria ensure that regardless of specific disability, all users can effectively interact with products and services through at least one accessible method for each function.

**Implementation and Conformity.**

The accessibility requirements established in the EAA must be implemented by:

* Manufacturers: When designing and producing products
* Service Providers: When developing and delivering services
* Importers and Distributors: When bringing products to market

To demonstrate conformity with these requirements:

* For Products: Manufacturers must prepare technical documentation showing how the product meets accessibility requirements and apply the CE marking.
* For Services: Service providers must establish and document how their services comply with the accessibility requirements.

The EAA includes detailed procedures for conformity assessment through internal production control and market surveillance by national authorities. In cases where requirements would cause a disproportionate burden, exemptions may apply if properly documented and justified.

* [Scope](https://allyship.dev/eaa/2.1-scope)

**Products Covered.**

This law applies to products sold after June 28, 2025. These products include:

* Computer systems and operating systems for home use.
* Payment terminals (both hardware and software).
* Self-service machines for services.

Self-service machines include:

* ATMs for banking.
* Machines that print tickets.
* Machines that give you a number in line at banks.
* Check-in machines at airports and hotels.
* Information kiosks in public places.

The law also covers:

* Electronic devices you can interact with.
* E-readers for digital books.

The law does not cover screens built into vehicles, airplanes, ships, or trains. These have different rules.

**Services Covered.**

This law also applies to services offered after June 28, 2025. These services include:

* Phone, internet, and messaging services.
* Services that let you watch TV, films, and other media.
* Parts of travel services.

Travel services include:

* Websites for booking travel.
* Mobile apps for travel services.
* Online ticket systems.
* Services that provide travel information.

Other covered services include:

* Banking services for consumers.
* E-books and the software to read them.
* Online shopping websites and apps.

**Small Business Exemption.**

Very small businesses that provide services do not have to follow these accessibility rules. These are businesses with fewer than 10 employees.

EU countries must create guides to help these small businesses understand the laws. These guides must be created with help from experts and relevant groups.

**Buildings and Spaces.**

Each EU country can decide if buildings where these services are provided must also be accessible. These rules help people with disabilities use services more easily.

**Emergency Services.**

EU countries must make sure emergency call centers that answer '112' calls follow specific accessibility rules. Each country can set up their emergency systems in the way that works best for them.

**Extra Rules.**

The European Commission can create more detailed rules when needed. These extra rules help make sure products and services work together properly and are truly accessible.

**Source References**

This page is based on these parts of Directive (EU) 2019/882:

* Article 2 (Scope)
* Article 4, Paragraphs 4, 5, 6, 8, 9
* Recitals 18, 19, 25-28, 30-35, 39, 41, 42, 44-46, 49, 70

* [Product Requirements](https://allyship.dev/eaa/2.2-product-requirements)

**Overview.**

The European Accessibility Act specifies detailed requirements for making products accessible to people with disabilities. These requirements cover both general aspects applicable to all products and specific requirements for certain product categories.

This page presents the product requirements from Annex I of the European Accessibility Act, which outlines detailed accessibility specifications that products must meet to be compliant.

Products covered by the EAA include:

* Consumer computer hardware systems and operating systems
* Self-service terminals (ATMs, ticketing machines, check-in machines)
* Consumer terminal equipment with interactive computing capability used for electronic communications
* Consumer terminal equipment with interactive computing capability used for accessing audiovisual media services
* E-readers

**General Requirements.**

All products covered by the EAA must meet these general accessibility requirements:

1. Accessible Information. Product information (including instructions, packaging, etc.) must be:
   * Available through more than one sensory channel (visual, auditory, tactile)
   * Presented in an understandable way
   * Perceivable by users with different abilities
   * Presented with adequate contrast and font size
   * Available in text format that can be used to generate alternative formats
2. Accessible User Interface. The product's user interface and functionality must be accessible by:
   * Providing information through more than one sensory channel
   * Offering alternatives to speech for communication and operation
   * Allowing flexible magnification, contrast, and brightness adjustments
   * Providing alternatives when color is used to convey information
   * Avoiding triggering seizures and allowing enough time for user interaction
   * Providing alternatives to fine motor control operations
   * Avoiding designs requiring extensive reach or strength
   * Considering light sensitivity and minimizing photosensitive triggers
3. Assistive Technology Support. Products must be compatible with assistive technologies, including:
   * Screen readers and alternative input devices
   * Hearing aids and cochlear implants
   * Assistive listening devices
4. Support Services. Help desks, call centers, and technical support must provide information about product accessibility in accessible formats.

**Self-Service Terminals.**

Self-service terminals such as ATMs, ticket machines, and check-in kiosks must meet these specific requirements:

* Include text-to-speech technology when terminals have text input or output capabilities
* Allow the use of personal headsets when audio output is provided
* Support alternative input methods when timed responses are required (voice, touch, etc.)
* Provide visual alternatives for audio content and audio alternatives for visual content
* Avoid visual patterns that could cause seizures
* Be compatible with assistive technologies
* Support high color contrast for important information
* Be physically accessible, with all interactive elements reachable by users with different abilities

These requirements apply to terminals including but not limited to:

* Payment terminals and banking ATMs
* Transport ticketing and check-in machines
* Public information kiosks
* Self-service shopping checkout machines

**Computing Hardware and Operating Systems.**

Consumer computing hardware systems and operating systems must:

* Support text-to-speech functionality for text content
* Provide reliable connection to assistive technologies
* Enable keyboard control for all functions that normally require mouse or touch input
* Allow for alternative input methods (head tracking, eye tracking, voice control, etc.)
* Permit customization of display settings (color, contrast, font size, etc.)
* Include accessibility features that protect user privacy
* Allow users to disable automatic features that might interfere with assistive technologies
* Support interoperability with assistive technologies through standard communication protocols

These requirements apply to personal computers, laptops, tablets, and smartphones, along with their operating systems.

**E-Readers.**

E-readers must meet these specific accessibility requirements:

* Support text-to-speech technology to enable reading by blind and low-vision users
* Ensure that accessibility features are not blocked by digital rights management or security measures
* Include accessibility metadata to help users find accessible content
* Support reflowable text that can be adjusted for size, spacing, and color
* Enable navigation through content via multiple methods (table of contents, page numbers, search)
* Support bookmarks, highlights, and notes in accessible formats
* Maintain compatibility with screen readers and other assistive technologies
* Allow for customization of display settings (contrast, brightness, color themes)

These requirements ensure that e-readers and their content are accessible to people with various disabilities, including visual, cognitive, and motor impairments.

**Product Compliance.**

To comply with the European Accessibility Act, manufacturers must:

* Incorporate accessibility features during product design and development
* Document how products meet the accessibility requirements
* Create a technical file demonstrating conformity with the requirements
* Apply the CE marking to products that meet the requirements
* Publish accessibility information along with product information
* Maintain records of compliance for at least five years after the product is placed on the market

If full compliance with certain requirements would require a fundamental alteration to the product or create a disproportionate burden, manufacturers may apply for exemptions. However, this requires thorough documentation and justification.

* [Service Requirements](https://allyship.dev/eaa/2.3-service-requirements)

**Overview.**

The European Accessibility Act establishes comprehensive requirements for ensuring services are accessible to persons with disabilities. These accessibility requirements apply to a wide range of services that fall within the scope of the EAA.

This page details the service requirements from Annex I of the European Accessibility Act, which specifies how service providers must make their offerings accessible to all users.

Services covered by the EAA include:

* Electronic communications services
* Services providing access to audiovisual media services
* Elements of passenger transport services (websites, mobile apps, e-ticketing, etc.)
* Consumer banking services (websites, mobile banking, ATMs, etc.)
* E-books and dedicated software
* E-commerce services

**General Requirements.**

All services covered by the EAA must meet these general accessibility requirements:

1. Provide Accessible Information: Services must provide information about:
   * How the service works
   * What accessibility features are available
   * How to get support if needed
2. This information must be accessible to people with various disabilities by:
   * Being available in multiple formats (text, audio, video with captions)
   * Being clearly written in plain language
   * Being perceivable by people with different sensory abilities
3. Make Digital Interfaces Accessible: Service providers must ensure that their websites, mobile applications, and electronic documents follow accessibility principles:
   * Perceivable: Information must be presented in ways users can perceive
   * Operable: Interface must be usable by people with different abilities
   * Understandable: Content and operation must be easy to understand
   * Robust: Content must work with various assistive technologies
4. Implement Accessible Policies: Service providers must have:
   * Clear policies addressing the needs of people with disabilities
   * Staff training on serving people with disabilities
   * Procedures for handling accessibility issues
5. Ensure Support Functions Are Accessible: Functions like:
   * Electronic identification methods
   * Security features
   * Payment systems
6. These must be designed to be perceivable, operable, understandable, and robust for all users.

**Website Requirements.**

Websites must follow accessibility principles aligned with the Web Content Accessibility Guidelines (WCAG):

* Perceivable content:
  + Provide text alternatives for non-text content
  + Provide captions and audio descriptions for multimedia
  + Create content that can be presented in different ways
  + Make it easier for users to see and hear content
* Operable interface:
  + Make all functionality available from a keyboard
  + Give users enough time to read and use content
  + Do not use content that could cause seizures or physical reactions
  + Help users navigate and find content
  + Make it easier to use inputs other than keyboard
* Understandable information:
  + Make text readable and understandable
  + Make content appear and operate in predictable ways
  + Help users avoid and correct mistakes
* Robust content:
  + Maximize compatibility with current and future user tools
  + Use standard HTML/CSS properly
  + Provide proper labels and relationships in content

These requirements align with established web accessibility standards and help ensure that websites are usable by people with various disabilities.

**Mobile App Requirements.**

Mobile applications must meet similar accessibility requirements to websites, with special attention to mobile-specific features:

* Compatibility with screen readers and other assistive technologies on mobile platforms
* Support for platform-specific accessibility features (VoiceOver, TalkBack, etc.)
* Proper implementation of accessible touch targets (size and spacing)
* Support for different device orientations
* Accessibility of notifications and alerts
* Alternative methods for gesture-based controls
* Support for system text size settings
* Proper contrast ratios for mobile viewing conditions
* Accessible forms and input methods

Mobile apps must also provide accessibility information in their store listings, helping users understand what accessibility features are supported.

**Electronic Documents.**

Electronic documents provided as part of a service must be accessible by:

* Using proper document structure with headings, lists, and tables
* Including alternative text for images and diagrams
* Providing meaningful hyperlink text
* Using sufficient color contrast
* Including document metadata (title, language, etc.)
* Ensuring compatibility with screen readers
* Avoiding reliance on color alone to convey information
* Making forms fillable and navigable with assistive technology

Common document formats that must be made accessible include PDFs, Word documents, presentations, and form documents used for service delivery.

**Service Compliance.**

To comply with the European Accessibility Act, service providers must:

* Design and provide services following accessibility requirements
* Document how their services meet the accessibility requirements
* Maintain this documentation for as long as the service is offered
* Inform the public about how their services meet accessibility requirements
* Establish procedures to ensure continued compliance as services evolve
* Respond to complaints and feedback about accessibility issues

If full compliance with certain requirements would fundamentally alter the service or create a disproportionate burden, service providers may claim exemptions. However, this requires thorough assessment and documentation based on specific criteria set out in the law.

* [Sector-Specific Requirements](https://allyship.dev/eaa/2.4-sector-specific)

**Overview.**

The European Accessibility Act includes specific accessibility requirements for various sectors based on their unique services and products. While all sectors must comply with the general requirements, these sector-specific rules address the unique accessibility needs in each domain.

These requirements ensure that persons with disabilities can access specialized services across all sectors covered by the EAA with the same level of access as all other users.

**Electronic Communications.**

Electronic communication services, including telephone, video, and messaging services, must:

* Provide real-time text capability alongside voice communications, allowing users to communicate through text in real time during calls
* Support total conversation services when providing both voice and video, enabling simultaneous voice, text, and video communication in one conversation
* Ensure synchronized voice, text, and video for emergency communications, making emergency services accessible to people with hearing or speech disabilities
* Make user interfaces accessible for people with various disabilities to initiate, receive, and end communications
* Support assistive technologies including hearing aids, telecoils, cochlear implants, and assistive listening devices
* Provide accessibility information about service compatibility with assistive technologies

These requirements ensure that people with disabilities can communicate effectively using electronic communication services, which are essential for daily life, emergency access, and social participation.

**Audiovisual Media.**

Services providing access to audiovisual media (streaming platforms, TV services, etc.) must:

* Provide accessible electronic program guides that are perceivable, operable, understandable, and robust for users with disabilities
* Ensure complete transmission of accessibility features (subtitles, audio description, spoken subtitles, sign language interpretation) from content providers to end users
* Make user interfaces accessible so that people with disabilities can find, select, and view audiovisual content
* Provide information about accessibility features available for specific content, helping users find accessible programming
* Make mobile applications accessible for accessing audiovisual content on mobile devices
* Support content navigation through accessible menus, search functions, and content guides

These requirements ensure that people with disabilities can find, access, and enjoy audiovisual content including television programs, movies, and streaming media.

**E-Books.**

E-book services and providers must:

* Provide e-books in accessible formats with proper structure, content, and flexibility to accommodate different user needs
* Ensure digital files support proper formatting, content navigation, layout, and flexibility
* Include accessibility metadata to help users identify accessible features before purchasing or accessing content
* Protect accessibility features when implementing technical protection measures (like digital rights management systems)
* Make e-book platforms accessible so users with disabilities can browse, purchase, download, and read content
* Support assistive technologies including screen readers, refreshable braille displays, and other reading tools
* Allow content customization including font size, spacing, color, contrast, and layout adjustments

These requirements ensure that people with disabilities have equal access to literature, educational materials, and other written content in digital formats.

**E-Commerce.**

E-commerce services, including online stores and marketplaces, must:

* Provide accessible identification methods for creating accounts, logging in, and authenticating users
* Make payment processes accessible with clear instructions and feedback for all stages of transactions
* Implement accessible security measures that don't create barriers for people with disabilities
* Provide product accessibility information to help customers understand whether products meet their accessibility needs
* Make digital shopping interfaces accessible for browsing products, reading descriptions, comparing options, and completing purchases
* Ensure product search and filtering functions are accessible to help users find appropriate products
* Make customer service accessible through multiple communication channels

These requirements ensure that people with disabilities can shop online independently, access product information, complete transactions, and receive customer support.

**Banking.**

Banking services, including consumer banking and financial services, must:

* Provide accessible identification methods for online and mobile banking
* Make electronic document signing accessible for contracts and transactions
* Implement accessible security features that work for people with different abilities
* Ensure banking information is understandable, not exceeding upper intermediate reading level (approximately B2 level)
* Make banking interfaces accessible for checking balances, transferring funds, paying bills, and managing accounts
* Ensure ATMs are accessible with features like text-to-speech, tactile keypads, and headphone jacks
* Provide accessible financial documents including statements, contracts, and notices
* Offer accessible customer support through multiple communication channels

These requirements ensure that people with disabilities can independently manage their finances, access banking services, and complete financial transactions securely.

**Transport.**

Air, bus, rail, and waterborne passenger transport services must:

* Provide accessible websites and mobile apps for information, booking, check-in, and ticketing
* Make self-service terminals accessible, including ticketing machines, check-in kiosks, and payment terminals
* Provide accessible real-time travel information about schedules, delays, platform changes, and service disruptions
* Ensure electronic ticketing and boarding passes are accessible to people with different disabilities
* Make information about accessibility features of transport services and vehicles easily available
* Provide booking systems that allow people to specify accessibility needs
* Ensure identification and payment systems used during travel are accessible

These requirements ensure that people with disabilities can plan trips, purchase tickets, check in, board vehicles, and receive important travel information independently.

Note that these requirements cover digital services related to transportation. Physical accessibility of stations, vehicles, and infrastructure is covered by other EU legislation.

* [Functional Performance Criteria](https://allyship.dev/eaa/2.5-functional-performance-criteria)

**Overview.**

The Functional Performance Criteria (FPC) are a crucial part of Annex I of the European Accessibility Act. They define outcomes that products and services must achieve to be considered accessible to people with disabilities.

These criteria ensure that regardless of specific disability, all users can effectively interact with products and services through at least one accessible method for each function.

The FPC serve as a framework when specific technical requirements don't fully address all product or service features. They help organizations understand the goals of accessibility even when detailed technical specifications aren't available.

**Visual Disabilities.**

Products and services must be operable and usable by people with the following visual disabilities:

* Without Vision  
  Products and services must provide at least one mode of operation that doesn't require vision. This includes:
  + Text-to-speech for textual content
  + Tactile controls and feedback
  + Audio descriptions for visual content
  + Compatibility with screen readers
  + Alternative formats such as braille or audio
* With Limited Vision  
  Products and services must provide at least one mode of operation that accommodates users with limited vision. This includes:
  + Magnification without loss of content or functionality
  + Adjustable font sizes
  + Flexible spacing and formatting
  + Adjustable brightness and contrast
  + Alternative color schemes
* Without Color Perception  
  Products and services must provide at least one mode of operation that doesn't require user color perception. This includes:
  + Never using color alone to convey information
  + Providing text alternatives for color-coded information
  + Using patterns or shapes in addition to color
  + Ensuring adequate contrast between text and background
  + Allowing user customization of color schemes

**Hearing Disabilities.**

Products and services must be operable and usable by people with the following hearing disabilities:

* Without Hearing  
  Products and services must provide at least one mode of operation that doesn't require hearing. This includes:
  + Visual or tactile alternatives to audio signals
  + Captions for audio content
  + Sign language interpretation for spoken content
  + Text-based communication alternatives
  + Visual notifications for alerts and warnings
* With Limited Hearing  
  Products and services must provide at least one mode of operation that accommodates users with limited hearing abilities. This includes:
  + Volume controls with amplification beyond standard levels
  + Noise reduction for improved audio clarity
  + Frequency control to enhance speech comprehension
  + Compatibility with hearing aids and cochlear implants
  + Options to separate foreground speech from background sounds
* Without Vocal Capability  
  Products and services must provide at least one mode of operation that doesn't require the user to generate vocal sounds. This includes:
  + Text or image-based inputs as alternatives to voice commands
  + Real-time text communication options
  + Support for message composition using symbols or prewritten text
  + Alternative ways to make selections and give commands
  + Support for sign language input via camera where applicable

**Physical Disabilities.**

Products and services must be operable and usable by people with the following physical limitations:

* With Limited Manipulation or Strength  
  Products and services must provide at least one mode of operation that can be used by people with limited manual dexterity, reach, or strength. This includes:
  + Support for alternative input devices (switch controls, eye tracking, etc.)
  + Voice control options for navigation and interaction
  + Touch-free operation options
  + Sequential key presses as alternatives to simultaneous key combinations
  + Adjustable timing for interactions
  + Large, easy-to-press controls requiring minimal force
* With Limited Reach  
  Products and services must accommodate users with limited reach and those who might use assistive devices. This includes:
  + Placing interactive elements within accessible reach ranges
  + Allowing operation from multiple positions
  + Providing remote control options where applicable
  + Support for voice or proximity activation
  + Ensuring compatibility with assistive reaching tools
* With Photosensitive Seizures  
  Products and services must provide at least one mode of operation that minimizes the potential for triggering photosensitive seizures. This includes:
  + Avoiding flashing content that exceeds safe thresholds
  + Providing options to disable animations and flashing elements
  + Allowing user control over visual stimuli
  + Warning users about content that might trigger seizures
  + Offering alternative non-visual ways to access the same functionality

**Cognitive Disabilities.**

Products and services must be operable and usable by people with cognitive limitations:

* With Limited Cognitive Ability  
  Products and services must provide features that make them easier to use for people with various cognitive, language, and learning disabilities. This includes:
  + Predictable and consistent patterns of interaction
  + Clear, simple language and instructions
  + Step-by-step guidance for complex processes
  + Multiple ways to access and understand content (text, audio, video)
  + Reduced complexity and cognitive load
  + Error prevention and simple error correction
  + Minimal distractions
  + Support for extended time to complete tasks
  + Memory aids and reminders
  + Options to customize displays to reduce cognitive overload

These requirements help make products and services more accessible to people with conditions such as intellectual disabilities, autism, dyslexia, ADHD, and memory impairments.

**Privacy Considerations.**

The EAA includes a specific functional performance criterion related to privacy:

* Privacy When Using Accessibility Features  
  Products and services must provide at least one mode of operation that maintains privacy when users are utilizing accessibility features. This means:
  + Accessibility features should not compromise user privacy
  + Personal headsets must be supported for private audio output
  + Screen reader output should be available through headphones
  + Visual information should be protected from onlookers when needed
  + Authentication and identification methods must be accessible without compromising security

This criterion recognizes that people using accessibility features should be able to maintain the same level of privacy as other users, particularly in public settings or when dealing with sensitive information.

**Implementation Approach.**

The functional performance criteria should be used as follows:

* As complementary requirements: If the specific technical requirements in other sections of the EAA don't adequately cover certain aspects of accessibility, the functional performance criteria should be used to address those gaps.
* As guiding principles: When designing products and services, these criteria provide a user-centered perspective on accessibility goals, focusing on the outcomes for people with disabilities rather than just technical specifications.
* For innovative solutions: When new technologies emerge that aren't explicitly covered by existing technical requirements, these criteria can guide the implementation of accessible features.
* For testing and validation: These criteria can be used to validate that accessibility features truly meet the needs of users with different disabilities.

To meet these criteria, manufacturers and service providers should:

* Consider the full range of user abilities in their design process
* Incorporate multiple modes of operation and interaction
* Test with users who have different disabilities
* Document how their products or services meet these performance criteria
* Update designs as new accessibility technologies and approaches become available

* [Built Environment](https://allyship.dev/eaa/2.6-built-environment)

**Overview of Built Environment Requirements.**

The European Accessibility Act includes provisions for the accessibility of the built environment, though these are optional for Member States to implement. These requirements focus on the physical spaces where products and services covered by the EAA are provided to the public.

The built environment refers to physical structures such as buildings, entrances, pathways, and facilities that consumers use when accessing services. Making these spaces accessible is crucial for ensuring that people with disabilities can fully use the products and services covered by the EAA.

**Optional Nature of These Requirements.**

Unlike other provisions of the EAA, the requirements for the built environment are not mandatory across all EU Member States. Instead:

* Member States can decide whether to require compliance with the built environment provisions
* If implemented, these requirements apply to new infrastructure or significant renovations
* Member States that choose to implement these provisions must base them on the criteria in Annex III of the EAA
* The provisions only apply to the built environment used by clients of services covered by the EAA

This flexibility allows Member States to align the EAA's built environment requirements with their existing national building regulations and accessibility laws.

**Key Requirements for the Built Environment.**

According to Annex III of the EAA, the key areas for built environment accessibility include:

* Use of related outdoor spaces and facilities owned by the service provider
* Approaches to buildings including parking, drop-off points, and clear paths
* Building entrances that are identifiable, accessible, and usable by all people
* Circulation paths that allow movement through buildings, including corridors and floors
* Service provision spaces where the actual service is delivered to customers
* Information elements including signage, wayfinding, and communication systems
* Accessible emergency exits and emergency information for all users
* Accessible facilities such as toilets, service counters, and interactive terminals

**Implementation Considerations.**

For Member States that choose to implement built environment requirements:

* Requirements typically apply to new construction and major renovations
* The accessibility requirements should follow the principles of "design for all"
* Implementation may be phased, with different timelines than the core EAA requirements
* Compliance can often be achieved by following existing harmonized standards for built environment accessibility
* Disproportionate burden provisions may apply in some circumstances

Service providers should be aware of the specific requirements in each Member State where they operate, as these may vary considerably.

**Relationship to Other Laws.**

The built environment requirements in the EAA exist within a broader legal framework:

* National building codes - Most Member States already have national requirements for built environment accessibility
* European Standard EN 17210 - Provides detailed accessibility and usability guidelines for the built environment
* UN Convention on the Rights of Persons with Disabilities - Requires accessibility of the physical environment
* Web Accessibility Directive - Complements the EAA by covering public sector websites and mobile applications

When implementing built environment accessibility, organizations should consider all applicable laws in their jurisdiction, not just the EAA.

**Benefits of Accessible Built Environments.**

Making the built environment accessible provides numerous benefits:

* Increased market reach - More customers can access services and products
* Better customer experience - All users benefit from intuitive, barrier-free environments
* Future-proofing - Preparing for aging populations and evolving accessibility standards
* Social inclusion - Creating spaces where everyone feels welcome and can participate
* Legal compliance - Reducing risk of complaints and litigation
* Environmental sustainability - Accessible designs often align with sustainable building practices

Even if not mandatory in all Member States, implementing built environment accessibility is a strategic investment that creates more inclusive spaces for everyone.

**Source References.**

This page references these sections of Directive (EU) 2019/882:

* Article 4(4). Reference to built environment accessibility.
* Article 15. Member State option to require built environment accessibility.
* Annex III. Accessibility requirements related to the built environment.
* Recitals 49 and 50. Context on built environment accessibility.

* [Technical Criteria](https://allyship.dev/eaa/2.7-technical-criteria)

**Overview of Technical Criteria.**

The European Accessibility Act requires products and services to meet specific accessibility requirements. To help businesses understand how to implement these requirements correctly, the EAA relies on technical criteria in the form of harmonized standards and technical specifications.

These technical criteria provide detailed, measurable specifications that can guide the design, production, and assessment of products and services. When a product or service complies with these technical criteria, it is presumed to be in conformity with the EAA requirements.

**Harmonized Standards.**

Harmonized standards are European standards developed by recognized European Standards Organizations (ESOs) such as CEN, CENELEC, and ETSI. They provide a crucial role in the EAA compliance framework:

* When a product or service complies with harmonized standards, it is presumed to comply with the EAA requirements covered by those standards
* Compliance with these standards is voluntary, but they provide a straightforward path to demonstrating conformity
* The European Commission periodically publishes references to harmonized standards in the Official Journal of the European Union
* Harmonized standards translate the general requirements of the EAA into detailed technical specifications

Using harmonized standards simplifies the conformity assessment process and provides a common approach across the EU market.

**Technical Specifications.**

When harmonized standards don't exist or aren't sufficient, the European Commission can adopt technical specifications:

* Technical specifications provide detailed requirements where harmonized standards are not available
* Like harmonized standards, products and services that comply with these specifications are presumed to conform with the EAA
* They are published as implementing acts by the European Commission
* Technical specifications may be developed more quickly than full harmonized standards

The availability of both harmonized standards and technical specifications ensures that businesses have access to technical criteria for all products and services covered by the EAA.

**Measurement Methodologies.**

Technical criteria include specific methodologies for measuring accessibility:

* Test procedures to verify that products and services meet accessibility requirements
* Measurable parameters such as font sizes, contrast ratios, and force requirements
* Assessment methodologies for evaluating both objective and subjective accessibility features
* Validation methods to ensure that digital interfaces comply with accessibility requirements

These methodologies help ensure consistent assessment and implementation of accessibility features across different products and services.

**Selection Criteria for Standards.**

When choosing standards to follow, organizations should consider:

* Official status - Prioritize harmonized standards officially recognized by the European Commission
* Scope alignment - Select standards that specifically cover your product or service category
* Date of publication - Use the most recent versions of standards
* International recognition - Consider internationally recognized standards when harmonized standards are not available
* Industry consensus - Choose standards that are widely accepted in your industry

Organizations should regularly check the Official Journal of the European Union for updates to the list of harmonized standards relevant to the EAA.

**Key Standards for EAA Compliance.**

While the complete list of harmonized standards is published in the Official Journal, these are some of the key standards likely to be relevant:

* EN 301 549 - Accessibility requirements for ICT products and services
* WCAG 2.1 (Web Content Accessibility Guidelines) - For web interfaces and applications
* EN 17161 - Design for All accessibility framework
* EN 17210 - Accessibility and usability of the built environment
* EN 17260 - Accessibility and usability of the built environment
* EN 60268-16 - Sound system equipment, measurement of speech intelligibility
* EN 300 743 - Digital Video Broadcasting (DVB), subtitling systems

These standards cover different aspects of accessibility, from digital interfaces to physical features, and provide detailed technical specifications to guide implementation.

**Source References.**

This page references these sections of Directive (EU) 2019/882:

* Article 15. Presumption of conformity.
* Article 16. Common technical specifications.
* Annex I. Accessibility requirements related to products and services.
* Recitals 74-76. Context on harmonized standards and technical specifications.

Chapter 3

[**Exceptions**](https://allyship.dev/eaa/3.0-exceptions)

**Overview.**

While the European Accessibility Act (EAA) establishes comprehensive accessibility requirements, it recognizes that certain exemptions and exceptions may be necessary. These exceptions ensure that the implementation of accessibility requirements remains practical, proportionate, and economically viable for businesses while still advancing overall accessibility.

The EAA provides for several specific exceptions to its accessibility requirements, each with specific criteria and documentation requirements to prevent misuse:

* Disproportionate burden exception
* Fundamental alteration exception
* Exemptions for microenterprises providing services
* Transitional periods for certain products and services

It's important to note that these exceptions are not blanket exemptions from all accessibility requirements. Each exception has specific conditions, applies to particular aspects of compliance, and requires proper assessment and documentation.

**Disproportionate Burden.**

The EAA recognizes that some accessibility requirements might impose a disproportionate burden on economic operators. In such cases, operators can be exempted from meeting specific requirements, but only to the extent that:

* The burden would be disproportionate to the benefits for persons with disabilities
* The exemption applies only to the specific requirements creating the disproportionate burden, not all accessibility requirements
* A documented assessment has been conducted to demonstrate the disproportionate burden

Assessment Criteria.

When assessing whether compliance would impose a disproportionate burden, economic operators should consider:

* Cost-benefit ratio: The costs of compliance compared to the estimated benefit for persons with disabilities, considering the frequency and duration of use
* Organizational size and resources: The size, resources, and nature of the economic operator
* Economic impact: The estimated impact on the economic operator versus the estimated benefit for persons with disabilities
* Lifecycle considerations: For products with a long lifecycle, costs should be calculated over the operational lifetime

Detailed assessment criteria are outlined in Annex VI of the European Accessibility Act.

**Fundamental Alteration.**

Accessibility requirements do not apply when they would require a fundamental alteration in the nature of a product or service. This exception recognizes that some accessibility features could fundamentally change a product's or service's basic character or purpose.

What Constitutes a Fundamental Alteration?

A fundamental alteration occurs when an accessibility requirement would:

* Significantly change the basic nature or purpose of the product or service
* Remove essential functionality that defines the product or service
* Create an entirely different product or service than what was intended

This exception must be applied narrowly and only to the specific requirements that would cause the fundamental alteration. Economic operators must still comply with all other applicable accessibility requirements.

Example: A visual art installation designed specifically as a visual experience might claim a fundamental alteration exception regarding making the core visual experience accessible to people who are blind. However, any digital information about the installation, ticketing systems, or physical space would still need to meet accessibility requirements.

**Microenterprises.**

The EAA provides specific exemptions for microenterprises that provide services. Microenterprises providing products are not exempted and must comply with the product accessibility requirements.

Definition of a Microenterprise.

A microenterprise is defined as an enterprise that:

* Employs fewer than 10 persons
* Has an annual turnover not exceeding €2 million or an annual balance sheet total not exceeding €2 million

Scope of Exemption.

Microenterprises that provide services are exempted from complying with the accessibility requirements of the EAA and from any obligations related to compliance with those requirements.

However, Member States are required to:

* Provide guidelines and tools to microenterprises to facilitate the application of national measures transposing the EAA
* Encourage microenterprises to implement accessibility measures, even though they are exempt from the legal requirements

It's important to note that microenterprises dealing with products (manufacturers, importers, distributors) must still comply with all EAA requirements.

**Transitional Measures.**

The EAA includes several transitional provisions that allow economic operators additional time to adapt to the accessibility requirements:

Service Contracts.

Service contracts concluded before June 28, 2025, may continue without alteration until they expire, but for no longer than 5 years from that date.

Self-Service Terminals.

Self-service terminals lawfully used by service providers before June 28, 2025, may continue to be used until the end of their economically useful life, but for no longer than 20 years after their entry into use.

Extended Compliance Period.

Member States may provide that self-service terminals lawfully used by service providers before June 28, 2025, may continue to be used until the end of their economically useful life, but for no longer than 20 years after their entry into use.

**Documentation Requirements.**

For any exception claimed, economic operators must maintain proper documentation to justify their decision:

* Disproportionate burden: The assessment used to evaluate whether compliance would impose a disproportionate burden must be documented and retained for a period of 5 years after the last product or service is offered
* Fundamental alteration: Documentation must explain why specific accessibility requirements would fundamentally alter the nature of the product or service
* Microenterprises: Service providers claiming the microenterprise exemption should maintain documentation proving they meet the definition of a microenterprise

When requested by market surveillance authorities or other competent national authorities, economic operators must provide this documentation to justify any exceptions claimed.

* [Disproportionate Burden](https://allyship.dev/eaa/3.1-disproportionate-burden)

**Overview.**

Sometimes making products accessible can be very expensive for businesses. "Disproportionate burden" is when a business can be excused from some accessibility requirements because the costs would be too high compared to the benefits.

The European Accessibility Act includes a way to fairly assess when costs are truly too high, based on facts rather than assumptions.

**Assessment Criteria.**

Businesses must use these criteria when assessing disproportionate burden:

**1. Ratio of Net Costs to Overall Costs.**

Businesses must compare the cost of making things accessible to their total business costs. These costs include:

* One-time costs to redesign products or services to be accessible.
* Ongoing costs to maintain accessibility features.
* Costs for training staff about accessibility.
* Costs for testing with people who have disabilities.

These costs should be compared to the total cost of making and selling the product.

**2. Estimated Costs and Benefits for the Business.**

The assessment must include what the business will spend and gain. It should consider benefits for people with disabilities, including:

* How often people use the product or service.
* How many people with disabilities would benefit.
* How much more money the business might make from being accessible.
* How long the product or service will last.

**3. Comparing Net Costs with Organization Size.**

The assessment must compare the costs of meeting accessibility requirements with:

* For Very Small Businesses: The total resources of the business, making sure costs won't put them out of business.
* For Larger Businesses: The percentage of money spent on accessibility compared to their total sales.

**Documentation Requirements.**

When claiming disproportionate burden, businesses must keep detailed records. These records should include:

* Detailed Cost Breakdown: A list of all expected costs for making each accessibility feature that might be too expensive.
* Benefit Analysis: An assessment of how people with disabilities would benefit, with numbers when possible.
* Alternatives Considered: Notes about partial solutions that were considered and why they were still too expensive.
* Financial Information: Money details that show why the costs are too high for the size of the business.
* Expert Input: Any opinions from experts or feedback from stakeholders.

Businesses must keep these records for at least five years after they stop selling the product or providing the service.

**Periodic Reassessment.**

Businesses must review their disproportionate burden assessment in these situations:

* When they change a service.
* When they change or redesign a product.
* When requested by an authority.
* At least every five years.

They need to check if anything has changed that might affect their previous decision. Changes might include:

* Lower costs due to new technology.
* New tools that make accessibility easier.
* Changes in the business's financial situation.
* Changes to the product that might affect accessibility.
* Changes in what users need and expect regarding accessibility.

**Guiding Principles for Assessment.**

When assessing disproportionate burden, businesses should follow these principles:

* Check Each Requirement Separately: Look at each accessibility requirement individually, not all at once.
* Use Real Evidence: Base decisions on facts, not guesses about costs or benefits.
* Seek Limited Exemptions: Try to make as many accessibility features as possible, asking for exemptions only when truly needed.
* Consider Alternatives: Think about partial solutions or different approaches that might cost less.
* Get Expert Input: Talk to accessibility experts and disability organizations when possible.
* Think About the Future: Consider new technology that might make accessibility cheaper over time.
* Be Open: Be ready to explain your decisions to stakeholders and authorities.

**Practical Assessment Steps.**

Businesses can follow these steps to assess disproportionate burden:

1. Find Required Accessibility Features: Determine which accessibility requirements apply to your product or service.
2. List Implementation Options: For each requirement, identify ways to make your product or service meet the requirement.
3. Calculate Costs: Figure out one-time and ongoing costs for each accessibility requirement, including:
   * Design and development costs.
   * Testing costs.
   * Staff training.
   * Documentation updates.
   * Ongoing maintenance.
4. Calculate Benefits: Figure out the benefits of each requirement, including:
   * Potential new customers.
   * Better experience for all users.
   * Competitive advantages.
   * Lower legal risk.
   * Better company reputation.
5. Find Net Burden: Compare costs against benefits and your company's resources.
6. Look for Alternatives: For requirements that cost too much, try to find cheaper approaches.
7. Document Everything: Keep detailed records of your process, findings, and reasons.
8. Plan Future Checks: Set a schedule to review your assessment regularly.

This step-by-step approach helps ensure a thorough assessment that meets legal requirements while maximizing accessibility within your budget.

**Limitations of the Disproportionate Burden Exemption.**

While businesses can claim disproportionate burden, there are important limits:

* Not Automatic: The exemption is not given automatically. Businesses must prove their case with documentation.
* Will Be Checked: Authorities can ask for and review the assessment documentation.
* Not Permanent: The decision is temporary and must be checked again periodically.
* Not for EU-Funded Projects: Products or services funded by EU programs must be accessible regardless of cost.
* Can't Skip Essential Features: Businesses cannot use cost as a reason to avoid accessibility features that are basic to the product's function.
* Public Scrutiny: Businesses using this exemption should be prepared for questions from the public and market pressure.

These limits ensure that the disproportionate burden exemption is used properly and doesn't undermine the main goals of the EAA.

**Relationship with Other EAA Parts.**

The disproportionate burden provision works together with other parts of the EAA:

* Accessibility Requirements: The assessment evaluates if implementing specific accessibility requirements is affordable.
* Implementation Examples: The examples in other sections help businesses understand potential approaches and costs when doing their assessment.
* Conformity Assessment for Products: Products with a disproportionate burden exemption still need assessment for any accessibility requirements they are implementing.
* Assessment Criteria: Provide detailed criteria for assessing costs.

Understanding these connections helps businesses do thorough assessments that consider all relevant parts of the EAA.

**Legal Reference.**

The criteria for assessing disproportionate burden come from the European Accessibility Act, specifically from Article 14 and its supporting documentation.

For the full legal text and specific criteria, please see the official

[Directive (EU) 2019/882 (opens in new window)](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32019L0882)

[Directive (EU) 2019/882](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32019L0882).

* [Fundamental Alteration](https://allyship.dev/eaa/3.2-fundamental-alteration)

**Overview.**

Sometimes making a product or service accessible might completely change what it is. The European Accessibility Act (EAA) calls this a "fundamental alteration."

The law says you need to make things accessible unless doing so would "change the basic nature" of your product or service.

This rule recognizes that sometimes adding accessibility features might turn your product into something completely different. When this happens, you might not have to follow certain accessibility requirements.

**What Does It Mean?**

The law doesn't give an exact definition of "fundamental alteration." But we can understand it like this:

* It's a change that would turn your product into something else entirely.
* It affects what your product is at its core - not just how it looks or works in small ways.
* It would change the main purpose or identity of your product.
* It's not just a big change - it's a change that makes your product become something different.

Unlike "disproportionate burden" (which is about costs), fundamental alteration is about keeping your product's identity intact.

**How To Check.**

To figure out if an accessibility requirement would cause a fundamental alteration, ask these questions:

**Core Purpose and Functionality.**

* Would this change what your product mainly does?
* Would it change how the most important features work?
* Would users still recognize it as the same product?

**Who It's For and How It's Used.**

* Would the changes make it for a completely different group of people?
* Would it change how most people use your product?
* Would special features that define your product be removed?

**Product Identity.**

* Would the changes take away what makes your product unique?
* Would people no longer recognize your product?
* Would your product become something basically different?

**Examples.**

Here are some examples to help explain what counts as a fundamental alteration:

**Might Be Fundamental Alterations:**

* Historical Archive. An online collection of ancient handwritten documents might not need to provide typed versions of everything. That would change it from showing original sources to showing transcripts.
* Visual Art Experience. A virtual reality art show designed specifically to explore visual experiences might not need to create non-visual alternatives that would create a completely different art experience.
* Language Learning by Listening. A language program based entirely on listening might not need to provide text for all spoken content. This would change the core learning method that makes the service unique.
* Professional Equipment. Specialized equipment made only for trained professionals might not need certain accessibility features if they would affect the precision or special functions.

**Not Fundamental Alterations:**

* Online Store. Adding screen reader support, keyboard navigation, and image descriptions would not change what an online store is.
* Banking App. Making login methods accessible and adding proper labels to forms would not change what a banking app is.
* E-Book Reader. Adding text-to-speech, adjustable text sizes, and contrast controls would not change what an e-book reader is.
* Video Streaming. Adding captions, audio descriptions, and accessible menus would not change what a streaming service is.

As you can see, most regular accessibility features don't change what a product is - they just make it usable by more people.

**Practical Tips.**

**You Need Proof.**

If you claim a fundamental alteration, you need evidence. This means:

* Write it down - explain why specific requirements would change your product's nature.
* Provide evidence showing how the changes would transform your product.
* Talk to experts in both accessibility and your product's field.
* Get user feedback that supports your claim.

**You Still Need Some Accessibility.**

Even with a fundamental alteration exception:

* You only get exemption from specific requirements that would cause the fundamental change.
* You must still follow all other accessibility requirements.
* You should look for alternative ways to make your product more accessible.
* You should revisit this decision as technology improves.

**Innovation Balance.**

This rule tries to balance:

* Keeping unique products that serve special purposes.
* Making things accessible from the beginning when possible.
* Allowing specialized products for specific needs.
* Making most products accessible to everyone.

This exception is not meant to be an easy way out - it's only for situations where adding accessibility would truly change what your product is.

**How To Decide.**

Follow these steps to decide if you have a fundamental alteration:

**Step 1: Describe Your Product's Core.**

* Clearly write down what your product is and what it does.
* List the features that make it what it is.
* Identify what makes your product different from others.

**Step 2: Check Each Requirement.**

* Look at each accessibility requirement separately.
* Note which ones might change your product's core identity.
* Focus on how they change what your product is, not just how hard they are to add.

**Step 3: Look for Other Solutions.**

* Try to find different ways to make your product accessible.
* See if you can add accessibility without changing your product's core.
* Ask accessibility experts for creative ideas.

**Step 4: Document Your Decision.**

* Write down your reasons for any fundamental alteration claim.
* List which specific requirements cause problems and why.
* Keep evidence that supports your decision.
* Describe any alternative accessibility features you're adding.

**How It's Different From Cost Concerns.**

It's important to understand the difference between fundamental alteration and disproportionate burden (cost concerns):

|  |  |  |
| --- | --- | --- |
| **What's Different.** | **Fundamental Alteration.** | **Disproportionate Burden.** |
| Main Concern. | What your product is. | How much it costs. |
| Key Question. | Would this change what our product is? | Is this too expensive for our business? |
| How You Check. | Look at how functions would change. | Calculate costs and benefits. |
| How Long It Lasts. | Usually doesn't change over time. | May change as costs go down or business grows. |
| Business Size. | Applies to businesses of any size. | Considers how big your business is. |

You might use both exceptions for different things, but you should evaluate them separately and have proper evidence for each.

**Best Practices.**

* Start early with accessibility. Think about it when you design your product to avoid problems later.
* Be specific. Only claim fundamental alteration for specific requirements, not as a way to avoid all accessibility.
* Keep good records. Document your assessment and decisions clearly.
* Get expert help. Talk to accessibility experts and people who know your product area.
* Try new ideas. Look for creative ways to make things accessible without changing their core.
* Add alternatives. When you can't meet a specific requirement, try different ways to make your product accessible.
* Review regularly. Check your decisions as technology changes.
* Be transparent. Tell users what accessibility features you have and why some might be missing.

**How This Connects to Other EAA Parts.**

The fundamental alteration rule connects with other parts of the EAA:

* Accessibility Requirements. You might be excused from specific requirements, but only those that would truly change your product's nature.
* Examples Section. The examples in the EAA can help show which approaches wouldn't change your product's nature.
* Physical Accessibility. Building requirements might connect with fundamental alteration in certain situations.
* Cost Exceptions. You need to know whether your issue is about costs or about changing your product's nature.
* Product Assessment. You should document any fundamental alteration claims when you assess your product.

**What Authorities Will Check.**

Government authorities will carefully check any fundamental alteration claims. Make sure you:

* Have good evidence. Be ready to show why you believe an accessibility requirement would change your product's nature.
* Show you tried. Prove that you seriously looked at accessibility, not just tried to avoid it.
* Follow all other requirements. Show that you've followed all accessibility rules that don't cause fundamental alteration.
* Offer alternatives. Show other accessibility features you've added where direct compliance would change your product's nature.

Authorities will be especially skeptical if similar products have successfully implemented the accessibility features you're claiming would cause fundamental alteration.

**References.**

* EAA Article 14(2). This part of the law states that accessibility requirements don't apply if they would change the basic nature of your product or service.
* EAA Recital 53. This explains more about what fundamental alteration means and how it's different from cost concerns.

You can check the official EAA text for the complete legal details.

* [Microenterprises](https://allyship.dev/eaa/3.3-microenterprises)

**Definition of Microenterprises.**

The European Accessibility Act (EAA) provides specific exemptions for microenterprises that provide services. Under EU law, a microenterprise is defined as an enterprise that:

* Employs fewer than 10 persons
* Has an annual turnover not exceeding €2 million OR an annual balance sheet total not exceeding €2 million

These criteria are based on the Commission Recommendation 2003/361/EC concerning the definition of micro, small and medium-sized enterprises.

**Scope of Exemption.**

The EAA exempts microenterprises providing services from the accessibility requirements of the Act. Specifically:

* Service-specific exemption: Only microenterprises that provide services are exempt from complying with the accessibility requirements.
* No exemption for products: Microenterprises that manufacture, import, or distribute products covered by the EAA must still comply with all applicable requirements.
* Only applies to accessibility requirements: Microenterprises are still subject to other provisions of the EAA, such as market surveillance.

This exemption recognizes the potential disproportionate burden that accessibility requirements might place on very small service providers with limited resources.

**Key Limitations.**

Although microenterprises providing services are exempt, there are important limitations to this exemption:

* Member State discretion: EU Member States may still choose to require microenterprises to comply with some or all accessibility requirements through national legislation.
* Only applies to general requirements: Microenterprises may still be subject to specific contractual requirements (e.g., when providing services to public entities).
* Growth considerations: Microenterprises that exceed the definition thresholds must begin complying with the accessibility requirements.
* Mandatory information: Market surveillance authorities may request information from microenterprises to verify their status.

**Verification Process.**

Microenterprises claiming the exemption may be required to verify their status:

* Self-declaration: Microenterprises can self-declare their status based on the employee count and financial thresholds.
* Documentation: They should maintain documentation that confirms their status, including:
  + Official employee records
  + Financial statements showing annual turnover or balance sheet totals
  + Business registration documents
* Authority verification: Market surveillance authorities may request verification of microenterprise status, particularly if there is reason to doubt a service provider's claim.

**Practical Implications.**

For microenterprises, this exemption has several practical implications:

* Resource allocation: Limited resources can be focused on core business operations rather than extensive accessibility implementations.
* Competitive considerations: While exempt, microenterprises should consider that accessibility can provide competitive advantages and access to wider markets.
* Growth planning: Microenterprises approaching the size thresholds should plan for eventually implementing accessibility requirements.
* Business relationships: When working with larger enterprises or public sector clients, contractual accessibility requirements may still apply regardless of exemption status.

**Best Practices.**

Even though microenterprises providing services are exempt, considering accessibility is still recommended:

* Gradual implementation: Implement basic accessibility features that are low-cost but high-impact.
* Digital accessibility: Start with simple measures for websites and apps, such as adequate color contrast, text alternatives for images, and keyboard navigation.
* Staff awareness: Train staff on the basics of accessibility and how to assist people with disabilities.
* Document status: Maintain proper documentation of microenterprise status, including employee counts and financial information.
* Monitor growth: Track business metrics against the microenterprise thresholds to anticipate when compliance might become mandatory.

Chapter 4

[**Obligations**](https://allyship.dev/eaa/4.0-obligations)

**Overview.**

The European Accessibility Act (EAA) creates rules to make products and services more accessible to people with disabilities. To make this happen, the law assigns specific responsibilities to different businesses involved in bringing products and services to consumers.

These responsibilities are called "obligations" - they are legal requirements that businesses must follow. Different types of businesses have different obligations based on their role in the market.

The EAA identifies four main types of businesses (called "economic operators"):

* Manufacturers - Those who make products or have products made for them to sell under their name
* Importers - Those who bring products from outside the EU into the EU market
* Distributors - Those who sell products to consumers but didn't make or import them
* Service providers - Those who provide services covered by the EAA

**Why Obligations Matter.**

These obligations are important for several reasons:

* Ensuring accessibility - They make sure that products and services can be used by everyone, including people with disabilities
* Creating clarity - They clearly define who is responsible for which aspects of accessibility
* Protecting consumers - They help ensure that products and services are safe and work as expected
* Creating a level playing field - They make sure all businesses follow the same rules
* Building a more inclusive market - They help create an environment where accessibility becomes standard practice

Without these obligations, it would be unclear who should make products and services accessible, potentially leaving gaps in responsibility that would result in inaccessible experiences for many people.

**Who Is Responsible for What.**

Each type of business has different responsibilities:

* Manufacturers have the most responsibility because they design and make the products. They need to build accessibility into their products from the start.
* Importers serve as a checkpoint - they need to verify that products from outside the EU meet the accessibility requirements before bringing them into the EU market.
* Distributors need to make sure they only sell products that comply with the accessibility requirements, and they need to handle products carefully so they stay accessible.
* Service providers need to design and deliver their services in an accessible way and maintain that accessibility over time.

The EAA assigns different levels of responsibility based on how much control each business has over the product or service. Those who create products or services have more obligations than those who just distribute them.

**Shared Responsibility.**

While each type of business has specific obligations, there are also responsibilities that everyone shares:

* Responding to problems - All businesses must take action if they find out a product or service doesn't meet accessibility requirements
* Working with authorities - Everyone must cooperate with government officials who are checking for compliance
* Keeping records - All businesses need to track which products they've received and sold to help trace problems if they arise
* Being honest about accessibility - No one should make false claims about the accessibility of their products or services

This shared responsibility helps create a system where everyone in the supply chain plays a part in ensuring accessibility. If one business fails to meet their obligations, others may catch and correct the issue before it affects consumers.

**Enforcement.**

For the EAA to be effective, there needs to be a way to check that businesses are following their obligations. This is handled through:

* Market surveillance - Government authorities monitor products and services in the market to make sure they meet accessibility requirements
* Documentation checks - Authorities can request documentation that proves products and services meet the requirements
* Penalties - If businesses don't follow their obligations, they may face consequences determined by each EU country
* Corrective actions - Businesses that don't comply may be required to fix their products or services, or in some cases, remove them from the market

This enforcement system helps ensure that the obligations aren't just suggestions but requirements that businesses take seriously. It helps turn the EAA from words on paper into real improvements in accessibility.

**Learn More.**

The sections below provide detailed information about the specific obligations for each type of economic operator. These pages explain exactly what each business needs to do to comply with the EAA:

* Manufacturer Obligations - What companies that create products must do
* Importer Obligations - Requirements for businesses bringing products into the EU
* Distributor Obligations - Responsibilities for businesses selling products to consumers
* Service Provider Obligations - What companies offering services need to do

By understanding these obligations, businesses can ensure they're complying with the EAA and contributing to a more accessible digital world.

* [Obligations of Manufacturers](https://allyship.dev/eaa/4.1-obligations-manufacturers)

**Definition of a Manufacturer under the EAA.**

According to the European Accessibility Act, a manufacturer is any person or company who:

* Makes a product, or has someone design or make a product for them.
* Sells that product under their own name or brand.

This includes companies that:

* Make physical products covered by the EAA.
* Design products but have others make them.
* Sell products made by others under their own brand.
* Make major changes to products already on the market.

**Key Responsibilities.**

Manufacturers have the most responsibility for making sure products follow the EAA rules. Here are their main duties:

* Making sure products are designed and made according to accessibility requirements.
* Creating and keeping technical documents.
* Testing products to make sure they follow the rules.
* Creating an EU Declaration of Conformity.
* Adding the CE marking to products that meet the requirements.
* Keeping records of products that don't meet requirements and any product recalls.
* Making sure all products in a series stay compliant.
* Providing information about product accessibility in formats everyone can use.

**Meeting Accessibility Requirements.**

Manufacturers must design and make products that follow the accessibility requirements in Section I of Annex I of the EAA. These requirements include:

* Providing information about how to use the product in formats everyone can access.
* Making user interfaces and functions accessible to people with disabilities.
* Making sure products work with assistive technologies.
* Designing packaging and instructions that everyone can use.

Manufacturers should include accessibility features from the very beginning of product design, following "universal design" principles.

**Conformity Procedures.**

Before placing a product on the market, manufacturers must follow these steps to check that it meets accessibility requirements:

1. Make sure the product design meets the accessibility requirements.
2. Check the product against the requirements using the procedures in Annex IV.
3. Fix any issues found during testing.
4. Create technical documentation showing how the product meets the requirements.
5. Create and sign the EU Declaration of Conformity.
6. Add the CE marking to the product.

Important Note.

Manufacturers must carry out the conformity assessment themselves. They cannot delegate this responsibility to third parties, although they may use external expertise to help with testing.

**Technical Documentation.**

Manufacturers must create and maintain technical documentation for each product. This documentation must include:

* A general description of the product.
* A list of the standards and technical specifications used in the design.
* Information about how the product meets the accessibility requirements.
* Results of any tests or assessments done to check compliance.

Manufacturers must keep this documentation for at least 5 years after the product is placed on the market. National authorities can request to see this documentation at any time.

**Declaration of Conformity.**

The EU Declaration of Conformity is a legal document stating that a product meets the accessibility requirements of the EAA. This document must:

* Include the manufacturer's name and address.
* Identify the product by type, batch, or serial number.
* State that the product meets the accessibility requirements in Directive (EU) 2019/882.
* List any standards or technical specifications that were followed.
* Be signed by an authorized person at the company.
* Be updated if the product design changes in ways that affect accessibility.

A copy of this declaration must be kept for at least 5 years after the product is placed on the market.

**Product Marking.**

Manufacturers must add the following information to their products:

* The CE marking, which shows the product meets EU requirements.
* The manufacturer's name, registered trade name, or trademark.
* The manufacturer's postal address for contact.
* A type, batch, or serial number to identify the product.

This information must be:

* Visible and easy to read.
* Placed directly on the product if possible.
* If that's not possible, placed on the packaging or in documents that come with the product.

**Handling Non-conformity.**

If a manufacturer discovers that a product doesn't meet the accessibility requirements, they must:

* Take immediate action to make the product comply, or withdraw it from the market if necessary.
* Inform national authorities in EU countries where the product is available.
* Give details about the non-compliance and any actions taken to fix it.
* Work with authorities to make sure the product is brought into compliance or withdrawn.

Even after a product has been placed on the market, manufacturers remain responsible for monitoring its compliance with accessibility requirements.

**Record Keeping.**

Manufacturers must keep records of:

* Complaints about products not meeting accessibility requirements.
* Products that don't comply with the requirements.
* Product recalls.
* Actions taken to address accessibility problems in their products.

These records help manufacturers improve their products and can be requested by authorities if there are concerns about compliance.

**Cooperation with Authorities.**

Manufacturers must cooperate with national authorities when requested. This includes:

* Providing all information and documentation necessary to prove that a product meets accessibility requirements.
* Giving authorities access to their premises if needed for inspections.
* Explaining steps taken to ensure products meet the requirements.
* Taking corrective actions when requested by authorities.

This information must be provided in a language that is easy for the authorities to understand.

* [Obligations of Importers](https://allyship.dev/eaa/4.2-obligations-importers)

**Definition of an Importer under the EAA.**

According to the European Accessibility Act, an importer is any person or company established in the European Union who:

* Places products from a country outside the EU onto the EU market.

Importers are a crucial link in the supply chain. They bring products from outside the EU into the EU market, and they have important responsibilities for ensuring these products meet accessibility requirements.

**Key Responsibilities.**

Importers have several important responsibilities when bringing products into the EU market. Here are their main duties:

* Making sure manufacturers have carried out the proper conformity assessment.
* Verifying that products meet accessibility requirements.
* Checking that products have proper marking and documentation.
* Adding their contact information to the product.
* Taking action if products don't meet accessibility requirements.
* Keeping records about product conformity and complaints.
* Working with authorities to ensure product compliance.

**Before Placing Products on the Market.**

Before bringing a product into the EU market, importers must complete these checks:

* Verify that the manufacturer has carried out the proper conformity assessment procedure.
* Check that the product has the required CE marking.
* Confirm that the manufacturer has prepared the technical documentation.
* Make sure the EU Declaration of Conformity has been properly created.
* Verify that the product has the required identification information.
* Check that the product comes with instructions in the appropriate languages.

If an importer believes a product does not meet accessibility requirements, they must not place it on the market until it complies. If the product presents a risk, the importer must inform the manufacturer and market surveillance authorities.

**Product Information Requirements.**

Importers must add certain information to products they import:

* Their name, registered trade name or trademark.
* Their postal address for contact.

This information must be:

* Visible and easy to understand.
* Placed on the product itself when possible.
* If that's not possible, placed on the packaging or in documents that come with the product.
* Written in a language that consumers and authorities can easily understand.

Importers must also make sure that products come with instructions and safety information in languages that are easily understood by consumers in the countries where the product will be sold.

**Storage and Transport Conditions.**

Importers must make sure that storage and transport conditions don't harm a product's compliance with accessibility requirements. Their responsibilities include:

* Storing products in appropriate conditions.
* Ensuring that transportation methods don't damage products or affect their accessibility features.
* Conducting periodic checks on stored products when necessary.
* Taking corrective measures if storage or transport issues affect product compliance.

These measures help ensure that products remain compliant with accessibility requirements until they reach the end user.

**Handling Non-conformity.**

If an importer discovers that a product doesn't meet accessibility requirements, they must:

* Take immediate corrective measures to make the product comply.
* Withdraw the product from the market if necessary.
* Inform the manufacturer about the non-compliance issue.
* Notify market surveillance authorities in EU countries where the product was made available.
* Provide details about the non-compliance and any corrective actions taken.

Important Note.

Importers are responsible for products they've already placed on the market. Even if they discover issues later, they must take action to address the problems.

**Record Keeping.**

Importers must maintain certain records related to the products they import:

* Keep a copy of the EU Declaration of Conformity for 5 years after the product is placed on the market.
* Ensure the technical documentation can be made available to authorities upon request.
* Maintain records of complaints about products not meeting accessibility requirements.
* Keep track of non-compliant products and product recalls.
* Maintain information about the supply chain (which retailers they've supplied products to).

These records help importers demonstrate compliance with their obligations under the European Accessibility Act.

**Cooperation with Authorities.**

Importers must cooperate with national market surveillance authorities when requested. This includes:

* Providing all information and documentation necessary to demonstrate product conformity.
* Giving information about suppliers from whom they purchased products.
* Providing information about other economic operators to whom they supplied products.
* Taking corrective actions requested by authorities to bring products into compliance.
* Cooperating with any investigations into product non-compliance.

This information must be provided in a language that the authorities can easily understand.

* [Obligations of Distributors](https://allyship.dev/eaa/4.3-obligations-distributors)

**Definition of a Distributor under the EAA.**

According to the European Accessibility Act, a distributor is any person or company in the supply chain who:

* Makes a product available on the market.
* Is not the manufacturer or importer of the product.

Distributors include retailers, wholesalers, and other businesses that sell products to consumers or other businesses after manufacturers or importers have placed them on the market. They are the final link in the supply chain before products reach the end user.

**Key Responsibilities.**

Distributors play an important role in ensuring that products in the EU market meet accessibility requirements. Here are their main duties:

* Checking that products have the correct marking and documentation.
* Verifying that manufacturers and importers have fulfilled their obligations.
* Not making non-compliant products available on the market.
* Ensuring proper storage and transport conditions.
* Taking corrective actions for non-compliant products.
* Cooperating with authorities when requested.
* Maintaining records of the supply chain.

While distributors have fewer responsibilities than manufacturers and importers, they still play a crucial role in ensuring product accessibility.

**Checking Products Before Making Available.**

Before making a product available on the market, distributors must verify:

* That the product has the CE marking, showing it meets EU requirements.
* That the product comes with the required documents, instructions, and safety information.
* That these documents are in the languages easily understood by consumers in the countries where the product will be sold.
* That the manufacturer has included their name, registered trade name or trademark, and contact address on the product.
* That the importer has included their name, registered trade name or trademark, and contact address on the product (for imported products).

If a distributor believes that a product doesn't meet accessibility requirements, they must not make it available on the market until it complies. If the product presents a risk, the distributor must inform the manufacturer or importer and market surveillance authorities.

**Storage and Transport Conditions.**

Distributors must ensure that while a product is under their responsibility, storage or transport conditions do not affect its compliance with accessibility requirements. Their responsibilities include:

* Maintaining appropriate storage conditions.
* Handling products carefully during transport.
* Protecting products from damage that could affect their accessibility features.
* Checking products periodically to ensure they remain in compliant condition.

This helps ensure that products remain accessible and usable for people with disabilities when they reach the end user.

**Handling Non-conformity.**

If a distributor discovers that a product doesn't meet accessibility requirements, they must:

* Take immediate corrective measures to make the product comply.
* Withdraw the product from the market if necessary.
* Inform the manufacturer or importer about the non-compliance issue.
* Notify market surveillance authorities in EU countries where the product was made available.
* Provide details about the non-compliance and any corrective actions taken.
* Help with any actions to eliminate the risks posed by the product.

Important Note.

If a manufacturer or importer claims an exemption (like disproportionate burden), distributors should request documentation of this exemption to ensure they are not selling products that should meet accessibility requirements but do not.

**Record Keeping.**

Distributors should maintain certain records related to the products they sell:

* Information about which manufacturers and importers supplied them with products.
* Information about which economic operators they supplied products to.
* Records of complaints about products not meeting accessibility requirements.
* Records of non-compliant products and product recalls.
* Communications with manufacturers, importers, and authorities about accessibility issues.

While the EAA doesn't specify a minimum time period for keeping these records, it's good practice to maintain them for at least 5 years to align with other economic operators' obligations.

**Cooperation with Authorities.**

Distributors must cooperate with national market surveillance authorities when requested. This includes:

* Providing all information and documentation necessary to demonstrate product conformity.
* Giving information about suppliers from whom they received products.
* Providing information about other economic operators to whom they supplied products.
* Taking corrective actions requested by authorities to bring products into compliance.
* Cooperating with any investigations into product non-compliance.

This information must be provided in a language that the authorities can easily understand.

* [Obligations of Service Providers](https://allyship.dev/eaa/4.4-obligations-service-providers)

**Definition of a Service Provider under the EAA.**

According to the European Accessibility Act, a service provider is any person or organization that:

* Provides a service in the EU market.
* Is established within an EU country or provides services to consumers within the EU.

Service providers cover many sectors that fall under the scope of the European Accessibility Act, including:

* E-commerce services and websites.
* Banking and financial services.
* Electronic communications services.
* Transport services.
* Audiovisual media services.
* E-book services.

**Key Responsibilities.**

Service providers have specific responsibilities to ensure their services are accessible to people with disabilities. Their main duties include:

* Designing and providing services that meet the accessibility requirements.
* Preparing documentation explaining how their services meet the requirements.
* Providing information about how their services meet accessibility requirements.
* Taking corrective measures when services don't meet the requirements.
* Cooperating with authorities responsible for checking compliance.

**Ensuring Service Accessibility.**

Service providers must design and deliver their services to meet the accessibility requirements in Section III of Annex I of the EAA. These requirements include:

* Providing information about how the service works that is accessible through more than one sensory channel.
* Presenting website content in ways that users can perceive, operate, understand, and that work with assistive technologies.
* Making mobile applications accessible to people with disabilities.
* Ensuring electronic identification, security, and payment methods are understandable, perceivable, and operable for people with disabilities.
* Including accessibility practices in service policies.

Different types of services have additional specific requirements, such as:

* Electronic communications services must support real-time text and total conversation services.
* Audiovisual media services must provide accessible program information and ensure accessibility features reach the end user.
* E-books must support text-to-speech and proper navigation features.
* E-commerce services must provide accessibility information about products being sold.

**Documentation Requirements.**

Service providers must prepare and maintain documentation showing how their services meet the accessibility requirements. This documentation should include:

* A general description of the service.
* Information about which accessibility requirements apply to the service.
* An explanation of how the service meets these requirements.
* Evidence of accessibility testing or evaluations.

This documentation must be kept for at least 5 years after the service was last provided. It must be available to authorities upon request.

**Information Provision.**

Service providers must inform the public about the accessibility of their services. This means:

* Explaining which accessibility features are included in the service.
* Describing how people with different disabilities can use the service.
* Providing this information in multiple accessible formats.
* Making the information available to the public on the service provider's website and in other appropriate locations.

This information helps users understand what to expect from the service and how they can best use its accessibility features.

**Handling Non-conformity.**

If a service provider discovers their service doesn't meet accessibility requirements, they must:

* Take immediate corrective measures to make the service comply with requirements.
* If the service presents an accessibility risk, inform the relevant national authorities.
* Provide details about the non-compliance and any corrective actions taken.
* Work with authorities to bring the service into compliance.

Service providers should also maintain records of customer complaints about accessibility issues and document how these issues were addressed.

**Cooperation with Authorities.**

Service providers must cooperate with national authorities responsible for monitoring service accessibility. This includes:

* Providing all information and documentation necessary to prove service compliance.
* Explaining what steps have been taken to meet accessibility requirements.
* Implementing any corrective measures requested by authorities.
* Allowing authorities to evaluate the service, if requested.
* Responding to inquiries in the language of the authority.

This cooperation helps ensure that services throughout the EU maintain appropriate levels of accessibility for people with disabilities.

Chapter 5

[**Conformity and Compliance**](https://allyship.dev/eaa/5.0-conformity-and-compliance)

**Overview of Conformity and Compliance.**

The European Accessibility Act requires businesses to ensure their products and services are accessible to people with disabilities. To demonstrate this, the EAA establishes specific conformity procedures and compliance documentation.

Conformity is the process of ensuring products and services meet the accessibility requirements set out in the EAA. Compliance refers to following all the procedural and documentation obligations required by the law.

This chapter explains the specific procedures, documentation, and standards that different business operators must follow to demonstrate conformity with the EAA's accessibility requirements.

**Product Conformity.**

For physical products, the EAA establishes a conformity assessment procedure similar to other EU product legislation. Key elements include:

* Technical documentation showing how the product meets accessibility requirements
* Internal production control (Module A) as described in Annex IV
* EU Declaration of Conformity formally declaring compliance
* CE marking applied to products that meet requirements

[Learn more about product conformity →](https://allyship.dev/eaa/5.1-product-conformity)

**Service Conformity.**

Service providers follow a different process than product manufacturers. Their key obligations include:

* Service assessment against the EAA's accessibility requirements
* Documentation explaining how the service meets requirements
* Public information about the service's accessibility features
* Ongoing monitoring to ensure continued accessibility

[Learn more about service conformity →](https://allyship.dev/eaa/5.2-service-conformity)

**Documenting Conformity.**

The EAA requires specific documentation to demonstrate conformity:

* EU Declaration of Conformity - A legal document stating that a product meets all accessibility requirements
* Technical documentation - Detailed records of how products meet the requirements
* CE marking - A visual indicator that a product complies with EU legislation
* Service accessibility statements - Information about how services meet requirements

These documents must be kept for at least 5 years after a product is placed on the market or a service is provided.

**Standards and Guidelines.**

The EAA works with harmonized standards to simplify conformity:

* Harmonized standards provide a presumption of conformity
* Technical specifications can be used when no harmonized standards exist
* International standards may be referenced where relevant

Products and services that follow these standards are presumed to meet the EAA requirements covered by those standards.

[Learn more about harmonized standards →](https://allyship.dev/eaa/5.5-harmonized-standards)

**Enforcement and Monitoring.**

The EAA includes mechanisms to ensure companies follow the rules:

* Market surveillance by national authorities
* Non-conformity procedures to address non-compliant products and services
* Penalties for serious or continuous non-compliance
* Conformity assessment procedures to verify accessibility

[Learn more about non-compliance procedures →](https://allyship.dev/eaa/5.6-non-conformity-procedures)

* [Product Conformity](https://allyship.dev/eaa/5.1-product-conformity)

**Overview of Conformity Requirements.**

The European Accessibility Act creates rules to make sure products and services are accessible. The conformity process checks that businesses have followed these accessibility rules.

Conformity with the EAA covers the whole product or service life. This includes design, manufacturing, sale, and ongoing checks.

**Presumption of Conformity.**

Products and services that follow official EU standards are assumed to meet the accessibility requirements. These standards are published in the Official Journal of the European Union.

When no official standards exist, products that follow technical rules created by the Commission are assumed to meet the accessibility requirements.

**Conformity Assessment Procedures.**

The EAA has different ways to check conformity based on the type of business and product or service:

* Internal production control. The manufacturer checks their own products and declares they meet the requirements.
* EU-type examination. For some products, an official body checks the design and verifies it meets the requirements.
* Service providers. They must check their services against accessibility requirements following the rules in Annex V of the EAA.

**Documentation Requirements.**

Businesses must keep complete documentation to show conformity:

* Technical documentation. Contains all details about how the product or service meets accessibility requirements.
* EU Declaration of Conformity. A formal statement that the product meets all EAA requirements.
* CE marking. Shows products conform with EU rules and can be sold in the European market.
* Records of complaints. Includes information about non-conforming products, recalls, and communications with distributors.

**Continued Conformity Obligations.**

Businesses have ongoing responsibilities to ensure continued conformity:

* Market surveillance cooperation. Providing all needed information to show product conformity.
* Corrective measures. Taking immediate action when a product or service does not meet requirements.
* Information provision. Making sure authorities can get all information needed to verify conformity.
* Sample testing. Testing products in the market when needed.

**Exceptions and Special Provisions.**

The EAA allows some exceptions to the conformity requirements:

* Disproportionate burden. If meeting requirements would cost too much, businesses may be exempt from specific rules.
* Fundamental alteration. If meeting requirements would change the basic nature of the product or service.
* Microenterprises. Very small service providers are exempt from some requirements but must notify authorities if using this exemption.

**Source References.**

This page references these sections of Directive (EU) 2019/882:

* Article 7. Manufacturer obligations related to conformity, documents, CE mark.
* Article 13. Service provider obligations related to conformity.
* Article 14. Exemptions.
* Article 15. Presumption of conformity.
* Article 16. EU Declaration of Conformity.
* Articles 17, 18. CE marking.
* Annex IV. Conformity assessment procedure for Products.
* Annex V. Information on services meeting accessibility requirements.
* Recitals 54, 79, 81, 82, 83. Context on conformity framework.

* [Service Conformity](https://allyship.dev/eaa/5.2-service-conformity)

**Overview and Purpose.**

Under the European Accessibility Act, service providers must make sure their services meet the accessibility requirements. Services are handled differently from products. They don't need CE marking, but they still need conformity assessment.

The compliance framework for services aims to ensure that people with disabilities can access and use services equally with others. It also provides a flexible and reasonable approach for service providers to show they are following the rules.

Service compliance is essential to achieving the EAA's goal of improving the EU market for accessible services while ensuring consistent accessibility standards across all Member States.

**Showing Compliance.**

According to the EAA, service providers show compliance by:

* Providing information in terms and conditions, or similar documents, explaining how the service meets the accessibility requirements.
* Describing the accessibility requirements and how they are met in the service's documentation.
* Preparing and maintaining detailed technical documentation about the service's accessibility features.
* Making this information available to the public in written and spoken format, including in ways accessible to people with disabilities.
* Keeping this documentation for five years after the service was last provided.

This documentation-based approach allows service providers to check themselves and show their compliance without needing third-party certification in most cases.

**Assessment Methods.**

Service providers can use various methods to assess and ensure compliance with accessibility requirements:

* Self-assessment. Evaluating the service against the accessibility requirements and documenting the results.
* User testing. Involving people with disabilities in testing and providing feedback on accessibility features.
* Expert evaluation. Hiring accessibility experts to review and assess the service against requirements.
* Conformity with standards. Showing compliance with harmonized standards or technical specifications to create a presumption of conformity.
* Ongoing monitoring. Implementing continuous processes to maintain accessibility as the service changes.

Service providers should document these assessment activities and their results as part of their compliance documentation.

**Authority Checks of Services.**

Member States are responsible for checking compliance of services with the EAA requirements:

* Member States must appoint authorities responsible for checking compliance of services.
* These authorities verify that service providers have conducted appropriate assessments of their services.
* They check that documentation showing compliance is accurate and complete.
* Authorities follow up on complaints or reports related to non-compliance.
* They verify that any claimed exceptions based on disproportionate burden are properly documented and justified.
* Where non-compliance is found, authorities ensure that corrective action is taken.

The EAA recommends that Member States establish clear procedures for checking compliance of services and ensure that authorities have enough resources to carry out their tasks effectively.

**Corrective Actions.**

When non-compliance is identified, service providers must take appropriate corrective actions:

* Take immediate corrective measures to bring the service into conformity with applicable accessibility requirements.
* Stop providing the service if it presents a risk related to accessibility (where appropriate).
* Inform the competent national authorities about the non-compliance and corrective measures taken.
* Cooperate with authorities on any measures to ensure compliance.
* Document the corrective measures taken and their outcomes.
* Implement preventive measures to avoid similar non-compliance issues in the future.

Authorities may require additional corrective measures if those taken by the service provider are not enough to address the non-compliance.

**Exceptions and Small Businesses.**

The EAA provides for certain exceptions to service compliance requirements:

* Disproportionate burden. Service providers may be exempt from meeting certain requirements if they can show this would create too much burden.
* Fundamental alteration. Requirements need not be met if they would require a fundamental change in the nature of the service.
* Microenterprises. Service providers that are very small businesses (fewer than 10 persons and annual turnover or balance sheet not exceeding €2 million) are exempt from compliance requirements.

Even when claiming an exception, service providers must document their assessment of disproportionate burden or fundamental alteration, and small businesses must notify authorities if requested.

**Source References.**

This page references these sections of Directive (EU) 2019/882:

* Article 4, Paragraph 5. Microenterprise exemption for services.
* Article 13. Obligations of service providers, including demonstrating compliance and corrective actions.
* Article 14. Exemptions: Fundamental alteration / Disproportionate burden.
* Article 15. Presumption of conformity via standards.
* Article 23. Compliance of services - Authority checks.
* Annex V. Information on services meeting accessibility requirements.
* Recitals 81, 85. Context on service information and Member State checks.

* [EU Declaration of Conformity](https://allyship.dev/eaa/5.3-eu-declaration-of-conformity)

**Overview and Purpose.**

The EU Declaration of Conformity is an official document that manufacturers must create. This document states that their products meet all accessibility requirements in the European Accessibility Act. When making this declaration, the manufacturer takes full responsibility for the product's compliance.

This document is an important part of the conformity assessment process. It serves as the manufacturer's official statement that their product follows the legal requirements. The document helps authorities, distributors, and end-users check that the product has gone through the needed assessment steps.

**Structure and Content.**

According to Article 16 of the EAA, the EU Declaration of Conformity must include:

* The structure format set out in Annex III to Decision No 768/2008/EC.
* All the elements listed in Annex IV of the EAA.
* Updates when any changes are made to the product.
* Translations into the languages required by the country where the product is sold.

The declaration must clearly identify the product it covers. This typically includes:

* Product name, type, batch or serial number.
* Name and address of the manufacturer and their representative, if they have one.
* References to the relevant standards or technical specifications used.
* Date when the declaration was issued.
* Signature of the responsible person.

**Exceptions and Special Rules.**

When manufacturers use the exception for fundamental alteration or disproportionate burden under Article 14, they must clearly state which accessibility requirements have exceptions.

The EAA states that technical documentation requirements should not create too much work for very small businesses and SMEs. However, the documentation must still show compliance clearly.

**Single EU Declaration.**

When a product must follow more than one EU law requiring a Declaration of Conformity, manufacturers can create just one declaration that covers all applicable laws. This approach:

* Reduces paperwork for businesses.
* Makes information easier to find for market surveillance purposes.
* Must list all the relevant laws, including their publication references.

This option lets manufacturers include all relevant individual declarations in one document. This is especially helpful for products that must comply with multiple directives or regulations.

**Keeping and Sharing Documents.**

Manufacturers and importers have specific responsibilities regarding the EU Declaration of Conformity:

* Manufacturers must keep the declaration for five years after the product is placed on the market.
* Importers must keep a copy of the declaration for five years for market surveillance authorities.
* A copy of the declaration must be provided to relevant authorities when they ask for it.
* Distributors must check that the product comes with all required documentation, including the declaration when needed.

**Connection to CE Marking.**

The EU Declaration of Conformity is closely linked to the CE marking:

* The CE marking is the visible sign that a product complies with EU laws.
* The EU Declaration of Conformity is the document that proves this compliance.
* A manufacturer must create the EU Declaration of Conformity before adding the CE marking to a product.
* Together, they complete the conformity assessment process that allows products to move freely in the European market.

By adding the CE marking, the manufacturer states that the product meets all applicable accessibility requirements. They take full responsibility for this conformity.

**Source References.**

This page references these sections of Directive (EU) 2019/882:

* Article 7, Paragraph 2. Manufacturer obligation to create DoC.
* Article 7, Paragraph 3. Manufacturer retention period.
* Article 9, Paragraph 7. Importer retention period.
* Article 16. EU declaration of conformity - content, structure, exceptions, single DoC.
* Article 18, Paragraph 1. Relation to CE marking.
* Annex IV. Elements of technical documentation related to DoC.
* Recital 78. Context for single DoC.

* [CE Marking](https://allyship.dev/eaa/5.4-ce-marking)

**Overview and Purpose.**

The CE marking on a product shows that it has passed conformity checks under the European Accessibility Act. It is the manufacturer's statement that the product meets all accessibility requirements and other EU laws.

According to the EAA, "by adding the CE marking to a product, the manufacturer states that the product follows all applicable accessibility requirements and that they take full responsibility for this."

Products covered by the EAA need the CE marking to move freely within the European market. The mark helps authorities and customers see that the product follows EU accessibility laws.

**General Principles.**

Article 17 of the EAA states that the CE marking follows the general principles in Article 30 of Regulation (EC) No 765/2008. These principles include:

* Only the manufacturer or their authorized representative can add the CE marking.
* The CE marking can only be added to products when specific EU laws require it.
* By adding the CE marking, the manufacturer shows they take full responsibility for the product meeting all requirements.
* The CE marking is the only mark that shows the product meets the applicable requirements.
* EU countries must ensure the CE marking is used correctly and take action when it is misused.

**Rules for Adding the CE Marking.**

According to Article 18 of the EAA, there are specific rules for adding the CE marking:

* The CE marking must be visible, readable, and permanent on the product or its data plate.
* If this is not possible due to the nature of the product, the marking must be on the packaging and accompanying documents.
* The CE marking must be added before the product is placed on the market.
* The marking must follow the standard size and design specified in EU law.

The CE marking is the final step in the conformity check process. It can only be applied after the manufacturer has created the EU Declaration of Conformity confirming the product meets all requirements.

For detailed official guidance on CE marking, see the [European Commission's CE marking website](https://ec.europa.eu/growth/single-market/ce-marking_en)

**Connection to Conformity Assessment.**

The CE marking is directly connected to the conformity assessment procedure for products under the EAA:

* The manufacturer must first conduct a conformity assessment using the Internal production control (Module A) in Annex IV of the EAA.
* The manufacturer must prepare technical documentation showing that the product meets accessibility requirements.
* After confirming compliance, the manufacturer creates the EU Declaration of Conformity.
* Only after completing these steps can the manufacturer add the CE marking.

This sequence ensures that the CE marking represents a thorough assessment process, not just an administrative label.

**Enforcement and Compliance.**

EU Member States play an important role in ensuring the proper use of the CE marking:

* Member States must use existing systems to ensure correct application of the CE marking rules.
* They must take appropriate action when the marking is misused.
* Market surveillance authorities check that products with the CE marking truly comply with the requirements.
* Penalties may be imposed for improper use of the CE marking, including removing non-compliant products from the market.

This enforcement system helps maintain the integrity and credibility of the CE marking across the European Union.

**Consumer Information.**

Beyond regulatory compliance, the CE marking provides important information for consumers:

* It clearly shows that a product meets accessibility requirements, helping people with disabilities make informed purchasing decisions.
* The EAA notes that manufacturers should inform consumers about the accessibility of their products in a cost-effective way.
* The CE marking, combined with accessibility information, helps create transparency in the market.
* This transparency supports the EAA's goal of improving the functioning of the internal market for accessible products and services.

**Source References.**

This page references these sections of Directive (EU) 2019/882:

* Article 7, Paragraph 2. Manufacturer obligation to add CE mark.
* Article 16, Paragraph 4. Manufacturer responsibility when using the CE mark.
* Article 17. General principles of CE marking, referencing Regulation (EC) No 765/2008.
* Article 18. Rules and conditions for adding the CE marking.
* Article 22. Formal non-compliance related to CE marking.
* Annex IV. Conformity assessment procedure leading to CE mark.
* Recital 82. Context on CE marking as visible consequence.
* Recital 83. Context on manufacturer declaration via CE mark.

* [Harmonized Standards](https://allyship.dev/eaa/5.5-harmonized-standards)

**What are Harmonized Standards?**

Harmonized standards are technical documents that provide specific details on how to meet legal requirements. They are:

* Created by recognized European standards organizations (like CEN, CENELEC, and ETSI)
* Requested by the European Commission to support EU laws
* Published in the Official Journal of the European Union
* Voluntary to use — you can choose to follow them or find other ways to comply with the EAA

These standards play a crucial role in the EAA by translating general accessibility requirements into practical technical guidance.

**Presumption of Conformity.**

When you follow harmonized standards to make your products or services accessible, you get a "presumption of conformity" — meaning authorities will assume you're meeting the EAA requirements covered by those standards.

This presumption:

* Provides legal protection during market surveillance checks
* Helps simplify compliance by giving you clear guidelines
* Reduces your risk of non-compliance issues

Remember that using harmonized standards is voluntary. You can choose other methods to comply with the EAA, but you'll need to demonstrate how your approach meets the accessibility requirements.

**Technical Specifications.**

Technical specifications are temporary solutions used when harmonized standards don't yet exist for certain accessibility requirements. They:

* Fill gaps until full harmonized standards are developed
* Are adopted by the European Commission
* Also provide presumption of conformity when followed

For example, if there's no harmonized standard yet for making e-books accessible, the Commission might issue technical specifications to guide publishers until a full standard is available.

**Benefits of Using Standards.**

Following harmonized standards offers several advantages:

* Legal certainty: Evidence that you're meeting legal requirements
* Simplified compliance: Clear instructions on how to make products and services accessible
* Reduced testing costs: Standards provide established testing methods
* Market access: Products meeting standards can be marketed throughout the EU
* Innovation support: Standards provide a foundation while allowing for creative solutions
* Consistent quality: Standards ensure reliability for users with disabilities

**Partial Conformity.**

Important: The presumption of conformity only applies to parts of your product or service that are actually covered by the standards you're using.

For example, if you follow a standard for making your website's text accessible, but the standard doesn't cover video content, you'll need to:

* Get presumption of conformity for the text elements
* Find other ways to demonstrate compliance for your video content

Always check exactly what aspects of accessibility each standard covers and ensure you address all relevant EAA requirements.

**Finding and Using Relevant Standards.**

To find and apply standards for your business:

1. Identify applicable standards: Check the Official Journal of the EU for harmonized standards supporting the EAA
2. Assess relevance: Determine which standards apply to your specific products or services
3. Obtain standards: Purchase or access standards through your national standards organization
4. Apply requirements: Implement the technical specifications in your design and development processes
5. Document compliance: Keep records of how you've applied standards to demonstrate conformity
6. Stay updated: Monitor for new or revised standards that may affect your products

The European standardization process is ongoing, with new standards continuously being developed to address new technologies and improve existing requirements. For the EAA:

* The European Commission works with European standardization organizations to identify gaps where standards are needed.
* The Commission issues requests to develop new harmonized standards where needed.
* Stakeholders, including organizations representing persons with disabilities, participate in the standards development process.
* Technical specifications may be developed as temporary measures while standard development is in progress.

Businesses should regularly check for updates to ensure they are using the most current standards for compliance.

* [Non-Conformity Procedures](https://allyship.dev/eaa/5.6-non-conformity-procedures)

**Overview and Purpose.**

The European Accessibility Act creates clear procedures for handling products and services that do not meet accessibility requirements. These procedures help ensure that non-compliant products and services are identified, fixed, or removed from the market when needed.

The EAA takes a balanced approach that protects the rights of people with disabilities while giving businesses proper opportunities to fix non-compliance issues before stronger measures are taken.

These procedures are essential for the effective implementation of the EAA and help maintain the integrity of the single market while ensuring consistent accessibility across the EU.

**Procedure for Non-Compliant Products.**

When market surveillance authorities find a non-compliant product, they follow these steps:

1. Initial evaluation. Authorities check the product against applicable accessibility requirements.
2. Notification. If non-compliance is found, the authorities inform the relevant business (manufacturer, importer, or distributor).
3. Opportunity for response. The business is given the chance to present their observations and explain any claimed exceptions.
4. Required corrective action. Authorities require the business to take appropriate corrective measures to bring the product into compliance.
5. Escalation if necessary. If the business fails to take adequate corrective action, authorities can:
   * Restrict or prohibit the product's availability on the market.
   * Ensure the product is withdrawn from the market.
   * Ensure the product is recalled.
6. Immediate action for serious risk. In cases where a product presents a serious risk, authorities can take immediate provisional measures without waiting for the business to respond.

All measures taken must be proportionate to the level of non-compliance and communicated promptly to the business.

**Procedure for Non-Compliant Services.**

For services found to be non-compliant with accessibility requirements, the following procedure applies:

1. Initial assessment. Authorities responsible for checking compliance of services evaluate the service against applicable requirements.
2. Notification. The service provider is informed of the identified non-compliance.
3. Corrective measures. The service provider is required to take corrective action to bring the service into conformity with accessibility requirements.
4. Follow-up verification. Authorities check that corrective action has been taken and is sufficient to address the non-compliance.
5. Further action. If the service provider fails to take adequate corrective measures, authorities can:
   * Require stopping the service.
   * Impose penalties according to national legislation.
   * Take other appropriate measures to ensure compliance.

Member States establish their own specific procedures for addressing non-compliant services, but they must align with these general principles established in the EAA.

For more information about service compliance, see the[Compliance of Services](https://allyship.dev/eaa/5.2-service-conformity) page.

**Formal Non-Compliance.**

The EAA identifies specific cases of formal non-compliance that trigger action by authorities. These include:

* The CE marking has been added in violation of Article 30 of Regulation (EC) No 765/2008 or Article 18 of the EAA.
* The CE marking has not been added.
* The EU declaration of conformity has not been created or has been created incorrectly.
* The technical documentation is unavailable or incomplete.
* Product identification information or manufacturer/importer contact details are missing, false, or incomplete.
* Any other administrative requirement of the EAA has not been met.

When formal non-compliance is identified, authorities require the business to correct the issue. If the non-compliance persists, authorities take appropriate measures to restrict or prohibit the product's availability or ensure it is withdrawn or recalled from the market.

For more information about CE marking, see the[CE Marking](https://allyship.dev/eaa/5.4-ce-marking) page.

**EU Safeguard Procedure.**

For cases where there is disagreement between Member States about actions taken against non-compliant products, the EAA establishes an EU safeguard procedure:

1. When one Member State takes measures against a product, it must inform the Commission and other Member States.
2. Information provided must include the reasons for the measures, the non-compliance identified, and the business's arguments.
3. The Commission evaluates the national measures and determines if they are justified.
4. If the measures are deemed justified, all Member States must ensure the non-compliant product is withdrawn from their markets.
5. If the measures are deemed unjustified, the Member State must withdraw them.
6. The Commission communicates its decision to all Member States and the business concerned.

This procedure ensures coordinated action across the EU and prevents fragmentation of the single market while maintaining high standards of accessibility.

**Penalties and Remedies.**

The EAA requires Member States to establish rules on penalties for breaking national provisions adopted under the directive:

* Penalties must be effective, proportionate, and dissuasive.
* They must consider the extent of the non-compliance and the number of units of non-complying products or services.
* Penalties should be accompanied by effective remedial mechanisms in case of non-compliance.
* Member States must notify the Commission of these rules and measures and promptly report any subsequent changes.
* Penalties should not serve as an alternative to businesses fulfilling their accessibility obligations.

This penalty framework helps ensure that businesses take their accessibility obligations seriously and address non-compliance issues promptly.

* [Conformity Assessment Procedure](https://allyship.dev/eaa/5.7-conformity-assessment-procedure)

**Overview of Conformity Assessment.**

Conformity assessment is the process used to demonstrate that a product or service meets the accessibility requirements set out in the European Accessibility Act. The EAA establishes specific procedures that manufacturers, importers, distributors, and service providers must follow.

For products, the EAA requires the use of the "internal production control" procedure (known as Module A), where manufacturers take full responsibility for ensuring and declaring conformity.

For services, a similar but distinct assessment process is required, focusing on how services meet the accessibility requirements in Annex I.

**Internal Production Control.**

Internal production control (Module A) is the conformity assessment procedure where the manufacturer:

* Takes sole responsibility for ensuring their products meet EAA requirements
* Creates technical documentation showing how requirements are met
* Carries out production controls to maintain consistent accessibility
* Draws up an EU Declaration of Conformity
* Applies the CE marking to compliant products

This procedure does not require the involvement of a notified body or third-party certification, which reduces costs and administrative burdens for businesses.

**Module A Procedure Steps.**

The manufacturer must follow these steps to complete the Module A procedure:

1. Product assessment: Analyze the product against the accessibility requirements in Annex I of the EAA.
2. Technical documentation: Create detailed documentation that includes:
   * General description of the product
   * List of applied harmonized standards or technical specifications
   * Design and manufacturing drawings where relevant
   * Explanations necessary to understand those drawings
   * Results of design calculations and examinations
   * Test reports demonstrating conformity
3. Production control: Implement measures to ensure all manufactured products comply with requirements.
4. Conformity marking: Apply the CE marking to each product.
5. Declaration of Conformity: Draw up a written EU Declaration of Conformity for the product model.
6. Documentation storage: Keep technical documentation and Declaration of Conformity for 5 years after the product is placed on the market.

**Required Documentation.**

The technical documentation for accessibility conformity assessment must include:

* An assessment of which accessibility requirements apply to the product
* Details of how the product meets each applicable requirement
* Evidence of accessibility testing and results
* Documentation of any exemptions claimed under "disproportionate burden" or "fundamental alteration"
* Information on how users will be informed about accessibility features
* User instructions related to accessibility features

This documentation serves as the basis for the EU Declaration of Conformity and should be made available to market surveillance authorities upon request.

**Service Assessment Procedure.**

For services, the assessment procedure is similar but with key differences:

* No CE marking is required for services
* No formal Declaration of Conformity is required, but documentation must be maintained
* Service providers must maintain documentation demonstrating how the service meets accessibility requirements
* Documentation must be kept for as long as the service is offered
* The assessment must include how the service meets requirements in Annex I, Section III of the EAA

Service providers must also publish information about how their services meet accessibility requirements, typically through accessibility statements on their websites or in other user-facing documentation.

**Source References.**

This page references these sections of Directive (EU) 2019/882:

* Article 17. General principles of CE marking.
* Article 20. Rules and procedures on conformity of services.
* Annex IV. Conformity assessment procedure for products.
* Annex V. Information on services meeting accessibility requirements.

* [Market Surveillance](https://allyship.dev/eaa/5.8-market-surveillance)

**Overview of Market Surveillance.**

Market surveillance is the system of monitoring and enforcing compliance with the European Accessibility Act. It ensures that products and services available in the EU market meet the required accessibility standards.

Under the EAA, each EU Member State must establish market surveillance authorities that monitor compliance, handle complaints, and take action against non-compliant products and services.

This oversight helps protect the rights of persons with disabilities and ensures a level playing field for businesses across the EU.

**Market Surveillance Authorities.**

Each Member State must designate authorities responsible for:

* Monitoring products and services available in their territory
* Checking documentation and evidence of conformity
* Receiving and investigating complaints from consumers
* Taking action against economic operators who don't comply with the EAA
* Cooperating with other EU Member States' authorities

The names and specific responsibilities of these authorities vary by country, but they are typically part of consumer protection or accessibility agencies.

**Powers and Procedures.**

Market surveillance authorities have significant powers to ensure compliance:

* Documentation review: Requesting and examining technical documentation, EU Declarations of Conformity, and other evidence
* Product examination: Testing products to verify they meet accessibility requirements
* Service assessment: Evaluating how services meet accessibility requirements
* Inspections: Conducting on-site visits to businesses
* Information requests: Requiring economic operators to provide information about supply chains and distribution
* Enforcement actions: Ordering corrective measures, withdrawals, or recalls

These authorities follow risk-based approaches to prioritize their work, focusing on products and services with the highest potential impact on people with disabilities.

**Handling Non-Compliance.**

When non-compliant products or services are identified, authorities follow these steps:

1. Initial assessment: Determining the nature and extent of non-compliance
2. Notification: Informing the economic operator about the identified non-compliance issues
3. Corrective action: Requiring the operator to fix the accessibility issues within a set timeframe
4. Follow-up: Verifying that the required changes have been implemented properly
5. Escalation: If compliance is not achieved, authorities can:
   * Restrict or prohibit making the product available on the market
   * Order the withdrawal or recall of the product
   * Require service providers to stop offering non-compliant services
   * Impose penalties according to national legislation

The approach prioritizes bringing products and services into compliance rather than immediately imposing penalties, but serious or repeated violations may lead to significant sanctions.

**Legal Framework.**

Market surveillance for the EAA operates within a broader EU framework:

* Regulation (EU) 2019/1020 on market surveillance and compliance: Provides the overall framework for market surveillance across different EU product legislation
* Articles 19 to 22 of the EAA: Specific provisions for market surveillance under the European Accessibility Act
* ICSMS (Information and Communication System for Market Surveillance): EU-wide system for sharing information about non-compliant products
* RAPEX (Rapid Alert System): System for rapid exchange of information about dangerous products

These legal instruments and information systems help ensure consistent and effective enforcement across the EU single market.

**Source References.**

This page references these sections of Directive (EU) 2019/882:

* Article 19. Market surveillance of products.
* Article 20. Procedure for dealing with products presenting a risk related to accessibility at national level.
* Article 21. Union safeguard procedure.
* Article 22. Formal non-compliance.
* Article 29. Penalties.

Chapter 6

[**Monitoring**](https://allyship.dev/eaa/6.0-monitoring)

**Overview.**

To ensure effective implementation and compliance with the European Accessibility Act (EAA), a robust system of monitoring and market surveillance has been established. This system verifies that products and services within the scope of the EAA meet the required accessibility standards and that economic operators fulfill their obligations.

The monitoring and market surveillance framework of the EAA includes:

* Market surveillance for products
* Compliance verification for services
* Enforcement measures
* Penalties for non-compliance
* Regular reporting and evaluation

These mechanisms ensure that the EAA's requirements are effectively implemented and that persons with disabilities can benefit from improved accessibility of products and services.

**Market Surveillance.**

Market surveillance is the system through which Member States verify that products meet the EAA's accessibility requirements. It is carried out according to Regulation (EU) 2019/1020 on market surveillance and compliance of products.

Market Surveillance Authorities.

Each Member State must designate market surveillance authorities with the responsibility and powers to:

* Verify that products comply with the accessibility requirements
* Check that economic operators have fulfilled their obligations
* Investigate complaints from consumers and other stakeholders about non-compliant products
* Take appropriate actions when non-compliant products are identified

Surveillance Activities.

Market surveillance authorities carry out various activities to monitor compliance, including:

* Document reviews: Checking technical documentation, EU declarations of conformity, and other compliance documentation
* Product sampling: Taking product samples for testing and analysis
* On-site inspections: Visiting manufacturers, importers, and distributors to verify compliance
* Online surveillance: Monitoring products sold through online marketplaces

**Enforcement Measures.**

When non-compliance is detected, market surveillance authorities have a range of enforcement measures at their disposal:

* Requiring corrective actions: Instructing economic operators to bring their products into compliance within a specified timeframe
* Restricting market availability: Prohibiting or restricting the availability of non-compliant products on the market
* Product recalls: Ordering the withdrawal or recall of non-compliant products already placed on the market
* Public warnings: Issuing public warnings about non-compliant products

Service Compliance Enforcement.

For services, Member States must establish appropriate mechanisms to:

* Verify that services comply with the EAA's accessibility requirements
* Follow up on complaints or reports about non-compliant services
* Verify that service providers have conducted the required conformity assessment
* Take measures to ensure that service providers remedy instances of non-compliance

**Penalties.**

The EAA requires Member States to establish rules on penalties for infringements of the national provisions adopted pursuant to the Directive. These penalties must be:

* Effective: Having a genuine impact on non-compliant operators
* Proportionate: Appropriate to the severity of the infringement
* Dissuasive: Discouraging future non-compliance

Penalties must also take into account the extent of the non-compliance, including the number of units of non-complying products or services concerned, as well as the number of people affected.

Member States are required to notify the European Commission of their penalty provisions and any subsequent amendments. While the specific penalties vary between Member States, they may include:

* Administrative fines
* Orders to cease non-compliant practices
* Suspension of business activities
* In severe cases, criminal sanctions

**Reporting Requirements.**

The EAA includes several reporting obligations to ensure transparency and continuous improvement:

Member State Reporting.

* Member States must report to the Commission on the implementation of the EAA by June 28, 2030, and every five years thereafter
* Reports must cover enforcement actions, penalties applied, data on accessibility compliance, and the effectiveness of the implemented measures
* Member States must publish their reports in accessible formats

European Commission Reporting.

* The Commission must submit a report to the European Parliament, the Council, the European Economic and Social Committee, and the Committee of the Regions on the application of the EAA by July 28, 2031
* The report will assess whether the EAA has achieved its objectives and whether it needs to be amended to improve accessibility
* The Commission's report must take into account the views of stakeholders, including organizations representing persons with disabilities

Market Surveillance Reporting.

Market surveillance authorities must regularly report on their surveillance activities, providing information on:

* Number of inspections conducted
* Types and numbers of non-compliance detected
* Enforcement measures taken
* Penalties applied

**National Authorities.**

To effectively implement the EAA, each Member State must establish or designate various authorities:

* Market Surveillance Authorities: Responsible for monitoring products and ensuring they comply with accessibility requirements
* Service Monitoring Authorities: Tasked with verifying that services meet the EAA's accessibility requirements
* Notifying Authorities: Responsible for setting up and carrying out the procedures for the assessment and notification of conformity assessment bodies
* Enforcement Authorities: Empowered to apply penalties and take enforcement actions against non-compliant economic operators

These authorities must have sufficient resources, expertise, and operational independence to perform their tasks effectively. They also must cooperate with each other, with authorities in other Member States, and with the European Commission to ensure consistent implementation and enforcement of the EAA across the EU.

* [Authorities](https://allyship.dev/eaa/6.1-authorities)

**Overview.**

The European Accessibility Act (EAA) relies on national authorities for implementation, enforcement, and oversight. Each EU Member State must designate appropriate authorities and provide them with the necessary resources and powers to fulfill their responsibilities under the EAA.

The national authorities play a crucial role in ensuring:

* Products and services meet accessibility requirements
* Economic operators fulfill their obligations
* Complaints from consumers are addressed
* Non-compliant products and services are identified and corrected
* Information about compliance is shared across the EU

**Market Surveillance Authorities.**

Market surveillance authorities (MSAs) are responsible for ensuring that products placed on the market comply with EAA requirements. Each Member State must:

* Designate MSAs - Establish or identify existing agencies responsible for market surveillance of accessibility-related aspects of products
* Ensure adequate resources - Provide MSAs with the necessary resources, expertise, and powers to effectively carry out their duties
* Define procedures - Establish procedures for verifying compliance and handling non-compliant products
* Enable information sharing - Ensure MSAs can share information with authorities in other Member States

MSAs typically include consumer protection agencies, product safety authorities, or specialized accessibility regulation bodies, depending on the Member State's administrative structure.

**Powers and Responsibilities.**

National authorities under the EAA are granted specific powers and responsibilities, including:

* Product verification - Authority to inspect and test products to verify compliance with accessibility requirements
* Documentation review - Power to request and review technical documentation, EU declarations of conformity, and other compliance documentation
* Service assessment - Authority to assess whether services comply with the applicable accessibility requirements
* Enforcement measures - Power to:
  + Require economic operators to take corrective action
  + Withdraw non-compliant products from the market
  + Prohibit or restrict the provision of non-compliant services
  + Impose penalties for non-compliance
* Complaint handling - Responsibility to receive and investigate complaints from consumers regarding non-compliant products and services
* Reporting - Obligation to report to the European Commission on enforcement activities and market surveillance

**Notified Bodies.**

In addition to market surveillance authorities, Member States may designate notified bodies to carry out specific conformity assessment tasks:

* Competence assessment - Member States must assess and verify that notified bodies have the necessary expertise, independence, and resources
* Third-party verification - Notified bodies provide independent verification of product conformity with accessibility requirements
* Technical assessment - They evaluate technical documentation and conduct product tests when required
* Certificate issuance - Issue certificates of conformity for products that meet the requirements

While the EAA primarily relies on manufacturers' self-declaration of conformity for most products, notified bodies may play a role in specific cases or when additional verification is needed.

**Coordination Mechanisms.**

To ensure consistent application of the EAA across Member States, several coordination mechanisms exist:

* ADCO Groups - Administrative Cooperation Groups bring together representatives from national market surveillance authorities to coordinate enforcement activities
* Information exchange systems - Platforms for sharing information about non-compliant products, enforcement decisions, and best practices
* European Commission oversight - The Commission monitors implementation and provides guidance to national authorities
* Stakeholder involvement - Consultation with organizations representing persons with disabilities and economic operators

These coordination mechanisms help prevent fragmentation and ensure that economic operators face consistent requirements and enforcement across the EU.

**Practical Implications.**

For economic operators, understanding the role of national authorities has several practical implications:

* Documentation readiness - Operators should maintain complete and up-to-date documentation to respond to authority requests promptly
* Cooperation procedures - Establish internal procedures for cooperating with national authorities during inspections or compliance checks
* Multiple market awareness - Be aware that products or services marketed in multiple EU countries may be subject to checks by authorities in any Member State
* Communication channels - Maintain open channels with relevant authorities for guidance on compliance questions
* Complaint management - Implement robust complaint handling systems, as consumer complaints may be forwarded to or investigated by national authorities

Proactive engagement with national authorities can help economic operators stay ahead of compliance issues and demonstrate commitment to accessibility.

* [Market Surveillance](https://allyship.dev/eaa/6.2-market-surveillance)

**Overview and Purpose.**

Market surveillance is an important part of enforcing the European Accessibility Act. It involves checking products in the market to make sure they follow the accessibility requirements in the law.

Article 19 of the EAA states that market surveillance of products must follow the rules in Regulation (EC) No 765/2008. This regulation sets requirements for checking products in the market.

The main goals are to keep non-compliant products off the market, protect consumers with disabilities, and ensure fair competition by making sure all businesses follow the same accessibility standards.

**Market Surveillance Authorities.**

Each EU Member State must create and maintain effective market surveillance authorities. These authorities:

* Have the power to take appropriate measures to ensure products meet accessibility requirements.
* Can request all necessary information from businesses.
* Are authorized to carry out checks and inspections of products.
* May take samples of products for testing and analysis.
* Can require businesses to take corrective measures when non-compliance is found.
* Have the authority to withdraw or recall products when necessary.

The EAA emphasizes that Member States should give enough powers and resources to their market surveillance authorities to ensure effective monitoring.

**Checking Burden Claims.**

The EAA includes specific rules for checking products where businesses have claimed exceptions based on disproportionate burden or fundamental alteration (under Article 14). When checking these claims, authorities must:

* Verify that the assessment has been conducted by the business.
* Review the assessment and its results, checking the correct use of the criteria in Annex VI.
* Check compliance with the applicable accessibility requirements.
* Take appropriate measures in case of non-compliance or improper use of the exception.

This ensures that exceptions to accessibility requirements are only granted in legitimate cases where implementing them would truly create a disproportionate burden.

For more information about disproportionate burden assessments, see the[Annex IV: Disproportionate Burden Assessment](https://allyship.dev/eaa/6.2-market-surveillance) page.

**Surveillance Procedures.**

Market surveillance follows established procedures to ensure consistent enforcement:

* Initial assessment. Authorities evaluate products against accessibility requirements through document checks, physical inspections, or laboratory tests.
* Communication with businesses. Authorities inform the relevant business about identified non-compliance.
* Opportunity for correction. Businesses are given the opportunity to address issues and implement corrective measures.
* Enforcement actions. Where necessary, authorities can require products to be withdrawn from the market or impose other restrictions.
* Coordination. Authorities coordinate activities across Member States to ensure consistent application of requirements.

**EU Safeguard Procedure.**

The EAA establishes a safeguard procedure that applies when Member States disagree over measures taken regarding non-compliant products:

* If authorities in one Member State take measures against a product, they must inform the European Commission and other Member States.
* The communication must include details about the non-compliance, the measures taken, and the business's arguments.
* Other Member States have the opportunity to raise objections to the measures.
* The Commission evaluates whether the measures are appropriate.
* If the measures are deemed justified, all Member States must ensure the non-compliant product is withdrawn from their markets.
* If the measures are deemed unjustified, the Member State must withdraw them.

This procedure allows for resolving disputes while ensuring consistent enforcement across the EU single market.

**Cooperation and Information Sharing.**

Effective market surveillance relies on cooperation between various groups:

* Market surveillance authorities from different Member States share information and coordinate activities.
* The Commission helps exchange information and best practices among authorities.
* Authorities cooperate with organizations representing people with disabilities when carrying out their duties.
* Businesses are required to cooperate with authorities and provide necessary information.
* The Commission may establish a working group to facilitate exchange of information and ensure consistent application of the directive.

This collaborative approach ensures more efficient identification of non-compliant products and more consistent application of accessibility requirements across the EU.

**Source References.**

This page references these sections of Directive (EU) 2019/882 and Regulation (EC) No 765/2008:

* Article 19. Market surveillance of products, referencing Regulation (EC) No 765/2008 and check of Article 14 claims.
* Article 20. Procedure at national level for dealing with non-complying products.
* Article 21. Union safeguard procedure.
* Annex VI. Criteria for disproportionate burden, referenced in Article 19(2).
* Regulation (EC) No 765/2008. General framework for market surveillance.
* Recitals 80, 84, 86, 87, 88, 89. Context on market surveillance.

* [Complaint Systems](https://allyship.dev/eaa/6.3-complaint-systems)

**Overview.**

The European Accessibility Act (EAA) requires the establishment of effective complaint systems to ensure that accessibility issues with products and services can be addressed. These systems serve as a crucial feedback mechanism and enforcement tool, allowing persons with disabilities and other stakeholders to report non-compliance with accessibility requirements.

Effective complaint systems under the EAA have several key purposes:

* Identifying non-compliant products and services
* Providing redress for consumers facing accessibility barriers
* Gathering data on common accessibility challenges
* Supporting market surveillance activities
* Promoting continuous improvement in accessibility practices

**Legal Requirements.**

The EAA establishes specific requirements for complaint systems at both the national and operator levels:

* Member State requirements - Each EU Member State must:
  + Establish procedures for handling complaints about accessibility non-compliance
  + Designate authorities responsible for receiving and processing complaints
  + Ensure complaints can lead to appropriate enforcement actions
  + Provide transparent information about complaint procedures to the public
* Economic operator obligations - Manufacturers, importers, distributors, and service providers must:
  + Implement procedures to address complaints about accessibility issues
  + Maintain records of complaints and their resolution
  + Take corrective actions when valid accessibility complaints are received
  + Cooperate with authorities investigating complaints

**Complaint Handling Process.**

While specific procedures may vary between Member States, the typical complaint handling process under the EAA includes:

1. Submission - Consumers submit complaints about accessibility issues through designated channels (online forms, email, telephone, or in person)
2. Initial assessment - Authorities or economic operators evaluate whether the complaint falls within the scope of the EAA
3. Investigation - Relevant information is gathered, including technical documentation and accessibility assessments
4. Determination - A decision is made regarding whether the product or service complies with accessibility requirements
5. Corrective action - If non-compliance is found, appropriate measures are required, such as:
   * Modifications to make the product or service accessible
   * Withdrawal of non-compliant products from the market
   * Penalties or sanctions in cases of serious non-compliance
6. Follow-up - Monitoring to ensure that corrective actions are implemented effectively
7. Feedback - Communication with the complainant about the outcome and actions taken

**Accessibility Requirements for Complaint Systems.**

Complaint systems themselves must be accessible to ensure that persons with disabilities can effectively report accessibility issues. Key accessibility requirements include:

* Multiple contact channels - Providing various ways to submit complaints (digital, telephone, in-person) to accommodate different disabilities and preferences
* Digital accessibility - Ensuring online complaint forms and portals comply with web accessibility standards (WCAG)
* Alternative formats - Making complaint information available in accessible formats (large print, Braille, audio, easy-to-read)
* Assistance availability - Providing support for persons who need help filing complaints
* Clear communication - Using plain language in all communications about the complaint process and outcomes
* Reasonable accommodation - Making adjustments to the complaint procedure when needed to ensure accessibility

These requirements ensure that the very systems designed to address accessibility issues don't create additional barriers for the people they are intended to serve.

**Operator Responsibilities.**

Economic operators have specific responsibilities regarding complaint handling:

* Manufacturers must:
  + Establish procedures to register and track accessibility complaints
  + Inform distributors and importers about complaint monitoring systems
  + Investigate accessibility complaints and maintain a register
  + Take appropriate corrective measures for non-compliant products
* Importers must:
  + Forward complaints to manufacturers when appropriate
  + Keep manufacturers informed about implemented monitoring
  + Maintain their own complaint registers when acting as representatives
* Distributors must:
  + Forward complaints to manufacturers or importers
  + Cooperate in providing information to authorities
  + Take corrective actions within their scope of activity
* Service providers must:
  + Establish accessible complaint procedures for their services
  + Address accessibility barriers identified through complaints
  + Document how complaints have been addressed

**Best Practices.**

Beyond the minimum legal requirements, organizations can implement these best practices for effective complaint systems:

* User-centered design - Involve persons with disabilities in designing complaint systems
* Clear timeframes - Establish and communicate expected response times for different complaint stages
* Training staff - Ensure personnel handling complaints understand accessibility requirements and disability etiquette
* Systematic tracking - Implement systems to track complaint patterns to identify recurring issues
* Proactive monitoring - Use complaint data to improve products and services before problems escalate
* Regular auditing - Periodically review the effectiveness of the complaint handling system
* Transparent reporting - Publish anonymized data about accessibility complaints and resolutions
* Stakeholder engagement - Collaborate with disability organizations to improve complaint procedures

* [Periodic Reviews](https://allyship.dev/eaa/6.4-periodic-reviews)

**Overview.**

The European Accessibility Act (EAA) establishes a system of periodic reviews to assess the implementation, effectiveness, and impact of the Act. These reviews are crucial for ensuring that the EAA achieves its objectives of improving accessibility for persons with disabilities and harmonizing accessibility requirements across the EU.

Periodic reviews serve several important purposes:

* Evaluating the effectiveness of the EAA in improving accessibility
* Identifying challenges in implementation
* Gathering data on compliance and enforcement
* Analyzing the impact on persons with disabilities and economic operators
* Informing potential amendments or additional measures
* Adapting to technological changes and emerging accessibility needs

**Member State Reviews.**

The EAA requires each EU Member State to report regularly on the implementation of the Act within their jurisdiction. These Member State reviews include:

* Regular reporting - Member States must report to the European Commission on:
  + The application of the accessibility requirements
  + Enforcement activities and measures taken
  + Resources allocated to implementation
  + Challenges encountered and solutions developed
* Market surveillance reports - Information on market surveillance activities, including:
  + Number and types of inspections conducted
  + Identified cases of non-compliance
  + Corrective actions required and taken
  + Penalties imposed for non-compliance
* Exemption analysis - Data on the use of exceptions such as:
  + Disproportionate burden claims
  + Fundamental alteration exemptions
  + Impact of microenterprise exemptions
* Complaint data - Information about accessibility complaints received and their resolution

These Member State reports form the foundation for the Commission's broader review of the EAA and help identify areas where implementation guidance or additional measures might be needed.

**Commission Reviews.**

The European Commission conducts comprehensive reviews of the EAA at regular intervals:

* Initial review - By 28 June 2030 (five years after the application date for most requirements), and every five years thereafter
* Review scope - The Commission reviews:
  + The application of the Act across Member States
  + Technological developments and market changes
  + Progress in accessibility for persons with disabilities
  + Potential barriers to implementation
  + Economic impact on manufacturers, importers, and service providers
  + Whether additional product and service categories should be included
* Review methodologies include:
  + Analysis of Member State reports
  + Stakeholder consultations
  + Independent studies and assessments
  + Analysis of complaint data and enforcement actions
* Review outcomes may include:
  + Recommendations for amendments to the EAA
  + Updated implementation guidance
  + Proposals for additional legislation
  + Recommendations for standardization activities

Commission reviews provide a comprehensive assessment of the EAA's effectiveness and help ensure that the Act remains relevant and effective as technology and society evolve.

**Review Process.**

The periodic review process typically follows these phases:

1. Data collection - Gathering information from various sources:
   * Member State reports on implementation
   * Market surveillance data
   * Feedback from economic operators
   * Input from organizations representing persons with disabilities
   * Academic and market research
2. Analysis - Evaluating the effectiveness of the EAA:
   * Compliance levels across different sectors
   * Impact on persons with disabilities
   * Economic impact on business stakeholders
   * Challenges in implementation and enforcement
   * Technological developments affecting accessibility
3. Stakeholder consultation - Seeking input from interested parties:
   * Public consultations
   * Targeted stakeholder workshops
   * Expert group meetings
   * Industry and disability organization roundtables
4. Report preparation - Documenting findings and recommendations:
   * Assessment of the current state of implementation
   * Identification of best practices
   * Analysis of gaps and challenges
   * Recommendations for improvement
5. Follow-up actions - Taking steps based on review findings:
   * Legislative proposals for amendments if needed
   * Development of additional guidance documents
   * Recommendations for standardization activities
   * Enhanced enforcement measures if required

**Stakeholder Involvement.**

The EAA emphasizes the importance of involving key stakeholders in the review process:

* Persons with disabilities and their representative organizations:
  + Providing firsthand experience of accessibility barriers
  + Evaluating the real-world impact of the EAA
  + Identifying gaps in coverage or implementation
  + Suggesting improvements based on lived experience
* Economic operators subject to the EAA:
  + Sharing implementation challenges
  + Providing data on compliance costs
  + Identifying areas where guidance would be helpful
  + Suggesting improvements to make compliance more efficient
* Industry associations representing manufacturers, importers, and service providers:
  + Providing sectoral perspectives on implementation
  + Sharing industry-specific challenges and solutions
  + Contributing to the development of best practices
* National authorities responsible for implementation:
  + Sharing enforcement experiences
  + Identifying resources needed for effective implementation
  + Suggesting improvements to the regulatory framework
* Standards organizations and accessibility experts:
  + Providing technical expertise on accessibility standards
  + Identifying areas where standards need to be developed or updated
  + Assessing the effectiveness of existing standards

This multi-stakeholder approach ensures that reviews consider diverse perspectives and lead to balanced and effective improvements.

**Implications for Organizations.**

For organizations subject to the EAA, periodic reviews have several important implications:

* Documentation practices - Organizations should:
  + Maintain comprehensive records of accessibility measures
  + Document challenges encountered and solutions implemented
  + Track costs associated with accessibility implementation
  + Collect data on user feedback and accessibility complaints
* Engagement opportunities - Organizations can:
  + Participate in public consultations on the EAA
  + Provide input through industry associations
  + Share best practices and success stories
  + Highlight implementation challenges requiring guidance
* Adaptation planning - Organizations should:
  + Monitor review outcomes for potential changes to requirements
  + Anticipate expanded scope in future amendments
  + Plan for evolving accessibility standards
  + Adjust compliance strategies based on review findings
* Internal reviews - Organizations can benefit from:
  + Conducting their own periodic accessibility reviews
  + Aligning internal review cycles with EAA review timelines
  + Using Commission review findings to benchmark their practices
  + Incorporating review recommendations into accessibility strategies

By actively engaging with the periodic review process, organizations can both influence the development of accessibility requirements and better prepare for future changes to the regulatory landscape.