

D R A F T S T A T U T O R Y I N S T R U M E N T S

2022 No. [XXX]

PUBLIC SECTOR INFORMATION

EXITING THE EUROPEAN UNION

**The Public Sector Bodies (Websites and Mobile Applications)
(No. 2) Accessibility (Amendment) (EU Exit) Regulations 2022**

Made - - - - - ***

Coming into force ***

The Minister for the Cabinet Office makes these Regulations in exercise of the powers conferred by section 8(1) of the European Union (Withdrawal) Act 2018(a).

In accordance with paragraph 1(3) of Schedule 7 to that Act, a draft of this instrument has been laid before Parliament and approved by a resolution of each House of Parliament.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Public Sector Bodies (Websites and Mobile Applications) (No. 2) Accessibility (Amendment) (EU Exit) Regulations 2022.

(2) These Regulations come into force on the day after the day on which they are made.

(3) In these Regulations “the 2018 Regulations” means the Public Sector Bodies (Websites and Mobile Applications) (No. 2) Accessibility Regulations 2018(b).

Amendments to the Public Sector Bodies (Websites and Mobile Applications) (No. 2) Accessibility Regulations 2018

2. The 2018 Regulations are amended as follows.

3. In regulation 3—

(a) Omit the definitions of “the Directive”, “European standard”, “harmonised standard”, “Official Journal” and “standard”; and

(b) In the definition of “mobile application”, for “adopted by the European Commission in accordance with Article 7(2) of the Directive” substitute “published electronically by the Minister for the Cabinet Office”.

4. For regulation 9 substitute—

(a) 2018 c. 16. Section 8 was amended by section 27 of the European Union (Withdrawal Agreement) Act 2020 (c. 1).
(b) S.I. 2018/952.

“9. A website or mobile application of a public sector body will be presumed to be in conformity with the accessibility requirement to the extent that it conforms to the Web Content Accessibility Guidelines to Level A and AA Success Criteria recommended by W3C World Wide Web Consortium, as amended from time to time(a).”

5. In regulation 10—

- (a) in paragraph (2) —
 - (i) for “2021” substitute “2024”; and
 - (ii) for the words “submit a report to the European Commission” substitute “publish a report”;
- (b) omit paragraph (3) and the Schedule to the 2018 Regulations; and
- (c) in paragraph (5) for the words from “established in” to “accessibility requirement” substitute “published by the Minister for the Cabinet Office with the monitoring report”.

Revocation of retained direct EU legislation

6. The following retained direct EU legislation is revoked—

- (a) Commission Implementing Decision (EU) 2018/1523 of 11 October 2018 establishing a model accessibility statement in accordance with Directive (EU) 2016/2102 of the European Parliament and of the Council on the accessibility of the websites and mobile applications of public sector bodies(b);
- (b) Commission Implementing Decision (EU) 2018/1524 of 11 October 2018 establishing a monitoring methodology and the arrangements for reporting by Member States in accordance with Directive (EU) 2016/2102 of the European Parliament and of the Council on the accessibility of the websites and mobile applications of public sector bodies; and
- (c) Commission Implementing Decision (EU) 2018/2048 of 20 December 2018 on the harmonised standards for websites and mobile applications drafted in support of Directive (EU) 2016/2102 of the European Parliament and of the Council.

Date

Name

(a) The latest version of the Web Content Accessibility Guidelines (WCAG 2.1) is available from <http://www.w3.org/TR/WCAG/>. This can also be obtained in hard copy at the Central Digital & Data Office, The White Chapel Building, 10 Whitechapel High Street, 7th Floor, London, E1 8QS.

(b) EUDN 2018/1523.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers in section 8(1) of the European Union (Withdrawal) Act 2018 (c. 16) in order to address failures of retained EU law to operate effectively, and other deficiencies arising from the withdrawal of the United Kingdom from the European Union (and in particular, deficiencies under paragraph (g) of section 8(2) of that Act).

Regulation 3 omits definitions in Regulation 3 of The Public Sector Bodies (Websites and Mobile Applications) (No. 2) Accessibility Regulations 2018 which are no longer appropriate.

Regulation 4 substitutes for the European accessibility standard (EN 301 549) the international web accessibility standard as the standard that a public sector body's website or mobile application must meet to be presumed to be in conformity with the accessibility requirement.

Regulation 5 substitutes the requirement for the Minister for the Cabinet Office to submit a report to the European Commission on the outcome of their monitoring with a requirement for the Minister for the Cabinet Office to publish a report on the outcome of their monitoring.

Regulation 6 revokes three Commission Implementing Decisions of retained direct EU legislation relating to the accessibility of the websites and mobile applications of public sector bodies for which alternative provision is made by these Regulations.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

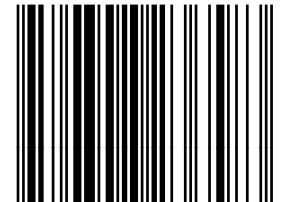
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