

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 (Text with EEA relevance)

Article 8

Monitoring and reporting

1 Member States shall periodically monitor the compliance of websites and mobile applications of public sector bodies with the accessibility requirements set out in Article 4 on the basis of the monitoring methodology provided for in paragraph 2 of this Article.

2 The Commission shall adopt implementing acts establishing a methodology for monitoring the conformity of websites and mobile applications with the accessibility requirements set out in Article 4. That methodology shall be transparent, transferable, comparable, reproducible and easy to use. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 11(3). By 23 December 2018, the Commission shall adopt the first such implementing act.

3 The monitoring methodology referred to in paragraph 2 may take into account expert analysis and shall include:

- a the periodicity of the monitoring, as well as the sampling of the websites and mobile applications that are to be subject to monitoring;
- b at website level, the sampling of web pages and of the content on those pages;
- c at mobile application level, the content to be tested, taking into account the moment of the initial release of the application and of subsequent functionality updates;
- d a description of the way in which compliance or non-compliance with the accessibility requirements set out in Article 4 is to be sufficiently demonstrated, directly referencing, when appropriate, the relevant descriptions in the harmonised standard or, in the absence thereof, in the technical specifications referred to in Article 6(2), or in the European standard referred to in Article 6(3);
- e in the event of deficiencies being identified, a mechanism to provide data and information on compliance with the accessibility requirements set out in Article 4 in a format which can be used by public sector bodies to correct those deficiencies; and
- f appropriate arrangements, including where necessary examples and guidance, for automatic, manual and usability tests, in combination with the sampling settings, in a way which is compatible with the periodicity of the monitoring and reporting.

4 By 23 December 2021, and every three years thereafter, Member States shall submit to the Commission a report on the outcome of the monitoring including the measurement data. That report shall be drawn up on the basis of the arrangements for reporting referred to in paragraph 6 of this Article. The report shall also cover information on the use of the enforcement procedure set out in Article 9.

5 In relation to the measures adopted pursuant to Article 7, the first report shall also cover the following:

- a a description of the mechanisms set up by Member States for consulting with relevant stakeholders on the accessibility of websites and mobile applications;
- b procedures to make public any developments in accessibility policy relating to websites and mobile applications;

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- c experiences and findings from the implementation of the rules on conformity with the accessibility requirements set out in Article 4; and
- d information on training and awareness-raising activities.

Where significant changes have been made in relation to the elements referred to in the first subparagraph, Member States shall include in their subsequent reports information concerning those changes.

6 The content of all the reports, which need not list the websites, mobile applications or public sector bodies examined, shall be made public in an accessible format. The Commission shall adopt implementing acts establishing the arrangements for reporting by Member States to the Commission. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 11(3). By 23 December 2018, the Commission shall adopt the first such implementing act.

7 By 23 September 2018, Member States shall inform the Commission of the body designated to perform the monitoring and reporting functions.