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**NOTE**

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From: Presidency  
To: Permanent Representatives Committee

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No. prev. doc.: 15127/15 TELECOM 231 CONSOM 218 MI 789 CODEC 1687 + REV 1  
No. Cion doc.: 17344/12 TELECOM 250 CONSOM 155 MI 811 CODEC 2936

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Subject: Proposal for a Directive of the European Parliament and of the Council on the accessibility of public sector bodies' websites.  
- Examination of the Presidency text

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1. On 3 December 2012, the Commission adopted its proposal for a Directive of the EP and of the Council on the accessibility of public sector bodies' websites on the basis of Article 114 TFEU<sup>1</sup>, which provides for the EP and for the Council to act in accordance with the ordinary legislative procedure and after consulting the Economic and Social Committee. The proposal aims to approximate the laws, regulations and administrative practices of the Member States related to the requirements for accessibility of public sector bodies' websites, in order to improve the functioning of the internal market. The proposal was initiated under Action 64 of the Digital Agenda and is also in line with Article 9 of the UN Convention on the Rights of Persons with Disabilities, to which the EU and Member States are parties. It is closely linked to other initiatives such as the European Disability Strategy 2010-2020, the eGovernment Action Plan 2011-2015 or finally the European Accessibility Act, which has been proposed by the Commission on 2 December 2015.

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<sup>1</sup> Doc. 17344/12.

2. In the European Parliament, Mr. Jorgo Chatzimarkakis (IMCO) was appointed as Rapporteur. Prior to the end of its term of office, the outgoing EP adopted its first reading position on 26 February 2014.<sup>2</sup> In the new EP, Ms. Dita Charanzova (IMCO) has been appointed Rapporteur.
3. The European Economic and Social Committee gave its opinion on 22 May 2013.
4. After a first presentation of the proposal and of its impact assessment in January 2013, the Council Working Party on Telecommunications and the Information Society (WP TELE) discussed the proposal under the Irish Presidency. Its progress report<sup>3</sup> highlighted the main issues raised by delegations, i.e.: the use of standards, scope, legal basis and the costs and benefits of the implementation of the proposal. Some progress was made under the Greek, Italian and Latvian Presidency, as stated in their respective progress reports.<sup>4</sup>
5. The Luxembourg Presidency managed to obtain the first Coreper mandate on 18 December 2015 on the basis of the third column of the annexed text.
6. Following the Coreper mandate given on 18 December 2015, the first trialogue took place on 26 January 2016, followed by 3 technical meetings with the European Parliament.
7. The WP TELE discussed compromise proposals on 4 and 17 February, and will have conducted a final review of the text in annex on 24 February.

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<sup>2</sup> Doc 6835/14

<sup>3</sup> Doc 10089/13

<sup>4</sup> Doc 10016/14, 15512/14, 8977/15 and 14164/15

8. The EP agreed to examine our list of exclusions, the minimum harmonisation clause and the cooperation mechanisms, while the WP TELE examined possibilities to limit the exclusions, to include mobile applications, and considered additional measures to support the development of web accessibility. The WP could not yet agree on the "on-demand" principle which would allow a person to request an accessible version of some excluded content, because of the necessary resources to fulfil that principle.
9. Even though progress was made, the negotiating teams have found it difficult to move without a strong political signal on the scope. Delegates feel that the scope was already significantly extended in comparison with the original proposal from the Commission, through the inclusion of the full websites of public sector bodies, instead of only 12 services, and therefore can not accept a further extension of the scope.
10. The EP insists on the inclusion of broadcasters or of intranet/extranets related to education, on the extension of the scope to private entities performing public tasks, on a broader inclusion of time based media, on the inclusion of mobile applications, on a on-demand clause for the content that would not be accessible, and on a clear escalation mechanism (enforcement body) when entities in the scope of this directive fail to comply with the requirements set in Article 3 and 6. The EP is also very reluctant to accept our initial undue burden clause even though it is in line with the proportionality foreseen by the Treaties and quite common in all accessibility related legislations.
11. At the same time, the EP may be open to slightly limit the scope of the entities covered (article 2(-1a) and annex 1a), but it is likely that they would do so only if the Council would extend its current scope.
12. The Presidency's main intent is thus to clarify our position on scope and undue burden, while showing some flexibility regarding additional measures and the escalation mechanism. Therefore changes to the mandate are focused in articles 1, 2(-1a)/2(8), 3, 6 and 7a.

13. A new proposal for a mandate in view of the second triologue on 2 March 2016 is presented in the fourth column of the annexed 4-column document. Changes compared to the first mandate are indicated in bold / strikethrough. If the fourth column is empty, this means that the text from the first mandate is still valid.

14. The differences compared to the first mandate are:

- a. Article 1.1 is amended and a new recital is added to replace the initial exclusion of intranet/extranet. Delegates insist on limiting this Directive to websites open to the public.
- b. Article 1.6 has been replaced by articles 1.7 and 1.8 to facilitate the understanding.
- c. In article 1.7:
  - i. the exclusion of intranet/extranet is removed as it does not need to be explicitly mentioned (difficulty of giving a correct definition), following the amendment of article 1.1 and its new recital.
  - ii. Websites of NGOs would not be excluded anymore as no clear and common definition can be provided, and knowing that we would still have the proposed proportionality of Article 3.
  - iii. Websites of Schools, kindergartens and nurseries remain excluded, but not their essential online administrative functions. Examples of such functions are given in a recital. The text has been slightly improved following the WP TELE.
  - iv. Websites that can be considered as archives remain excluded, but the text has been improved to show that we are not talking about websites that still contain content relevant for active administrative processes
- d. In article 1.8 the following exceptions are nuanced:
  - Office files remain excluded until the date defined in Article 10(1) unless they are required for essential active administrative processes.
  - Online maps, mapping services and third party content remain excluded, but a recital is added to encourage Member States to provide reasonable accessible alternatives if applicable.
- e. In article 2(11) we added the definition of measurement data that was initially set as a recital in article 7(2).
- f. In article 3, the reference to undue burden is replaced by the notion of proportionate measures, which is explained in a new recital. Member States feel that it is very important to keep this notion in Article 3.
- g. Article 4 is amended to make the reference to standards more future proof as the chapter number could change in a revision of the standards.

- h. Article 6(1) was split into 3 alineas a, b and c to clarify it. Obligation is no longer on the Member States but on the Public sector bodies. The text now clarifies that the statement should be in an accessible format, and that a model statement would be defined by means of implementing acts as described in Article 6(1a). Finally, the text states that the public sector bodies should give an adequate reply within a reasonable time.
- i. We reintroduced the article 6(2) to show the willingness of Member States to support the application of this Directive beyond the scope, especially for websites already covered by existing national laws. This also leads to the potential deletion of Article 1(3) of the EP.
- j. We adopted 6(2)a and 6(2)b of the EP, with small amendments, to show the willingness of Member States to consider additional measures related to training programmes and raising awareness.
- k. In article 6(4) we accepted that the cooperation should be also on reporting and added a recital that would cover the expectations of EP in article 6(4)a.
- l. Article 7a. The EP insists on having an escalation mechanism other than through legal procedures. The delegations made it clear that an enforcement body was not the adequate way to do it. Therefore the Presidency suggests a compromise text that gives leeway to the Member States.

15. Mobile applications were discussed once in the WP. Further analysis is required by the Member States before a conclusion can be reached regarding their inclusion in the scope. The Presidency is of the view that Mobile Applications will be key to reaching a deal.

16. In order to continue the discussions with the EP, the Presidency invites the Member States to grant this second mandate which shows our limits while keeping some openness.

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Proposal for a  
 Proposal for a Directive of the European Parliament and of the Council on the accessibility of public sector bodies' websites  
**[AM 1]** Proposal for a Directive of the European Parliament and of the Council on the accessibility of public sector bodies websites *and websites operated by entities performing public tasks*

<b>COMMISSION</b>	<b>EP</b>	<b>COREPER MANDATE 18-12-2015</b>	<b>POSSIBLE COMPROMISE SOLUTION</b>
<b>COM(2012)0721</b>	<b>P7_TA(2014)0158</b>		
THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	
Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 (1) thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114(1) thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 (1) thereof,	
Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	
After transmission of the draft legislative act to the national Parliaments,	After transmission of the draft legislative act to the national <i>parliaments</i> ,	After transmission of the draft legislative act to the national Parliaments,	
Having regard to the opinion of the European Economic and Social Committee <sup>[1]</sup>	Having regard to the opinion of the European Economic and Social Committee <sup>[1]</sup>	Having regard to the opinion of the European Economic and Social Committee <sup>[3]</sup>	
<sup>[1]</sup> OJ C 110/26 ,9.5.2006 / (COM(2005) 425 final).	<sup>[1]</sup> OJ C 271, 19.9.2013, p. 116.	<sup>[3]</sup> OJ C 110/26 ,9.5.2006 / (COM(2005) 425 final).	

Having regard to the opinion of the Committee of the Regions,	<del>Having regard to the opinion of</del> <i>After consulting the Committee of the Regions</i> <sup>[2]</sup> ,	Having regard to the opinion of the Committee of the Regions <sup>[4]</sup> ,	
<sup>[2]</sup> OJ C 009, 11/01/2012 P. 0065 - 0070.	<del><sup>[2]</sup> OJ C 009, 11/01/2012 P. 0065 - 0070.</del>	<sup>[4]</sup> OJ C 009, 11/01/2012 P. 0065 - 0070.	
Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure <sup>[3]</sup> ,	Acting in accordance with the ordinary legislative procedure,	
	<sup>[3]</sup> <i>Position of the European Parliament of 26 February 2014.</i>		
Whereas:	Whereas:	Whereas:	
(1) The trend towards a digital society provides users with new ways of accessing information and services. The providers of information and services, such as public sector bodies, rely increasingly on the Internet in order to produce, collect and provide a wide range of information and services online, which are essential to the public.	(1) The trend towards a digital society provides users with new ways of accessing information and services. The providers of information and services, such as public sector bodies, rely increasingly on the Internet in order to produce, collect and provide a wide range of information and services online, which are essential to the public. <b><i>In that respect, the security of transmission of information and the protection of personal data are of great importance.</i></b> [AM 2]	(1) The trend towards a digital society provides users with new ways of accessing information and services. The providers of information and services, such as public sector bodies, rely increasingly on the Internet in order to produce, collect and provide a wide range of information and services online, which are essential to the public.	

<p>(2) Web-accessibility refers to principles and techniques to be observed when constructing websites in order to render the content of these websites accessible to all users, in particular people with functional limitations, including persons with disabilities. The content of websites includes textual as well as non-textual information, and also the downloading of forms and two-way interaction, e.g. the processing of digital forms, authentication, and transactions like case handling and payments.</p>	<p><del>(2) Web-accessibility refers to principles and techniques to be observed when constructing websites in order to render the content of these websites accessible to all users, in particular people with functional limitations, including persons with disabilities. The content of websites includes textual as well as non-textual information, and also the downloading of forms and two-way interaction, e.g. the processing of digital forms, authentication, and transactions like case handling and payments. [AM 3]</del></p>	<p>(2) <b>Web accessibility</b> refers to principles and techniques to be observed when constructing websites in order to render the content of these websites <b>more</b> accessible to all users, in particular people with functional limitations, including persons with disabilities. The content of websites includes textual as well as non-textual information, and also the downloading of forms and two-way interaction, e.g. the processing of digital forms, authentication, and transactions like case handling and payments.</p>	
	<p><i>(2a) Web accessibility, specifically a commitment to make all public websites accessible by 2010, was included in the Riga Ministerial Declaration of 11 June 2006 on e-Inclusion. [AM 4]</i></p>		
	<p><i>(2b) Although this Directive does not apply to websites of Union institutions, those institutions should comply with the requirements contained in this Directive and set an example of good practice. [AM 5]</i></p>		

<p>(3) The Commission's eGovernment Action Plan 2011-2015<sup>[6]</sup> calls for action to develop eGovernment services that ensure inclusiveness and accessibility.</p> <p><sup>[6]</sup> COM(2010) 743 final – Not published in the Official Journal.</p>	<p><del>(3) The Commission's</del> <b><i>In its Communication of 15 December 2010 entitled 'The European Government Action Plan 2011-2015<sup>[6]</sup> calls <del>Harnessing ICT to promote smart, sustainable &amp; innovative Government</del>', the Commission called for action to develop eGovernment services that ensure inclusiveness and accessibility. <i>At the same time, more efforts are needed for the effective implementation of the e-Inclusion policy, which aims to reduce gaps in information and communication technology (ICT) usage and to promote the use of ICT to overcome exclusion, and to improve economic performance, employment opportunities, quality of life, social participation and cohesion, including democratic consultations.</i> [AM 6]</i></b></p> <p><del><sup>[6]</sup> COM(2010) 743 final – Not published in the Official Journal.</del></p>	<p>(3) The Commission's eGovernment Action Plan 2011-2015<sup>[7]</sup> calls for action to develop eGovernment services that ensure inclusiveness and accessibility.</p> <p><sup>[7]</sup> COM(2010) 743 final – Not published in the Official Journal</p>	
<p>(4) In its Communication 'A Digital Agenda for Europe'<sup>[8]</sup> the Commission announced that public sector websites should be fully accessible by 2015.</p>	<p>(4) In its Communication <b>of 19 May 2010 entitled 'A Digital Agenda for Europe'<sup>[8]</sup>, a <i>Europe Strategy 2020 initiative</i>, the Commission announced that public sector websites <b>(and websites providing basic services to citizens)</b> should be fully accessible by 2015. [AM 7]</b></p>	<p>(4) In its Communication 'A Digital Agenda for Europe'<sup>[9]</sup> the Commission announced that public sector websites should be fully accessible by 2015.</p>	
<p><sup>[8]</sup> COM(2010) 245 final/2.</p>	<p><del><sup>[8]</sup> COM(2010) 245 final/2.</del></p>	<p><sup>[9]</sup> COM(2010) 245 final/2</p>	

	<p><i>(4a) Elderly people are at risk of digital exclusion, due to factors such as lack of ICT skills and lack of access to the Internet. The Commission Communication of 8 November 2011 entitled 'European i2010 initiative on e-Inclusion "To be part of the information society"' seeks to ensure that all groups of users have the best possible opportunities to use the Internet and to become familiar with ICTs. The Digital Agenda for Europe proposes a series of measures to promote the use of the new ICTs by disadvantaged groups of users such as elderly people.</i></p> <p>[AM 8]</p>		
<p>(5) The Framework Programme for Research, Technological Development and Demonstration and the Competitiveness and Innovation Programme support research on and the development of technological solutions to accessibility problems.</p>	<p>(5) The Framework Programme for Research and Innovation (Horizon 2020)<sup>[10]</sup> and the Programme for the Competitiveness of Enterprises and small and medium-sized enterprises (COSME)<sup>[11]</sup> support research on and the development of technological solutions to accessibility problems.</p>	<p>(5) The Framework Programme for Research, Technological Development and Demonstration<sup>[12]</sup> and the Competitiveness and Innovation Programme<sup>[13]</sup> support research on and the development of technological solutions to accessibility problems.</p>	
<p><sup>[12]</sup> OJ L 412, 30.12.2006, p. 1–43.</p>	<p><sup>[10]</sup> OJ L 347, 20.12.2013, p. 104–43.</p>	<p><sup>[12]</sup> OJ L 412, 30.12.2006, p. 1–43.</p>	
<p><sup>[13]</sup> OJ L 310, 9.11.2006, p. 15 – 40.</p>	<p><sup>[11]</sup> OJ L 347, 20.12.2013, p. 33–40.</p>	<p><sup>[13]</sup> OJ L 310, 9.11.2006, p. 15 – 40.</p>	

<p>(6) By ratifying the United Nations Convention on the Rights of Persons with Disabilities ('the UN Convention'), the majority of the Member States and the Union, by its conclusion, have committed themselves "to ensure to persons with disabilities access, on equal basis with others, to inter alia information and communication technologies" and "to take appropriate measures [...] to promote access for persons with disabilities to new information and communications technologies and systems, including the Internet."</p>	<p>(6) By ratifying the United Nations Convention on the Rights of Persons with Disabilities ('the UN Convention'), the majority of the Member States and the Union, by its conclusion, have committed themselves "to ensure to persons with disabilities access, on equal basis with others, to inter alia information and communication technologies" and "to take appropriate measures [...] to promote access for persons with disabilities to new information and communications technologies and systems, including the Internet."</p>	<p>(6) By ratifying the United Nations Convention on the Rights of Persons with Disabilities ('the UN Convention'), the majority of the Member States and the Union, by its conclusion, have committed themselves "to ensure to persons with disabilities access, on equal basis with others, to inter alia information and communication technologies" and "to take appropriate measures [...] to promote access for persons with disabilities to new information and communications technologies and systems, including the Internet."</p>	<p>(6) By ratifying the United Nations Convention on the Rights of Persons with Disabilities ('the UN Convention'), the majority of the Member States and the Union, by its conclusion, have committed themselves "to ensure to persons with disabilities access, on equal basis with others, to inter alia information and communication technologies" and "to take appropriate measures [...] to promote access for persons with disabilities to new information and communications technologies and systems, including the Internet."<b>According to the UN Convention, persons with disabilities include those having long-term physical, mental, intellectual or sensory impairments, which, may in conjunction with other barriers, hinder their full and effective participation in society on an equal basis with others.</b></p>
	<p><i>(6a) In accordance with the UN Convention, the universal design approach should serve as a basis for the development of new technologies. [AM 9]</i></p>		

<p>(7) The European Disability Strategy 2010-2020<sup>[14]</sup> builds on the UN Convention and contains actions in several priority areas, including web accessibility, with the objective "to ensure accessibility to goods and services including public services and assistive devices for people with disabilities."</p>	<p>(7) The <i>Commission Communication of 15 November 2010 entitled 'European Disability Strategy 2010-2020<sup>[14]</sup>: A Renewed Commitment to a Barrier-Free Europe', which aims to break down the barriers that prevent persons with disabilities from participating in society on an equal basis</i>, builds on the UN Convention and contains actions in several priority areas, including web accessibility, with the objective "to ensure accessibility to goods and services including public services and assistive devices for people with disabilities." [AM 10]</p>	<p>(7) The European Disability Strategy 2010-2020<sup>[14]</sup> builds on the UN Convention and contains actions in several priority areas, including web accessibility, with the objective "to ensure accessibility to goods and services including public services and assistive devices for people with disabilities."</p>	
<p><sup>[14]</sup>COM( 2010) 636 final - Not published in the Official Journal</p>	<p><del><sup>[14]</sup>COM( 2010) 636 final – Not published in the Official Journal.</del></p>	<p><sup>[14]</sup>COM( 2010) 636 final - Not published in the Official Journal</p>	
<p>(8) The Council Regulation (EC) No 1081/2006 laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund<sup>[15]</sup>contains provisions on the accessibility of ICT. It does not, however, address specificities of web-accessibility.</p>	<p>(8) Regulation (EU) No 1303/2013 of the European Parliament and of the Council<sup>[16]</sup> contains provisions on the accessibility of ICT. It does not, however, address specificities of <i>web accessibility</i>.</p>	<p>(8) The Council Regulation (EC) No 1081/2006 laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund<sup>[17]</sup>contains provisions on the accessibility of ICT. It does not, however, address specificities of web-accessibility.</p>	

<p><sup>[15]</sup> OJ L 210, 31.07.2006, p.25.</p>	<p><sup>[16]</sup> <i>Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006 (OJ L 347, 20.12.2013, p. 320).</i></p>	<p><sup>[17]</sup> OJ L 210, 31.07.2006, p.25.</p>	
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	<p><i>(8a) In its resolution of 25 October 2011<sup>[18]</sup>, the European Parliament stressed that innovative and knowledge-based economies cannot develop without accessible content and forms for people with disabilities governed by binding legislation, such as accessible websites for the blind and subtitled content for the hard of hearing, including mass media services, online services for people using sign language, smart phone applications and tactile and vocal aids in public media. [AM 11]</i></p>		
	<p><i><sup>[18]</sup>European Parliament resolution of 25 October 2011 on mobility and inclusion of people with disabilities and the European Disability Strategy 2010-2020 (OJ C 131 E, 8.5.2013, p. 9).</i></p>		

	<p><i>(8b) The Digital Agenda for Europe stresses that positive action to help persons with disabilities to access cultural content is key to the full enjoyment of Union citizenship and calls for full implementation of the Memorandum of Understanding on Digital Access for persons with disabilities. The production of documents, such as reports, books and legislative acts, made available on public websites in such a way as to make them fully accessible, alongside the support for the private sector that has been called for with a view to encouraging investment in that area, could make a major contribution towards meeting that objective and promote the development of skills and opportunities for service providers within the Union. [AM 12]</i></p>		
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<p>(9) The fast growing web-accessibility market comprises a range of economic operators such as those developing websites or software tools to create, manage and test web pages, developing user agents such as web browsers and related assistive technologies, implementing certification services and training providers.</p>	<p>(9) The fast growing <b>web accessibility</b> market comprises a range of economic operators such as those developing websites or software tools to create, manage and test web pages, developing user agents such as web browsers and related assistive technologies, implementing certification services and training providers <b>and integrated social media feeds on website. In that regard, the efforts made in the framework of the Grand Coalition for Digital Jobs, which is a follow-up to the Employment Package and which addresses ICT specialists and aims to respond to the skills gaps, including literacy and working skills in the ICT sector, are of great importance.</b>[AM 13]</p>	<p>(9) The fast growing <b>web accessibility</b> market comprises a range of economic operators such as those developing websites or software tools to create, manage and test web pages, developing user agents such as web browsers and related assistive technologies, implementing certification services and training providers.</p>	
<p>(10) Several Member States have adopted measures based on internationally-used guidelines for the design of accessible websites, but the guidance provided often refers to different versions or compliancy levels of those guidelines, or technical variations at national level have been introduced.</p>	<p>(10) Several Member States have adopted measures based on internationally-used guidelines for the design of accessible websites, but the guidance provided often refers to different versions or compliancy levels of those guidelines, or technical variations at national level have been introduced.</p>	<p>(10) Several Member States have adopted measures based on internationally-used guidelines for the design of accessible websites, but the guidance provided often refers to different versions or compliancy levels of those guidelines, or technical variations at national level have been introduced.</p>	

<p>(11) Suppliers of web-accessibility include a large number of small and medium-sized enterprises (SME). Suppliers and SME in particular are discouraged from entering business ventures outside their own domestic markets. Due to the differences in web-accessibility specifications and regulations, their competitiveness and growth are hampered by the additional costs they would incur in the development and marketing of cross-border web-accessibility related products and services.</p>	<p>(11) Suppliers of <i>web accessibility</i> include a large number of small and medium-sized enterprises (SMEs). Suppliers and SMEs in particular are discouraged from entering business ventures outside their <del>own</del> <i>domestic national</i> markets. Due to the differences in <i>web accessibility</i> specifications and regulations, their competitiveness and growth are hampered by the additional costs they would incur in the development and marketing of cross-border <i>web accessibility</i> related products and services.</p>	<p>(11) Suppliers of web-accessibility include a large number of small and medium-sized enterprises (SME). Suppliers and SME in particular are discouraged from entering business ventures outside their own domestic markets. Due to the differences in web-accessibility specifications and regulations, their competitiveness and growth are hampered by the additional costs they would incur in the development and marketing of cross-border web-accessibility related products and services.</p>	
	<p><b><i>(11a) The guarantee of net neutrality is essential for public sector bodies' websites to remain accessible now and in the future, and for the Internet to be open.</i></b> [AM 14]</p>		

<p>(12) Buyers of websites and related products and services are faced with high prices in service provision or dependence on a single supplier, due to limited competition. Suppliers often favour variations of proprietary 'standards', hindering later scope for interoperability of user agents, and Union-wide ubiquitous access to website contents. Fragmentation among national regulations reduces the benefits that could result from sharing experiences with national and international peers in responding to societal and technological developments.</p>	<p>(12) Buyers of websites and related products and services are faced with high prices in service provision or dependence on a single supplier, due to limited competition. Suppliers often favour variations of proprietary 'standards', hindering later scope for interoperability of user agents, and Union-wide ubiquitous access to website contents. Fragmentation among national regulations reduces the benefits that could result from sharing experiences with national and international peers in responding to societal and technological developments.</p>	<p>(12) Buyers of websites and related products and services are faced with high prices in service provision or dependence on a single supplier, due to limited competition. Suppliers often favour variations of proprietary 'standards', hindering later scope for interoperability of user agents, and Union-wide ubiquitous access to website contents. Fragmentation among national regulations reduces the benefits that could result from sharing experiences with national and international peers in responding to societal and technological developments.</p>	
<p>(13) The approximation of national measures at Union level, based on an agreement on accessibility requirements for public sector bodies' websites, is necessary in order to put an end to fragmentation. It would reduce uncertainty for web-developers and would foster interoperability. By using accessibility requirements which are technology neutral, innovation will not be hampered and may possibly even be stimulated.</p>	<p>(13) The approximation of national measures at Union level, based on an agreement on accessibility requirements for public sector bodies' websites <b>and for websites operated by entities performing public tasks</b>; is necessary in order to put an end to fragmentation. It would reduce uncertainty for web-developers and would foster interoperability. <del>By using</del> <b>Member States should encourage the use of adequate and interoperable web accessibility requirements which are when putting contracts for website contents out to tender.</b> Technology neutral, <del>innovation</del> <b>web accessibility requirements</b> will not be <del>hampered</del> <b>hamper innovation</b> and may possibly even be <del>stimulated</del> <b>stimulate it.</b> [AM 15]</p>	<p>(13) The approximation of national measures at Union level, based on an agreement on accessibility requirements for public sector bodies' websites, is necessary in order to put an end to fragmentation. It would reduce uncertainty for web-developers and would foster interoperability. By using accessibility requirements which are technology neutral, innovation will not be hampered and may possibly even be stimulated.</p>	

		<p><i>(13a) Given the lack of automatized or efficient and easy to implement means to make some types of already published content accessible, and in order to limit the scope of the directive to contents and websites really under the control of public sector bodies, this Directive foresees the temporary or permanent exclusion of some types of content or websites from web accessibility requirements. These exclusions may be reconsidered in the context of the review of this Directive, in light of future technological developments.</i></p>	
		<p><i>(13b) In order to avoid a difference of treatment between NGOs receiving or not public funds, this Directive should not cover websites of NGOs even if these organisations fall under the scope of the definition of public sector bodies.</i></p>	

<p>(14) A harmonised approach should also allow Union public sector bodies and enterprises to gain economic and social benefits from extending the provision of on-line services to include more citizens and customers. This should increase the potential of the internal market for web-accessibility products and services. The resulting market growth should allow undertakings to contribute to economic growth and jobs creation within the Union. Strengthening the internal market should make investment in the Union more attractive. Governments should benefit from cheaper provision of web-accessibility.</p>	<p>(14) A harmonised approach should also allow Union public sector bodies and enterprises to gain economic and social benefits from extending the provision of on-line services to include more citizens and customers. This should increase the potential of the internal market for <del>web-accessibility</del> <b>web accessibility</b> products and services <b>and further the completion of the digital single market</b>. The resulting market growth should allow undertakings to contribute to economic growth and jobs creation within the Union. Strengthening the internal market should make investment in the Union more attractive. Governments should benefit from cheaper provision of <del>web-accessibility</del> <b>web accessibility</b>. [AM 16]</p>	<p>(14) A harmonised approach should also allow Union public sector bodies and enterprises to gain economic and social benefits from extending the provision of on-line services to include more citizens and customers. This should increase the potential of the internal market for web-accessibility products and services. The resulting market growth should allow undertakings to contribute to economic growth and jobs creation within the Union. Strengthening the internal market should make investment in the Union more attractive. Governments should benefit from cheaper provision of web-accessibility.</p>	
		<p><b><i>(14a) Member States may in particular:</i></b>  <b><i>a. extend the application of this Directive to other types of websites than those referred to in Article 1(2).</i></b>  <b><i>b. extend the requirements set out in Article 3.</i></b></p>	

<p>(15) Citizens should benefit from wider access to online public sector services and should receive services and information which will facilitate the enjoyment of their rights across the Union, notably their right to move and reside freely within the territory of the Union and their freedom of establishment and to provide services.</p>	<p>(15) Citizens should benefit from wider access to online public sector services, <b><i>should be able to access news, cultural and entertainment content enabling them to play a full part in social and working life,</i></b> and should receive services and information which will facilitate <b><i>their daily lives and</i></b> the enjoyment of their rights across the Union, <i>in particular</i> their right to move and reside freely within the territory of the Union, <b><i>their right of access to information</i></b> and their freedom of establishment and to provide services. [AM 17]</p>	<p>(15) Citizens should benefit from wider access to online public sector services and should receive services and information which will facilitate the enjoyment of their rights across the Union, notably their right to move and reside freely within the territory of the Union and their freedom of establishment and to provide services.</p>	
	<p><b><i>(15a) Online services play an increasingly important role in society. The Internet is a key tool for access to information and education and for engaging in society. Therefore, in the interests of social inclusion, there should be universal accessibility to public sector bodies' websites, as well as to websites providing basic services for the public, e.g. important news pages and media libraries, banking services (online banking) and interest group information and services.[AM 18]</i></b></p>		

<p>(16) The web–accessibility requirements defined in this Directive are technology neutral. They only indicate which basic functionalities have to be fulfilled for the user to perceive, operate or understand a site and its content. They do not specify how this has to be achieved or what technology should be selected for a particular site, on-line information or application. As such they do not hamper innovation.</p>	<p>(16) The <i>web accessibility</i> requirements defined in this Directive are technology neutral. They only indicate which basic functionalities have to be fulfilled for the user to <i>autonomously</i> perceive, <i>navigate</i>, operate, <i>interact</i>, <i>read</i> or understand a <i>website</i> and its content. They do not specify how this has to be achieved or what technology should be selected for a particular <i>website</i>, on-line information or application. As such they do not hamper innovation.</p>	<p>(16) The web–accessibility requirements defined in this Directive are technology neutral. They only indicate which basic functionalities have to be fulfilled for the user to perceive, operate or understand a site and its content. They do not specify how this has to be achieved or what technology should be selected for a particular site, on-line information or application. As such they do not hamper innovation.</p>	
		<p><b><i>(16a) The 4 principles of accessibility are :</i></b></p> <ul style="list-style-type: none"> <li><b><i>a) Perceivability, meaning that information and user interface components must be presentable to users in ways they can perceive.</i></b></li> <li><b><i>b) Operability, meaning that user interface components and navigation must be operable.</i></b></li> <li><b><i>c) Understandability, meaning that information and the operation of user interface must be understandable.</i></b></li> <li><b><i>d) Robustness, meaning that Content must be robust enough that it can be interpreted reliably by a wide variety of user agents, including assistive technologies.</i></b></li> </ul> <p><b><i>In this context, public sector bodies’ websites should provide alternate versions of non-text content which comply with these principles.</i></b></p>	

<p>(17) Interoperability related to web-accessibility should be based on commonly adopted and used specifications that maximize the compatibility of the web-content with current and future user agents and assistive technologies. More specifically, web-content should provide user agents with a common internal coding of natural language, structures, relations, and sequences, as well as data of any embedded user-interface components. Interoperability thus benefits the users, allowing them to employ their user agents ubiquitously to access websites: they might also benefit from greater choice and reduced prices across the Union. Interoperability would also benefit the suppliers and buyers of web-accessibility related products and services.</p>	<p>(17) Interoperability related to <i>web accessibility</i> should be based on commonly adopted and used specifications that maximize the compatibility of the <i>web content</i> with current and future user agents and assistive technologies. More specifically, <i>web content</i> should provide user agents with a common internal coding of natural language, structures, relations, and sequences, as well as data of any embedded user-interface components. Interoperability thus benefits the users, allowing them to employ their user agents ubiquitously to access websites: they might also benefit from greater choice and reduced prices across the Union. Interoperability would also benefit the suppliers and buyers of <i>web accessibility</i> related products and services.</p>	<p>(17) Interoperability related to web-accessibility should be based on commonly adopted and used specifications that maximize the compatibility of the web-content with current and future user agents and assistive technologies. More specifically, web-content should provide user agents with a common internal coding of natural language, structures, relations, and sequences, as well as data of any embedded user-interface components. Interoperability thus benefits the users, allowing them to employ their user agents ubiquitously to access websites: they might also benefit from greater choice and reduced prices across the Union. Interoperability would also benefit the suppliers and buyers of web-accessibility related products and services.</p>	
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<p>(18) As underlined in the Digital Agenda for Europe, public authorities should play their part in promoting markets for online content. Governments can stimulate content markets by making public sector information available under transparent, effective and non-discriminatory conditions. This is an important source of potential growth of innovative online services.</p>	<p>(18) As underlined in the Digital Agenda for Europe, public authorities should play their part in promoting markets for online content. Governments can stimulate content markets by making public sector information available under transparent, effective and non-discriminatory conditions. This is an important source of potential growth of innovative online services.</p>	<p>(18) As underlined in the Digital Agenda for Europe, public authorities should play their part in promoting markets for online content. Governments can stimulate content markets by making public sector information available under transparent, effective and non-discriminatory conditions. This is an important source of potential growth of innovative online services.</p>	
	<p><i>(18a) It should be possible for the public authorities of the Member States to require certain websites to be carried on servers within the Union in order to prevent spying by parties outside the Union or leaks of information and to ensure that parties outside the Union cannot close down services which are important on security grounds. [AM 19]</i></p>		
			<p><b>(18aa) Member States should take accompanying measures to raise awareness and to promote web accessibility training programmes for relevant stakeholders, including in particular staff responsible for web accessibility. Relevant social partners should be consulted or involved in preparing the content of the disability-related training and awareness raising schemes.</b></p>

<p>(19) The Directive should aim at ensuring that certain types of public sector bodies' websites that are essential to the public are made accessible according to common requirements. Such types were identified in the 2001 E-government benchmarking exercise<sup>[19]</sup> and have been used as a basis for the list in the Annex.</p>	<p>(19) <del>The</del> <b><i>This</i></b> Directive should aim at ensuring that <del>certain types</del> <b><i>all</i></b> public sector bodies' websites <b><i>and websites operated by entities performing public tasks</i></b> that are essential to the public are made <b><i>fully</i></b> accessible <del>according to common requirements</del>. Such types were identified in the 2001 E-government benchmarking exercise<sup>[19]</sup> and have been used as a basis for the list <b><i>to persons with disabilities to facilitate their living independently and their full participation in all aspects of life as stated in the UN Convention. The types of websites operated by entities performing public tasks to be covered by this Directive should be listed</i></b> in the Annex. <b><i>The deadlines for complying with the requirements laid down in this Directive should be staggered so that its scope can be widened to include all public sector bodies' websites providing services directly to the public.</i></b>[AM 20]</p>	<p>(19) The Directive should aim at ensuring that <del>certain types of</del> public sector bodies' websites <del>that are essential to the public</del> are made <b><i>more</i></b> accessible according to common requirements. <del>Such types were identified in the 2001 E-government benchmarking exercise</del>[5] and have been used as a basis for the list in the Annex.</p>	
<p><sup>[19]</sup> <a href="http://ec.europa.eu/digital-agenda/en/news/egovernment-indicators-benchmarking-eeurope">http://ec.europa.eu/digital-agenda/en/news/egovernment-indicators-benchmarking-eeurope</a></p>	<p><del><sup>[19]</sup> <a href="http://ec.europa.eu/digital-agenda/en/news/egovernment-indicators-benchmarking-eeurope">http://ec.europa.eu/digital-agenda/en/news/egovernment-indicators-benchmarking-eeurope</a></del></p>	<p><del>deleted</del></p>	

<p>(20) This Directive lays down web-accessibility requirements for certain types of public sector bodies' websites. In order to facilitate the conformity of websites concerned with those requirements it is necessary to provide presumption of conformity for the websites concerned that meet harmonised standards that are drawn up and published in accordance with Regulation (EU) No 1025/2012 of the European Parliament and of the Council on European Standardisation, amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Decision 87/95/EEC and Decision No 1673/2006/EC, for the purpose of expressing detailed technical specifications for those requirements. Pursuant to this Regulation, Member States and the European Parliament shall be able to object to the harmonised standards which they consider that do not entirely satisfy the web accessibility requirements laid down in this Directive.</p>	<p>(20) This Directive lays down <del>web-accessibility</del> <b>web accessibility</b> requirements for <del>certain types of</del> <b>all</b> public sector bodies' websites <b>and for websites operated by entities performing public tasks</b>. In order to facilitate the conformity of websites concerned with those requirements it is necessary to provide presumption of conformity for the websites concerned that meet harmonised standards that are drawn up and published <i>in the Official Journal of the European Union</i> in accordance with Regulation (EU) No 1025/2012 of the European Parliament and of the Council<sup>[20]</sup> <del>on European Standardisation, amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Decision 87/95/EEC and Decision No 1673/2006/EC</del>, for the purpose of expressing detailed technical specifications for those requirements. Pursuant to <del>this</del> <b>that</b> Regulation, Member States and the European Parliament shall be able to object to the harmonised standards which they consider that do not entirely satisfy the web accessibility requirements laid down in this Directive. [AM 21]</p>	<p>(20) This Directive lays down web accessibility requirements for <del>certain types of</del> public sector bodies' websites. In order to facilitate the conformity of websites concerned with those requirements it is necessary to provide presumption of conformity for the websites concerned that meet harmonised standards that are drawn up and published in accordance with Regulation (EU) No 1025/2012 of the European Parliament and of the Council on European Standardisation, amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Decision 87/95/EEC and Decision No 1673/2006/EC, for the purpose of expressing detailed technical specifications for those requirements. Pursuant to this Regulation, Member States and the European Parliament shall be able to object to the harmonised standards which they consider that do not entirely satisfy the web accessibility requirements laid down in this Directive.</p>	
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	<p><i>[20] Regulation (EU) No 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European Standardisation, amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Council Decision 87/95/EEC and Decision No 1673/2006/EC of the European Parliament and of the Council (OJ L 316, 14.11.2012, p. 12).</i></p>		
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<p>(21) The Commission has already issued a mandate M/376 <sup>[21]</sup> to the European Standardisation Organisations, to develop a European standard specifying the functional accessibility requirements for ICT products and services, including web content, which could be used in public procurement as well as for other purposes like procurement in the private sector. To this end, the European Standardisation Organisations are required to establish close co-operation with relevant industry standards forums and consortia including the World Wide Web Consortium (W3C/WAI). A harmonised standard that would provide presumption of conformity with the web-accessibility requirements laid down in this Directive should be built upon the outcome of this work.</p>	<p>(21) The Commission has already issued a mandate M/376<sup>[21]</sup> to the European <i>standardisation organisations</i>, to develop a European standard specifying the functional accessibility requirements for ICT products and services, including web content, which could be used in public procurement as well as for other purposes like procurement in the private sector. To <i>that</i> end, the European <i>standardisation organisations</i> are required to establish close co-operation with relevant industry standards forums and consortia including the World Wide Web Consortium (W3C/WAI). A harmonised standard that would provide presumption of conformity with the <i>web accessibility</i> requirements laid down in this Directive should be built upon the outcome of <i>that</i> work.</p>	<p><del>(21) The Commission has already issued a mandate M/376 to the European Standardisation Organisations, to develop a European standard specifying the functional accessibility requirements for ICT products and services, including web content, which could be used in public procurement as well as for other purposes like procurement in the private sector. To this end, the European Standardisation Organisations are required to establish close co-operation with relevant industry standards forums and consortia including the World Wide Web Consortium (W3C/WAI). A harmonised standard that would provide presumption of conformity with the web accessibility requirements laid down in this Directive should be built upon outcome of this work</del> <b><i>the chapter 9 of the European Standard EN 301 549 ‘Accessibility requirements suitable for public procurement of ICT products and services in Europe’, on the international standard ISO/IEC 40500:2012 or on future versions of these standards.</i></b></p>	
<p><sup>[21]</sup><a href="http://www.mandate376.eu/">http://www.mandate376.eu/</a></p>	<p><sup>[21]</sup><a href="http://www.mandate376.eu/">http://www.mandate376.eu/</a></p>		

	<i>(21a) In the preparation and potential future revisions of the relevant European and harmonised standards, the responsible European standardisation organisations should be strongly encouraged to ensure coherence with the relevant international standards (currently ISO/IEC 40500), in order to avoid any fragmentation or legal uncertainty.[AM 22]</i>		
(22) Until the references of such a harmonised standard or parts thereof are published, presumption of conformity with the web-accessibility requirements should be provided for the websites concerned which meet the European standards or part thereof that have been determined by the Commission by delegating acts. A candidate could be the European standard which should be adopted on the basis of mandate M/376.	(22) Until the references of such a harmonised standard or parts thereof are published <i>in the Official Journal of the European Union</i> , the websites concerned <i>that</i> meet the European standards or part thereof that have been determined by the Commission <i>by means of delegated acts should be presumed to be in conformity with the web accessibility requirements covered by those standards or parts thereof.</i> A candidate <i>for such harmonised standard</i> could be the European standard which should be adopted on the basis of mandate M/376.	<del>(22) Until the references of such a harmonised standard or parts thereof are published, presumption of conformity with the web-accessibility requirements should be provided for the websites concerned which meet the European standards or part thereof that have been determined by the Commission by delegating acts. A candidate could be the European standard which should be adopted on the basis of mandate M/376.</del>	

<p>(23) In the absence of such a European standard, presumption of conformity with the web-accessibility requirements should be provided for the websites concerned which meet those parts of the international standard ISO/IEC 40500:2012 covering the Success Criteria and Conformance Requirements for Level AA conformance. The international standard ISO/IEC 40500:2012 is exactly the same as the original Web Content Accessibility Guidelines 2.0. The Success Criteria and Requirements for Level AA conformance specified for web pages in the version 2.0 of the Web Content Accessibility Guidelines (WCAG 2.0) from the W3C are broadly recognised by stakeholders both internationally and at European level, to provide the basis for adequate web-accessibility specifications. This has been underlined in the Council Conclusions on Accessible Information Society<sup>[22]</sup>.</p>	<p>(23) In the absence of such a European standard, presumption of conformity with the <i>web accessibility</i> requirements should be provided for the websites concerned which meet those parts of the international standard ISO/IEC 40500:2012 covering the Success Criteria and Conformance Requirements for Level AA conformance. The international standard ISO/IEC 40500:2012 is exactly the same as the original Web Content Accessibility Guidelines 2.0. The Success Criteria and Requirements for Level AA conformance specified for web pages in the version 2.0 of the Web Content Accessibility Guidelines (WCAG 2.0) from the W3C are broadly recognised by stakeholders both internationally and at European level, to provide the basis for adequate <i>web accessibility</i> specifications. This has been underlined in the Council Conclusions on <i>accessible information society of 31 March 2009</i><sup>[22]</sup>.</p>	<p><del>(23) In the absence of such a European standard, presumption of conformity with the web-accessibility requirements should be provided for the websites concerned which meet those parts of the international standard ISO/IEC 40500:2012 covering the Success Criteria and Conformance Requirements for Level AA conformance. The international standard ISO/IEC 40500:2012 is exactly the same as the original Web Content Accessibility Guidelines 2.0. The Success Criteria and Requirements for Level AA conformance specified for web pages in the version 2.0 of the Web Content Accessibility Guidelines (WCAG 2.0) from the W3C are broadly recognised by stakeholders both internationally and at European level, to provide the basis for adequate web-accessibility specifications. This has been underlined in the Council Conclusions on Accessible Information Society[6].</del></p>	
<p>[22] <a href="http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/trans/107014.pdf">http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/trans/107014.pdf</a></p>	<p><sup>[22]</sup> <del><a href="http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/trans/107014.pdf">http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/trans/107014.pdf</a></del></p>		

<p>(24) The conformity with web-accessibility requirements should be continuously monitored from the initial construction of the public sector bodies' website to all subsequent updates of its content. A harmonised monitoring methodology would cover a way of verifying, on a uniform basis in all Members States, the degree of compliance of the website with the requirements for web-accessibility, the collection of representative samples and the periodicity of the monitoring. Member States should report annually on the outcome of the monitoring and more generally on the list of actions taken in application of this Directive.</p>	<p>(24) The conformity with <del>web-accessibility</del> <b>web accessibility</b> requirements should be continuously monitored from the initial construction of the <del>public sector bodies'</del> website <i>concerned</i> to all subsequent updates of its content. <b><i>Designating a competent authority in each Member State as the enforcement body would be an adequate way to ensure that the conformity with web accessibility requirements is monitored and rigorously enforced, with close involvement of stakeholders through the setting up of a complaint mechanism in identified cases of non-compliance.</i></b> A harmonised monitoring methodology would cover a way of verifying, on a uniform basis in all Members States, the degree of compliance of the website <i>concerned</i> with the requirements for <del>web-accessibility</del> <b>web accessibility</b>, the collection of representative samples and the periodicity of the monitoring. Member States should report <del>annually</del> <b>every two years</b> on the outcome of the monitoring and more generally on the list of <i>measures</i> taken in application of this Directive. [AM 23]</p>	<p>(24) The conformity with <b>web accessibility</b> requirements should be continuously monitored from the initial construction of the public sector bodies' website to all subsequent updates of its content. A harmonised monitoring methodology would cover a way of verifying, on a uniform basis in all Members States, the degree of compliance of the website with the requirements for <b>web accessibility</b>, the collection of representative samples and the periodicity of the monitoring. Member States should report <b>periodically</b> on the outcome of the monitoring and more generally on the list of actions taken in application of this Directive.</p>	
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	<i>(24a) The first methodology used to monitor the compliance of the websites concerned with the requirements for web accessibility on a continuous basis should be adopted by means of implementing acts no later than a year after the entry into force of this Directive. [AM 24]</i>		
(25) In a harmonised framework, the web-developers industry should face fewer barriers to operate in the internal market, while costs for governments and others procuring web-accessibility products and services should be reduced.	(25) In a harmonised framework, the <del>web-developers</del> <b>web development</b> industry should face fewer barriers to operate in the internal market, while costs for governments and others procuring <del>web-accessibility</del> <b>web accessibility</b> products and services should be reduced, <i>which would contribute to economic growth and employment. [AM 25]</i>	(25) In a harmonised framework, the web-developers industry should face fewer barriers to operate in the internal market, while costs for governments and others procuring web-accessibility products and services should be reduced.	

<p>(26) In order to ensure that the websites concerned are made accessible in accordance with the requirements for web-accessibility laid down by this Directive, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission to specify further, where appropriate, these requirements and to determine the European standard or parts thereof which, in the absence of harmonised standards, would provide presumption of conformity with the web-accessibility requirements for the websites concerned which meet such standard or parts thereof. It is of particular importance that the Commission carries out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.</p>	<p>(26) In order to ensure that the websites concerned are made accessible in accordance with the requirements for <del>web-accessibility</del> <b>web accessibility</b> laid down by this Directive <b>and to ensure that those requirements are clear and understandable for the stakeholders involved in its implementation, including external web developers and in-house staff of public sector bodies and other entities performing public tasks</b>, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission to <del>specify further</del> <b>provide further details</b>, where appropriate, <del>these</del> <b>concerning those</b> requirements, <b>without modifying them</b>, and to determine the European <del>standard</del> <b>standards</b> or parts thereof which, in the absence of harmonised standards, would provide presumption of conformity with the <del>web-accessibility</del> <b>web accessibility</b> requirements for the websites concerned which meet such <i>standards</i> or parts thereof <b>and to amend Annex Ia in order to take account of technological progress</b>. It is of particular importance that the Commission <i>carry</i> out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council. [AM 26]</p>	<p><del>(26) In order to ensure that the websites concerned are made accessible in accordance with the requirements for web-accessibility laid down by this Directive, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission to specify further, where appropriate, these requirements and to determine the European standard or parts thereof which, in the absence of harmonised standards, would provide presumption of conformity with the web-accessibility requirements for the websites concerned which meet such standard or parts thereof. It is of particular importance that the Commission carries out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.</del></p>	
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<p>(27) In order to ensure uniform conditions for the implementation of the relevant provisions of this Directive, implementing powers should be conferred to the Commission. The examination procedure should be used for the definition of the methodology that Member States should use for monitoring the conformity of the websites concerned with those requirements. The advisory procedure should be used for the determination of the modalities according to which Member States should report to the Commission on the result of this monitoring. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers.</p>	<p>(27) In order to ensure uniform conditions for the implementation of the relevant provisions of this Directive, implementing powers should be conferred to the Commission. The examination procedure should be used for the <i>establishment</i> of the methodology that Member States should use for monitoring the conformity of the websites concerned with those requirements. The advisory procedure should be used for <i>the establishment of a model statement on accessibility and the arrangements for reporting by Member States to the Commission</i>. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and the Council <sup>[23]</sup>.</p>	<p>(27) In order to ensure uniform conditions for the implementation of the relevant provisions of this Directive, implementing powers should be conferred to the Commission. The examination procedure should be used for the definition of the methodology that Member States should use for monitoring the conformity of the websites concerned with those requirements. <del>The advisory procedure should be used for the determination of the modalities according to which Member States should report to the Commission on the result of this monitoring.</del> Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers.</p>	
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	<i><sup>[23]</sup>Regulation (EU) No 182/2011 of the European Parliament and the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).</i>		
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<p>(28) Since the objective of this Directive, namely, the establishment of a harmonised market for the accessibility of public sector bodies' websites, cannot be sufficiently achieved by the Member States, because it requires the harmonisation of different rules currently existing in their respective legal systems and can, therefore, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on the European Union. In accordance with the principle of proportionality, as set out in that Article, this Directive does not go beyond what is necessary in order to achieve that objective,</p>	<p>(28) Since the objective of this Directive, namely, the establishment of a harmonised market for the accessibility of public sector bodies' websites <b><i>and websites operated by entities performing public tasks</i></b> cannot be sufficiently achieved by the Member States, because it requires the harmonisation of different rules currently existing in their respective legal systems <del>and can, therefore</del> <b><i>but can rather, by reason of its scale and effects,</i></b> be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on the European Union. In accordance with the principle of proportionality, as set out in that Article, this Directive does not go beyond what is necessary in order to achieve that objective. <b><i>Adopting a harmonised approach to web accessibility throughout the Union would cut costs for website development companies and, therefore, also for the public bodies that use their services. In future, access to information and services provided via websites will be increasingly important for the public in exercising their fundamental rights, including access to employment, [AM 27]</i></b></p>	<p>(28) Since the objective of this Directive, namely, the establishment of a harmonised market for the accessibility of public sector bodies' websites, cannot be sufficiently achieved by the Member States, because it requires the harmonisation of different rules currently existing in their respective legal systems and can, therefore, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on the European Union. In accordance with the principle of proportionality, as set out in that Article, this Directive does not go beyond what is necessary in order to achieve that objective,</p>	
<p>HAVE ADOPTED THIS DIRECTIVE:</p>	<p>HAVE ADOPTED THIS DIRECTIVE:</p>	<p>HAVE ADOPTED THIS DIRECTIVE:</p>	

Article 1	Article 1	Article 1	Article 1
Subject matter and scope	Subject matter and scope	Subject matter and scope	Subject matter and scope
1. This Directive aims at approximating the laws, regulations and administrative provisions of the Member States related to the accessibility of the content of public sector bodies' websites to all users, in particular people with functional limitations including persons with disabilities.	1. This Directive aims at <del>approximating to</del> <b>approximate</b> the laws, regulations and administrative provisions of the Member States <del>related</del> <b>in relation</b> to the accessibility <b>to all users</b> of the content of public sector bodies' websites <del>to all users</del> <b>and websites operated by entities performing public tasks</b> , in particular <del>people with functional limitations including</del> <b>to</b> persons with disabilities <b>and elderly persons.</b> [AM 28]	1. <b><i>In order to improve the functioning of the internal market,</i></b> this Directive aims at approximating the laws, regulations and administrative provisions of the Member States related to the <b>web</b> accessibility <b>requirements</b> of public sector bodies' websites <del>all users</del> <b>available to the public at large, thereby enabling those websites to be more accessible to users,</b> in particular <del>to people with functional limitations including</del> <b>to</b> people with disabilities.	In order to improve the functioning of the internal market, this Directive aims at approximating the laws, regulations and administrative provisions of the Member States related to the <del>web</del> accessibility requirements of public sector bodies' websites <del>open available</del> <b>open available</b> to the public <del>at large,</del> thereby enabling those websites to be more accessible to users, in particular to <del>people</del> <b>persons</b> with disabilities. <b><u>New recital accompanying article 1(1):</u> The web accessibility requirements of this Directive are applicable to websites open to the public, including those requiring registration or identification, as well as websites targeted to specific groups, but open to all citizens. The web accessibility requirements are not applicable to digital information which is only available to a closed group of people (and not to the general public).</b>

	<i>Ia. According to the UN Convention, persons with disabilities include those having long-term physical, mental, intellectual or sensory impairments, which, may in conjunction with other barriers, hinder their full and effective participation in society on an equal basis with others.[AM 29]</i>		<b>DELETED - MOVED TO RECITAL 6 AS NEW PARAGRAPH</b>
2. It lays down the rules according to which Member States shall make accessible the content of websites belonging to public sector bodies, the types of which are specified in the Annex.	2. <i>This Directive</i> lays down the rules according to which Member States shall make accessible the <b>functionality and</b> content of:	2. It lays down the rules according to which Member States shall <del>make accessible the content of websites belonging to public sector bodies, the types of which are specified in the Annex.</del> <b>ensure that websites of public sector bodies meet, independently of the device used for access, the web accessibility requirements as set out in Article 3.</b>	2. <b>This Directive</b> <del>lays down the rules according to which Member States shall ensure that websites of public sector bodies websites meet, independently of the device used for access, the web accessibility requirements as set out in Article 3.</del>
	<b>(a)</b> websites belonging to public sector bodies, <del>the types of which are specified in the Annex;</del> <b>and</b>		

	<i>(b) websites operated by other entities performing the types of public tasks specified in the Annex Ia.</i>		
	<i>Member States may extend the application of this Directive beyond the types of public tasks specified in Annex Ia. [AM 30]</i>		
3. Member States may extend the application of this Directive to other types of public sector websites than those referred to in paragraph 2.	3. Member States <del>may</del> <b>shall be encouraged</b> to extend the application of this Directive to other types of public sector websites than those referred to in paragraph 2. [AM 31]	<del>3. Member States may extend the application of this Directive to other types of public sector websites than those referred to in paragraph 2.</del>	
	<i>3a. Member States may decide not to apply this Directive to microenterprises as defined in Commission Recommendation 2003/361/EC<sup>[24]</sup> if they perform the types of public tasks specified in Annex Ia of this Directive. [AM 32]</i>		

	<i><sup>[24]</sup> Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 136).</i>		
		<i>4. This Directive is without prejudice to Directive 2010/13/EU on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive).</i>	
		<i>5. This Directive is without prejudice to national laws regarding freedom of the press and freedom of expression in other media.</i>	
		<i>6. The following are excluded from the scope of this Directive:</i>	<b>DELETED - MOVED TO 1.7 and 1.8</b>

		<i>a. Websites or webpages only available for a closed group of people and not to the general public as such (extranets, intranets);</i>	<b>DELETED - MOVED TO 1.7</b>
		<i>b. Live time-based media</i>	<b>DELETED - MOVED TO 1.8</b>
		<i>c. Pre-recorded time-based media published before the date defined in Article 10.1a.ii</i>	<b>DELETED - MOVED TO 1.8</b>
		<i>d. Office file formats not intended primarily or mainly for use on the web published before the date defined in Article 10 paragraph 1;</i>	<b>DELETED - MOVED TO 1.8</b>
		<i>e. Websites that are no longer updated or edited after the date defined in Article 10 paragraph 1a(i)[26];</i>	<b>DELETED - MOVED TO 1.7</b>
		<i>f. Content incorporated in public sector bodies' websites that is neither funded nor developed by these bodies;</i>	<b>DELETED - MOVED TO 1.8</b>

		<i>g. Online maps and mapping services such as dynamic maps or route planning tools;</i>	<b>DELETED - MOVED TO 1.8</b>
		<i>h. Reproductions of Heritage collections items that can not be made fully accessible because of :</i>	<b>DELETED - MOVED TO 1.7</b>
		<i>either the incompatibility of accessibility requirements with either the preservation of the item or the authenticity of the reproduction (e.g. contrast)<sup>[27]</sup></i>	<b>DELETED - MOVED TO 1.7</b>
		<i>or the unavailability of automated and cost-friendly solutions that would easily extract the text of manuscripts or other Heritage collection items into content compatible with the web accessibility requirements.</i>	<b>DELETED - MOVED TO 1.7</b>
		<i>i. Websites held by public service broadcasters and their subsidiaries, and by other bodies or their subsidiaries for the fulfilment of a public service broadcasting remit;</i>	<b>DELETED - MOVED TO 1.7</b>
		<i>j. Websites of Non-governmental organisations (NGOs)</i>	<b>DELETED - MOVED TO 1.7</b>

		<p><i>k. Websites managed or edited directly by schools, kindergartens, or nurseries.</i></p> <p><i>[26]To be accompanied by the following recital : Purely technical maintenance is not to be considered as an update or edition in this context;</i></p>	<p><b>DELETED - MOVED TO 1.8</b></p> <p><b>DELETED - MOVED TO 1.7</b></p>
		<p><i>[27]To be accompanied by the following recital: Some web accessibility requirements should still be respected in regard to the metadata attached to the reproduction of the item.</i></p>	<p><b>DELETED - MOVED TO 1.8</b></p>
			<p><b>Article 1.7</b> The following <b>websites</b> are excluded from the scope of this Directive :</p>
			<p>a. <del>Websites only available for a closed group of people and not to the general public as such (extranets, intranets)</del></p>

			b. Websites held by public service broadcasters and their subsidiaries, and by other bodies or their subsidiaries for the fulfilment of a public service broadcasting remit;
			e. <del>Websites of Non-governmental organisations (NGOs);</del>
			d. Websites managed or edited directly by schools, kindergartens, or nurseries <b>except for the content relating to essential online administrative functions, if that content is already provided exclusively via these websites; <u>To be accompanied with New recital:</u> Essential online functions of schools, kindergartens or nurseries include such as the enrolment process and information relating to location and to the organisation of studies.</b>

			<p>e. Websites that <del>are no longer</del> <b>can qualify as archives, meaning that their content is neither needed for active administrative processes, nor</b> updated or edited after the date defined in Article 10 paragraph 1(a)i. <u>To be accompanied with the following recital:</u>  Purely technical maintenance is not to be considered as an update or edition <b>of website content</b> <del>in this context;</del></p>
			<p><b>Article 1.8</b>  The following <b>content</b> is excluded from the scope of this Directive:</p>
			<p>a. Office file formats <del>not intended primarily or mainly for use on the web</del> published before the date defined in Article 10 paragraph 1, <b>unless they are essential to the active administrative processes of the tasks performed by the public sector body.</b> <u>To be accompanied with new recital:</u> Office file formats refer to documents that are not intended primarily for use on the web and that are embedded in web pages, such as Adobe Portable Document Format (PDF), Microsoft Office documents or their (open source) equivalents.</p>

			b. Pre-recorded time-based media published before the date defined in Article 10.1a.ii;
			c. Live time-based media;
			d. Online maps and mapping services <del>such as dynamic maps or route planning tools.</del>
			e. Reproductions of heritage collections items that can not be made fully accessible because of: <ul style="list-style-type: none"> <li>- either the incompatibility of accessibility requirements with either the preservation of the item or the authenticity of the reproduction (e.g. contrast)</li> <li>- or the unavailability of automated and cost-friendly solutions that would easily extract the text of manuscripts or other heritage collection items into content compatible with the web accessibility requirements.</li> </ul>

			f. Third party content that is <del>neither funder nor developed by</del> <b>not under the control of</b> the public sector body.
			<b><u>d/ e/ and f/ to be accompanied by new recital:</u> This Directive's intent is not to prevent or limit the content which public sector bodies place on their websites to accessible content alone. However, whenever non accessible content is added, public sector bodies should, to the extent possible, add accessible online alternatives. For example, when a directional map is not accessible, the website could include a text alternative containing the address and nearby public transport stops</b>
		<i>Article 1a</i>	
		<i>Minimum harmonisation</i>	

		<i>Member States may maintain or introduce measures in conformity with Union law which go beyond the minimum requirements for web accessibility established by this Directive.</i>	
Article 2	Article 2	Article 2	Article 2
Definitions	Definitions	Definitions	Definitions
For the purposes of this Directive, the following definitions shall apply:	For the purposes of this Directive, the following definitions apply:	For the purposes of this Directive, the following definitions shall apply:	
	<i>(-1a) ‘Public sector body’ means the State, regional or local authorities, bodies governed by public law as defined in point 4 of Article 2(1) of Directive 2014/24/EU of the European Parliament and of the Council<sup>[30]</sup>, and associations formed by one or several such authorities or one or several such bodies governed by public law.[AM 33]</i>		

	<sup>130)</sup> <i>Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p.65).</i>		
	<i>(-1b) 'Websites belonging to public sector bodies' means websites developed, procured, maintained or co-financed by public sector bodies or co-financed by Union funds. [AM 34]</i>		
	<i>(-1c) 'Websites operated by entities performing public tasks' means websites operated by entities performing the types of public tasks specified in Annex Ia. [AM 35]</i>		
(1) 'Websites concerned' means those referred to in Article 1(2) of this Directive.	(1) 'Websites concerned' means <b><i>all versions of those websites</i></b> , referred to in Article 1(2) of this Directive, <b><i>including those designed to be accessed from a mobile device or by any other means. If an application designed by the owners of a website offers services connected to the website, this definition also applies to such an application.</i></b> [AM 36]	(1) 'Websites concerned' means those referred to in Article 1(2) of this Directive.	

<p>(2) 'Content of websites' means information to be communicated to the user by means of a user agent, including code or mark-up that defines the content's structure, presentation, and interactions.</p>	<p>(2) 'Content of websites' means information <b><i>and user interface components</i></b> to be communicated to the user by means of a user agent, including code or mark-up that defines the content's structure, presentation, and interactions. <b><i>Content of websites includes textual and non-textual information, the possibility to download documents and forms as well as two-way interaction such as the processing of digital forms and the completion of authentication, identification and payment processes. It also includes functions provided through websites, which are external to the website concerned, for instance, through the use of web links, on the condition that the external website is the only means by which the information or service is provided to the user. Content of websites also includes user-generated content and, whenever technically possible, social media, when that is embedded within a website. It includes not only the parts of the website concerned offering a specific service, but the entire website related to it.[AM 37]</i></b></p>	<p><del>(2) 'Content of websites' means information to be communicated to the user by means of a user agent, including code or mark-up that defines the content's structure, presentation, and interactions.</del></p>	
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	<i>(2a) 'Authoring tool' means any web-based or non-web-based application that can be used by authors (alone or collaboratively) to create or modify web content for use by other authors or end users.[AM 38]</i>		
(3) 'User agent' means any software that retrieves and presents web contents for users, including web browsers, media players, plug-ins, and other programs that help in retrieving, rendering, and interacting with web content.	(3) 'User agent' means any software that retrieves and presents web contents for users, including web browsers, media players, plug-ins, and other programs that help in retrieving, rendering, and interacting with web content, <b>regardless of the type of device used to interact with content, including mobile devices.</b> [AM 39]	<del>(3) 'User agent' means any software that retrieves and presents web contents for users, including web browsers, media players, plug-ins, and other programs that help in retrieving, rendering, and interacting with web content.</del>	

	<p><i>(3a) 'Web accessibility' means principles and techniques to be observed when constructing websites concerned in order to render the content of those websites accessible to all users, in particular to persons with disabilities and elderly persons. Web accessibility refers in particular to principles and techniques that enhance users' perception, navigation, operation, interaction, readability and understanding, and includes the use of assistive technology or augmentative and alternative communication.[AM 40]</i></p>		
	<p><i>(3b) 'Assistive technology' means any hardware or software that acts as a user agent or along with a mainstream user agent to provide functionality to meet the requirements of users with disabilities that go beyond those offered by mainstream user agents. This includes alternative presentations, alternative input methods, additional navigation or orientation mechanisms, and content transformations.[AM 41]</i></p>		

	<i>(3c) 'Universal design' means the design of products, environments, programmes and services to be used by all people, to the greatest extent possible, without the need for adaptation or specialised design, as defined in the UN Convention. It shall not exclude assistive devices for particular groups of persons with disabilities where this is needed. [AM 42]</i>		
(4) 'Standard' means a technical specification, adopted by a recognised standardisation body, for repeated or continuous application, with which compliance is not compulsory as defined in Article 2(1) of Regulation (EU) No 1025/2012.	(4) 'Standard' means a <i>standard</i> as defined in Article 2(1) of Regulation (EU) No 1025/2012.	(4) 'Standard' means a technical specification, adopted by a recognised standardisation body, for repeated or continuous application, with which compliance is not compulsory as defined in Article 2(1) of Regulation (EU) No 1025/2012.	
(5) 'International standard' means a standard adopted by an international standardisation body as defined in Article 2(1)(a) of Regulation (EU) No 1025/2012.	(5) 'International standard' means <i>an international standard</i> as defined in <i>point (a)</i> of Article 2(1) of Regulation (EU) No 1025/2012.	<del>(5) 'International standard' means a standard adopted by an international standardisation body as defined in Article 2(1)(a) of Regulation (EU) No 1025/2012.</del>	

<p>(6) ‘European standard’ means a standard adopted by a European standardisation organisation as defined in Article 2(1)(b) of Regulation (EU) No 1025/2012;</p>	<p>(6) ‘European standard’ means a <i>European</i> standard as defined in <i>point (b)</i> of Article 2(1) of Regulation (EU) No 1025/2012;</p>	<p>(6) ‘European standard’ means a standard adopted by a European standardisation organisation as defined in Article 2(1)(b) of Regulation (EU) No 1025/2012;</p>	
<p>(7) ‘Harmonised standard’ means a European standard adopted on the basis of a request made by the Commission for the application of Union harmonisation legislation as defined in Article 2(1)(c) of Regulation (EU) No 1025/2012.</p>	<p>(7) ‘Harmonised standard’ means a <i>harmonised</i> standard as defined in <i>point (c)</i> of Article 2(1) of Regulation (EU) No 1025/2012.</p>	<p>(7) ‘Harmonised standard’ means a European standard adopted on the basis of a request made by the Commission for the application of Union harmonisation legislation as defined in Article 2(1)(c) of Regulation (EU) No 1025/2012.</p>	
<p>(8) ‘Public sector body’ means the State, regional or local authorities, bodies governed by public law as defined in Article 1 (9) of Directive 2004/18/EC, and associations formed by one or several such authorities or one or several such bodies governed by public law.</p>	<p><del>(8) ‘Public sector body’ means the State, regional or local authorities, bodies governed by public law as defined in Article 1 (9) of Directive 2004/18/EC, and associations formed by one or several such authorities or one or several such bodies governed by public law. [AM 43]</del></p>	<p>(8) ‘Public sector body’ means the State, regional or local authorities, bodies governed by public law as defined in Article 1 (9) of <b>Directive 2004/18/EC 2(1) subparagraph 4 of the Directive 2014/24/EU</b>, and associations formed by one or several such authorities or one or several such bodies governed by public law.</p>	
		<p><b>(9) Time-based media means media of the following types: audio-only, video-only, audio-video, audio and/or video combined with interaction.</b></p>	

		<i>(10) Heritage collections items means privately or publicly owned goods presenting a historical, artistic, archaeological, aesthetical, scientific or technical interest and that are part of collections preserved by cultural institutions such as libraries, archives and museums</i>	
			(11) 'Measurement data' is the quantified results of the monitoring activity carried out in order to verify the compliance of public sector bodies' websites with the web accessibility requirements set out in Article 3. Measurement data covers both quantitative information about the sample of websites tested (number of websites with potentially their number of visitors,..) and quantitative information about the level of accessibility.

Article 3	Article 3	Article 3	Article 3
Requirements for web-accessibility	Requirements for <i>web accessibility</i>	Requirements for web-accessibility	Requirements for web accessibility
1. Member States shall take the necessary measures to ensure that the websites concerned are made accessible:	1. Member States shall take the necessary measures to ensure that the websites concerned are made accessible:	1. Member States shall take the necessary measures to ensure that <del>the websites concerned are made accessible</del> <b><i>public sector bodies' websites comply with the all of the four globally accepted principles of accessibility: perceivability, operability, understandability, robustness, while not imposing a disproportionate or undue burden, financially or organisationally, on these bodies.</i></b>	Member States shall <b>ensure that public sector bodies</b> take the necessary <b>and proportionate</b> measures to <b>make their websites more accessible by making them perceivable, operable, understandable and robust.</b> <del>ensure that public sector bodies' websites comply with the all of the four globally accepted principles of accessibility: perceivability, operability, understandability, robustness, while not imposing a disproportionate or undue burden, financially or organisationally, on these bodies.</del>

			<b><u>New recital:</u> proportionate measures refer to measures that do not put an excessive organisational or financial burden on a body, or do not jeopardise the body's capacity to either perform its purpose, or publish information needed for or relevant to its tasks and services, while taking into account the benefit or detriment likely to occur for citizens.</b>
(a) in a consistent and adequate way for users' perception, operation and understanding, including adaptability of content presentation and interaction, when necessary, providing an accessible electronic alternative;	(a) in a consistent and adequate way for users' <b>autonomous</b> perception, <b>navigation</b> , operation, <b>interaction</b> , <b>readability</b> and understanding, including adaptability of content presentation and interaction, when necessary, providing an accessible electronic alternative; <i>[AM 44]</i>	<del>(a) in a consistent and adequate way for users' perception, operation and understanding, including adaptability of content presentation and interaction, when necessary, providing an accessible electronic alternative;</del>	
(b) in a way which facilitates interoperability with a variety of user agents and assistive technologies at Union and international level.	(b) in a way which <del>facilitates</del> <b>ensures</b> interoperability with a <b>broad</b> variety of user agents and assistive technologies at Union and international level; <i>[AM 45]</i>	<del>(b) in a way which facilitates interoperability with a variety of user agents and assistive technologies at Union and international level.</del>	

	<i>(ba) through a universal design approach. [AM 46]</i>		
2. Member States shall apply the provisions of paragraph 1 by 31 December 2015 at the latest.	<del>2. Member States shall apply the provisions of paragraph 1 by 31 December 2015 at the latest.</del> <i>[AM 47]</i>	2. Member States shall apply the provisions of paragraph 1 by 31 December 2015 at the latest.	
3. The Commission shall be empowered to adopt delegated acts in accordance with Article 8, to specify further, where appropriate, the requirements for web-accessibility referred to in paragraph 1.	3. The Commission shall be empowered to adopt delegated acts in accordance with Article 8, <del>to specify further</del> <i>to provide further details</i> , where appropriate, <del>concerning the requirements for web-accessibility</del> <i>web accessibility</i> referred to in paragraph 1, <i>without modifying those requirements.</i> <i>[AM 48]</i>	<del>3. The Commission shall be empowered to adopt delegated acts in accordance with Article 8, to specify further, where appropriate, the requirements for web-accessibility referred to in paragraph 1.</del>	

Article 4	Article 4	Article 4	Article 4
Presumption of conformity with harmonized standards	Presumption of conformity with harmonized standards	Presumption of conformity with <del>harmonised standards</del> <b>the web accessibility requirements</b>	Presumption of conformity with the web accessibility requirements
1. The websites concerned that meet harmonised standards or parts thereof the references of which have been drawn up and published by the Commission in the Official Journal of the European Union, in accordance with Regulation (EU) No 1025/2012, shall be presumed to be in conformity with the web-accessibility requirements covered by those standards or parts thereof, set out in Article 3.	The websites concerned that meet harmonised standards or parts thereof the references of which have been drawn up and published by the Commission in the <i>Official Journal of the European Union</i> , in accordance with Regulation (EU) No 1025/2012, shall be presumed to be in conformity with the <i>web accessibility</i> requirements covered by those standards or parts thereof, set out in Article 3(1).	<del>1. The websites</del> <b>Websites concerned</b> that meet harmonised standards or parts thereof the references of which have been drawn up and published by the Commission in the Official Journal of the European Union, in accordance with Regulation (EU) No 1025/2012, shall be presumed to be in conformity with the <b>web accessibility</b> requirements, set out in Article 3.	
		<b>2. As long as the references of the harmonised standards referred to in Article 4 paragraph 1 have not been published, websites that fulfil the requirements of chapter 9 of European standards EN 301 549 shall be presumed to be in conformity with the web accessibility requirements, set out in Article 3.</b>	(2) As long as the references of the harmonised standards referred to in Article 4 paragraph 1 have not been published, websites that fulfil the <b>relevant</b> requirements of <del>chapter 9</del> of European standards EN 301 549, shall be presumed to be in conformity with the web accessibility requirements, set out in Article 3.

Article 5	Article 5	Article 5	Article 5
Presumption of conformity with European or international standards	Presumption of conformity with European or international standards	<del>Presumption of conformity with European or international standards</del>	Presumption of conformity with European or international standards
1. As long as the references of the harmonised standards referred to in Article 4 have not yet been published, the websites concerned that meet European standards or parts thereof that have been determined pursuant to paragraph 2 shall be presumed to be in conformity with the web-accessibility requirements covered by those standards or parts thereof, set out in Article 3.	1. As long as the references of the harmonised standards referred to in Article 4 have not yet been published, the websites concerned that meet European standards or parts thereof that have been determined pursuant to paragraph 2 of this Article shall be presumed to be in conformity with the <i>web accessibility</i> requirements covered by those standards or parts thereof, set out in Article 3(1).	<del>1. As long as the references of the harmonised standards referred to in Article 4 have not yet been published, the websites concerned that meet European standards or parts thereof that have been determined pursuant to paragraph 2 shall be presumed to be in conformity with the web-accessibility requirements covered by those standards or parts thereof, set out in Article 3.</del>	

<p>2. The Commission shall be empowered to adopt delegated acts in accordance with Article 8, in order to determine the European standards or parts thereof referred to in paragraph 1.</p>	<p>2. The Commission shall be empowered to adopt delegated acts in accordance with Article 8, in order to determine the European standards or parts thereof referred to in paragraph 1 <i>of this Article</i>.</p>	<p><del>2. The Commission shall be empowered to adopt delegated acts in accordance with Article 8, in order to determine the European standards or parts thereof referred to in paragraph 1.</del></p>	
<p>3. As long as the references of the European standards referred to in paragraph 1 have not yet been determined, the websites concerned that meet the parts of the ISO/IEC 40500: 2012 covering the Success Criteria and Conformance Requirements for Level AA conformance, shall be presumed to be in conformity with the web-accessibility requirements set out in Article 3.</p>	<p>3. As long as the references of the European standards referred to in paragraph 1 <i>of this Article</i> have not yet been determined, the websites concerned that meet the parts of <del>the ISO/IEC 40500: 2012</del> <b><i>international technical standard WCAG 2.0.</i></b> covering the Success Criteria and Conformance Requirements for Level AA conformance, shall be presumed to be in conformity with the <del>web-accessibility</del> <b><i>web accessibility</i></b> requirements set out in Article 3(1). [AM 49]</p>	<p><del>3. As long as the references of the European standards referred to in paragraph 1 have not yet been determined, the websites concerned that meet the parts of the ISO/IEC 40500: 2012 covering the Success Criteria and Conformance Requirements for Level AA conformance, shall be presumed to be in conformity with the web-accessibility requirements set out in Article 3.</del></p>	

Article 6	Article 6	Article 6	Article 6
Additional measures	Additional measures	Additional measures	Additional measures
1. Member States shall promote that the websites concerned provide a statement on their accessibility, in particular on their compliance with this Directive and with possibly additional accessibility information in support to users.	1. Member States shall <del>promote</del> <b>ensure</b> that the websites concerned provide a <b>clear and concise</b> statement on their accessibility, in particular on their compliance with this Directive, <b>including information on the degree of compliance with web accessibility requirements related to live audio content</b> , and with possibly additional accessibility information <del>in</del> <b>to</b> support <del>to</del> users <b>in assessing the degree of accessibility of the websites concerned. That information shall be provided in accessible format.</b> [AM 50]	1. Member States shall promote that <del>the public sector bodies'</del> websites <del>concerned</del> provide a <b>detailed, comprehensive and clear</b> statement on their <b>web</b> accessibility, <del>in particular on their compliance with this Directive and with possibly additional accessibility information in support of users</del> <b>in general including an accessible explanation on parts of the content that are not accessible, and the reasons for this inaccessibility. The statement shall include a link to a feedback mechanism to enable any natural or legal person to notify any failures of the website to comply with the requirements set out in Article 3.</b>	<del>1. a) Member States shall promote that</del> Public sector bodies' websites <b>shall</b> provide a detailed, comprehensive and clear statement <del>on their web accessibility</del> <b>compliance with this Directive</b> in general including an accessible explanation on parts of the content that are not accessible, and the reasons for this inaccessibility. <b>That information shall be provided in an accessible format, using a model statement referred to in paragraph (1a)</b>
			<del>b) The</del> This statement shall include a <b>description of and a link to</b> a feedback mechanism to enable any <del>natural or legal</del> person to notify <b>to the public sector bodies of</b> any failures of the website to comply with the requirements set out in Article 3.

			c) Public sector bodies shall give an adequate reply to the feedback within a reasonable time to the person.
	<i>1a. The Commission shall establish a model statement on accessibility by means of implementing acts. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 9(2). [AM 50]</i>		<b>1a. The Commission shall establish a model statement on accessibility by means of implementing acts. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 9(2).</b>
2. Member States shall take measures to facilitate the application of the web-accessibility requirements as defined in Article 3 to all public sector bodies' websites beyond those concerned, in particular, to public sector bodies' websites covered by existing national laws or relevant measures on web-accessibility.	2. Member States shall take measures to facilitate the application of the <del>web-accessibility</del> <b>web accessibility</b> requirements <i>set out</i> in Article 3(1) to all public sector bodies' websites beyond those concerned, in particular, to public sector bodies' websites covered by existing national laws or relevant measures on <del>web-accessibility</del> <b>web accessibility</b> . [AM 51]	<del>2. Member States shall take measures to facilitate the application of the web-accessibility requirements as defined in Article 3 to all public sector bodies' websites beyond those concerned, in particular, to public sector bodies' websites covered by existing national laws or relevant measures on web-accessibility.</del>	<b>2. Member States shall take measures to facilitate the application of the web accessibility requirements to other types of websites than those referred to in Article 1(2), in particular, to websites covered by existing national laws on web accessibility. <u>New recital accompanying article 6(2) revised:</u> Member States may extend the application of this Directive to other types of websites than those included in the scope of this Directive.</b>

	<p><i>2a. Member States shall promote and support web accessibility training programmes for relevant stakeholders, including staff of public sector bodies and entities performing public tasks, to create, manage and update web pages, including their content. [AM 52]</i></p>		<p><b>2a. Member States shall promote and facilitate web accessibility training programmes for relevant stakeholders, including staff of public sector bodies, to create, manage and update accessible content of websites.</b></p>
	<p><i>2b. Member States shall take the necessary measures to raise awareness of the web accessibility requirements set out in Article 3(1), their benefits to users and website owners and of the possibility to lodge complaints in cases of non-compliance with the requirements of this Directive, as set out in Article 7a.[AM 53]</i></p>		<p><b>2b. Member States shall take the necessary measures to raise awareness of the web accessibility requirements set out in Article 3(1), their benefits to users and website owners and of the possibility to give feedback in cases of non-compliance with the requirements of this Directive, as set out in Article 6.</b></p>

	<p><i>2c. Member States shall take the necessary measures to promote the use of authoring tools that support the achievement of the objectives of this Directive. [AM 54]</i></p>		
<p>3. Member States shall support appropriate mechanisms for consultations on web- accessibility with relevant stakeholders and make public any developments in web- accessibility policy together with the experiences and findings from the implementation of conformity of web- accessibility requirements.</p>	<p>3. Member States shall support appropriate mechanisms for consultations on <del>web- accessibility</del> <b>web accessibility</b> with relevant stakeholders and <i>organisations representing the interests of persons with disabilities and of the elderly, and</i> make public any developments in <del>web- accessibility</del> <b>web accessibility</b> policy together with the experiences and findings from the implementation of conformity of <del>web- accessibility</del> <b>web accessibility</b> requirements. <i>[AM 55]</i></p>	<p><del>3. Member States shall support appropriate mechanisms for consultations on web- accessibility with relevant stakeholders and make public any developments in web- accessibility policy together with the experiences and findings from the implementation of conformity of web- accessibility requirements.</del></p>	

<p>4. Member States shall cooperate at Union level with industry and civil society stakeholders, with facilitation by the Commission, in order to review, for the purpose of the annual reporting referred to in Article 7(4), market and technological developments and progress in web-accessibility and to exchange best practices.</p>	<p>4. Member States shall cooperate at <b><i>national and</i></b> Union level, with <b><i>relevant social partners</i></b>, industry and civil society stakeholders, with facilitation by the Commission, in order to review, for the purpose of the <del>annual</del> reporting referred to in Article <b><i>7b</i></b>, market and technological developments and progress in <del>web-accessibility</del> <b><i>web accessibility</i></b> and to exchange best practices. <i>[AM 56]</i></p>	<p><del>4. Member States shall cooperate at Union level with industry and civil society stakeholders, with facilitation by the Commission. For the purpose of the monitoring referred to in Article 7(1), the Commission shall facilitate cooperation at Union level between Member States, and between them and industry and civil society stakeholders, in order to exchange best practices and to review, for the purpose of the annual reporting referred to the monitoring methodology referred to in in Article 7(4), the market and technological developments and progress in web-accessibility web accessibility and to exchange best practices.</del></p>	<p>4. For the purpose of the monitoring <b>and reporting</b> referred to in article 7(4), the Commission shall facilitate cooperation at Union level between Member States, and between them and relevant stakeholders, in order to exchange best practices and to review the monitoring methodology referred to in Article 7(4), the market and technological developments and progress in web accessibility. <b><u>New recital for article 6(4): In order to ensure the proper implementation of this Directive, it is of the utmost importance for the Commission and the Member States to consult with relevant stakeholders on a regular basis. Relevant stakeholders in the meaning of this Directive cover, among others, organisations representing the interests of persons with disabilities and of the elderly, social partners, industry involved in the creation of web accessibility software and civil society.</u></b></p>
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	<i>4a. Member States shall take the necessary measures to ensure that the relevant social partners participate in the development and application of the training programmes and awareness-raising schemes, referred to respectively in paragraphs 2a and 2b.[AM 57]</i>		
Article 7	Article 7	Article 7	Article 7
Monitoring and reporting	Monitoring <i>and reporting</i> [AM 58]	Monitoring and reporting	
1. Member States shall monitor the compliance of the websites concerned with the requirements for web-accessibility on a continuous basis, using the methodology provided for in paragraph 4.	1. Member States shall monitor the compliance of the websites concerned with the requirements for <i>web accessibility</i> on a continuous basis, using the methodology provided for in paragraph 4.	1. Member States shall <i>periodically</i> monitor the compliance of public sector bodies' websites with the <i>web accessibility</i> requirements <i>set out in Article 3</i> <del>for web accessibility on a continuous basis using</del> , <i>taking into account</i> the methodology provided for in paragraph 4.	

	<p><i>1a. The Commission shall establish an expert group to meet at least every two years, upon the Commission's invitation, in order to discuss the results of the monitoring, to exchange best practices regarding the implementation of this Directive and to assess the need for any additional specifications of the web accessibility requirements as defined in Article 3(1). That expert group shall consist of governmental and private experts and relevant stakeholders, including elderly persons, persons with disabilities and their representative organisations. [AM 59]</i></p>		
<p>2. Member States shall report annually on the outcome of the monitoring carried out according to paragraph 4 including the measurement data and, where appropriate, the list of the websites referred to in Article 1(3).</p>	<p><del>2. Member States shall report annually on the outcome of the monitoring carried out according to paragraph 4 including the measurement data and, where appropriate, the list of the websites referred to in Article 1(3). [AM 60]</del></p>	<p><i>2. For the purposes of the review referred to in Article 11, Member States shall report to the Commission on the outcome of the monitoring carried out according to paragraph 4 including the measurement data<sup>[32]</sup> and, where appropriate, the list of the websites referred to in Article 1(3). The report shall be sent to the Commission by 54 months after the date set in Article 12.</i></p>	

		<sup>[32]</sup> <i>To be accompanied by the following recital : 'Measurement data' is the quantified results of the monitoring activity carried out in order to verify the compliance of public sector bodies' websites with the web accessibility requirements set out in Article 3. Measurement data covers both quantitative information about the sample of websites tested (number of websites with potentially their number of visitors,..) and quantitative information about the level of accessibility.</i>	Moved to article 2(11)
3. This report shall also cover the actions conducted pursuant to Article 6.	<del>3. This report shall also cover the actions conducted pursuant to Article 6.</del> [AM 61]	3. This report shall also cover the actions conducted pursuant to Article 6.	

<p>4. The Commission establishes, by way of implementing acts, the methodology for the monitoring of the conformity of the websites concerned with the requirements for web-accessibility as set out in Article 3. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 9(3). The methodology will be published in the Official Journal of the European Union.</p>	<p>4. The Commission <del>establishes</del> <b>shall establish</b>, by <del>way means</del> of implementing acts, the methodology for the monitoring of the conformity of the websites concerned with the requirements for <del>web-accessibility</del> <b>web accessibility</b> as set out in Article 3(1). <b>That methodology shall be transparent, transferable, comparable and reproducible and it shall be prepared in close consultation with relevant industry and civil society stakeholders including, in particular, representative organisations of persons with disabilities.</b> Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 9(3). <b>The first methodology shall be adopted by ...</b> *. The methodology <i>shall</i> be published in the <i>Official Journal of the European Union</i>. [AM 62]</p>	<p>4. <b>By two years after the entry into force of this Directive</b>, the Commission <b>shall</b> establish, by means of implementing acts, a methodology for the monitoring of the conformity of websites with the requirements for <b>web accessibility</b> as set out in Article 3. <b>That methodology shall be transparent, transferable, comparable and reproducible, and its usage shall not impose an undue burden to the Member States.</b> Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 9(3).</p>	
	<p><b>*OJ: please insert: one year after the entry into force of this Directive.</b></p>		
<p>5. The methodology referred to in paragraph 4 shall include:</p>	<p>5. The methodology referred to in paragraph 4 shall include:</p>	<p>5. The methodology referred to in paragraph 4 shall include:</p>	

(a) the periodicity of the monitoring and the sampling of the websites concerned that shall be subject to monitoring; and	(a) the periodicity of the monitoring and the sampling of the websites concerned that shall be subject to monitoring;	(a) the periodicity of the monitoring and the sampling of the websites that shall be subject to monitoring; and	
(b) at website level, the description of how compliance with the requirements for web-accessibility referred to in Article 3 is to be demonstrated, directly referencing - whenever available - to the relevant descriptions in the harmonised standard, or in their absence in the European or international standards referred to in Articles 4 and 5 respectively.	(b) at website level, the description of how compliance with the requirements for <i>web accessibility set out</i> in Article 3(1) is to be demonstrated, directly referencing - whenever available - to the relevant descriptions in the harmonised standard, or in their absence in the European or international standards referred to in Articles 4 and 5 respectively; <i>and</i>	(b) at website level, the description of how compliance with the <b>web accessibility</b> requirements <del>for web accessibility</del> referred to set out in Article 3 is to be demonstrated, directly referencing <del>whenever available</del> to the relevant descriptions in the harmonised standard or, in <del>their</del> <b>its</b> absence, in the European <del>or international</del> standards referred to in Article 4 and 5 respectively; <i>and</i>	
	<i>(ba) research methodology which combines experts analysis with user experience, including users with disabilities. [AM 63]</i>		
		<i>(c) in the event of deficiencies being identified, a mechanism to provide data and information on the compliance with the requirements set out in Article 3 in a format which can be used by public sector bodies to correct the deficiencies.</i>	

6. The arrangements for reporting by Member States to the Commission shall be established by the Commission by way of implementing acts. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 9(2).	<del>6. The arrangements for reporting by Member States to the Commission shall be established by the Commission by way of implementing acts. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 9(2).</del> [AM 64]	<del>6. The arrangements for reporting by Member States to the Commission shall be established by the Commission by way of implementing acts. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 9(2).</del>	
	<i>Article 7 a</i>		<i>Article 7 a</i>
	<i>Enforcement body</i>		<b>Escalation mechanism</b>
	<i>1. Member States shall designate a competent authority (enforcement body) responsible for enforcing the compliance of the websites concerned with the requirements for web accessibility set out in Article 3(1). Member States shall ensure that, to the extent possible, the enforcement body cooperates closely with relevant stakeholders, including elderly persons, persons with disabilities and their representative organisations.</i>		<i>1. Member States shall ensure that a mechanism, such as a the possibility to contact an ombudsman, is in place in order to ensure an efficient handling of complaints relating to compliance with the requirements set out in Articles 3 and 6.</i>

	<b>2. Member States shall ensure that the enforcement body has the necessary human and financial resources to fulfil the following tasks:</b>		
	<b>(a) monitor compliance of the websites concerned with the requirements for web accessibility, as set out in Article 7;</b>		
	<b>(b) set up a complaint mechanism to enable any natural or legal person to notify any failures to comply with the requirements for web accessibility of the websites concerned; and</b>		
	<b>(c) examine any complaints lodged.</b>		
	<b>3. Member States may confer responsibility for the implementation of additional measures set out in Article 6 on the enforcement body.</b>		
	<b>4. Members States shall inform the Commission about the designated enforcement body by ... * . [AM 65]</b>		
	<b>*OJ: please insert the date of transposition of this Directive.</b>		

	<i>Article 7b</i>		
	<i>Reporting</i>		
	<i>1. Member States shall report to the Commission every two years on the outcome of the monitoring carried out in accordance with Article 7 including in relation to the measurement data and, where appropriate, the list of the websites referred to in Article 1(3).</i>		
	<i>2. That report shall also cover the measures adopted pursuant to Article 6 including possible general conclusions drawn by relevant enforcement bodies on the basis of the monitoring.</i>		
	<i>3. That report shall be made public in readily accessible formats.</i>		
	<i>4. The arrangements for reporting by Member States to the Commission shall be established by means of implementing acts. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 9(2). [AM 66]</i>		

	<i>Article 7c</i>		
	<i>Amendment of Annex Ia</i>		
	<i>In order to take account of technological progress, the Commission shall be empowered to adopt delegated acts, in accordance with Article 8, to amend Annex Ia. [AM 67]</i>		
	<i>Article 7d</i>		
	<i>Penalties</i>		
	<i>Member States shall lay down the rules on penalties applicable to infringements of the national provisions adopted pursuant to this Directive and shall take all measures necessary to ensure that the penalties are implemented. The penalties provided for shall be effective, proportionate and dissuasive.</i>		
	<i>Member States shall notify those rules to the Commission by ...* and shall notify it without delay of any subsequent amendment affecting them. [AM 68]</i>		
	<i>*OJ: please insert: six months from the date of entry into force of this Directive.</i>		

Article 8	Article 8	Article 8	
Exercise of the delegation	Exercise of the delegation	Exercise of the delegation	
1. The powers to adopt the delegated acts shall be conferred on the Commission subject to the conditions laid down in this Article.	1. The <i>power</i> to adopt the delegated acts shall be conferred on the Commission subject to the conditions laid down in this Article.	<del>1. The powers to adopt the delegated acts shall be conferred on the Commission subject to the conditions laid down in this Article.</del>	
2. The powers to adopt the delegated acts referred to in Article 3 and 5 shall be conferred for an indeterminate period of time from the date of entry into force of this Directive.	The power to adopt the delegated acts referred to in Article 3(3), Article 5(2) and Article 7c shall be conferred on the Commission for an indeterminate period of time from ...* .	<del>2. The powers to adopt the delegated acts referred to in Article 3 and 5 shall be conferred for an indeterminate period of time from the date of entry into force of this Directive.</del>	
	*OJ: please insert: six months from the date of entry into force of this Directive.	-	
3. The delegation of power referred to in Article 3 and 5 may be revoked at any time by the European Parliament or by the Council. A decision of revocation shall put an end to the delegation of the power specified in that decision. It shall take effect on the day following that of the publication of the decision in the Official Journal of the European Union or on a later date, specified therein. It shall not affect the validity of any delegated acts already in force.	3. The delegation of power referred to in Article 3(3), Article 5(2) and Article 7c may be revoked at any time by the European Parliament or by the Council. A decision <i>to revoke</i> shall put an end to the delegation of the power specified in that decision. It shall take effect on the day following that of the publication of the decision in the <i>Official Journal of the European Union</i> or on a later date, specified therein. It shall not affect the validity of any delegated acts already in force.	<del>3. The delegation of power referred to in Article 3 and 5 may be revoked at any time by the European Parliament or by the Council. A decision of revocation shall put an end to the delegation of the power specified in that decision. It shall take effect on the day following that of the publication of the decision in the Official Journal of the European Union or on a later date, specified therein. It shall not affect the validity of any delegated acts already in force.</del>	

<p>4. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.</p>	<p>4. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.</p>	<p><del>4. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.</del></p>	
<p>5. A delegated act adopted pursuant to Article 3 and 5 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or the Council.</p>	<p>5. A delegated act adopted pursuant to Article 3(3), Article 5(2) and Article 7c shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.</p>	<p><del>5. A delegated act adopted pursuant to Article 3 and 5 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or the Council.</del></p>	

Article 9	Article 9	Article 9	
Committee	Committee	Committee	
1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011	
2. Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.	2. Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.	<del>2. Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.</del>	
3. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	3. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	3. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	

Article 10	Article 10	Article 10	Article 10
Transposition	Transposition	Transposition	Transposition
1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 30 June 2014 at the latest. They shall forthwith communicate to the Commission the text of those provisions. When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.	1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 30 June 2014. They shall forthwith communicate the text of those <i>measures to the Commission</i> . When Member States adopt those <i>measures</i> , they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.	1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by <del>30 June 2014</del> <b>24 months after the date set out in Article 12</b> at the latest. They shall forthwith communicate to the Commission the text of those provisions. When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.	
	<b><i>1a. Member States shall apply the measures referred to in Article 3(1) for all new content of websites concerned by ... *and for all existing content of websites concerned by ... **.[AM 69]</i></b>		
	<b><i>*OJ: please insert: one year from the date of entry into force of this Directive.</i></b>		
	<b><i>**OJ: please insert: three years from the date of entry into force of this Directive.</i></b>		

	<i><b>1b. The application deadlines set out in paragraph 1a shall be extended by two years as regards the requirements for web accessibility related to live audio content. [AM 70]</b></i>		
2. Member States shall communicate to the Commission the text of the main provisions of national law, they adopt in the field covered by this Directive.	2. Member States shall communicate to the Commission the text of the main provisions of national law, they adopt in the field covered by this Directive.	2. Member States shall communicate to the Commission the text of the main provisions of national law, they adopt in the field covered by this Directive. <i><b>apply those provision as follows:</b></i>	
		<i><b>i. to public sector bodies' websites not published before the [insert date: transposition date set out in Article 10(1) ]: from [insert date: 12 months after that date],</b></i>	
		<i><b>ii. to all public sector bodies' websites not covered by point (i): from [insert date: 24 months after the transposition date set out in Article 10(1) ].</b></i>	

Article 11	Article 11	Article 11	Article 11
Review	Review	Review	Review
The Commission shall carry out a review of the application of this Directive within three years from its entry into force.	<b><i>On the basis of Member States' reports referred to in Article 7b</i></b> , the Commission shall carry out a review of the application of this Directive, <b><i>in particular Annex Ia thereof</i></b> , within ...* <b><i>and shall make the findings of that review public.</i></b> [AM 71]	The Commission shall carry out a review of the application of this Directive within <del>three</del> <b><i>five</i></b> years from its entry into force, <b><i>including a review of technological advances that could make accessibility easier for some types of content currently excluded.</i></b>	
	* <b><i>OJ: please insert: three two</i></b> years from <del>its</del> <b><i>the date of entry into force of this Directive.</i></b>		

Article 12	Article 12	Article 12	Article 12
Entry into force	Entry into force	Entry into force	Entry into force
This Directive shall enter into force on the 20th day following its publication in the Official Journal of the European Union.	This Directive shall enter into force on the <i>twentieth</i> day following its publication in the <i>Official Journal of the European Union</i> .	This Directive shall enter into force on the 20th day following its publication in the Official Journal of the European Union.	
Article 13	<i>Article 13</i>	<i>Article 13</i>	<i>Article 13</i>
Addressees	Addressees	Addressees	Addressees
This Directive is addressed to the Member States in accordance with the Treaties.	This Directive is addressed to the Member States in accordance with the Treaties.	This Directive is addressed to the Member States in accordance with the Treaties.	
Done at Brussels,	Done at .....,	Done at Brussels,	

<u>ANNEX</u>	<u>ANNEX [AM 72]</u>	<u>ANNEX</u>	<u>ANNEX</u>
Types of public sector bodies'	<i>Types of public sector bodies'</i>	Types of public sector bodies'	
(as referred to in Article 1(2))	<i>(as referred to in Article 1(2))</i>	(as referred to in Article 1(2))	
(1) Income taxes: declaration, notification of assessment	<del>(1) Income taxes: declaration, notification of assessment</del>	(1) Income taxes: declaration, notification of assessment	
(2) Job search services by labour offices	<del>(2) Job search services by labour offices</del>	(2) Job search services by labour offices	
(3) Social-security benefits: unemployment benefits, child allowances, medical costs (reimbursement or direct settlement), student grants.	<del>(3) Social-security benefits: unemployment benefits, child allowances, medical costs (reimbursement or direct settlement), student grants.</del>	(3) Social-security benefits: unemployment benefits, child allowances, medical costs (reimbursement or direct settlement), student grants.	
(4) Personal documents: passports or driving license	<del>(4) Personal documents: passports or driving license</del>	(4) Personal documents: passports or driving license	
(5) Car registration	<del>(5) Car registration</del>	(5) Car registration	
(6) Application for building permission	<del>(6) Application for building permission</del>	(6) Application for building permission	
(7) Declaration to police, e.g. in case of theft	<del>(7) Declaration to police, e.g. in case of theft</del>	(7) Declaration to police, e.g. in case of theft	
(8) Public libraries, e.g. catalogues and search tools	<del>(8) Public libraries, e.g. catalogues and search tools</del>	(8) Public libraries, e.g. catalogues and search tools	

(9) Request and delivery of birth or marriage certificates	(9) Request and delivery of birth or marriage certificates	(9) Request and delivery of birth or marriage certificates	
(10) Enrolment in higher education or university	(10) Enrolment in higher education or university	(10) Enrolment in higher education or university	
(11) Notification of change of residence	(11) Notification of change of residence	(11) Notification of change of residence	
(12) Health-related services: interactive advice on the availability of services, online services for patients, appointments.	(12) Health-related services: interactive advice on the availability of services, online services for patients, appointments.	(12) Health-related services: interactive advice on the availability of services, online services for patients, appointments.	
	<i>Annex I a</i>		
	<i>Types of public tasks referred to in point (b) of Article 1(2)</i>		
	<i>(1) Network services: gas, heat, electricity and water services; postal services; electronic communication network and services;</i>		
	<i>(2) Transport-related services;</i>		
	<i>(3) Basic banking and insurance services (including at least the following: basic payment account, home contents and building insurance, life insurance and medical insurance);</i>		
	<i>(4) Primary, secondary, higher and adult education;</i>		

	<i>(5) Statutory and complementary social security schemes covering the main risks of life (including at least those linked to health, ageing, occupational accidents, unemployment, retirement and disability);</i>		
	<i>(6) Health-related services;</i>		
	<i>(7) Childcare services;</i>		
	<i>(8) Other essential services provided directly to the public to facilitate social inclusion and safeguard fundamental rights;</i>		
	<i>(9) Cultural activities and tourist information. [AM 73]</i>		