**Accessibility standards for the internet**

Indicators on political participation

of persons with disabilities

2014

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**Are there legal accessibility standards in place for websites providing public information?**

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| **EUMS** | **Source and supporting information** |
| AT | §1 (3) of the Federal E-Government Act (*E-Government-Gesetz)* stipulates that “measures shall be taken to ensure that official Internet sites which provide information or electronic support for procedures are structured in such a way as to comply with international standards for access to the worldwide web, including unhindered access for disabled persons.” The Act does not refer to any particular standards, it just reads: § 1(3) when implementing the goals of this federal act precautions have to be taken, that official internet sites, which offer information or support procedures electronically are set up in such a way, that international standards for access to the worldwide web regarding the barrier free access of persons with disabilities are met.  *((3) Bei der Umsetzung der Ziele dieses Bundesgesetzes ist Vorsorge dafür zu treffen, dass behördliche Internetauftritte, die Informationen anbieten oder Verfahren elektronisch unterstützen, so gestaltet sind, dass internationale Standards über die Web-Zugänglichkeit auch hinsichtlich des barrierefreien Zugangs für behinderte Menschen eingehalten werden.)*  The Federal Disability Equality Act (*Bundes-Behindertengleichstellungsgesetz, BGStG)* prohibits discrimination of persons with disabilities. Next to public services, the Act applies to all legal relationships, their initiation and creation (§2 (2)). Therefore private web offerings which entail a legal relationship have to be accessible for persons with disability. The definition of accessibility is given in §6(5) of this Act[[1]](#footnote-1): “Constructional or other facilities, means of transport, technical equipment, information processing systems, and other aspects of life can only be considered barrier-free when they can be used normally by disabled persons without difficulty and without the need for help from others.” The act does not refer to any particular international standards; the text provided here is a direct quote from the act.  The provision of understandable and accessible information relating to political participation is part of the National Action Plan on Disability 2012-2020 (*Nationaler Aktionsplan Behinderung)*[[2]](#footnote-2). According to the action plan “the offering of information about participation in elections in accessible and (as far as possible) understandable form, in printed and electronic versions” must be realised by the Federal Ministry of Interior (Measure 190).  §29 (7) Service of Documents Act*Zustellgesetz)* [[3]](#footnote-3) states that with regard to current technology, information provided must be accessible barrier-free for persons with disabilities. It does not refer to particular international standards. The Service of Documents Act covers documents that are to be delivered by courts and administrative authorities, as well as documents by foreign authorities that are to be delivered through Austrian courts or Austrian administrative authorities (see §1 of the Service of Documents Act). § 28 et seqq. Service of Documents Act regulates the electronic delivery of such documents. Note that the more specific rules of § 89a et seq. of the Court Organisation Act (*Gerichtsorganisationsgesetz, GOG*) apply for the delivery of documents (structured data transfer to authorized addressees, e.g. attorneys) by courts.[[4]](#footnote-4) |
| BE | The Belgian Institute for Postal Services and Telecommunication has the competence to require from telecommunication providers that end-users with disabilities have access to services available to the public similarly to those enjoyed by the majority of end-users of electronic communication, that is to say, adapted to their disability and have the same choice of telecommunication providers as non-disabled users. (Article 121/4 of the [Law of 13 June 2005 on electronic communications](http://www.ejustice.just.fgov.be/loi/loi.htm)).[[5]](#footnote-5)  The Institute does require from public electronic communications providers and providers of electronic communications accessible to the public to ensure accessibility of end users with disabilities to the information. The requirement is limited to providing access to the web page destined to persons with disabilities (usually a separate page/website or part of the website specifically created/adapted with the information aimed at persons with disabilities) in accordance with the criteria of the [Anysurfer](http://www.anysurfer.be/en) tool which requires as a minimum a level A standard.[[6]](#footnote-6) |
| BG | The Electoral Code contains no obligations for public and private internet providers of web-based information to meet accessibility requirements.  However, article 26, para 1, item 22 of the Electoral Code (EC) provides an obligation for the Central Electoral Commission to publish its decisions, minutes , methodological guidelines, preliminary and final election results, scanned and electronic copies of the minutes of the station, regional and municipal electoral commissions and other documents and data. Article 29, para 1, item 21 of the EC obliges RECs to maintain a website where to publish its decisions and minutes of meetings, while art. 33, para 1, item 28 of the EC contains the same requirement for MECs.  Furthermore, article 54 of the EC provides an obligation to publish electoral rolls on the website of the relevant municipality, as well as that the mayors of municipalities and the Directorate General “Civil Registration and Administrative Services” to the Ministry of Regional Development should provide an opportunity for each voter to make references with the electoral roll by providing his/her uniform personal identification number. |
| CY | The Convention on the Rights of Persons with Disabilities and Related Issues (Ratification) Law of 2011 encourages private providers to ensure that public information is accessible. Specifically, Article 21 (c) urges private entities that provide services to the general public, including through the Internet, to provide information and services in accessible and usable formats for persons with disabilities and (d) encourages the mass media, including providers of information through the Internet, to make their services accessible to persons with disabilities.[[7]](#footnote-7) No other sources could be identified specifying accessibility requirements towards public or private internet providers. The Regulation of Electronic Communications and Postal Services Law of 2004 (112(I)/2004) was also reviewed, but no provisions related to accessibility of information for persons with disabilities were identified. |
| CZ | In publishing information for remote access (on websites), offices must proceed according to the regulation of the Ministry of Interior 64/2008 that meets the CAG standards.[[8]](#footnote-8) Information connected with activities of public administration, according to this regulation, must be published in a form that can be accessed by individuals with disabilities. |
| DE | **Public providers**  -According to Section 11 of the Federal Disabled Persons Equality Act (*Behindertengleichstellungs-gesetz*, BGG)[[9]](#footnote-9) federal authorities are obliged to design their websites in accordance with the Federal Accessible Information Technology Ordinance (*Barrierefreie-Informationstechnik-Verordnung*, BITV 2.0)[[10]](#footnote-10). The ordinance is supposed to be oriented towards the Web Content Accessibility Guidelines (WCAG) 2.0 AA standards, according to the statements of associations of persons with disabilities. This is only binding for public authorities.  -Similarly this applies on the statelevel but the application areas vary between the states.  Every state has its own Disabled Persons Equality Act. Modelled after the federal law, all acts mention “web accessibility”, though the specifications vary from state to state. Most state regulations refer to the outdated federal regulation of 2002 (BITV). Six states do not provide a regulation on details of accessible internet.  An overview of the laws and regulations in the different states can be found at [www.di-ji.de/index.php?option=com\_content&view=category&layout=blog&id=76&Itemid=57&lang=de](http://www.di-ji.de/index.php?option=com_content&view=category&layout=blog&id=76&Itemid=57&lang=de)  **Private providers**  -Mechanisms of voluntary agreements (outlined in Section 5 BGG) on objectives as are in place in order to get private professional providers of information technology to commit to accessible websites. The federal government is obliged to work towards a realization of said agreements by Section 11 (2) of the BGG. No timeframe is envisaged for this obligation. |
| DK | There is no duty under law for neither public nor private providers.  Nevertheless, there is a non-binding parliamentary resolution ‘Proposal for a parliamentary resolution on the use of open standards for software in the public sector’ (*Forslag til folketingsbeslutning om anvendelse af åbne standarder for software i det offentlige*)[[11]](#footnote-11),stating that the government should ensure that the public’s use of information technology complies with open standards, among others WCAG 2.0. Danish regions and local governments of Denmark have agreed to commit themselves to comply with the same open standards that are mentioned in the Parliamentary Resolution mentioned above (including WCAG 2.0).  More information about the standards which local governments and regions have committed themselves to use (including WCAG 2.0) can be found at the following hyperlinks:  -<http://www.digst.dk/Arkitektur-og-standarder/Standardisering/AAbne-standarder--vejledning/~/media/Files/Arkitektur%20og%20standarder/%C3%85bne%20standarder%20vejledning/Aftale%20om%20anvendelse%20af%20abne%20standarder%20for%20software%20i%20det%20offentlige.ashx> (In Danish, accessed July 24th 2013)  -<http://www.digst.dk/Arkitektur-og-standarder/Standardisering/AAbne-standarder--vejledning/De-syv-saet-af-obligatoriske-aabne-standarder> (in Danish, accessed July 24th 2013)  -<http://www.digst.dk/Servicemenu/English/IT-Architecture-and-Standards/Open-standards> (In English, accessed July 24th 2013) |
| EE | There is no duty under law to ensure that public information is subject to accessibility requirements. [[12]](#footnote-12) However, it is recommended to public providers to ensure that public information is subject to that. There is a document called “*Interoperability of the State Information System*”[[13]](#footnote-13) composed by the Ministry of Economic Affairs and Communications which establishes that, when developing public sector websites, the WCAG criteria should be aimed.[[14]](#footnote-14)  In the case of the internet, laws do not directly require accessibility, but paragraph 4 of the Public information Act states that public information should be accessible to everyone as easily and quickly as possible.[[15]](#footnote-15) |
| EL | Article 5A of the Constitution, added in the constitutional revision of 2001, consolidates the right of all to information and the right to participate in the Information Society. Especially with regard to the latter, the Constitution provides that ‘*facilitation of access to electronically transmitted information, as well as of the production, exchange and diffusion thereof, constitutes an obligation of the State’*.  The Law 3861/2010 on the Enhancement of transparency through the obligatory uploading of laws and acts of governmental and administrative organs and organs of local government on the Internet “Programme Diavgeia” and other provisions[[16]](#footnote-16) introduces the obligation to upload laws, presidential decrees and other acts on the internet in order to ensure their publicity. Article 6 par. 6 specifically provides that ‘*in the design and maintenance of websites and the uploading of laws and acts mentioned in the present law, care is taken to ensure the access of people with disabilities to the content of websites’*. The law does not refer to specific accessibility standards.  The Law 3979/2011 on e-government and other provisions[[17]](#footnote-17) acknowledges the right of natural and legal persons of private law to communicate with public authorities through ICT technologies and regulates the use of ICT from public bodies. The general principles of e-government include the obligation of public authorities to formulate information, communication and e-government services in a user-friendly way and to take into account the accessibility needs of specific groups or individuals and particularly the needs of people with disabilities (article 4 par. 7). Special reference is made to design and application of e-government services, information and communication systems and services that need to ensure accessibility and use by people with disabilities (article 4 par. 8). The law makes no reference to specific accessibility standards.  Art 4. of the Ministerial Decision ΥΑΠ/Φ.40.4/1/989 (OG B’ 1301/2012) on the approval of the E-government framework stipulates that the public websites should be accessible to person with disabilities.  There is no specific obligation for private providers. |
| ES | The Regulation on the basic conditions for the participation of persons with disabilities in political life and electoral processes (Royal Decree 422/2011 of 25 March) establishes different mechanisms to facilitate access to information by persons with disabilities.  Its article 5 on accessibility of institutional electoral information states:  “1. The websites of the general administration with information on electoral processes should comply with the general accessibility criteria established in Article 5 of Royal Decree 1494/2007, of 12 November, approving the Regulation on the basic conditions for access of persons with disabilities to technologies, products and services related to the information society and social communication.  2. All institutional information and the procedures administered under the responsibility of the Electoral Registration Office shall be accessible”.  Article 5 of Royal Decree 1494/2007[[18]](#footnote-18) establishes the accessibility criteria applicable to websites of the public administration or with public funding. In particular:  “1. The information available on the websites of the public administration should be accessible to elderly people and persons with disability in a way that complies, at least, with priorities 1 and 2 of UNE standard 139803:2004.  This obligation will not be applicable if for the information, functionality or service no financially reasonable technological alternative is available allowing its accessibility.  With regard to sign language, the referred websites shall respect the provisions of Act 27/2007, of 23 October, on the recognition of Spanish sign languages and regulating oral communication support to deaf persons, persons with hearing impairment and deafblind persons.[[19]](#footnote-19)  2. By way of exception, the general administration may establish the accessibility of websites according to technical standards different from the ones provided in paragraph 1 of this section, provided these offer a degree of accessibility similar to the level offered by these first standards.  3. The websites of the public administration shall contain clear information on the degree of accessibility of their content, as well as an indication of the date on which the level of accessibility was checked.  4. In order to be eligible for public funding for the design or maintenance of websites, the accessibility criteria foreseen in paragraph 1 of the present section will need to be fulfilled.  Likewise, and within the same time limits, compliance with these accessibility criteria for websites may be required from entities and companies which, by virtue of concession or contract, administer public services, in particular those concerning health education and social services.  The requirements for web pages and their content contained in this paragraph will also be compulsory for public education, training and academic centres, and for private centres financed entirely or partially with public funds.  5. The websites of the public administration shall offer users a contact mechanism allowing them to report difficulties in accessing the content of web pages, or to submit complaints, questions or suggestions for improvements. The competent organs shall regularly carry out public studies regarding the questions, suggestions and complaints submitted”.  Also applicable is Act 7/2010 on general rules regarding audiovisual communication[[20]](#footnote-20). |
| FI | There is no such duty under law. There is no national legislation to regulate the accessibility of internet and web-based information.[[21]](#footnote-21)  The recommendations for developing and implementing web services in public administration (JHS 129*: Julkishallinnon verkkopalvelun suunnittelun ja toteuttamisen periaatteet*)[[22]](#footnote-22) approved by the Advisory Committee on Information Management in Public Administration (*Julkisen hallinnon tietohallinnon neuvottelukunta*, JUHTA/ *Delegationen för informationsförvaltningen inom den offentliga förvaltningen*, JUHTA) include accessibility guidelines for public providers of web-based services. These recommendations are currently in the process of being updated. The recommendations are not binding, and thus far it seems that they have not been followed. The section 4.6.2 of the recommendations suggests that standards and instructions concerning the accessibility should be followed, and that an accessible web service should at least conform to A level according to the WGAC guidelines on accessibility.  Furthermore, as an instrument of Finnish communications policy, a programme called ‘Towards an accessible information society; an action programme 2011-2015 (*Kohti esteetöntä tietoyhteiskuntaa; Toimenpideohjelma 2011-2015*)’ is in place in order to increase accessibility to guarantee all citizens the opportunity to work, study, pursue a hobby and participate irrespective of their age, gender, state of health, ethnic background and social, mental or physical capabilities. The measures in the programme aim at advancing accessibility to and reviewing the accessibility requirements of communication services, such as telephone, television, radio and internet services.  The programme refers to participation in the society and the availability of public services and information in an electronic format on a general level, but does not have concrete reference to the accessibility of voting.[[23]](#footnote-23) |
| FR | Article 47 of the Law No. 2005-102 of 11 February 2005 on equal rights and equal opportunities, and the participation and citizenship of persons with disabilities, requires accessibility for every online public communication service of the State, local governments and public establishments. It appears that there is no such requirement for private providers.  Article 47 states that these services must provide information accessible to everyone. In order to achieve this, the law refers to the accessibility standards for administrations (*Référentiel Général d’Accessibilité pour les Administrations* – RGAA)[[24]](#footnote-24). The last version of the RGAA was published in 2009. According to the guide which completes the last version of the RGAA (with specifications about the approach to adopt and suggestions about the method of implementation)[[25]](#footnote-25), this national standard has been adjusted to international standards, in particular with respect to guidelines from the WCAG 2.0.  **The Decree No. 2009-546of 14 May 2009[[26]](#footnote-26)** adopted in application of article 47 of the Law requires the implementation of accessibility for online public State services within two years of the publication of the Decree, and within three years for local governments and public establishments (art. 3). |
| HR | Article 24 (4) of the Act on Electronic Communications[[27]](#footnote-27) (which includes networks, infrastructure and equipment, but not the end product i.e. websites and webpages)provides that electronic communication network, electronic communication infrastructure and other related equipment has to be planned, engineered, set and installed in a manner that assures accessibility of public electronic communication services to persons with disability.  The electronic communications services, regulated by this Act, are defined in Art. 2(1) as services that consist wholly or mainly of signal transmission via electronic communications networks, including telecommunications services and transmission services in the broadcasting networks, and do not include service of content provision and editorial control over the content transmitted using electronic communications networks and services.  There is no duty under law for the National Election Committee (NEC) (*Državno izborno povjerenstvo*) to ensure that the public information provided is subject to accessibility requirements.[[28]](#footnote-28) |
| HU | There is no specific provision stating that internet and web-based public information shall be accessible, but related provisions may be found in various laws. It is to be noted that no national law refers to any particular web accessibility standard, only the general requirement of accessibility is prescribed.  According to the Equal Treatment Act,[[29]](#footnote-29) both public and private service providers are obliged to comply with the criteria of equal treatment also with respect to persons with disabilities.  The Disability Act[[30]](#footnote-30) stipulates under Article 6 that access to public information and information on the rights of and services provided to disabled persons shall be accessible on an equal basis with others for persons with disabilities, whereas Article 7/A (1) sets out that access to public services shall be provided on an equal basis with others, as provided for by the Disability Act, and taking into account the diverse special needs of groups of persons with disabilities.  In this regard, Article 4 hc) of the Disability Act sets out that the information shall be regarded as accessible if it is predictable, understandable and perceptible for everyone, in particular, for persons limited in their mobility or in their visual, hearing, mental or communication functions, and if acquiring it is accessible.  Furthermore, according to Article 9 of the Convention on the Rights of Persons with Disabilities, promulgated by Hungary in 2007,[[31]](#footnote-31) State Parties shall take appropriate measures to ensure to persons with disabilities access, on an equal basis with others to information and communications, including information and communications technologies and systems, and to other facilities and services open or provided to the public. |
| IE | There does not appear to be a duty under Irish law for public and/or private providers of internet and web-based information to ensure that public information is subject to accessibility requirements.  Section 28 of the Disability Act 2005[[32]](#footnote-32) provides that insofar as possible, communications by public bodies to the public shall be communicated in a form that is accessible.  The statutory Code of Practice on Accessibility of Public Services and Information provided by Public Bodies[[33]](#footnote-33) recommends that public bodies should review existing practices for electronic communications in terms of accessibility against relevant guidelines and standards, including Double A level conformance with the Web Accessibility Initiative's (WAI) Web Content Accessibility Guidelines (WCAG). This obligation applies to most public bodies, but does not apply to private organisations, including political parties and NGOs.  There is a general obligation under the Equal Status Acts (2000-2011)[[34]](#footnote-34) that all service providers, including public and private organisations will not discriminate against a person on grounds of a disability in provision of services. There is at least one legal precedent where this anti-discrimination obligation related to the provision of an online service (see Martin O’Sullivan vs Siemens).[[35]](#footnote-35) |
| IT | Public administration and public digital providers have the legal duty to promote accessibility[[36]](#footnote-36). The law provides for the accessibility of web-based information offered by public administration. Public administration, that is, public economic bodies, hospitals, public transport companies, public broadcasting and web services etc., are required to respect the accessibility criteria. Web pages that fully respect the accessibility criteria prescribed by national law receive an accessibility certificate. The law provides for 12 prerequisites that have to be met and which follow WCAG 2.0 standards closely.  Only a few Public Administration websites are currently fully accessible. The Accessibility is monitored by Agenzia per l’Italia Digitale .[[37]](#footnote-37) Also, the Italian Union of Blind and Visually Impaired Persons (*Unione Italiana dei ciechi e ipovedenti*) assesses accessibility of websites.[[38]](#footnote-38)  No provisions for private providers of internet and web-based information exist.[[39]](#footnote-39) |
| LT | Under the Law on Social Integration of Persons with Disabilities, the Information Society Development Committee under the Ministry of Transport and Communications (hereinafter referred to as the Committee) is tasked with arranging access for persons with disabilities to the information environment. The Committee is responsible for the implementation of 3.15 measure of Objective 3 under the Action Plan for the National Programme for Social Integration of Persons with Disabilities 2010-2012[[40]](#footnote-40) approved by the Minister of Social Security and Labour[[41]](#footnote-41) (hereinafter referred to as the Plan) regarding the methodological guidelines for the development, testing and assessment of websites according to the W3 Consortium Web Content Accessibility Guidelines version 2.0, and the methodology for the assessment of compliance of state and municipal websites to the W3 Consortium Web Content Accessibility Guidelines version 2.0.[[42]](#footnote-42)  Between June and September 2011there was a project initiated by the Information Society Development Committee under the Ministry of Transport and Communications (*Informacinės visuomenės plėtros komitetas prie Susisiekimo ministerijos*) with the aim to develop accessibility of internet and web-based information for people with disabilities, while that web-based information is subject to accessibility requirements and facilitating the work of the creators of the web-based information content. A new set of recommendations, corresponding to the WCAG 2.0 guidelines, was prepared and Methodological Guidelines for the Development, Testing and Assessment of Disabled-friendly Websites were drawn up and approved[[43]](#footnote-43) (hereinafter referred to as the Guidelines).  The regulations representing W3C technical requirements WCAG 2.0 have been translated into the Lithuanian language. The Guidelines and the above regulations have been published on the [Committee's website](http://www.ivpk.lt) [www.ivpk.lt](http://www.ivpk.lt)[[44]](#footnote-44).  These recommendations only cover public (state and municipal) institutions. |
| LU | Regarding the accessibility of public and private providers of internet and web-based information, there is no provision in the Act on accessibility of 2001 (including the grand-ducal decree of 2008), nor in the Electoral act of 2011. |
| LV | According to article 4 paragraph 3 of the Electronic Mass Media Law, the Internet is onsidered as a type of mass media.[[45]](#footnote-45)  The Electronic Mass Media Law applies to public and private providers.  Article 24 paragraph 5 of the Law envisages that the electronic mass media shall develop a publicly available code of conduct where they indicate the measures which facilitate the availability of services for persons with impaired vision or hearing. This is a general provision, which does not assign this responsibility to specific employees nor does it set deadlines. The Law does not specify the accessibility requirements. |
| MT | The Electronic Communications Networks and Services (General) Regulations, S.L. 399.28, that regulates the provision of public and non-public electronic communication services, telephone services and private and public electronic communication networks, obliges service providers to ensure equivalence in access and choice for disabled end-users (Regulation 41), the imposing of “must carry” obligations[[46]](#footnote-46) [] particularly to enable appropriate access for disabled end-users (Regulation 49) and the imposition of designated undertakings under the Regulations to pay phones and other comparable services are accessible to disabled end-users (Regulation 25).[[47]](#footnote-47)  The Malta Communications Authority can impose on certain designated undertakings universal service obligations, such as telephony services. These undertakings must ensure that public pay phones meet the accessibility needs to disabled end-users. Regulation 25 relates to telephone services and can refer to both public and private undertakings.The Regulations do not make reference to any particular accessibility standards which must be achieved. However, the Malta Communications Authority may itself specify, where appropriate, requirements to be met. No deadlines are envisaged under this Regulation.  In addition, the Equal Opportunities (Persons with Disabilities) Act, Chapter 413 of the laws of Malta, provides in Article 13(1) and Article 13(2) that goods, services and facilities [both public and private] should be accessible to persons with disabilities.[[48]](#footnote-48)  Pursuant to several complaints in 2005/06, the National Commission Persons with Disability (KNPD) and the Foundation for Information Technology Accessibility (FITA) embarked on a project to ensure that websites of important entities are accessible to everyone in conformity with international standards[[49]](#footnote-49). The project is on-going. No data is available as to the number of websites linked to political participation are available.  For the particular standards, KNPD and FITA referred to:  • WCAG 2.0  • ADA Section 504 / 508 - <http://www.hhs.gov/web/508/section504.html>  • TERESIAS - <http://www.gaates.org/documents/ICT/GAATES_Procurement.pdf>  • ISO - ISO/TS 16071:2003 , ISO 9241-171:2008  Their implementation at a national level can be found in this document:  • MITA/FITA GMICT Standards <https://www.mita.gov.mt/MediaCenter/PDFs/1_GMICT_S_0051-3_Website_Accessibility_Standard_v4.0.pdf>  Also see the 2005 (Pages 8, 15, 30), 2006 (Pages 8, 16, 28, 35) and 2007 (Pages 10, 21) Annual Report of the National Commission Persons with Disability Malta.[[50]](#footnote-50)  KNPD also issued the “Guidelines towards an inclusive society and a positive difference in the lives of Maltese and Gozitan disabled people” in 2007, which also set out that websites shall be accessible for all.[[51]](#footnote-51) |
| NL | At the time of writing (end of 2013), national public authorities are obliged to construct their websites according to the WCAG 1.0. From 2014 onwards, WCAG 2.0 is the mandatory standard. This was determined by a Decision of the Minister of the Interior in 2006. This is not a duty under law, since it is purely based on this decision. No sanctions apply; it is the responsibility of the Minister himself to achieve the objectives of his plan. This duty does not apply to private providers.[[52]](#footnote-52)  Municipalities, water boards and regional authorities (*provincies*) have a duty to conform with the basic level of the 'hurdle free' guidelines (*drempelvrij*) which is the equivalent of the WCAG 2.0 Level A. By 2015, they must reach Level AA.  This has been agreed in the national executive programme on better service provision and e-government, signed by the Ministry of the Interior, the Association of Municipalities, the Interprovincial Council and the Union of Water Boards.[[53]](#footnote-53) Again, this is not a duty under law, since it is based on a working agreement. However, the Minister of the Interior has announced in his letter to parliament that he will consider imposing administrative measures if local authorities do not comply with the agreement. [[54]](#footnote-54) |
| PL | A general obligation of public administration and other bodies, which are public web-based information providers, to publish information in the form accessible to persons with disabilities is contained in Article 18 of the Act on Digitalisation of the Activity of Subjects Conducting Public Tasks[[55]](#footnote-55). The Article states that the Council of Ministers shall set minimum requirements for tele-information systems taking into account, among others, the accessibility of information resources to persons with disabilities. The requirements were adopted in 2012 in the Council of Ministers’ Regulation on National Interoperability Framework, Minimum Requirements for Public Registers and Exchange of Information in Electronic Form and Minimum Requirements for Tele-information Systems[[56]](#footnote-56). According to paragraph 19 of the Regulation, tele-information systems of bodies responsible for conducting public tasks, such as presenting information resources, need to comply with Web Content Accessibility Guidelines (WCAG 2.0), including the AA level. Systems which existed at the time when the Regulation was adopted need to be adjusted by 2015, while new systems created after should be in compliance with WCAG 2.0 from the outset.  Further duties are included in the Act on Sign Language and Others Forms of Communication[[57]](#footnote-57). The Act governs the relations between persons with communication difficulties, called in the Act “entitled persons” (*osoby uprawnione*) and public administration bodies. It establishes rules for, among others, providing services to persons with communication difficulties by public administration bodies and for monitoring of solutions which enable communication and the access to those solutions. According to Article 9 paragraph 1 of the Act, public authorities (including both central and local administration) are obliged to provide people with disabilities with “services enabling communication” (*usługa pozwalająca na komunikowanie się*). “Services enabling communication” should be understood, in accordance with Article 9 paragraph 2, in particular, as using “means supporting communication” (*środki wspierające komunikowanie się*). In Article 3 pt. 5, the Act defines the latter as using solutions which enable contact, among others, through: (1) e-mail; (2) sending text messages, including SMS, MMS or via Internet messengers; (3) audiovisual communication, including Internet communicators; (4) fax; (5) Internet websites fulfilling accessibility standards for persons with disabilities. In the light of the Act, the term “communication” means sign language, sign language with elements of sound language and language adjusted for blind and deaf persons. The provisions of this Act do not refer to private Internet providers. |
| PT | The Base Law of the Legal Framework for Prevention, Habilitation, Rehabilitation and Participation of the Person with Disabilities establishes that it is the State’s responsibility to adopt, through the elaboration of a national plan for the promotion of accessibility, the specific necessary measures to ensure the access of the person with a disability to the information society.[[58]](#footnote-58)  It is a goal of the National Disability Strategy (*Estratégia Nacional para a Deficiência,* ENDEF*)* 2011-2013 that public information should be in adherence with WCAG 2.0 standards. Axis 4 – Accessibility and Design for All, Measure 106, foresees the development of the version 2.0 of the validation programme of the W3C guidelines for the web content accessibility.[[59]](#footnote-59) Information about the development of this measure and whether both public and private providers should be covered by these standards was not available.  Neither was information on development of a national plan and deadline or timeframe for its development identified. |
| RO | No such a standard could be identified.  The Ministry for the Information Society (MIS) (*Ministerul Societăţii Informaţionale, MSI*) in a request for information stated it had drafted a document entitled “The National Strategy on the Digital Agenda for Romania” aiming to implement the European Digital Agenda and subject to approval by Government Decision[[60]](#footnote-60).but did not provide the draft of this document. It is not clear whether the document hasbeen submitted for public consultation (no indication of this could be found on the MSI website).  The MSI has been in the process of implementing a project on the Digital Agenda since 2011, outlining general objectives for Romania, among which, under pillar VI, Action 67 (Member states to implement provisions on disability), there is the objective to implement the new provisions of the package on electronic communications.[[61]](#footnote-61) |
| SE | The Web Content Accessibility Guidelines (WCAG) 2.0 AA are incorporated in the guidelines for web development for public authorities *E-Delegationen*[[62]](#footnote-62). The guidelines do not apply to private providers of internet and web-based information.  All state agencies are required to take steps to ensure that their operations, information and premises are made accessible under the regulation on the state authorities’ responsibility for the implementation of disability policies (*Förordning om de statliga myndigheternas ansvar för genomförandet av handikappolitiken)*.[[63]](#footnote-63) The Swedish Agency for Disability Policy Co-ordination (*Handisam*) compiles annual open comparisons of accessibility promotion measures taken by national authorities.[[64]](#footnote-64) |
| SI | Generally, there is no an explicit requirement under the law. The Equalisation of opportunities for persons with disabilities Act (*Zakon o izenačevanju možnosti invalidov*, ZIMI), adopted in 2010 as an instrument of implementation of the United Nations (UN) Convention on the Rights of Persons with disabilities (CRPD) and as a piece of legislation providing for further protection of persons with disabilities against discrimination, prohibits in Article 8 discrimination on the ground of disability with regard to the accessibility of goods and services available to the public. The same article further stipulates that measures to eliminate barriers with respect to access to goods and services shall, among other things, be related in particular: to access to information, communication and other services and emergency assistance; to provision of adequate support, if so necessary when offering goods and services available to the public, especially by another person (readers, Slovenian sign language interpreters), and of declarations in Braille and in easy read and easy-to-understand formats. These measures must be provided as long as they do not impose a disproportionate burden on public and private entities that provide goods and services available to the public. According to the same article, the relevant minister must determine the minimum requirements for accessibility of goods and service available to the public. As of yet, however, no minimum requirements have been adopted.  With a view to access to information, the act in question further determines that discrimination on the ground of disability shall include denial of real-time, equal and free of charge access to information for persons with disabilities, while observing the principle of appropriate and reasonable accommodation in formats of records, languages and technologies accessible to persons with disabilities and appropriate for different types of disabilities. The law, however, does not envisage the adoption of certain minimum accessibility standards or other implementing provisions.[[65]](#footnote-65)  In terms of sectoral laws, the Electronic commerce market Act (*Zakon o elektronskem poslovanju na trgu, ZEPT*), governing issues related to the information society services as commercial activities on the internet which are constantly available, stipulates in Article 15 that responsible ministry (i.e. Ministry of Education, Science and Sport) encourages preparation of codes of conduct aiming at protection of rights of persons with disabilities.[[66]](#footnote-66)  Article 10 of the Access to public information Act (*Zakon o dostopu do informacij javnega značaja*, ZDIJZ) obliges state bodies to publish various types of information on the World Wide Web (e.g. consolidated texts of regulations relating to the field of work of the body; programmes, strategies, views, opinions and instructions of general nature important for the interaction of the body with natural and legal persons and for deciding on their rights or obligations; proposals for regulations, programmes, strategies, and other similar documents relating to the field of work of the body; information on their activities and administrative, judicial and other services). Each body must ensure that this information is available free of charge, while the ministry responsible for public administration provides for access to this information via the joint state portal *e-uprava* (i.e. e-administration). There is, however, no specific provision in the law obliging the state bodies to comply with accessibility requirements in provision of public information.[[67]](#footnote-67) |
| SK | There is a duty for public administration (public administration and territorial self-government) based in Law No. 275/2006 Coll. on Public Administration Information Systems (*Zákon č. 275/2006 Z.z. o informačných systémoch verejnej správy*). Pursuant to **Article 3 (1)** of the law, theobligated person is in charge of the creation, maintenance and developmentof public administration information system and ensures the exercise of public administration in accordance with special legal regulation. ***(3)*** *For the purpose of this law, the obligated persons include the following:* ***a)*** *ministries and other central state administration organs;* ***b)*** *the Office of Attorney General of the Slovak Republic, the Supreme Bureau of Supervision of the Slovak Republic, the Office for Healthcare Supervision, the Office for the Protection of Personal Data of the Slovak Republic, the Telecommunications Office of the Slovak Republic, the Postal Regulation Authority, the Office for the Regulation of Network Industries and other state administration organs;****c)*** *municipal and regional self-governments;* ***d)*** *the Office of the National Council of the Slovak Republic, the Office of the President of the Slovak Republic, the Office of the Constitutional Court of the Slovak Republic, the Office of the Supreme Court of the Slovak Republic, the Office of the Judicial Council of the Slovak Republic, the Office of the Public Defender of Rights, the Nation’s Memory Institute, the Social Insurance Company, health insurance companies, the Press Agency of the Slovak Republic, the Slovak Television, the Slovak Radio, the Council for Broadcasting and Retransmission*.[[68]](#footnote-68)  **Article 3** does not specifically address web accessibility.  Mandatory accessibility requirements are specified in **Article 14,** of the Decree of the Ministry of Finance on **Web content accessibility.** All accessibility standards are set forth in Annex No. 1 of the Decree.  Under law, this duty only concerns public internet providers. Private internet providers are not obliged to abide by the aforementioned legal regulations. |
| UK | There is no specific provision but covered by public sector equality duty which applies to public and private providers when carrying out a public function.  Section 69 of the Electoral Administration Act 2006 (EAA)[[69]](#footnote-69) gives Electoral Registration Officers a duty to take such steps as they think appropriate to encourage the participation of electors in their area in the electoral process. In doing this, Electoral Registration Officers are required to have regard to any guidance issued by the Electoral Commission.[[70]](#footnote-70) Part I of the Electoral Registration Officer’s Guidance is relevant to the participation of disabled electors.  Section 149 of the Equality Act 2010 (EA)[[71]](#footnote-71) enacts a Public Sector Equality Duty (PSED), which means that public bodies have to consider all individuals when carrying out their day-to-day work – in shaping policy, in delivering services and in relation to their own employees. S 149 EA states:*(1) A public authority must, in the exercise of its functions, have due regard to the need to—*  *(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*  *(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*  *(c)f oster good relations between persons who share a relevant protected characteristic and persons who do not share it.*  The aforementioned PSED includes making accessible information provided on the web by public authorities. In 2011, the government produced guidance for public authorities to explain the PSED and its impact on them entitled *Equality Act 2010: Public Sector Equality Duty What do I need to know? A quick start guide for public sector organisations*. The guidance states that communications staff needs to be aware of the PSED so that “they ensure equality information is available and accessible.”[[72]](#footnote-72) In addition, there is a duty under the Representation of the People Regulations 2001 and the Electoral Administration Act 2006 to provide electoral materials in an alternative format and an additional duty on local authorities to ensure that guidance documents are translated into Braille and other accessible formats.  There is no mandatory requirement for public authorities’ websites to comply with the Web Content Accessibility Guidelines (WCAG) 2.0, but many public authorities’ websites follow best practice and comply with a minimum of level AA compliance as specified in Web Content Accessibility Guidelines (WCAG) 2.0. For example, the Electoral Commission’s website under ‘Accessibility’ states:  “*Wherever possible, our pages conform at a minimum to Level AA compliance as specified by the Web Content Accessibility Guidelines and endorsed by the Royal National Institute for the Blind (RNIB). The majority of AAA requirements are also me*t.”[[73]](#footnote-73)  Private providers of internet and web based information are not under the same duty as public authorities, only when they are carrying out a public function. The PSED as outlined by section 149 Equality Act 2010, above, extends to those persons who exercise a public function:  *(*2*) A person who is not a public authority but who exercises public functions must, in the exercise of those functions, have due regard to the matters mentioned in subsection (1).* |

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3. Austria, Federal Act on the Provision of Public Documents – Service of Documents Act (*Bundesgesetz über die Zustellung behördlicher Dokumente – Zustellgesetz*),BGBl. No. 200/1982, available at: <www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=10005522>. [↑](#footnote-ref-3)
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5. Belgium, Article 121/4 of the Law of 13 June 2005 on electronic communications (*Loi relative aux communications électroniques - Wet betreffende de elektronische communicatie*), available at: <http://www.ejustice.just.fgov.be/loi/loi.htm>. [↑](#footnote-ref-5)
6. Belgium, [Decision of the Council of the Belgian Institute for Postal Services and Telecommunication of 28 March 2013](http://www.bipt.be/ShowDoc.aspx?objectID=3951&lang=fr) on the publishing by providers of information on products and services aimed at users with disabilities (*Décision du conseil de l’IBPT Du 28 mars 2013 concernant la publication par les opérateurs des informations sur les produits et services destinés aux utilisateurs handicaps - Besluit van de raad van het BIPT van 28 maart 2013*

   *betreffende de publicatie door operatoren van de informatie over producten en diensten die bedoeld zijn voor gebruikers met een handicap*), available at: <http://www.bipt.be/ShowDoc.aspx?objectID=3951&lang=fr>. [↑](#footnote-ref-6)
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