
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations transpose Directive 2016/2102 of the European Parliament and of the Council on the accessibility of websites and mobile applications of public sector bodies (OJ No L 327, 2.12.2016, p.1)(“the Directive”).

These Regulations revoke the Public Sector Bodies (Websites and Mobile Applications) Accessibility Regulations 2018 (S.I. 2018/852).

The objective of the Directive is the establishment of a harmonised market for the accessibility of public sector bodies’ websites and mobile applications. The Directive aims to make websites and mobile applications of public sector bodies more accessible to users, particularly persons with disabilities.

Part 1 establishes what the Directive applies to, and lists the types of public sector bodies and content that are exempt from the Directive.

Part 2 imposes an obligation on a public sector body to make its websites and mobile applications more accessible, to the extent that this does not impose a disproportionate burden. It also contains a further obligation for a public sector body to publish an accessibility statement on compliance with the accessibility requirement, and keep that statement under regular review. It also sets out the requirement for a public sector body to make a disproportionate burden assessment, and specifies the type of factors that must be taken into account when making such an assessment.

Part 3 sets out the standards that a public sector body’s website or mobile application must meet to be presumed to be in conformity with the accessibility requirement.

Part 4 establishes the requirements for monitoring public sector bodies’ compliance with the accessibility requirement, and for reporting back to the European Commission on these findings.

Part 5 establishes the relevant enforcement bodies, and sets out the framework for enforcement, including the procedure for assessing accessibility statements.

The Schedule lists the specific requirements for the Minister for the Cabinet Office’s report to the European Commission on the outcome of the monitoring.

An impact assessment has not been produced for this instrument as no significant impact on the private or voluntary sectors is foreseen.

Changes to legislation:

There are currently no known outstanding effects for the The Public Sector Bodies (Websites and Mobile Applications) (No. 2) Accessibility Regulations 2018.