



Notification Number: 2019/99/F

Decree on the accessibility of public online communication services for people with disabilities

Date received : 06/03/2019

End of Standstill : 07/06/2019

Message

Message 002

Communication from the Commission - TRIS/(2019) 00637

Directive (EU) 2015/1535

Translation of the message 001

Notification: 2019/0099/F

No abre el plazo - Nezahajuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - He ce предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 201900637.EN)

1. Structured Information Line

MSG 002 IND 2019 0099 F EN 06-03-2019 F NOTIF

2. Member State

F

3. Department Responsible

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3. Originating Department

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4. Notification Number

2019/0099/F - SERV

5. Title

Decree on the accessibility of public online communication services for people with disabilities

6. Products Concerned

Public online communication services

7. Notification Under Another Act

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8. Main Content

The draft Decree and Order concern the development of a technical regulation and the extension of the accessibility obligation, in particular to certain companies.

Decree No 2009-546 of 14 March 2009 and the General Accessibility Framework for Administrations[Référentiel d'accessibilité] (RGAA), the first version of which was published under an order of 21 October 2009, 'lays down the rules on accessibility and how these should be implemented'. These texts, notably the General Accessibility Framework, refer to international recommendations (WCAG [Web Content Accessibility Guidelines]) which define the nature of the amendments to be implemented.

In addition to the technical method of verifying conformity with the reference standard, the draft Decree and Order lay down the exempt content, the evaluation criteria for assessing the disproportionate burden, the turnover threshold (250 million EUR) from which companies must make their public online communication services available to people with disabilities, the contents of quotes and mandatory documents (quote on homepage, declaration of accessibility, multiannual plan of implementing accessibility), delays to achieving compliance of public online communication services, the conditions in which controls are carried out and sanctions are imposed and recovered in case of non-compliance with accessibility obligations as well as mandatory training methods for staff contributing to public online communication services.

9. Brief Statement of Grounds

The draft Decree on the accessibility of public online communication services for people with disabilities is issued pursuant to Article 47 of Act No 2005-102 of 11 February 2005 on the equality of rights and opportunities, participation and citizenship of people with disabilities, as amended by Article 106 of Act No 2016-1321 of 7 October 2016 for a Digital Republic and also by Article 80 of Act No 2018-771 of 5 September 2018 for the freedom to choose your future career, which aims to finalise the transposition of the provisions of Directive (EU) 2016/2102 of the European Parliament and of the Council of 26 October 2016 on the accessibility of the websites and mobile applications of public sector bodies for provisions requiring legislative intervention, particularly by introducing the concept of 'disproportionate burden' as appears in the Directive, by extending the scope of mandatory accessibility to all public sector bodies included in the Directive and by replacing the reference to international recommendations to the reference to European standards referred to in the Directive.

The draft Decree and the draft Order allow for the finalising of the transposition of the provisions of Directive



(EU) 2016/2102 at regulatory level.

10. Reference Documents - Basic Texts

Reference(s) to basic text(s): - Article 47 of Act No 2005-102 of 11 February 2005 on the equality of rights and opportunities, participation and citizenship of people with disabilities, as amended by Article 106 of Act No 2016-1321 of 7 October 2016 for a Digital Republic and by Article 80 of Act No 2018-771 of 5 September 2018 for the freedom to choose your future career

11. Invocation of the Emergency Procedure

No

12. Grounds for the Emergency

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13. Confidentiality

No

14. Fiscal measures

No

15. Impact assessment

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16. TBT and SPS aspects

TBT aspect

No - the draft is neither a technical regulation nor a conformity assessment procedure.

SPS aspect

No - the draft is neither a sanitary nor phytosanitary measure.

European Commission

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