



2015/0278(COD)

17.11.2016

DRAFT OPINION

of the Committee on Employment and Social Affairs

for the Committee on the Internal Market and Consumer Protection

on the proposal for a directive of the European Parliament and of the Council
on the approximation of the laws, regulations and administrative provisions of
the Member States as regards the accessibility requirements for products and
services

(COM(2015)0615 – C8-0387/2015 – 2015/0278(COD))

Rapporteur (*): **Ádám Kósa**

(*) Associated committee – Rule 54 of the Rules of Procedure

~~PA\1109576EN.docx~~

AMENDMENTS

The Committee on Employment and Social Affairs calls on the Committee on the Internal Market and Consumer Protection, as the committee responsible, to take into account the following amendments:

Amendment 1

Proposal for a directive Recital 1

Text proposed by the Commission

(1) The purpose of this Directive is to contribute to the proper functioning of the internal market by approximating laws, regulations and administrative provisions of the Member States, by eliminating barriers to the free movement of certain accessible products and services. This will increase the availability of accessible products and services **on** the internal market.

Amendment

(1) The purpose of this Directive is to contribute to the proper functioning of the internal market by approximating laws, regulations and administrative provisions of the Member States **and** by eliminating barriers to the free movement of certain accessible products and services. This will increase the availability of, **and improve the accessibility and practicality of information on,** accessible products and services **in** the internal market.

Commentaire [VDE1]: OK

Or. en

Amendment 2

Proposal for a directive Recital 2

Text proposed by the Commission

(2) The demand for accessible products and services is high and the number of citizens with disabilities **and/or functional limitations** will increase significantly with the ageing of the European Union's population. An environment where products and services are more accessible allows for a more inclusive society and facilitates independent living.

Amendment

(2) The demand for accessible products and services is high and the number of citizens, **including persons with disabilities and persons with age-related or other impairments,** will increase significantly with the ageing of the European Union's population. An environment where products and services are more accessible allows for a more inclusive society and facilitates independent living **with disabilities.**

Commentaire [VDE2]: Précision utile et Claire pour le BDF. Ce commentaire est aussi valable à tous les endroits du texte où cette précision est apportée

Commentaire [VDE3]: Précision inutile et limitative car des personnes âgées peuvent ne pas avoir de handicap et malgré tout être limitées

Or. en

Amendment 3

Proposal for a directive Recital 3

Text proposed by the Commission

(3) The disparities between the laws and administrative measures adopted by the Member States in relation to accessibility of products and services for persons with **functional limitations including** persons with **disabilities** create barriers to the free movement of such products and services and distort effective competition in the internal market. Economic operators, in particular small and medium-sized enterprises (SMEs), are particularly affected by those barriers.

Amendment

(3) The disparities between the laws and administrative measures adopted by the Member States in relation to accessibility of products and services for **consumers, including** persons with **disabilities and** persons with **age-related or other impairments**, create barriers to the free movement of such products and services and distort effective competition in the internal market. Economic operators, in particular small and medium-sized enterprises (SMEs), are particularly affected by those barriers.

Or. en

Amendment 4

Proposal for a directive Recital 5

Text proposed by the Commission

(5) Consumers of accessible products and recipients of accessible services are faced with high prices due to limited competition among suppliers. Fragmentation among national regulations reduces potential benefits from sharing experiences with national and international peers in responding to societal and technological developments.

Amendment

(5) Consumers of accessible products, **including in particular assistive technologies**, and recipients of accessible services are faced with high prices due to limited competition among suppliers. Fragmentation among national regulations reduces potential benefits from sharing experiences with national and international peers in responding to societal and technological developments.

Commentaire [VDE4]: ok

Or. en

Amendment 5

Proposal for a directive

Recital 16

Text proposed by the Commission

(16) Products and services falling within the scope of this Directive are the result of a screening exercise, carried out during the preparation of the Impact Assessment that identified those relevant products and services for **persons with functional limitations**, including persons with disabilities and **older persons**, for which Member States have adopted or are likely to adopt diverging national accessibility requirements.

Amendment

(16) Products and services falling within the scope of this Directive are the result of a screening exercise, carried out during the preparation of the Impact Assessment that identified those relevant products and services for **consumers**, including persons with disabilities and **persons with age-related or other impairments**, for which Member States have adopted or are likely to adopt diverging national accessibility requirements.

Or. en

Amendment 6

Proposal for a directive

Recital 17

Text proposed by the Commission

(17) Each product and service **has to comply with** the accessibility requirements identified in Article 3 and listed in Annex I **to be** accessible for persons with disabilities and older persons. The e-commerce accessibility obligations also apply to the online sale of services under Article 1(2)(a) **to (e)** of this Directive.

Amendment

(17) Each product and service **within the scope of this Directive should be accompanied by an accessibility report outlining which of** the accessibility requirements identified in Article 3 and listed in Annex I **have been implemented to make the product or service** accessible for persons with disabilities and older persons. The e-commerce accessibility obligations also apply to the online sale of services under **points (a) to (e) of** Article 1(2) of this Directive.

Or. en

Amendment 7

Proposal for a directive Recital 20

Text proposed by the Commission

(20) This Directive should make compulsory the use of functional accessibility requirements in terms of general objectives. These should be precise enough to create legally binding obligations and sufficiently detailed so as to make it possible to assess conformity in order to ensure the good functioning of the internal market for the products and services covered.

Amendment

(20) This Directive should make compulsory the use of functional accessibility requirements in terms of general objectives ***as outlined in Annex I by respecting the notion of reasonable design and production in meeting those requirements***. These should be precise enough to create legally binding obligations and sufficiently detailed so as to make it possible to assess conformity in order to ensure the good functioning of the internal market for the products and services covered.

Commentaire [VDE5]: Pas plutôt "reasonable accommodation and Universal Design"?

Or. en

Amendment 8

Proposal for a directive Recital 25 a (new)

Text proposed by the Commission

Amendment

(25a) When identifying and classifying the needs of persons with disabilities the product or service is intended to meet, the principle of the universal design should be viewed in accordance with the World Health Organisation's international classification of functioning, disability and health (ICF) of 22 May 2001.

Commentaire [VDE6]: La CIF est un *outil d'évaluation* qui permet d'apprécier certains besoins mais qui ne précise pas pour autant les étapes pour assurer l'autonomie de la personne et sa possibilité d'utiliser les biens et les services à sa disposition

Or. en

Amendment 9

Proposal for a directive Recital 28

PE594.023v01-00PE594.023v01-00

6/139

PA\1109576EN.docxPA\1109576EN.docx

Text proposed by the Commission

(28) All economic operators intervening in the supply and distribution chain should ensure that they make available on the market only products which are in conformity with the accessibility requirements of this Directive. It is necessary to provide for a clear and proportionate distribution of obligations which correspond to the role of each operator in the supply and distribution process.

Amendment

(28) All economic operators intervening in the supply and distribution chain should ensure that they make available on the market only products which are in conformity with the accessibility requirements of this Directive, ***including the reporting requirements***. It is necessary to provide for a clear and proportionate distribution of obligations which correspond to the role of each operator in the supply and distribution process.

Or. en

Amendment 10

**Proposal for a directive
Recital 40**

Text proposed by the Commission

(40) In the absence of harmonised standards and where ***needed*** for market harmonisation purposes, the Commission should be able adopt implementing acts establishing common technical specifications for the accessibility requirements set in this Directive.

Amendment

(40) In the absence of harmonised standards and where ***necessary*** for market harmonisation purposes, the Commission should be able ***to*** adopt implementing acts establishing common technical specifications for the accessibility requirements set in this Directive.

Or. en

Amendment 11

**Proposal for a directive
Recital 40 a (new)**

Text proposed by the Commission

Amendment

(40a) With a view to establishing common technical specifications for the accessibility requirements, the Commission should involve the industry stakeholders

and European umbrella organisations of persons with disabilities.

Or. en

Commentaire [VDE7]: Celà parait utile à preciser. Ne faut-il pas aussi impliquer les acteurs « Design Universel » au niveau européen

Amendment 12

Proposal for a directive Recital 42

Text proposed by the Commission

(42) For conformity assessment of products, this Directive should use the Internal Production Control of "Module A", described in Annex II to Decision No 768/2008/EC, as it enables economic operators to demonstrate, and the competent authorities to ensure, that products made available in the market conform to the accessibility requirements while not imposing a disproportionate burden.

Amendment

(42) For conformity assessment of products, this Directive should use the Internal Production Control of "Module A", described in Annex II to Decision No 768/2008/EC, as it enables economic operators to demonstrate, and the competent authorities to ensure, that products made available in the market conform to the accessibility requirements *in line with the manufacturer's report on the accessibility features included in the device in question*, while not imposing a disproportionate burden.

Or. en

Commentaire [VDE8]: Cet ajout déforce la proposition de la EC

Amendment 13

Proposal for a directive Recital 45

Text proposed by the Commission

(45) In accordance with Regulation (EC) No 765/2008 by affixing the CE marking to a product, the manufacturer declares that the product is in conformity with *all* applicable accessibility requirements and that he takes full responsibility therefor.

Amendment

(45) In accordance with Regulation (EC) No 765/2008, by affixing the CE marking to a product, the manufacturer declares that the product is in conformity with applicable accessibility requirements *with regard to the available optimisation of a product or products in terms of the identified group or groups of persons with different needs*, and that he takes full responsibility therefor.

Or. en

Commentaire [VDE9]: NON. Pourquoi une definition nouvelle et tellement éloignée de celle de la UNCRPD?

Or. en

Amendment 14

Proposal for a directive Recital 45 a (new)

Text proposed by the Commission

Amendment

EDF Position

(45a) *The manufacturers should be permitted, if they consider it necessary, to add an additional marking, in the form of pictograms, regarding accessibility next to the CE marking in order to better inform consumers.*

Or. en

Commentaire [VDE10]: NON pour le BDF car on ouvre pas la porte à de la confusion dans la communication. par ailleurs, risque de maintenir/créer les obstacles pour certaines personnes, utilisations, situations de vie...

Amendment 15

Proposal for a directive Article -1 (new)

Text proposed by the Commission

Amendment

Article -1

Objectives

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 and at eliminating barriers to the free movement of accessible products and services.

Or. en

Amendment 16

Proposal for a directive Article 1 – paragraph 1 – point a

[PA\1109576EN.docx](#)~~PA\1109576EN.docx~~

9/139

[PE594.023v01-00](#)~~PE594.023v01-00~~

EN

<i>Text proposed by the Commission</i>	<i>Amendment</i>	<i>EDF Position</i>
(a) general purpose computer hardware and operating systems;	(a) general purpose computer hardware and operating systems <i>and household appliances operated by user interface with ICT technology;</i>	<i>EDF supports this amendment</i>

Justification: The scope suggested by the Commission is too limited compared to what is covered by the UN Convention on the Rights of persons with disabilities. To make the Act meaningful, the scope should be widened also to include household appliances which are essential in the every day lives of persons with disabilities. Many household appliances are currently less accessible than their equivalent 20 years ago because interfaces used to operate them use interfaces that are inaccessible, by design, to people with sensory disabilities (e.g. touchscreens and low contrast LCD screen). Interfaces can, and should, be made accessible. This issue will remain a major concern with smart appliances. It is essential that the interfaces (e.g. mobile apps) used to operate these appliances are also accessible.

Or. en

Amendment 17

Proposal for a directive

Article 1 – paragraph 1 – point b – introductory part

<i>Text proposed by the Commission</i>	<i>Amendment</i>	<i>EDF position</i>
(b) <i>the following</i> self-service terminals:	(b) self-service terminals, <i>such as:</i>	EDF supports this amendment

Justification: To allow for future innovation and development, the concept of “self-service terminal” should be seen as a broad one and there should be room for widening this – more and more services will be replaced by machines and the ones we have listed in the Commission proposal are only a small selection of (possible future) terminals.

Or. en

Amendment 18

Proposal for a directive

Article 1 – paragraph 1 – point b – point ii a (new)

*Text proposed by the
Commission*

Amendment

EDF position

**(iia) payment
terminals;**

**EDF supports this
amendment**

Or. en

Amendment 19

Proposal for a directive

Article 1 – paragraph 1 – point b – point iii a (new)

Text proposed by the Commission

Amendment

**(iiia) interactive kiosks located in public
places and related to shopping activities;**

Commentaire [VDE11]: Ok, pour le
BDF

Or. en

Amendment 20

Proposal for a directive

Article 1 – paragraph 2 – point f

*Text proposed by the
Commission*

Amendment

EDF position

(f) e-commerce.

**(f) e-commerce,
including website and
mobile device-based
services of postal,
energy and insurance
providers.**

**EDF supports this
amendment.**

Justification: It is important that mobile apps are also included as they are under the Directive on accessibility of public bodies' websites. Furthermore, e-commerce should be interpreted to also include other services such as the postal, energy, and insurance providers because in some cases certain parts or tariffs of those services are only accessible online.

Amendment 21

Proposal for a directive
Article 2 –point 1

Text proposed by the Commission	Amendment	EDF position
(1) “accessible products and services” are products and services that are perceptible, operable and understandable for persons with functional limitations, including persons with disabilities, on an equal basis with others;	(1) “accessible products and services” are products and services that are perceptible, operable and understandable for persons with disabilities, on an equal basis with others;	<p><i>EDF is against this amendment and proposes the followingt text:</i></p> <p><i>“accessible products and services” are products and services that are perceptible, operable and understandable for persons with functional limitations and persons with disabilities, on an equal basis with others;</i></p>

Justification: EDF agrees with the Commission proposal to use the broader term “persons with functional limitations” in addition to the term “persons with disabilities” to illustrate that accessibility benefits a much wider part of the population. Especially older people, who often also have disabilities, are covered under this term. Furthermore, this is in line with the Commission’s use of the term “persons with reduced mobility” which is equally broad and already used on the EU passengers’ rights legislation.

Commentaire [VDE12]: Le BDF estime qu’il est important de retenir une fois pour toutes ET dans tout le texte, le public concerné . plus haut, en pages 3 et suivnats les amendemants proposent **including persons** with disabilities **and persons with age-related or other impairments**. L’EDF ne marque pas son désaccord. Plus bas, en page A3, l’EDF demande de garder le texte de la proposition de la Commission. N’est ce pas contradictoire de proposer ici un nouveau texte ?

Amendment 22

Proposal for a directive
Article 2 –point 2

[PE594.023v01-00](#)~~PE594.023v01-00~~ 12/139 [PA\1109576EN.docx](#)~~PA\1109576EN.docx~~

Text proposed by the Commission

(2) “universal design” referred to *also* as “design for all” means the design of products, environments, programmes and services to be usable by all people, to the greatest extent possible, without the need for adaptation or specialised design; “universal design” does not exclude assistive devices for particular groups of persons *with functional limitations*, including persons with disabilities where this is needed;

Amendment

(2) “universal design”, *also* referred to as “design for all”, means the design of products, environments, programmes and services to be usable by all people, to the greatest extent possible, without the need for adaptation or specialised design; “universal design” does not exclude assistive devices for particular groups of persons, including persons with disabilities where this is needed;

Or. en

Amendment 23

**Proposal for a directive
Article 2 – paragraph 1 – point 3**

*Text proposed by the
Commission*

Amendment

EDF position

(3) “*persons with functional limitations*” means *persons who have any physical, mental, intellectual or sensory impairment, age related impairment, or other human body performance related causes, permanent or temporary, which in interaction with various barriers result in their reduced access to products and services, leading to a situation that requires adaptation to their particular needs of those products and services;*

deleted

*EDF is
against the
amendment
and proposed
to retain the
Commission
proposal.*

Commentaire [VDE13]: Voir
commentaire precedent

Justification: EDF agrees with the Commission proposal to use the broader term “persons with functional limitations” in addition to the term “persons with disabilities” to illustrate that accessibility benefits a much wider part of the population. Especially older people, who often also have disabilities, are covered under this term. Furthermore, this is in line with the Commission’s use of the term “persons with reduced mobility” which is equally broad and

already used on the EU passengers' rights legislation.

Or. en

Amendment 24

Proposal for a directive
Article 2 – paragraph 1 – point 4

Text proposed by the Commission	Amendment	EDF position
(4) “persons with disabilities” include persons who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others;	(4) “persons with disabilities” means persons having any long-term physical, mental, intellectual or sensory impairment, or age-related impairment, which in interaction with various barriers results in their having reduced access to products and services, leading to a situation that necessitates adaptation to their particular needs regarding those products and services in order to ensure their effective participation in society on an equal basis with others;	EDF is against this amendment and suggests to retain the Commission proposal.

Commentaire [VDE14]: Voir réflexion précédente

Justification: EDF agrees with the Commission which is broader than the definition suggested in the amendment. Limiting the definition to a “situation that necessitates adaptation to their particular needs” would exclude many instances in which mainstream product and services could perfectly well fulfil the accessibility needs of a person with disability – it doesn’t have to be specifically adapted to their needs.

Or. en

Amendment 25

Proposal for a directive
Article 2 – paragraph 1 – point 5

*Text proposed by the
Commission*

Amendment

EDF position

(5) “product” means a substance, preparation or good produced through a manufacturing process other than food, feed, living plants and animals, products of human origin and products of plants and animals relating directly to their future reproduction;

(5) “product” means a substance, preparation or good produced through a manufacturing process other than food, feed, living plants and animals, products of human origin and products of plants and animals relating directly to their future reproduction ***in accordance with Directive 2001/95/EC of the European Parliament and of the Council^{46a}, with the exceptions set forth in this Directive;***

EDF is against this amendment and suggests retaining the Commission proposal.

^{46a} ***Directive 2001/95/EC of the European Parliament and of the Council of 3 December 2001 on general product safety (OJ L 11, 15.1.2002, p. 4).***

Justification: Limiting the definition of “product” to those that are covered under the Product Safety Directive would not cover all products that benefit from better accessibility. The definition should stay as broad as possible to cover as many products as possible.

Or. en

Commentaire [VDE15]: Et dans les limites des domaines accordés ; ce qui peut un peu rassurer le monde économique, peut-être

Amendment 26

**Proposal for a directive
Article 3 – paragraph 1**

*Text proposed by the
Commission*

Amendment

EDF position

1. Member States shall ensure that the products and services referred to in Article 1(1) and I(2) comply with the accessibility requirements set out in Annex I in accordance with

1. Member States shall ensure that, ***where relevant to their intended use as declared by the manufacturer***, the products and services referred to in Article 1(1) and (2) comply with the

EDF is against this amendment and suggests retaining the Commission proposal.

Commentaire [VDE16]: Ok pour BDF.

paragraphs 2 to 9 of this Article.

functional performance requirements set out in Annex I in accordance with paragraphs 2 to 9 of this Article.

Or. en

Amendment 27

**Proposal for a directive
Article 3 – paragraph 2**

*Text proposed by the
Commission*

2. General purpose computer hardware and operating systems shall comply with the requirements set out in Section I of Annex I.

Amendment

2. General purpose computer hardware and operating systems *and household appliances operated by user interface with ICT technology* shall comply with the requirements set out in Section I of Annex I.

EDF position

EDF supports this amendment.

Commentaire [VDE17]: ok

Or. en

Amendment 28

**Proposal for a directive
Article 3 – paragraph 3**

Text proposed by the Commission

3. The following self-service terminals: Automatic Teller Machines, ticketing machines *and* check-in machines shall comply with the requirements set out in Section II of Annex I.

Amendment

3. The following self-service terminals: Automatic Teller Machines, ticketing machines, check-in machines *and payment terminals* shall comply with the requirements set out in Section II of Annex I.

Or. en

Commentaire [VDE18]: ne faut-il pas aussi ajouter *interactive kiosks located in public places and related to shopping activities*; (voir ajout page 11)

Amendment 29

Proposal for a directive Article 3 – paragraph 10

*Text proposed by the
Commission*

10. Member States may decide, in the light of national conditions, that the built environment used by clients of passenger transport services including the environment that is managed by service providers and by infrastructure operators as well as the built environment used by clients of banking services, and customer services centres and shops under the scope of telephony operators *shall* comply with the accessibility requirements of Annex I, section X, in order to maximise their use by persons with *functional limitations, including persons with* disabilities.

Amendment

10. Member States may decide, in the light of national conditions, that the built environment used by clients of passenger transport services including the environment that is managed by service providers and by infrastructure operators as well as the built environment used by clients of banking services, and customer services centres and shops under the scope of telephony operators *are to* comply with the accessibility requirements of Annex I, section X, in order to maximise their use by persons with disabilities.

EDF position

Commentaire [VDE19]: ok

EDF is against this amendment and suggest the following proposal:

“10. Member States **shall ensure** that the built environment used by clients of passenger transport services including the environment that is managed by service providers and by infrastructure operators as well as the built environment used by clients of banking services, and customer services centres and shops under the scope of telephony operators, **as well as any other service or place for the purchase of any of the products included in this Directive**, are to comply with the accessibility requirements of Annex I, section X, in order to maximise their use by persons with disabilities.”

Justification: This amendment is crucial because the built environment is key to being able to use the products and services covered by the Directive. What is the point of having an accessible ATM with several steps leading up to the bank? It has so far not been taken into account in the EMPL opinion so it is very important to include strengthened version of Article 3 (10).

Or. en

Amendment 30

**Proposal for a directive
Article 5 – paragraph 1**

Text proposed by the Commission

1. When placing their products on the market, manufacturers shall ensure that the products have been designed and manufactured in accordance with the applicable accessibility requirements set out in Article 3.

Amendment

1. When placing their products on the market, manufacturers shall ensure that the products have been designed and manufactured, *as well as optimised to meet the needs of more than one group of persons with disabilities* in accordance with the applicable accessibility requirements set out in Article 3.

Commentaire [VDE20]: pourquoi préciser ici uniquement les personnes handicapées et pas les *persons with age-related or other impairments*

Or. en

Amendment 31

**Proposal for a directive
Article 5 – paragraph 2 – subparagraph 1**

Text proposed by the Commission

Manufacturers shall draw up the technical documentation in accordance with Annex II and carry out the conformity assessment procedure set out in that Annex or have it carried out.

Amendment

Manufacturers shall draw up the technical documentation in accordance with Annex II, and *shall* carry out the conformity assessment procedure set out in that Annex or have it carried out. *They shall also provide a report on the accessibility features of a product.*

Or. en

Amendment 32

Proposal for a directive

Article 5 – paragraph 2 – subparagraph 2

Text proposed by the Commission

Where compliance of a product with the applicable accessibility requirements has been demonstrated by that procedure, manufacturers shall draw up an EU declaration of conformity and affix the CE marking.

Amendment

Where compliance of a product with the applicable accessibility requirements has been demonstrated by that procedure, manufacturers shall draw up an EU declaration of conformity ***with special reference to the available optimisation of the product or products in terms of the identified group or groups of persons with different disabilities.*** and shall affix the CE marking

EDF position

EDF is against this amendment and suggests retaining the Commission proposal.

Commentaire [VDE21]: le BDF aussi

Justification: It is not necessary to distinguish between different “groups of persons with different disabilities” – it can even be counter productive because there are no clearly defined groups and the boundaries are unclear. People can have multiple disabilities, such as being deafblind. It is better to give more detailed information about the product so that every person can decide for him/herself if the product is suitable for his/her needs.

Or. en

Amendment 33

Proposal for a directive

Article 5 – paragraph 4

*Text proposed by the
Commission*

Amendment

EDF position

4. Manufacturers shall keep a register of complaints, of non-conforming products and **products** recalls, and shall keep distributors informed of any such monitoring.

4. Manufacturers shall keep a register of complaints **with reference to identified groups of persons with disabilities**, of non-conforming products and **of product** recalls, and shall keep distributors informed of any such monitoring.

EDF is against this amendment and suggests retaining the Commission proposal.

Commentaire [VDE22]: idem pour le BDF

Justification: It is not necessary to distinguish between different “groups of persons with different disabilities” – it can even be counter productive because there are no clearly defined groups and the boundaries are unclear. People can have multiple disabilities, such as being deafblind. It is better to give more detailed information about the product so that every person can decide for him/herself if the product is suitable for his/her needs.

Or. en

Amendment 34

**Proposal for a directive
Article 5 – paragraph 7**

*Text proposed by the
Commission*

Amendment

EDF position

7. Manufacturers shall ensure that the product is accompanied by instructions and safety information in a language which can be easily understood by consumers and end-users, as determined by the Member State concerned.

7. Manufacturers shall ensure that the product is accompanied by instructions and safety information in a language which can be easily understood by consumers and end-users **in accessible and multiple formats**, as determined by the Member State concerned.

EDF supports this amendment.

Commentaire [VDE23]: BDF aussi

Or. en

Amendment 35

Proposal for a directive

Article 5 – paragraph 8

Text proposed by the Commission

8. Manufacturers who consider or have reason to believe that a product which they have placed on the market is not in conformity with this Directive shall immediately take the necessary corrective measures to bring that product into conformity, to withdraw it or recall it, if appropriate. Furthermore, where the product **presents a risk related to** accessibility, manufacturers shall immediately inform the competent national authorities of the Member States in which they made the product available to that effect, giving details, in particular, of the non-compliance and of any corrective measures taken.

Amendment

8. Manufacturers who consider or have reason to believe that a product which they have placed on the market is not in conformity with this Directive shall immediately take the necessary corrective measures to bring that product into conformity, to withdraw it or **to** recall it, **as** appropriate. Furthermore, where the product **is characterised by a lack of** accessibility, manufacturers shall immediately inform the competent national authorities of the Member States in which they made the product available to that effect, giving details, in particular, of the non-compliance and of any corrective measures taken.

Or. en

Amendment 36

Proposal for a directive

Article 7 – paragraph 2

Text proposed by the Commission

2. Before placing a product on the market importers shall ensure that the conformity assessment procedure set out in Annex II has been carried out by the manufacturer. They shall ensure that the manufacturer has drawn up the technical documentation required by that Annex, that the product bears the CE marking and is accompanied by the required documents and that the manufacturer has complied with the requirements set out in Article 5(5) and (6).

Amendment

2. Before placing a product on the market, importers shall ensure that the conformity assessment procedure set out in Annex II, **based on the manufacturer's accessibility report**, has been carried out by the manufacturer. They shall ensure that the manufacturer has drawn up the technical documentation required by that Annex, that the product bears the CE marking and is accompanied by the required documents and that the manufacturer has complied with the requirements set out in Article 5(5) and (6).

Or. en

Amendment 37

Proposal for a directive Article 11 – paragraph 2

Text proposed by the Commission

2. Service providers shall prepare the necessary information in accordance with Annex III explaining how **the** services meet the accessibility requirements referred to in Article 3. The information shall be made available to the public in written **and oral** format, including in a manner which is accessible to **persons with functional limitations and** persons with disabilities. Service providers shall keep the information as long as the service is in operation.

Amendment

2. Service providers shall prepare the necessary information in accordance with Annex III explaining how **their** services meet the accessibility requirements referred to in Article 3. The information shall be made available to the public in **written, oral and national sign language(s)** format, including in a manner which is accessible to persons with disabilities. Service providers shall keep the information as long as the service **in question** is in operation.

Commentaire [VDE24]: Le BDF estime que le langage doit être clair et compréhensible de tous et non pollué par un vocabulaire technique, scientifique, juridique ... avoir une version langage facile à lire serait un plus. D'ailleurs, lorsqu'il existe, les personnes dites valides le lisent ...

Or. en

Amendment 38

Proposal for a directive Article 11 – paragraph 3

3. Service providers shall ensure that procedures are in place guaranteeing that the continuous provision of services remains in conformity with the accessibility requirements referred to in Article 3. Changes in the characteristics of the provision of the service and changes in accessibility requirements referred to in Article 3 shall be adequately taken into account by *the* service providers. In *case* of non-conformity, service providers shall take the necessary corrective measures to bring the service *in* conformity with the accessibility requirements referred to in Article 3.

3. Service providers shall ensure that procedures are in place guaranteeing that the continuous provision of services remains in conformity with the accessibility requirements referred to in Article 3 *and shall make sure that, within the portfolio they provide, all groups of persons with disabilities have access, as far as possible, to the available services meeting their needs in terms of accessibility.* Changes in the characteristics of the provision of the service and changes in *the* accessibility requirements referred to in Article 3 shall be adequately taken into account by service providers. In *cases* of non-conformity, service providers shall take the necessary corrective measures to bring the service *into* conformity with the accessibility requirements referred to in Article 3.

EDF is against this amendment and suggests retaining the Commission proposal.

Justification: Especially the reservation “*as far as possible*” *weakens the provisions in Article 11. Furthermore, the reference to different “groups of disabilities should be avoided as explained above.*

Commentaire [VDE25]: Tout à fait d'accord !

Or. en

Amendment 39

Proposal for a directive
Article 12 – paragraph 1

<i>Text proposed by the Commission</i>	<i>Amendment</i>	<i>EDF position</i>
1. The accessibility requirements referred to in Article 3 apply to the extent that they do not introduce a significant change in an aspect	1. The accessibility requirements referred to in Article 3 <i>shall</i> apply to the extent that they do not introduce a significant change in an aspect	EDF is against this amendment and suggests retaining the

or feature of a product or service that results in *the* alteration of the basic nature of the product or service.

or feature of a product or service that results in *any* alteration of the basic nature of the product or service *concerned*. *The manufacturer may choose to fulfil the accessibility requirements through the use of third party applications, peripheral devices, software, hardware, or customer premises equipment that is available to persons with disabilities on an equal basis with others.*

Commission proposal.

Commentaire [VDE26]: Le BDF soutient totalement l'EDF et ne souhaite ouvrir la porte à aucune exception

Justification: According to the UN Committee's General Comment No. 2 (2014) on accessibility, any notion of "disproportionate burden" is unacceptable as a principle. It states that the "obligation to implement accessibility is unconditional, i.e. the obliged entity may not excuse the omission referring to the burdens of provision the access for persons with disabilities." So any weakening of the Commission's proposal by not allowing for "*any*" alterations would mean a big loophole in the legislation that manufacturers are likely to exploit.

Or. en

Amendment 40

Proposal for a directive Article 12 – paragraph 2

Text proposed by the Commission

2. Accessibility requirements referred to in Article 3 apply to the extent that they do not impose a disproportionate burden on the economic operators concerned.

Amendment

2. *The* accessibility requirements referred to in Article 3 *shall* apply to the extent that they do not impose a disproportionate burden on the economic operators concerned. *Where it proves impossible to implement specific accessibility requirements as outlined in Annex I, the manufacturer shall add a statement in the product's technical construction file setting out the justified reasons why it has not been possible to fulfil that specific requirement. That statement shall be revised every two years, with reasons being given.*

Commentaire [VDE27]: C'est une bonne précision car elle évite une refus pur et simple « pour raisons techniques »

NEW AMENDMENT

Article 12 – paragraph 3*Text proposed by the Commission*

3. In order to assess whether compliance with accessibility requirements regarding products or services imposes a disproportionate burden, the economic operators shall take account, of the following:

- (a) the size, resources and nature of the economic operators;
- (b) the estimated costs and benefits for the economic operators in relation to the estimated benefit for persons with disabilities, *taking into account the frequency and duration of use of the specific product or service.*

4. The burden shall not be deemed disproportionate where it is compensated by funding from other sources than the economic operator's own resources, whether public or private.

EDF amendment

3. In order to assess whether compliance with accessibility requirements regarding products or services imposes a disproportionate burden, the economic operators shall take account, of the following:

- (a) the size, resources and nature of the economic operators;
- (b) the estimated costs and benefits for the economic operators in relation to the estimated benefit for **persons with functional limitations and persons with disabilities.**

Commentaire [VDE28]: Même Remarque que plus haut concernant le cadre du public concerné.

NEW AMENDMENT

Article 12 – paragraph 4*Text proposed by the Commission*

4. The burden shall not be deemed disproportionate where it is compensated by funding from other sources than the economic operator's own resources, whether public or private.

EDF amendment

4. The burden shall not be deemed disproportionate where it is compensated by funding from other sources than the economic operator's own resources, whether public or private. ***Lack of priority, time or knowledge shall not be considered as legitimate reasons to claim the disproportionate burden.***

Justification: The text in its current form does therefore not guarantee that economic operators will invest to make their products and services more accessible. EDF fears that this provision will jeopardize the implementation of the proposed Directive as it is not entirely clear what parameters would be used to measure the “disproportionate burden” and how this will be

enforced in practice. Involving Disabled Persons' Organisations directly would guarantee a coherent approach to the exemptions, allowing verification of the use of the exemption by technical experts on accessibility issues.

NEW AMENDMENT

Article 12 – paragraph 6

Text proposed by the Commission

6. Where the economic operators have used the exception provided for in paragraphs 1 to 5 for a specific product or service they shall notify the market surveillance authority of the Member State in the market of which the product or service is placed or made available. Notification shall include the assessment referred to in paragraph 3.

Microenterprises are exempted from this notification requirement but must be able to supply the relevant documentation upon request from a relevant market surveillance authority.

EDF amendment

6. Where the economic operators have used the exception provided for in paragraphs 1 to 5 for a specific product or service they shall notify the market surveillance authority of the Member State in the market of which the product or service is placed or made available. Notification shall include the assessment referred to in paragraph 3. ***The market surveillance authority shall systematically verify the assessment for such an exemption to be granted unless the economic operator has provided an independent third party assessment.***

7. A structured dialogue shall be established between relevant stakeholders, including persons with disabilities and their representative organisations and the Market Surveillance Authorities to ensure that adequate principles for the assessment of the exemptions are established to make sure they are coherent.

8. Member States are encouraged to provide incentives and guidelines to Microenterprises to facilitate the implementation of this Directive. The procedures and guidelines shall be developed in consultation with relevant stakeholders, including persons with disabilities and their representative organisations.

Commentaire [VDE29]: Le BDF craint que ce niveau de reference soit "trop bas" et réintègre la cacophonie dans les notions et approches de l'accessibilité. Est-ce que les travaux de standardisation au niveau européen ne pourraient pas être un piste de travail pour des critères uniformes au niveau européens et des marchés par voies de conséquence, plus intégrés ? mandat à confier par le EC ?

Justification:

The best way to guarantee an independent and impartial assessment would be assessment by a third party. However, this is costly and could delay the assessment procedure. In order to make it as easy as possible for the manufacturer, a combination of self-assessment and

systematic verification by the Market Surveillance Authority can be the solution.

Finally, it is important that the Market Surveillance Authorities have adequate resources, staff, and knowledge to efficiently verify the assessment of the manufacturer. Stakeholders should also be involved to ensure that the principles, guidelines and benchmarks used for the assessment are coherent and adequate

Amendment 41

**Proposal for a directive
Article 17 – paragraph 3**

<i>Text proposed by the Commission</i>	<i>Amendment</i>	<i>EDF position</i>
3. Member States shall ensure that information held by market surveillance authorities concerning the compliance of economic operators with the applicable accessibility requirements set out in Article 3 and the assessment of the exceptions provided for in Article 12, is made available to consumers upon request and in an accessible format, except where that information cannot be provided for reasons of confidentiality as provided for in Article 19(5) of Regulation (EC) No 765/2008.	3. Member States shall ensure that information held by market surveillance authorities concerning the compliance of economic operators with the applicable accessibility requirements set out in Article 3 and the assessment of the exceptions provided for in Article 12, is made available on the internet and to consumers upon request in an accessible format, except where that information cannot be provided for reasons of confidentiality as provided for in Article 19(5) of Regulation (EC) No 765/2008.	EDF is against this amendment and suggests the following: “3. Member States shall ensure that information held by market surveillance authorities concerning the compliance of economic operators with the applicable accessibility requirements set out in Article 3 and the assessment of the exceptions provided for in Article 12, is made available to consumers and in an accessible format”

Commentaire [VDE30]: Ok pour le BDF

Justification:

Information about non-compliance with the accessibility requirements that is held by the authorities should be made publicly available systematically and not just upon request. Exceptions from this obligations for “reasons of confidentiality” could be misused as information about products can be too easily justified as being commercially sensitive, at least in the development stages of the product.

Amendment 42**Proposal for a directive****Article 19 – paragraph 1 – subparagraph 1***Text proposed by the Commission*

Where the market surveillance authorities of one Member State have taken action pursuant to Article 20 of Regulation (EC) No 765/2008, or where they have sufficient reason to believe that a product covered by this Directive *presents a risk related to accessibility aspects covered* by this Directive, they shall carry out an evaluation in relation to the product concerned covering all the requirements laid down in this Directive. The relevant economic operators shall fully cooperate with the market surveillance authorities.

Amendment

Where the market surveillance authorities of one Member State have taken action pursuant to Article 20 of Regulation (EC) No 765/2008, or where they have sufficient reason to believe that a product covered by this Directive *is clearly and definitively characterised in any respect by lack of accessibility as provided for* by this Directive, they shall carry out an evaluation in relation to the product concerned covering all the requirements laid down in this Directive. The relevant economic operators shall fully cooperate with the market surveillance authorities.

NEW AMENDMENT**Article 19 – paragraph 9***Text proposed by the Commission*

8. Member States shall ensure that appropriate restrictive measures are taken in respect of the product concerned, such as withdrawal of the product from their market, without delay.

EDF amendment

8. Member States shall ensure that appropriate restrictive measures are taken in respect of the product concerned, such as withdrawal of the product from their market, without delay.

9. To facilitate the exchange of information and best practices amongst the Market Surveillance Authorities and to ensure coherence in the application of the requirements set out in the Directive, the Commission shall establish a working group formed by representatives of the national authorities and the representative

Commentaire [VDE31]: Aussi des specialists D4All

organisations of the relevant stakeholders, including persons with disabilities and their representative organisations.

Justification:

It is important to involve representative organisations of the relevant stakeholders, including persons with disabilities and their representative organisations, since certain problems and shortcomings are more clearly seen from a consumers' perspective. This will help the Market Surveillance Authorities to better do their work and give them insight in the day-to-day functioning of the procedures. The users' experience is a valuable tool to improve the coherence and the application of the Directive, especially if pan-European organisations are involved that can give a comparative view on what works well in different Member States.

NEW AMENDMENT

Article 21 (e)

Text proposed by the Commission

EDF amendment

(d) To transport infrastructure in accordance with Article 37 of Regulation (EU) No 1315/2013.

d) To transport infrastructure in accordance with Article 37 of Regulation (EU) No 1315/2013.

(e) Where applicable, all relevant EU legislation or to the provisions in EU legislation referring to accessibility for persons with disabilities.

NEW AMENDMENT

Article 22

Text proposed by the Commission

EDF amendment

1. Accessibility requirements referred to in Article 21 apply to the extent that they do not impose a disproportionate burden on the competent authorities for the purposes of that Article.

1. Accessibility requirements referred to in Article 21 apply to the extent that they do not impose a disproportionate burden on the competent authorities for the purposes of that Article.

2. In order to assess whether compliance with accessibility requirements referred to in Article 21 imposes a disproportionate burden, the competent authorities concerned shall take account, of

2. In order to assess whether compliance with accessibility requirements referred to in Article 21 imposes a disproportionate burden, the competent

Commentaire [VDE32]: Ok sur les propositions EDF sauf remarque plus bas

the following:

- (a) the size, resources and nature of the competent authorities concerned;
- (b) the estimated costs and benefits for the competent authorities concerned in relation to the estimated benefit **for persons with disabilities, taking into account the frequency and duration of use of the specific product or service;**

3. The assessment of whether compliance with accessibility requirements referred to in Article 21 imposes a disproportionate burden shall be performed by the competent authorities concerned.

4. Where a competent authority has used the exception provided for in paragraphs 1, 2 and 3 for a specific product or service it shall notify the Commission thereof. The notification shall include the assessment referred to in paragraph

authorities concerned shall take account, of the following:

- (a) the size, resources and nature of the competent authorities concerned;
- (b) the estimated costs and benefits for the competent authorities concerned in relation to the estimated benefit for **persons with functional limitations and** persons with disabilities;

Commentaire [VDE33]: Remarque sur le groupe cible ; voir plus haut

3. The assessment of whether compliance with accessibility requirements referred to in Article 21 imposes a disproportionate burden shall be performed by the competent authorities concerned.

Lack of priority, time or knowledge should not be considered as legitimate reasons to claim a disproportionate burden.

4. Where a competent authority has used the exception provided for in paragraphs 1, 2 and 3 for a specific product or service it shall notify the Commission thereof. The notification shall include the assessment referred to in paragraph 2 **and it shall be made available to the public in accessible formats.**

5. If the Commission has reasons to doubt the decision of the competent authority concerned, the Commission may request the working group referred to in Article 19.9 to verify the assessment referred to in paragraph 2 and issue an opinion.

NEW AMENDMENT

Article 26

Text proposed by the Commission

1. Member States shall lay down the rules on penalties applicable to infringements of the national provisions

EDF amendment

1. 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 they are implemented.

2. The penalties provided for shall be effective, proportionate and dissuasive.

3. Member States shall, without delay, notify the Commission of those rules and of those measures and shall notify it, without delay, of any subsequent amendment affecting them.

4. Penalties shall take into account the extent of the non-compliance, including the number of units of non-complying products or services concerned, as well as the number of people affected.

NEW AMENDMENT

Article 27

Text proposed by the Commission

1. Member States shall adopt and publish, by [... insert date - two years after the entry into force of this Directive] at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions.

2. They shall apply those provisions from [... insert date - **six years** after the entry into force of this Directive].

adopted pursuant to this Directive and shall take all measures necessary to ensure that they are implemented.

2. The penalties provided for shall be effective, proportionate and dissuasive.

3. Member States shall dedicate the necessary resources to enforce and collect penalties. Funds raised shall be re-invested in accessibility related measures.

3. Member States shall, without delay, notify the Commission of those rules and of those measures and shall notify it, without delay, of any subsequent amendment affecting them.

4. Penalties shall take into account the extent of the non-compliance, including the number of units of non-complying products or services concerned, as well as the number of people affected.

EDF amendment

1. Member States shall adopt and publish, by [... insert date - two years after the entry into force of this Directive] at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions.

2. [They shall apply those provisions from

- **3 years after the entry into force of this Directive for products under Article 1(a) – general purpose computer hardware and operating systems**
- **5 years after entry into force of this Directive for products under Article**

Commentaire [VDE34]: Une possibilité est aussi d'introduire le principe de la mise en conformité au moment du renouvellement du bien ou dans le cas du bâti, au moment d'une transformation

- 1(b) – self-service terminals
- 4 years after the entry into force of this Directive for products under Article 1(c) - Consumer terminal equipment with advanced computing capability related to telephony services
- 4 years after the entry into force of this Directive for products under Article 1(d) - Consumer terminal equipment with advanced computing capabilities related to audiovisual media services
- 4 years after the entry into force of this Directive for products under Article 1(e) - Household appliances operated by a user interface
- 4 years after the entry into force of this Directive for services under Article 1.2(a) – Telephony services
- 6 years after the entry into force of this Directive for services under Article 1.2(b) – Audiovisual Media services
- 3 years after the entry into force of this Directive for services under Article 1.2(c)1 – air, bus, rail and waterborne passenger transport services (websites and mobile applications)
- 5 years after the entry into force of this Directive for services under Article 1.2(c)1 – air, bus, rail and waterborne passenger transport services (self-service terminals and ticketing machines)
- 10 years after the entry into force of this Directive for services under Article 1.2(c)2 – air, bus, rail and waterborne passenger transport services (vehicles and infrastructure)
- 5 years after the entry into force of this Directive for services under Article 1.2(d) – banking services and payment terminals (self-service terminals and payment terminals)
- 3 years after the entry into force of this Directive for services under Article 1.2(d) – banking services and payment terminals (banking service)
- 3 years after the entry into force of this Directive for services under Article 1.2(e) – e-books

3 years after the entry into force of this Directive for services under Article 1.2(f) – e-commerce, websites of providers of products and services, social media and news websites, and online platforms

- 3 years after the entry into force of this Directive for services under Article 1.2(g) – accommodation services (websites)
- 3 years after the entry into force of this Directive for services under Article 1.2(g) – accommodation services (built environment)

Justification:

The proposed timeline of six years after the entry into force of the Directive for all products and services is too long. Considering that most products and services under the proposed Accessibility Act are related to ICT and are subject to a quick evolution and a short lifespan, a progress transposition period adjusted to the life-cycle of each product is more appropriate

Amendment 43

Proposal for a directive
Annex I – Title

<i>Text proposed by the Commission</i>	<i>Amendment</i>	<i>EDF position</i>
ACCESSIBILITY REQUIREMENTS REFERRED TO IN ARTICLE 3 FOR PRODUCTS AND SERVICES	FUNCTIONAL PERFORMANCE REQUIREMENTS REFERRED TO IN ARTICLE 3 FOR PRODUCTS AND SERVICES	EDF is against this amendment and suggests retaining the Commission proposal.

Commentaire [VDE35]: Ok

Justification:

EDF agrees with the fact that the Commission chose functional specifications over technical specifications in this proposal to allow for innovation and flexibility for manufacturers to comply with the requirements. However, this is giving sufficient flexibility and this does not have to be extended – “performance requirements” are more subjective and more difficult to implement and enforce because the performance of a product can depend on many different factors.

Or. en

Amendment 44

Proposal for a directive

Annex I – row 2 - Section I - column 1 - title

Text proposed by the Commission

General purpose computer hardware and operating systems

Amendment

General purpose computer hardware and operating systems ***and household appliances operated by user interface with ICT technology***

Or. en

Amendment 45

Proposal for a directive

Annex I – row 2 – Section I – column 2 – point A (new)

Text proposed by the Commission

Amendment

A. Operating systems

1. The provision of services in such a way as to maximise their intended use by persons with disabilities shall be achieved by meeting the functional performance requirements set out in point Ab. The provision of services shall include:

(a) information about the functioning of the service and about its accessibility characteristics and facilities, which shall also be provided in digital and accessible formats;

(b) the electronic information, including the websites needed in order for the service to be provided.

2. Support services: Where available, support services (help desks, call centers, technical support, relay services and training services) shall provide information on the accessibility of the service and its compatibility with assistive technologies, in accessible modes of communication for users, including persons with disabilities.

Amendment 46

Proposal for a directive
Annex I – row 2 – Section I – column 2 – point 1

<i>Text proposed by the Commission</i>	<i>Amendment</i>	<i>EDF position</i>
	<i>A a. General purpose computer hardware</i>	Section I. General purpose computer hardware, operating systems and household appliances operated by user interface
1. Design and production: The design and production of products in order to maximise their foreseeable use by persons with functional limitations, including persons with disabilities and those with age related impairments, shall be achieved by making accessible the following :	1. Design and production: The design and production of products in such a way as to maximise their intended use by persons with disabilities and those with age-related impairments shall be achieved by meeting the functional performance requirements provided for consumers in point C. The design and production of products shall include :	The design and production of products in order to maximise their foreseeable use by persons with functional limitations, including persons with disabilities and those with age related impairments, shall be achieved by complying with the following accessibility requirements :
(a) the information on the use of the product provided on the product itself (labelling, instructions, warning), which:	(a) the information on the use of the product	(a) <i>the information on the use of the product provided on the product itself (labelling, instructions, warning), which</i>

Commentaire [VDE36]: Ok

provided on the product itself (labelling, instructions, warning), which *shall be provided in digital and accessible formats*;

- (i) *must be available by more than one sensory channel*;
- (ii) *must be understandable*;
- (iii) *must be perceivable*;

- (iv) *shall have an adequate size of fonts in foreseeable conditions of use*;

(b) the packaging of the product *including the information provided in it (opening, closing, use, disposal)*;

(b) *an indication of the brand, the name and the type* of the product *on its packaging*, which *shall be perceivable for blind persons*;

shall be provided in accessible web format and electronic non-web document that are perceivable, operable, understandable and robust:

- (i) *shall be understandable*;

- (ii) *shall be perceivable*;

- (iii) *shall have an adequate size and type of fonts with sufficient contrast between the characters and their background in order to maximise its readability in foreseeable conditions of use*;

- (iv) *shall be made available in accessible web format and electronic non-web documents by making them perceivable, operable, understandable and robust*

Commentaire [VDE37]: Est-ce que cela couvre aussi les modes d'emploi papier traditionnels, avec schémas explicatifs, etc...

Commentaire [VDE38]: Par tous

Commentaire [VDE39]: Est-ce que la précision est suffisante ; les petits caractères que l'on trouve dans les contrats, bons de garantie et manuels d'utilisation présentent certainement des *adequate size* pour les concepteurs et fournisseurs ... ce n'est bien évidemment pas le cas pour une grande majorité des consommateurs

Commentaire [VDE40]: Voir réflexion ci-avant

(c) **the product** instructions for use, installation and maintenance, storage and disposal of the product which shall comply with the following:

(i) **the content of instruction** shall be available in **text formats that can be used for generating alternative assistive formats to be presented in different ways and via more than one sensory channel**, and

(ii) the **instructions shall provide alternatives to non-text content**;

(c) the instructions for **the** use, installation and maintenance, storage and disposal of the product, which shall **be provided in digital and accessible formats** and **which** shall comply with the following:

(i) **the instructions** shall be **made** available in **accessible web format and electronic non-web document format by making them perceivable and operable**; and

(ii) the **manufacturer shall list and explain how to use the accessibility features of the product and its compatibility with assistive technologies**;

technologies;

(c)the product instructions for use, installation and maintenance, storage and disposal of the product, whether provided separately or integrated within the product, which shall comply with the following:

(i) **shall be made available in accessible web format and electronic non-web document by making them perceivable, operable, understandable and robust**

(ii) **shall list and explain how to use the accessibility features of the product and its compatibility with a variety of assistive technologies available at Union and international level**

(iii) **shall be provided on alternative non-electronic formats upon request. The alternative non-**

Commentaire [VDE41]: Idem plus haut

electronic formats may include large print, Braille, or easy-to-read text.

(d) the user interface of the product (handling, controls and feedback, input and output) *in accordance with point 2;*

(e) *the functionality of the product by providing functions aimed to address the needs of persons with functional limitations, in accordance with point 2;*

(f) *the interfacing of the product with assistive devices.*

(d) the user interface of the product (handling, controls and feedback, input and output);

(e) *when relevant, compatibility with assistive devices and technologies available at Union level, including hearing technologies such as hearing aids, telecoils, cochlear implants and assistive listening devices.*

1a. Support services: Where available, support services (help desks, call centers, technical support, relay services and training services) shall

(f) the product shall provide compatibility with a variety of assistive devices and technologies available at Union and international level, including hearing technologies, such as hearing aids, telecoils, cochlear implants, and assistive listening devices.

provide information on the accessibility of the service and its compatibility with assistive technologies, in accessible modes of communication for users, including persons with disabilities.

Justification:

The provision on support services is most welcome and supported by EDF. However, this is not exchangeable with the provision on compatibility with assistive devices. They should be seen as complimentary but cannot replace each other.

Commentaire [VDE42]: C'est fondamental pour le Bdf !!!!

Or. en

Amendment 47

Proposal for a directive

Annex I – row 2 - Section I – column 2 - point 2

Text proposed by the Commission

Amendment

EDF position

Commentaire [VDE43]: Ok pour le BDF

2. User interface and functionality design

A b. Functional performance requirements

2. Functionality requirements for user interface and design of the product:

In order to make accessible the design of the products and their user interface as referred to in points (d) and (e) of point 1 they must be designed, where applicable, as follows:

*In order to make accessible the design of the products and their user interface as referred to in points (d) and (e) of point 1 they **shall** be designed, where applicable, as follows:*

(a) *provide for*

(a) *Usage without*

(a) *provide for*

[PE594.023v01-00](#)~~[PE594.023v01-00](#)~~

40/139

[PA\1109576EN.docx](#)~~[PA\1109576EN.docx](#)~~

communication and orientation via more than one sensory channel;

vision: where ICT provides visual modes of operation, it shall also provide at least one mode of operation that does not require vision;

communication and orientation via more than one sensory channel including:

- (i) where the product provides visual modes of communication and operation, the product shall provide at least one mode of information and operation that does not require vision,*
- (ii) where the product provides auditory modes of information and operation, the product shall provide at least one mode of information and operation that does not require hearing;*

(b) provide for alternatives to speech for communication and orientation;

(b) Usage with limited vision: where ICT provides visual modes of operation, it shall also provide at least one mode of operation that enables users with limited vision to make better use of that vision;

(b) provide for alternatives to speech for communication and orientation. Where the product requires vocal input from users, the product shall provide at least one mode of

(c) *provide for flexible magnification and contrast;*

(c) *Usage without perception of colour and contrast: where ICT provides visual modes of operation, it shall also provide at least one mode of operation that does not require user perception of colour;*

operation that does not require the users to generate orally-generated sounds like speech, whistles or clicks;

(c) where the product provides visual modes of communication and operation, provide for features that enable users to make better use of their limited vision, including by providing flexible magnification without loss of content or functionality, flexible contrast and brightness, and where possible, it should include flexible ways to separate and control foreground from background visual elements and flexible control over the field of vision required;

(d) *provide for an alternative colour to convey information;*

(d) *Usage without hearing: where ICT provides auditory modes of operation, it shall also provide at least one mode of operation that does not require hearing;*

(d) provide for a visual mode of operation that does not require user perception of colour;

(e) *provide for flexible ways to separate and control foreground from background including for reducing background noise and improve clarity;*

(e) *Usage with limited hearing: where ICT provides auditory modes of operation, it shall also provide at least one mode of operation with enhanced audio features, clarity and volume included;*

(e)

(f) *provide for user*

(f) *Usage without*

(f) provide for user

control of volume;

vocal capability: where ICT requires vocal input from users, it shall provide at least one mode of operation that does not require users to generate vocal output;

control of volume and enhanced audio features to improve audio clarity, including flexible ways to separate and control foreground from background sound where voice and background are available as separate audio streams;

(g) provide for sequential control and alternatives to fine motor control;

(g) Usage with limited manipulation or strength: where ICT requires manual actions, it shall provide at least one mode of operation that enables users to make use of the ICT through alternative actions not requiring manipulation or hand strength, or operation of more than one control at the same time;

(g) provide for sequential control and alternatives to fine motor control, including where the product requires manual actions, the product shall provide features that enable users to make use of the product through alternative modes of operation not requiring fine motor control like manipulation or hand strength, nor operation of more than one control at the same time;

(h) provide for modes of operation with limited reach and strength;

(h) Usage with limited reach: where ICT products are free-standing or installed, their operational elements must be within reach of all users;

(h) provide for modes of operation with limited reach and strength, including where product is free-standing or installed, the informational and operational elements shall be located within standard accessible reach

(i) *provide avoidance of triggering photosensitive seizures.*

(i) *Minimising of photosensitive seizure triggers: where ICT provides visual modes of operation, it shall also provide at least one mode of operation that minimises the potential for triggering photosensitive seizures;*

ranges or it shall be possible for a user to place it within reach;

(i) *where the product provides visual modes of information, the product shall provide at least one mode of information that minimizes the potential for triggering photosensitive seizures;*

(ia) *Usage with limited cognition: the ICT shall provide at least one mode of operation incorporating features that make it simpler and easier to use;*

(j) *provide for features that make its communication and user operation simpler and easier to use;*

(ib) *Privacy: where ICT provides features ensuring accessibility, it shall provide at least one mode of operation that maintains the privacy of users when using those ICT features ensuring accessibility.*

(k) *where the product provides features that are provided for accessibility, the users' privacy shall be maintained when using those features;*

Justification:

The amendment suggested by the Rapporteur fails to take on board the fact that many people have multiple disabilities (e.g. deaf, blind and autistic or deaf, partially sighted and dyslexic etc.) – it assumes people have only one disability and ignores cumulative effect/impact of having a range of disabilities. Furthermore, by focusing on the usage, e.g. “with limited vision”, the focus is more on the user and his/her abilities and not on the product, which was the original intention of the Accessibility Act. It should not be the “fault” of the user if the product is accessible or not.

Commentaire [VDE44]: BDF tout à fait d'accord

In addition, we replace must by shall to improve the consistency of the text and avoid possible

uncertainties when the text is translated into national languages.

Regarding the information on the product itself (a), we propose the general objectives and the characteristics that should be taken into account for both the information printed on them and the electronic formats. We give importance to the electronic formats as these can allow more than one sensory channel to perceive and understand the information (e.g. through an accessible electronic version, the information can be perceived through a screen reader or a Braille display).

As for the packaging (b) we apply the same principles, and we address one key problem faced by persons with disabilities when buying a product: often products packages do not easily inform consumers that accessibility features are incorporated, and shop assistants do not always know this either, so the information about accessibility remains mainly on the instructions or technical information of the product. These amendments aim at making easier and well-informed consumer choices.

Concerning the “functionality requirements for user interface and design of the product” (we believe this title better encompasses the nature of the requirements), we provide more clarity to the accessibility requirements set out by the Commission by adding functional performance criteria, based on the European Standard [EN 301549](#)¹ on accessibility requirements for ICT products and services (see clause 4), which has already been adopted by main ICT industry players members of ETSI, and the US government proposal for the [Section 508](#)² (chapter 3) of the US Rehabilitation Act. We believe this wording provides sufficient clarity to manufacturers on what they need to achieve without prescribing a specific solution.

In these requirements we also propose one new requirement (i) that can be very useful for those with intellectual disabilities or those lacking e-Skills, and another one (j) to protect the privacy of those using the accessibility features.

Finally, in order to make sure that consumers with disabilities are on equal footing with their peers, we also include a new sub-section to ensure the accessibility of the support services throughout the whole annex.

Commentaire [VDE45]: Sans compter que de plus en plus d'achats se font en ligne, sans aucun accompagnement structurel quant au mode d'emploi; ce sont alors les forums et communautés qui peuvent apporter des réponses, pour autant qu'elles soient accessibles à tous...

Commentaire [VDE46]: Parfait !

Or. en

Amendment 48

Proposal for a directive

Annex I – row 3 - Section II – title

Text proposed by the Commission

Self-service terminals: Automatic Teller Machines, ticketing machines and check-

Amendment

Self-service terminals: Automatic Teller Machines, ticketing machines, check- in

¹ Available at

http://www.etsi.org/deliver/etsi_en/301500_301599/301549/01.01.02_60/en_301549v010102p.pdf

² Available at <https://www.access-board.gov/guidelines-and-standards/communications-and-it/about-the-ict-refresh/proposed-rule/text-of-the-proposed-rule> EDF prefers the way in which these requirements have been drawn up in the US proposal, as they focus on the functionality of the product, and not on the user need (approach taken in the EN301549 clause 4).

Code de champ modifié

Code de champ modifié

in machines

machines *and payment terminals*

Or. en

Amendment 49

Proposal for a directive

Annex I – row 3 - Section II – column 2 – point 1 – introductory part

<i>Text proposed by the Commission</i>	<i>Amendment</i>	<i>EDF position</i>
1. Design and production: The design and production of products in order to maximise their foreseeable use by persons with functional limitations, including persons with disabilities and those with age related impairments, shall be achieved by making accessible the following :	1. Design and production: The design and production of products in such a way as to maximise their intended use by persons with disabilities and those with age-related impairments, shall be achieved by meeting the functional performance requirements set out in point 2a. The design and production of products shall include :	1. Design and production: The design and production of products in order to maximise their foreseeable use by persons with functional limitations, including persons with disabilities and those with age related impairments, shall be achieved by complying with the following accessibility requirements :

Or. en

Amendment 50

Proposal for a directive

Annex I – row 3 - Section II – column 2 – point 1 – point a - introductory part

<i>Text proposed by the Commission</i>	<i>Amendment</i>	<i>EDF position</i>
(a) the information on the use of the product provided on the product itself (labelling,	(a) information on the use of the product provided on the product itself (labelling,	<i>(a) the information on the use of the product provided on the product itself (labelling,</i>

[PE594.023v01-00](#)~~PE594.023v01-00~~

46/139

[PA\1109576EN.docx](#)~~PA\1109576EN.docx~~

instructions, warning),
which:

instructions, warning)
*shall be provided in
digital and accessible
formats and the
manufacturer shall list
and explain how to use
the accessibility features
of the product and its
compatibility with
assistive technologies;*

*instructions, warning),
shall be made available
in accessible web format
and electronic non-web
document that are
perceivable, operable,
understandable and
robust and compatible
with assistive
technologies*

Or. en

Amendment 51

Proposal for a directive

Annex I – row 3 - Section II – column 2 – point 1 – point a – point i

<i>Text proposed by the Commission</i>	<i>Amendment</i>	<i>EDF position</i>
(i) <i>must be available by more than one sensory channel;</i>	<i>deleted</i>	<i>Retain Commission proposal</i>

Or. en

Amendment 52

Proposal for a directive

Annex I – row 3 - Section II – column 2 – point 1 – point a – point ii

<i>Text proposed by the Commission</i>	<i>Amendment</i>	<i>EDF position</i>
(ii) <i>must be understandable;</i>	<i>deleted</i>	<i>Retain Commission proposal</i>

Or. en

Amendment 53

Proposal for a directive
Annex I – row 3 - Section II – column 2 – point 1 – point a – point iii

<i>Text proposed by the Commission</i>	<i>Amendment</i>	<i>EDF position</i>
(iii) <i>must be perceivable;</i>	<i>deleted</i>	<i>Retain Commission proposal</i>
Or. en		

Amendment 54

Proposal for a directive
Annex I – row 3 - Section II – column 2 – point 1 – point a – point iv

<i>Text proposed by the Commission</i>	<i>Amendment</i>	<i>EDF position</i>
(iv) <i>shall have an adequate size of fonts in foreseeable use conditions;</i>	<i>deleted</i>	(i) <i>shall have an adequate size and type of fonts with sufficient contrast between the characters and their background in order to maximise its readability in foreseeable conditions of use;</i>
Or. en		

Amendment 55

Proposal for a directive

Annex I – row 3 - Section II – column 2 – point 1 – point b

<i>Text proposed by the Commission</i>	<i>Amendment</i>	<i>EDF position</i>
<i>(b) the user interface of the product (handling, controls and feedback, input and output) in accordance with point 2;</i>	<i>deleted</i>	<i>Retain Commission proposal</i>

Or. en

Amendment 56

Proposal for a directive

Annex I – row 3 - Section II – column 2 – point 1 – point c

<i>Text proposed by the Commission</i>	<i>Amendment</i>	<i>EDF position</i>
<i>(c) the functionality of the product by providing functions aimed to address the needs of persons with functional limitations, in accordance with point 2;</i>	<i>deleted</i>	<i>Retain Commission proposal</i>

Or. en

Amendment 57

Proposal for a directive

Annex I – row 3 - Section II – column 2 – point 1 – point d

<i>Text proposed by the Commission</i>	<i>Amendment</i>	<i>EDF position</i>
<i>(d) the interfacing of the product with assistive devices.</i>	<i>deleted</i>	<i>(d) the product shall provide compatibility with assistive devices and technologies, including hearing technologies, such as hearing aids, telecoils, cochlear implants, and assistive listening devices. The product shall also allow for the use of personal headsets.</i>

Or. en

NEW AMENDMENT

Proposal for a directive Annex I – row 3 - Section II– column 2– point 2

Text proposed by the Commission	EDF position
<p>2. User interface and functionality design:</p> <p>In order to make accessible the design of the products and their user interface as referred to in points (b) and (c) of point 1 they must be designed, where applicable, <i>as follows</i>:</p> <ul style="list-style-type: none"> <i>(a) provide for communication and orientation via more than one sensory channel;</i> <i>(b) provide for alternatives to speech for communication and orientation;</i> <i>(c) provide for flexible magnification and contrast;</i> <i>(d) provide for an alternative colour to convey information;</i> <i>(e) provide for flexible ways to separate and control foreground from background including for reducing background noise and improve clarity;</i> <i>(f) provide for user control of volume;</i> <i>(g) provide for sequential control and</i> 	<p>2. Functionality requirements for user interface and design of the product:</p> <p>In order to make accessible the design of the products and their user interface as referred to in points (b) and (c) of point 1 they must be designed, where applicable, <i>in accordance with Section I Point 2 as well as</i>:</p> <ul style="list-style-type: none"> <i>(a) It shall not require that an accessibility feature be on in order for a user who needs the feature to turn it on;</i> <i>(b) where a timed response is required, the user shall be alerted visually, as well as by touch or sound, and shall be given the possibility to extend the time permitted;</i> <i>(c) the product shall be operable, including the operable parts of the</i>

<p><i>alternatives to fine motor control;</i></p> <p><i>(h) provide for modes of operation with limited reach and strength;</i></p> <p><i>(i) provide avoidance of triggering photosensitive seizures.</i></p>	<p><i>product, such as keys and controls, shall have an adequate contrast between the keys and controls and their background, and shall be tactilely discernible;</i></p> <p><i>(d) where keys, tickets, or cards are provided, these shall have an orientation that is tactilely discernible if orientation is important to further use of the key, ticket or card;</i></p> <p><i>(e) where the product uses biological characteristics of the user, it shall not rely on the use of a particular biological characteristic as the only means of user identification or for control of the product.</i></p>
<p>Justification:</p> <p>Due to the nature of these products, the information on how to use the product and its accessibility features can only be provided the by the product itself. Thus, we maintain the requirements proposed by the Commission and complement them by adding a new one (on how to use the accessibility features) and stating the characteristics that should be further developed in standards or CTS (the contrast rate, the type of font, etc.).</p> <p>These kinds of products usually have closed functionality meaning that, by design, these products preclude the user from adding peripherals or software, given that they are usually provided for a general use by many people. That is why we include an exemption for personal headphones, and we also add specific functional accessibility requirements that are relevant for products with closed functionalities like self-service terminals, including the payment terminals.</p> <p>Again these additional requirements were inspired by the EN 301549 and the 2015 US Section 508 proposal.</p>	

Commentaire [VDE47]: Ok,pour le BDF

Amendment 58

Proposal for a directive

Annex I – row 3 - Section II– column 2– point 2 a (new)

*Text proposed by
the Commission*

Amendment

EDF position

2a.

See EDF proposal for AM 47

***Functional performance
requirements:***

***(a) Usage
without vision:
where ICT
provides visual
modes of
operation, it
shall also provide
at least one mode
of operation that
does not require
vision;***

***(b) Usage
with limited
vision: where
ICT provides
visual modes of
operation, it
shall also provide
at least one mode
of operation that
enables users
with limited
vision to make
better use of that
vision;***

***(c) Usage
without
perception of
colour and
contrast: where
ICT provides
visual modes of
operation, it
shall also provide
at least one mode
of operation that
does not require
user perception
of colour and***

contrast;

*(d) Usage
without hearing:
where ICT
provides auditory
modes of
operation, it
shall also provide
at least one mode
of operation that
does not require
hearing;*

*(e) Usage
with limited
hearing: where
ICT provides
auditory modes
of operation, it
shall also provide
at least one mode
of operation with
enhanced audio
features, clarity
and volume
included;*

*(f) Usage
without vocal
capability: where
ICT requires
vocal input from
users, it shall
provide at least
one mode of
operation that
does not require
users to generate
vocal output;*

*(g) Usage
with limited
manipulation or
strength: where
ICT requires
manual actions,
it shall provide at
least one mode of
operation that
enables users to*

make use of the ICT through alternative actions not requiring manipulation or hand strength, or operation of more than one control at the same time;

(h) Usage with limited reach: where ICT products are free-standing or installed, their operational elements must be within reach of all users;

(i) Minimising of photosensitive seizure triggers: where ICT provides visual modes of operation, it shall also provide at least one mode of operation that minimises the potential for triggering photosensitive seizures;

(j) Usage with limited cognition: the ICT shall provide at least one mode of operation making the product simpler and easier to

use;

*(k) Privacy:
where ICT
provides features
ensuring
accessibility, it
shall also provide
at least one mode
of operation that
maintains the
privacy of users
when using those
ICT features
ensuring
accessibility.*

Or. en

Amendment 59

Proposal for a directive

Annex I – row 3 - Section II – column 2 – point 2 b (new)

Text proposed by the Commission

Amendment

2b. Support services:

Where available, support services (help desks, call centres, technical support, relay services and training services) shall provide information on the accessibility of the product and its compatibility with assistive technologies, in accessible modes of communication for users, including persons with disabilities.

Or. en

Amendment 60

Proposal for a directive

Annex I – row 4 - Section III – column 2 – point A – point 1 – introductory part

Text proposed by the Commission

Amendment

1. The provision of services in **order** to maximise their **foreseeable** use by persons with **functional limitations**, **including persons with** disabilities, shall be achieved by:

1. The provision of services in **such a way as** to maximise their **intended** use by persons with disabilities shall be achieved by **meeting the functional performance requirements set out in point Ba. The provision of services shall include:**

Or. en

Amendment 61

Proposal for a directive

Annex I – row 4 - Section III – column 2 – point A – point 1 – point a

Text proposed by the Commission

Amendment

(a) **ensuring the accessibility of** the products they use in the provision of the service, in accordance with the rules laid down in point B on "Related terminal equipment with advance computing capability used by consumers"

(a) the products they use in the provision of the service, in accordance with the rules laid down in point B on "Related terminal equipment with advance computing capability used by consumers";

Or. en

Amendment 62

Proposal for a directive

Annex I – row 4 - Section III – column 2 – point A – point 1 – point b

Text proposed by the Commission

Amendment

EDF Position

(b) **providing** information about the functioning of the service and about its accessibility characteristics and facilities as follows:

(b) information about the functioning of the service and about its accessibility characteristics and facilities, **which shall be provided in digital and accessible formats** as follows:

(b) information about the functioning of the service and about its accessibility characteristics and facilities, **which shall be provided in accessible web format and electronic non-web document that are**

*perceivable, operable,
understandable and
robust*

Or. en

Amendment 63

Proposal for a directive

Annex I – row 4 - Section III – column 2 – point A – point 1 – point b – point i

Text proposed by the Commission

Amendment

(i) *the information content shall be
available in text formats that can be used
to generate alternative assistive formats to
be presented in different ways by the users
and via more than one sensory channel,* *deleted*

Or. en

Amendment 64

Proposal for a directive

Annex I – row 4 - Section III – column 2 – point A – point 1 – point b – point i a (new)

Text proposed by the Commission

Amendment

(ia) *the information shall be made
available in accessible web format and
electronic non-web document format by
making it perceivable and operable.*

Or. en

Amendment 65

Proposal for a directive

Annex I – row 4 - Section III – column 2 – point A – point 1 – point b – point ii

Text proposed by the Commission

Amendment

(ii) *alternatives to non-text content* *deleted*

shall be provided;

Or. en

Amendment 66

Proposal for a directive

Annex I – row 4 - Section III – column 2 – point A – point 1 – point b – point ii a (new)

Text proposed by the Commission

Amendment

(iia) the economic operator shall list and explain how to use the accessibility features of the service and its compatibility with assistive technologies;

Or. en

Amendment 67

Proposal for a directive

Annex I – row 4 - Section III – column 2 – point A – point 1 – point b – point iii

Text proposed by the Commission

Amendment

EDFPosition

(iii) the electronic information, including the related online applications needed in the provision of the service *shall be provided in accordance with point (c).*

(iii) the electronic information, including the related online *and mobile* applications *and websites* needed in the provision of the service *shall be provided in accordance with point (ia);*

*“(iii) the electronic information needed for the provision of the service, provided online **and through mobile** applications, **shall be provided in accordance with point (ia);***

Or. en

Amendment 68

Proposal for a directive

Annex I – row 4 - Section III – column 2 – point A – point 1 – point c

<i>Text proposed by the Commission</i>	<i>Amendment</i>	<i>EDF position</i>
(c) <i>making websites accessible in a consistent and adequate way for users' perception, operation and understanding, including the adaptability of content presentation and interaction, when necessary providing an accessible electronic alternative; and in a way which facilitates interoperability with a variety of user agents and assistive technologies available at Union and international level;</i>	<i>deleted</i>	<p>(c) <i>making websites and mobile applications needed for the provision of the service accessible</i></p> <p>(d) <i>in a consistent and adequate way for users' perception, operation and understanding, including the adaptability of content presentation and interaction, when necessary providing an accessible electronic alternative; and in a robust way which facilitates interoperability with a variety of user agents and assistive technologies available at Union and international level;</i></p> <p>(e) <i>making mobile-based services including mobile applications needed for the provision of the service accessible in a consistent and adequate way for users' perception, operation and understanding, including the adaptability of content presentation and interaction, when</i></p>

*necessary
providing an
accessible
electronic
alternative; and in
a robust way
which facilitates
interoperability
with a variety of
user agents and
assistive
technologies
available at Union
and international
level;*

Or. en

Amendment 69

Proposal for a directive

Annex I – row 4 - Section III – column 2 – point A – point 1 – point e

Text proposed by the Commission

(e) ***including*** functions, practices, policies and procedures and alterations in the operation of the service targeted to address the needs of persons with ***functional limitations***.

Amendment

(e) functions, practices, policies and procedures and alterations in the operation of the service targeted to address the needs of persons with ***disabilities***;

(i) ***where a service provides two-way voice communication, it shall also support real-time text in parallel and on the same call;***

(ii) ***where a service supports two-way communication and that service is specified for use with relay services, support shall be provided for voice, real-time text and/or video, alone or in any combination, on both outgoing and incoming calls;***

(iii) ***where a service supports two-way communication and is specified for use***

with emergency services, support shall be provided for voice, real-time text and/or video, alone or in any combination, on both outgoing and incoming calls.

Or. en

Amendment 70

Proposal for a directive

Annex I – row 4 - Section III – column 2 – point A – point 1 a (new)

Text proposed by the Commission

Amendment

1a. Support services

Where available, support services (help desks, call centres, technical support, relay services and training services) shall provide information on the accessibility of the service and its compatibility with assistive technologies, in accessible modes of communication for users with functional limitations, including persons with disabilities.

Or. en

Amendment 71

Proposal for a directive

Annex I – row 4 - Section III – column 2 – point B – point 1 – introductory part

Text proposed by the Commission

Amendment

1. Design and production: The design and production of products in ***order*** to maximise their ***foreseeable*** use by persons with ***functional limitations, including persons with*** disabilities and those with age related impairments, shall be achieved by ***making accessible the following***:

1. Design and production: The design and production of products in ***such a way as*** to maximise their ***intended*** use by persons with disabilities and those with age-related impairments, shall be achieved by ***meeting the functional performance requirements set out in point Ba. The design and production of products shall include***:

Or. en

Amendment 72

Proposal for a directive

Annex I – row 4 - Section III – column 2 – point B – point 1 – point a

<i>Text proposed by the Commission</i>	<i>Amendment</i>	<i>EDF position</i>
(a) the information on the use of the product provided on the product itself (labelling, instructions, warning), which:	(a) the information on the use of the product provided on the product itself (labelling, instructions, warning), which <i>shall be provided in digital and accessible formats</i> ;	See EDF proposal for AM 50

Or. en

Amendment 73

Proposal for a directive

Annex I – row 4 - Section III – column 2 – point B– point 1 – point a – point i

<i>Text proposed by the Commission</i>	<i>Amendment</i>	<i>EDF position</i>
(i) <i>must be available by more than one sensory channel</i> ;	<i>deleted</i>	<i>Retain Commission proposal</i>

Or. en

Amendment 74

Proposal for a directive

Annex I – row 4 - Section III – column 2 – point B – point 1– point a – point ii

<i>Text proposed by the Commission</i>	<i>Amendment</i>	<i>EDF position</i>
(ii) <i>must be understandable;</i>	<i>deleted</i>	<i>Retain Commission proposal</i>
Or. en		

Amendment 75

Proposal for a directive

Annex I – row 4 - Section III – column 2 – point B– point 1 – point a – point iii

<i>Text proposed by the Commission</i>	<i>Amendment</i>	<i>EDF position</i>
(iii) <i>must be perceivable;</i>	<i>deleted</i>	<i>Retain Commission proposal</i>
Or. en		

Amendment 76

Proposal for a directive

Annex I – row 4 - Section III – column 2 – point B – point 1 – point a– point iv

<i>Text proposed by the Commission</i>	<i>Amendment</i>	<i>EDF position</i>
(iv) <i>shall have an adequate size of fonts in foreseeable use conditions;</i>	<i>deleted</i>	<i>Retain Commission proposal</i>
Or. en		

Amendment 77

Proposal for a directive

Annex I – row 4 - Section III – column 2 – point B– point 1 – point b

Text proposed by the Commission

Amendment

(b) the packaging *of the product including the information provided in it* (opening, closing, use, disposal);

(b) *an indication of the brand, the name and the type of the product on its packaging, which shall be perceivable for blind persons;*

Or. en

Amendment 78

Proposal for a directive

Annex I – row 4 - Section III – column 2 – point B– point 1 – point c

Text proposed by the Commission

Amendment

EDF position

(c) the **product** instructions for use, installation and maintenance, storage and disposal of the product which shall comply with the following:

(c) the instructions for **the** use, installation and maintenance, storage and disposal of the product, which shall **be provided in digital and accessible formats and which shall** comply with the following:

See EDF proposal for AM 50

Or. en

Amendment 79

Proposal for a directive

Annex I – row 4 - Section III – column 2– point B – point 1 – point c – point i

Text proposed by the Commission

Amendment

(i) *content of instruction shall be available in text formats that can be used for generating alternative assistive formats to be presented in different ways and via more than one sensory channel, and*

deleted

Or. en

Amendment 80

Proposal for a directive
Annex I – row 4 - Section III – column 2– point B – point 1 – point c – point i a (new)

<i>Text proposed by the Commission</i>	<i>Amendment</i>
	<i>(ia) they shall be made available in accessible web format and electronic non-web document format by making them perceivable and operable;</i>

Or. en

Amendment 81

Proposal for a directive
Annex I – row 4 - Section III – column 2 – point B– point 1 – point c– point ii

<i>Text proposed by the Commission</i>	<i>Amendment</i>	<i>EDF position</i>
<i>(ii) the instructions shall provide alternatives to non-text content;</i>	<i>deleted</i>	<i>Retain Commission proposal</i>

Or. en

- Mis en forme : Anglais (Royaume-Uni)
- Mis en forme : Anglais (Royaume-Uni)
- Mis en forme : Anglais (Royaume-Uni)
- Mis en forme : Anglais (Royaume-Uni)
- Mis en forme : Anglais (Royaume-Uni)

Amendment 82

Proposal for a directive
Annex I – row 4 - Section III – column 2 – point B – point 1 – point c – point ii a (new)

<i>Text proposed by the Commission</i>	<i>Amendment</i>
	<i>(iia) the manufacturer shall list and explain how to use the accessibility features of the product and its compatibility with assistive technologies;</i>

Or. en

Amendment 83

Proposal for a directive

Annex I – row 4 - Section III – column 2 – point B – point 1 – point d

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(d) the user interface of the product (handling, controls and feedback, input and output) in accordance with point 2;	(d) the user interface of the product (handling, controls and feedback, input and output).

Or. en

Amendment 84

Proposal for a directive

Annex I – row 4 - Section III – column 2 – point B – point 1– point e

<i>Text proposed by the Commission</i>	<i>Amendment</i>	<i>EDF position</i>
(e) the functionality of the product by providing functions aimed to address the needs of persons with functional limitations, in accordance with point 2;	deleted	Retain Commission proposal

Or. en

Amendment 85

Proposal for a directive

Annex I – row 4 - Section III – column 2 - point B – point 1 – point f

<i>Text proposed by the Commission</i>	<i>Amendment</i>	<i>EDF position</i>
(f) the interfacing of the product with assistive devices.	deleted	Retain Commission proposal

Or. en

Amendment 86

Proposal for a directive
Annex I – row 4 - Section III – column 2 – point B – point 2

<i>Text proposed by the Commission</i>	<i>Amendment</i>	<i>EDF position</i>
[...]	<i>deleted</i>	<i>Retain Commission proposal</i>
Or. en		

Amendment 87

Proposal for a directive
Annex I – row 4 - Section III– column 2 – point B – point 2 a (new)

<i>Text proposed by the Commission</i>	<i>Amendment</i>
	2a. Support services <i>Where available, support services (help desks, call centres, technical support, relay services and training services) shall provide information on the accessibility of the product and its compatibility with assistive technologies, in accessible modes of communication for users with functional limitations, including persons with disabilities.</i>
Or. en	

Amendment 88

Proposal for a directive
Annex I – row 4 - Section III – column 2 – point B a (new)

<i>Text proposed by the Commission</i>	<i>Amendment</i>	<i>EDF position</i>
	Ba. Functional performance	<i>See EDF proposal for AM 47</i>

requirements

(a) Usage without vision: where ICT provides visual modes of operation, it shall also provide at least one mode of operation that does not require vision;

(b) Usage with limited vision: where ICT provides visual modes of operation, it shall also provide at least one mode of operation that enables users with limited vision to make better use of that vision;

(c) Usage without perception of colour and contrast: where ICT provides visual modes of operation, it shall also provide at least one mode of operation that does not require user perception of colour and contrast;

(d) Usage without hearing: where ICT provides auditory modes of operation, it shall also provide at least one mode of operation that does not require hearing;

(e) Usage with limited hearing: where ICT provides auditory modes of operation, it shall also provide at least one mode of operation with enhanced audio features, clarity and volume included;

(f) Usage without vocal capability: where ICT requires vocal input from users, it shall

provide at least one mode of operation that does not require users to generate vocal output;

(g) Usage with limited manipulation or strength: where ICT requires manual actions, it shall provide at least one mode of operation that enables users to make use of the ICT through alternative actions not requiring manipulation or hand strength, or operation of more than one control at the same time;

(h) Usage with limited reach: where ICT products are free-standing or installed, their operational elements must be within reach of all users;

(i) Minimising of photosensitive seizure triggers: where ICT provides visual modes of operation, it shall also provide at least one mode of operation that minimises the potential for triggering photosensitive seizures;

(j) Usage with limited cognition: the ICT shall provide at least one mode of operation making it simpler and easier to use;

(k) Privacy: where ICT provides features ensuring accessibility, it shall also provide at least one mode of operation that maintains privacy for users when using those ICT features ensuring

accessibility.

Or. en

Amendment 89

Proposal for a directive

Annex I – row 5 - Section IV – column 2 – point A – point 1 – introductory part

Text proposed by the Commission

1. The provision of services in ***order*** to maximise their ***foreseeable*** use by persons with ***functional limitations, including persons with*** disabilities, shall be achieved by:

Amendment

1. The provision of services in ***such a way as*** to maximise their ***intended*** use by persons with disabilities shall be achieved by ***meeting the functional performance requirements set out in point Ba. The provision of services shall include:***

Or. en

Amendment 90

Proposal for a directive

Annex I – row 5 - Section IV – column 2 – point A – point 1 – point a

Text proposed by the Commission

(a) ***ensuring the accessibility of*** the products they use in the provision of the service, in accordance with the rules laid down in point B on "Related terminal equipment with advance computing capability used by consumers"

Amendment

(a) the products they use in the provision of the service, in accordance with the rules laid down in point B on "Related terminal equipment with advance computing capability used by consumers";

Or. en

Amendment 91

Proposal for a directive

Annex I – row 5 - Section IV – column 2 – point A – point 1 – point b

*Text proposed by the
Commission*

Amendment

EDF Position

(b) ***providing***
information about the
functioning of the service
and about its accessibility
characteristics and
facilities as follows:

(b) information about
the functioning of the
service and about its
accessibility
characteristics and
facilities, ***which shall be
provided in digital and
accessible formats*** as
follows:

See EDF proposal for AM
50

Or. en

Amendment 92

Proposal for a directive

Annex I – row 5 - Section IV – column 2 – point A – point 1 – point b – point i

Text proposed by the Commission

Amendment

(i) ***the information content shall be
available in text formats that can be used
to generate alternative assistive formats to
be presented in different ways by the users
and via more than one sensory channel,***

deleted

Or. en

Amendment 93

Proposal for a directive

Annex I – row 5 - Section IV – column 2 – point A – point 1 – point b – point i a (new)

Text proposed by the Commission

Amendment

***(ia) it shall be made available in
accessible web format and within the
electronic programming guides (EPG) by
making it perceivable, operable,
understandable and robust, in accordance
with point (c);***

Or. en

Amendment 94

Proposal for a directive

Annex I – row 5 - Section IV – column 2 – point A – point 1 – point b – point ii

Text proposed by the Commission

Amendment

(ii) *alternatives to non-text content shall be provided;*

deleted

Or. en

Amendment 95

Proposal for a directive

Annex I – row 5 - Section IV – column 2 – point A – point 1 – point b – point ii a (new)

Text proposed by the Commission

Amendment

(iia) *the manufacturer shall list and explain how to use the accessibility features of the service in combination with the related terminal equipment, and its compatibility with assistive technologies;*

Or. en

Amendment 96

Proposal for a directive

Annex I – row 5 - Section IV – column 2 – point A – point 1 – point b – point iii

Text proposed by the Commission

Amendment

(iii) the electronic information, including the related online applications needed in the provision of the service *shall be provided in accordance with point (c).*

(iii) the electronic information, including the related online *and mobile* applications, *websites and the audiovisual media itself*, needed in the provision of the service *shall be provided in line with point (ia);*

Or. en

Amendment 97

Proposal for a directive

Annex I – row 5 - Section IV – column 2– point A – point 1 – point c

<i>Text proposed by the Commission</i>	<i>Amendment</i>	<i>EDF position</i>
(c) making websites accessible in a consistent and adequate way for users' perception, operation and understanding, including the adaptability of content presentation and interaction, when necessary providing an accessible electronic alternative; and in a way <i>which facilitates</i> interoperability with a variety of user agents and assistive technologies available at Union <i>and international</i> level;	(c) making websites <i>and online and mobile applications needed for the provision of the service</i> accessible in a consistent and adequate way for users' perception, operation and understanding, including the adaptability of content presentation and interaction, when necessary providing an accessible electronic alternative, and in <i>such</i> a way <i>as to facilitate</i> interoperability with a variety of user agents and assistive technologies available at Union level;	(c) making web content and mobile applications accessible in a consistent and adequate way for users' perception, operation and understanding, including the adaptability of content presentation and interaction, when necessary providing an accessible electronic alternative; and in a way <i>which facilitates</i> interoperability with a variety of user agents and assistive technologies available at Union <i>and international</i> level;

Commentaire [VDE48]: Oui effectivement, il faut le libeller ainsi pour que ce soit une obligation Claire et incontournable

Or. en

Amendment 98

Proposal for a directive

Annex I – row 5 - Section IV – column 2– point A – point 1 a (new)

Text proposed by the Commission

Amendment

1 a. In consultation with users' organisations, including organisations representing persons with disabilities, audiovisual media service providers shall ensure, on the basis of a progressive and reasonable timetable, the quality of the

access services; where a service supports two-way communication and that service is specified for use with relay services, support shall be provided for voice, real-time text and/or video, alone or in any combination, on both outgoing and incoming calls;

(i) Service providers shall ensure that subtitles for the deaf and hard of hearing (SDH) are well synchronised with the corresponding video and that they are readable, accurate and comprehensible in order to effectively reflect the audio information. This includes laying down quality specifications covering at least the font type, font size, contrast and colours to be used as well as, where possible, the necessary requirements to ensure users' control over the SDH.

(ii) Service providers shall ensure that audio description and spoken subtitles are well synchronised with the corresponding video. This includes laying down quality specifications related to audio placement and clarity of the audio description and spoken subtitles, as well as the necessary requirements to ensure users' control over them.

(iii) Service providers shall ensure that sign language interpretation is accurate and comprehensible in order to effectively reflect the audio information. This includes laying down professional requirements for the interpreters concerned and quality specifications for the way in which the signing is provided. Where technically possible, requirements shall be laid down to ensure users' control over the provision of signing.

Or. en

Amendment 99

Proposal for a directive

Annex I – row 5 - Section IV – column 2 – point A – point 1 b (new)

[PE594.023v01-00](#)~~PE594.023v01-00~~

74/139

[PA\1109576EN.docx](#)~~PA\1109576EN.docx~~

Text proposed by the Commission

Amendment

1b. Support services

Where available, support services (help desks, call centres, technical support, relay services and training services) shall provide information on the accessibility of the service and its compatibility with assistive technologies, in accessible modes of communication for users, including persons with disabilities.

Or. en

Amendment 100

Proposal for a directive

Annex I – row 5 - Section IV – column 2 – point B – point 1 – introductory part

Text proposed by the Commission	Amendment	EDF position
1. Design and production: The design and production of products in order to maximise their foreseeable use by persons with functional limitations, including persons with disabilities and those with age related impairments, shall be achieved by making accessible the following :	1. Design and production: The design and production of products in such a way as to maximise their intended use by persons with disabilities and those with age-related impairments shall be achieved by meeting the functional performance requirements set out in point Ba. The design and production of products shall include :	<div>Retain Commission proposal</div>
		Or. en

Commentaire [VDE49]: Touu à fait OK

Amendment 101

Proposal for a directive

Annex I – row 5 - Section IV – column 2 – point B – point 1 – point a

*Text proposed by the
Commission*

Amendment

EDF Position

(a) the information on the use of the product provided on the product itself (labelling, instructions, warning), which:

(a) the information on the use of the product provided on the product itself (labelling, instructions, warning), which ***shall be provided in digital and accessible formats;***

See EDF proposal for AM 50

Or. en

Amendment 102

Proposal for a directive

Annex I – row 5 - Section IV – column 2 – point B – point 1 – point a – point i

*Text proposed by the
Commission*

Amendment

EDF position

(i) ***must be available by more than one sensory channel;***

deleted

Retain Commission proposal

Or. en

Amendment 103

Proposal for a directive

Annex I – row 5 - Section IV – column 2 – point B – point 1 – point a – point ii

*Text proposed by the
Commission*

Amendment

EDF position

(ii) ***must be understandable;***

deleted

Retain Commission proposal

Or. en

Amendment 104

Proposal for a directive

Annex I – row 5 - Section IV – column 2 – point B – point 1 – point a – point iii

<i>Text proposed by the Commission</i>	<i>Amendment</i>	<i>EDF position</i>
(iii) <i>must be perceivable;</i>	<i>deleted</i>	<i>Retain Commission proposal</i>

Or. en

Amendment 105

Proposal for a directive

Annex I – row 5 - Section IV – column 2 – point B – point 1 – point a – point iv

<i>Text proposed by the Commission</i>	<i>Amendment</i>	<i>EDF position</i>
(iv) <i>shall have an adequate size of fonts in foreseeable use conditions;</i>	<i>deleted</i>	<i>Retain Commission proposal</i>

Or. en

Amendment 106

Proposal for a directive

Annex I – row 5 - Section IV – column 2 – point B – point 1 – point b

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(b) <i>the packaging of the product including the information provided in it (opening, closing, use, disposal);</i>	(b) <i>an indication of the brand, the name and the type of the product on its packaging, which shall be perceivable for blind persons;</i>

Or. en

Amendment 107

Proposal for a directive
Annex I – row 5 - Section IV – column 2 – point B – point 1 – point c

<i>Text proposed by the Commission</i>	<i>Amendment</i>	<i>EDF Position</i>
(c) the product instructions for use, installation and maintenance, storage and disposal of the product which shall comply with the following:	(c) the instructions for the use, installation and maintenance, storage and disposal of the product, which shall be provided in digital and accessible formats and which shall comply with the following:	See EDF proposal for AM 50

Or. en

Amendment 108

Proposal for a directive
Annex I – row 5 - Section IV – column 2 – point B – point 1 – point c – point i

<i>Text proposed by the Commission</i>	<i>Amendment</i>	<i>EDF position</i>
(i) content of instruction shall be available in text formats that can be used for generating alternative assistive formats to be presented in different ways and via more than one sensory channel, and	deleted	Retain Commission proposal

Or. en

Amendment 109

Propose
Annex I – row 5 - Section IV – column 2 – point B – point 1 – point c– point i a (new)

Text proposed by the Commission

Amendment

(ia) they shall be made available in accessible web format and electronic non-web document format by making them perceivable and operable;

Or. en

Amendment 110

Proposal for a directive

Annex I – row 5 - Section IV – column 2 – point B – point 1 – point c – point ii

Text proposed by the Commission

Amendment

EDF position

(ii) the instructions shall provide alternatives to non-text content;

deleted

Retain Commission proposal

Or. en

Mis en forme : Anglais (Royaume-Uni)

Mis en forme : Anglais (Royaume-Uni)

Mis en forme : Anglais (Royaume-Uni)

Mis en forme : Anglais (Royaume-Uni)

Mis en forme : Anglais (Royaume-Uni)

Amendment 111

Proposal for a directive

Annex I – row 5 - Section IV – column 2 – point B – point 1 – point c – point ii a (new)

Text proposed by the Commission

Amendment

(iia) the manufacturer shall list and explain how to use the accessibility features of the product and its compatibility with assistive technologies;

Or. en

Amendment 112

Proposal for a directive

Annex I – row 5 - Section IV – column 2 – point B – point 1 – point d

Text proposed by the Commission

Amendment

(d) the user interface of the product (handling, controls and feedback, input and output) ***in accordance with point 2;***

(d) the user interface of the product (handling, controls and feedback, input and output).

Or. en

Amendment 113

Proposal for a directive

Annex I – row 5 - Section IV – column 2 – point B – point 1 – point e

Text proposed by the Commission

Amendment

(e) ***the functionality of the product by providing functions aimed to address the needs of persons with functional limitations, in accordance with point 2;***

deleted

Or. en

Amendment 114

Proposal for a directive

Annex I – row 5 - Section IV – column 2 – point B – point 1 – point f

Text proposed by the Commission

Amendment

(f) ***the interfacing of the product with assistive devices.***

deleted

Or. en

Amendment 115

Proposal for a directive

Annex I – row 5 - Section IV – column 2 – point B – point 2

Text proposed by the Commission

Amendment

[...]

deleted

[PE594.023v01-00](#)~~PE594.023v01-00~~

80/139

[PA\1109576EN.docx](#)~~PA\1109576EN.docx~~

Or. en

Amendment 116

Proposal for a directive

Annex I – row 5 - Section IV – column 2 – point B – point 2 a (new)

Text proposed by the Commission

Amendment

2a. Support services

Where available, support services (help desks, call centres, technical support, relay services and training services) shall provide information on the accessibility of the product and its compatibility with assistive technologies, in accessible modes of communication for users, including persons with disabilities.

Or. en

Amendment 117

Proposal for a directive

Annex I – row 5 - Section IV – column 2 – point B a (new)

*Text proposed by the
Commission*

Amendment

EDF position

**Ba. Functional
performance
requirements**

**See EDF proposal for
AM 47**

**(a) Usage without
vision: where ICT
provides visual modes of
operation, it shall also
provide at least one mode
of operation that does not
require vision;**

**(b) Usage with limited
vision: where ICT
provides visual modes of
operation, it shall also
provide at least one mode
of operation that enables**

users with limited vision to make better use of that vision;

(c) Usage without perception of colour and contrast: where ICT provides visual modes of operation, it shall also provide at least one mode of operation that does not require user perception of colour and contrast;

(d) Usage without hearing: where ICT provides auditory modes of operation, it shall also provide at least one mode of operation that does not require hearing;

(e) Usage with limited hearing: where ICT provides auditory modes of operation, it shall also provide at least one mode of operation with enhanced audio features, clarity and volume included;

(f) Usage without vocal capability: where ICT requires vocal input from users, it shall provide at least one mode of operation that does not require users to generate vocal output;

(g) Usage with limited manipulation or strength: where ICT requires manual actions, it shall provide at least one mode of operation that enables users to make use of the ICT through alternative actions not requiring manipulation or hand strength, nor operation of

more than one control at the same time;

(h) Usage with limited reach: where ICT products are free-standing or installed, their operational elements must be within reach of all users;

(i) Minimising of photosensitive seizure triggers: where ICT provides visual modes of operation, it shall also provide at least one mode of operation that minimises the potential for triggering photosensitive seizures;

(j) Usage with limited cognition: the ICT shall provide at least one mode of operation making it simpler and easier to use;

(k) Privacy: where ICT provides features ensuring accessibility, it shall provide at least one mode of operation that maintains users' privacy when using those ICT features ensuring accessibility.

Or. en

Amendment 118

Proposal for a directive

Annex I – row 6 - Section V – column 2 – point A – point 1 – introductory part

Text proposed by the Commission

1. The provision of services in order to maximise their ***foreseeable*** use by

Amendment

1. The provision of services in order to maximise their ***intended*** use by persons

persons with **functional limitations**,
including persons with disabilities, shall
be achieved by:

with disabilities shall be achieved by
**meeting the functional performance
requirements set out in point Da. The
provision of services shall include:**

Or. en

Amendment 119

Proposal for a directive

Annex I – row 6 - Section V – column 2 – point A – point 1 – point a

<i>Text proposed by the Commission</i>	<i>Amendment</i>	<i>EDF Position</i>
(a) providing information about the functioning of the service and about its accessibility characteristics and facilities as follows:	(a) information about the functioning of the service and about its accessibility characteristics and facilities which shall be provided in digital and accessible formats as follows:	See EDF proposal for AM 50

Or. en

Amendment 120

Proposal for a directive

Annex I – row 6 - Section V – column 2 – point A – point 1 – point a – point i

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(i) the information content shall be available in text formats that can be used to generate alternative assistive formats to be presented in different ways by the users and via more than one sensory channel,	deleted

Or. en

Amendment 121

Proposal for a directive

Annex I – row 6 - Section V – column 2 – point A – point 1 – point a – point i a (new)

Text proposed by the Commission

Amendment

(ia) it shall be made available in accessible web format and electronic non web document by making it perceivable, operable, understandable and robust;

Or. en

Amendment 122

Proposal for a directive

Annex I – row 6 - Section V – column 2 – point A – point 1 – point a – point ii

Text proposed by the Commission

Amendment

(ii) alternatives to non-text content shall be provided; deleted

Or. en

Amendment 123

Proposal for a directive

Annex I – row 6 - Section V – column 2 – point A – point 1 – point a – point ii a (new)

Text proposed by the Commission

Amendment

EDF position

Commentaire [VDE50]: ok pour BDF

(iia) the economic operator shall list and explain how to use the accessibility features of the service, including accessibility of vehicles and surrounding infrastructure and built environment as well as information about assistance provided in accordance with

EDF supports this amendment

Regulation (EC) No 1107/2006, Regulation (EU) No 1177/2010, Regulation (EC) No 1371/2007 and Regulation (EU) No 181/2011;

Or. en

Amendment 124

Proposal for a directive

Annex I – row 6 - Section V – column 2 – point A – point 1 – point a – point iii

Text proposed by the Commission

Amendment

(iii) the electronic information, including the related online applications needed in the provision of the service ***shall be provided in accordance with point (b).***

(iii) the electronic information, including the related online ***and mobile applications and websites*** needed in the provision of the service ***shall be provided in accordance with point (ia);***

Or. en

Amendment 125

Proposal for a directive

Annex I – row 6 - Section V – column 2 – point A – point 1 – point b

Text proposed by the Commission

Amendment

EDF position

(b) making websites accessible in a consistent and adequate way for users' perception, operation and understanding, including the adaptability of content presentation and interaction, when necessary providing an accessible electronic alternative; and in a way

(b) making websites, ***mobile-based services, including mobile applications, and online applications needed for the provision of the service*** accessible in a consistent and adequate way for users' perception, operation and understanding, including the adaptability of content

EDF supports this amendment

which facilitates interoperability with a variety of user agents and assistive technologies available at Union *and international* level;

presentation and interaction, when necessary providing an accessible electronic alternative, and in a way which facilitates interoperability with a variety of user agents and assistive technologies available at Union level;

Or. en

Amendment 126

Proposal for a directive
Annex I – row 6 - Section V – column 2 – point A – point 1 – point c

<i>Text proposed by the Commission</i>	<i>Amendment</i>	<i>EDF position</i>
(c) <i>including</i> functions, practices, policies and procedures and alterations in the operation of the service targeted to address the needs of persons with <i>functional limitations</i> .	(c) functions, practices, policies and procedures and alterations in the operation of the service targeted to address the needs of persons with <i>disabilities in particular</i> .	
	(i) <i>smart ticketing (electronic reservation, booking of tickets);</i>	EDF supports this amendment
	(ii) <i>real-time passenger information (timetables; information about traffic disruptions, connecting services, and onward travel using other transport modes);</i>	EDF supports this amendment
	(iii) <i>additional service information relating to matters such as staffing of stations, lifts that are out of order or services that are temporarily</i>	EDF supports this amendment

unavailable.

Or. en

NEW AMENDMENT

Proposal for a directive

Annex I – row 6 - Section V – column 2 – point A – point 1e (new)

Text proposed by the Commission

EDF position

- (f) *the built environment needed for the provision of the service shall comply with Section X of this Annex.*

Justification:

It is important to include the obligation to make the built environment of these services also accessible, because it would not make sense to have ticketing machines in a station that cannot be accessed by persons with disabilities.

Commentaire [VDE51]: exact!

Amendment 127

Proposal for a directive

Annex I – row 6 - Section V – column 2 – point A – point 1a (new)

Text proposed by the Commission

Amendment

1a. Support services

Where available, support services (help desks, call centres, technical support, relay services and training services) shall provide information on the accessibility of the service and its compatibility with assistive technologies, in accessible modes of communication for users, including persons with disabilities.

Or. en

Amendment 128

Proposal for a directive

Annex I – row 6 - Section V – column 2 – point B

Text proposed by the Commission

Amendment

B. Websites used for the provision of passenger transport services: *deleted*

(a) Making websites accessible in a consistent and adequate way for users' perception, operation and understanding, including the adaptability of content presentation and interaction, where necessary providing an accessible electronic alternative; and in a way which facilitates interoperability with a variety of user agents and assistive technologies available at Union and international level.

Or. en

Amendment 129

Proposal for a directive

Annex I – row 6 - Section V – column 2 – point C

Text proposed by the Commission

Amendment

[...] deleted

Or. en

Amendment 130

Proposal for a directive

Annex I – row 6 - Section V – column 2– point D – point 1 – introductory part

Text proposed by the Commission

Amendment

1 Design and production: The design and production of products in **order** to maximise their **foreseeable** use by persons with **functional limitations, including persons with** disabilities and those with

1. Design and production: The design and production of products in **such a way as** to maximise their **intended** use by persons with disabilities and those with age-related impairments shall be achieved

age related impairments, shall be achieved by *making accessible the following*:

by *meeting the functional performance requirements set out in point Da. The design and production of products shall include*:

Or. en

Amendment 131

Proposal for a directive

Annex I – row 6 - Section V – column 2 – point D – point 1 – point a

<i>Text proposed by the Commission</i>	<i>Amendment</i>	<i>EDF Position</i>
(a) the information on the use of the product provided on the product itself (labelling, instructions, warning), which:	(a) the information on the use of the product provided on the product itself (labelling, instructions, warning), which <i>shall be provided in digital and accessible formats</i> ;	See EDF proposal for AM 50

Or. en

Amendment 132

Proposal for a directive

Annex I – row 6 - Section V – column 2 – point D – point 1 – point a – point i

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(i) <i>must be available by more than one sensory channel</i> ;	<i>Deleted</i>

Or. en

Amendment 133

Proposal for a directive

Annex I – row 6 - Section V – column 2 – point D – point 1 – point a – point ii

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(ii) <i>must be understandable;</i>	<i>Deleted</i>

Or. en

- Mis en forme : Anglais (Royaume-Uni)
- Mis en forme : Anglais (Royaume-Uni)
- Mis en forme : Anglais (Royaume-Uni)
- Mis en forme : Anglais (Royaume-Uni)

Amendment 134

Proposal for a directive

Annex I – row 6 - Section V – column 2 – point D – point 1 – point a – point iii

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(iii) <i>must be perceivable;</i>	<i>Deleted</i>

Or. en

- Mis en forme : Anglais (Royaume-Uni)
- Mis en forme : Anglais (Royaume-Uni)
- Mis en forme : Anglais (Royaume-Uni)
- Mis en forme : Anglais (Royaume-Uni)

Amendment 135

Proposal for a directive

Annex I – row 6 - Section V – column 2 – point D – point 1 – point a – point iv

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(iv) <i>shall have an adequate size of fonts in foreseeable use conditions;</i>	<i>Deleted</i>

Or. en

- Mis en forme : Anglais (Royaume-Uni)
- Mis en forme : Anglais (Royaume-Uni)
- Mis en forme : Anglais (Royaume-Uni)
- Mis en forme : Anglais (Royaume-Uni)

Amendment 136

Proposal for a directive

Annex I – row 6 - Section V – column 2 – point D – point 1 – point b

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(b) the user interface of the product (handling, controls and feedback, input and	(b) the user interface of the product (handling, controls and feedback, input and

- Mis en forme : Anglais (Royaume-Uni)
- Mis en forme : Anglais (Royaume-Uni)
- Mis en forme : Anglais (Royaume-Uni)
- Mis en forme : Anglais (Royaume-Uni)

output) *in accordance with point 2*;

output);

Or. en

Amendment 137

Proposal for a directive

Annex I – row 6 - Section V – column 2 – point D – point 1 – point c

Text proposed by the Commission

Amendment

(c) the functionality of the product by providing functions aimed to address the needs of persons with functional limitations, in accordance with point 2;

Deleted

Mis en forme : Anglais
(Royaume-Uni)

Mis en forme : Anglais
(Royaume-Uni)

Mis en forme : Anglais
(Royaume-Uni)

Mis en forme : Anglais
(Royaume-Uni)

Or. en

Amendment 138

Proposal for a directive

Annex I – row 6 - Section V – column 2 – point D – point 1 – point d

Text proposed by the Commission

Amendment

(d) the interfacing of the product with assistive devices.

Deleted

Mis en forme : Anglais
(Royaume-Uni)

Mis en forme : Anglais
(Royaume-Uni)

Mis en forme : Anglais
(Royaume-Uni)

Mis en forme : Anglais
(Royaume-Uni)

Or. en

Amendment 139

Proposal for a directive

Annex I – Section V – column 2 – point D – point 1 a (new)

Text proposed by the Commission

Amendment

1a. Support services

Where available, support services (help desks, call centres, technical support, relay services and training services) shall provide information on the accessibility of the product and its compatibility with

assistive technologies, in accessible modes of communication for users with functional limitations, including persons with disabilities.

Or. en

Amendment 140

Proposal for a directive

Annex I – row 6 - Section V – column 2 – point D a (new)

*Text proposed by the
Commission*

Amendment

EDF position

Da. Functional performance requirements

See EDF proposal for AM 47

(a) Usage without vision: where ICT provides visual modes of operation, it shall also provide at least one mode of operation that does not require vision;

(b) Usage with limited vision: where ICT provides visual modes of operation, it shall also provide at least one mode of operation that enables users with limited vision to make better use of that vision;

(c) Usage without perception of colour and contrast: where ICT provides visual modes of operation, it shall also provide at least one mode of operation that does not require user perception of colour and contrast;

(d) Usage without hearing: where ICT provides auditory modes

of operation, it shall also provide at least one mode of operation that does not require hearing;

(e) Usage with limited hearing: where ICT provides auditory modes of operation, it shall also provide at least one mode of operation with enhanced audio features, clarity and volume included;

(f) Usage without vocal capability: where ICT requires vocal input from users, it shall provide at least one mode of operation that does not require users to generate vocal output;

(g) Usage with limited manipulation or strength: where ICT requires manual actions, it shall provide at least one mode of operation that enables users to make use of the ICT through alternative actions not requiring manipulation or hand strength, or operation of more than one control at the same time;

(h) Usage with limited reach: where ICT products are free-standing or installed, their operational elements must be within reach of all users;

(i) Minimising of photosensitive seizure triggers: where ICT provides visual modes of operation, it shall also provide at least one mode

of operation that minimises the potential for triggering photosensitive seizures;

(j) Usage with limited cognition: the ICT shall provide at least one mode of operation making it simpler and easier to use;

(k) Privacy: where ICT provides features ensuring accessibility, it shall also provide at least one mode of operation that maintains users' privacy when using those ICT features ensuring accessibility.

Or. en

Amendment 141

Proposal for a directive

Annex I – row 7 - Section VI – column 2 – point A – point 1 – introductory part

Text proposed by the Commission

1. The provision of services in *order* to maximise their *foreseeable* use by persons with *functional limitations*, *including persons with* disabilities, shall be achieved by:

Amendment

1. The provision of services in *such a way as* to maximise their *intended* use by persons with disabilities shall be achieved by *meeting the functional performance requirements set out in point Da. The provision of services shall include:*

Or. en

Amendment 142

Proposal for a directive

Annex I – row 7 - Section VI – column 2 – point A – point 1 – point a

Text proposed by the Commission

Amendment

(a) ***ensuring the accessibility of*** the products they use in the provision of the service, in accordance with the rules laid down in point B on "Related terminal equipment with advance computing capability used by consumers"

(a) the products they use in the provision of the service, in accordance with the rules laid down in point B on "Related terminal equipment with advance computing capability used by consumers";

Or. en

Amendment 143

Proposal for a directive

Annex I – row 7 - Section VI – column 2 – point A – point 1 – point b

Text proposed by the Commission

Amendment

(b) ***providing*** information about the functioning of the service and about its accessibility characteristics and facilities as follows:

(b) information about the functioning of the service and about its accessibility characteristics and facilities, ***which shall be provided in digital format*** as follows:

Or. en

Amendment 144

Proposal for a directive

Annex I – row 7 - Section VI – column 2 – point A – point 1 – point b – point i

Text proposed by the Commission

Amendment

EDF Position

(i) ***the information content shall be available in text formats that can be used to generate alternative assistive formats to be presented in different ways by the users and via more than one sensory channel,*** ***deleted***

Retain Commission proposal

Or. en

Amendment 145

Proposal for a directive

Annex I – row 7 - Section VI – column 2 – point A – point 1 – point b – point i a (new)

Text proposed by the Commission

Amendment

(ia) it shall be made available in accessible web format and electronic non-web document by making it perceivable and operable.

Or. en

Amendment 146

Proposal for a directive

Annex I – row 7 - Section VI – column 2 – point A – point 1 – point b – point ii

Text proposed by the Commission

Amendment

EDF Position

(ii) alternatives to non-text content shall be provided;

deleted

Retain Commission proposal

Mis en forme : Anglais
(Royaume-Uni)

Mis en forme : Anglais
(Royaume-Uni)

Mis en forme : Anglais
(Royaume-Uni)

Mis en forme : Anglais
(Royaume-Uni)

Or. en

Amendment 147

Proposal for a directive

Annex I – row 7 - Section VI – column 2 – point A – point 1 – point b – point ii a (new)

Text proposed by the Commission

Amendment

(iia) the economic operator shall list and explain how to use the accessibility features of the service and its compatibility with assistive technologies;

Or. en

Amendment 148

Proposal for a directive

Annex I – row 7 - Section VI – column 2 – point A – point 1 – point b – point iii

Text proposed by the Commission	Amendment
(iii) the electronic information, including the related online applications needed in the provision of the service <i>shall be provided in accordance with point (c).</i>	(iii) the electronic information, including the related online <i>and mobile</i> applications <i>and websites</i> needed in the provision of the service <i>shall be provided in accordance with point (ia);</i>

Mis en forme : Anglais
(Royaume-Uni)

Mis en forme : Anglais
(Royaume-Uni)

Mis en forme : Anglais
(Royaume-Uni)

Mis en forme : Anglais
(Royaume-Uni)

Or. en

Amendment 149

Proposal for a directive

Annex I – row 7 - Section VI – column 2 – point A – point 1 – point c

Text proposed by the Commission	Amendment	EDF Position
(c) making websites accessible in a consistent and adequate way for users' perception, operation and understanding, including the adaptability of content presentation and interaction, when necessary providing an accessible electronic alternative; and in a way which facilitates interoperability with a variety of user agents and assistive technologies available at Union <i>and international level;</i>	(c) making websites, <i>mobile-based services, including mobile applications, and online applications needed for the provision of the service</i> accessible in a consistent and adequate way for users' perception, operation and understanding, including the adaptability of content presentation and interaction, when necessary providing an accessible electronic alternative, and in a way which facilitates interoperability with a variety of user agents and assistive technologies available at Union level;	c) making websites, <i>mobile-based services, including mobile applications, and online applications needed for the provision of the service</i> accessible in a consistent and adequate way for users' perception, operation and understanding, including the adaptability of content presentation and interaction, when necessary providing an accessible electronic alternative, and in a way which facilitates interoperability with a variety of user agents and assistive technologies available at Union <i>and international level;</i>

Justification: In order for the EU to be competitive on an international market, this should also

be included under this section. We already have a global market where international standards are widely used, especially in the field of ICT.

Commentaire [VDE52]: Tout à fait OK pour le BDF

Or. en

Amendment 150

Proposal for a directive
Annex I – row 7 - Section VI – column 2 – point A - point 1 a (new)

Text proposed by the Commission *Amendment*

1a. Support services
Where available, support services (help desks, call centres, technical support, relay services and training services) shall provide information on the accessibility of the service and its compatibility with assistive technologies, in accessible modes of communication for users, including persons with disabilities.

Or. en

Amendment 151

Proposal for a directive
Annex I – row 7 - Section VI – column 2 – point B

Text proposed by the Commission *Amendment* *EDF Position*

B. Websites used for provision of banking services: *deleted* ***B. Websites and mobile applications used for provision of banking services:***

The provision of services in order to maximise their foreseeable use by persons with functional limitations, including persons with disabilities, shall be achieved by:

(a) making websites accessible in a consistent and adequate way for users' perception, operation and understanding, including the adaptability of content presentation and interaction, when necessary providing an accessible electronic alternative; and in a way which facilitates interoperability with a variety of user agents and assistive technologies available at Union and international level;

(a) making websites **and mobile applications** accessible in a consistent and adequate way for users' perception, operation and understanding, including the adaptability of content presentation and interaction, when necessary providing an accessible electronic alternative; and in a way which facilitates interoperability with a variety of user agents and assistive technologies available at Union and international level;

Or. en

Amendment 152

Proposal for a directive

Annex I – row 7 - Section VI – column 2 – point C

Text proposed by the Commission

Amendment

[...]

deleted

Or. en

Amendment 153

Proposal for a directive

Annex I – row 7 - Section VI – column 2 – point D – point 1 – introductory part

Text proposed by the Commission

Amendment

1. Design and production: The design and production of products in **order** to maximise their **foreseeable** use by persons with **functional limitations, including persons with** disabilities and those with

1. Design and production: The design and production of products in **such a way as** to maximise their **intended** use by persons with disabilities and those with age-related impairments shall be achieved

age related impairments, shall be achieved by *making accessible the following*:

by *meeting the functional performance requirements set out in point Da. The design and production of products shall include*:

Or. en

Amendment 154

Proposal for a directive

Annex I – row 7 - Section VI – column 2 – point D – point 1 – point a

<i>Text proposed by the Commission</i>	<i>Amendment</i>	<i>EDF position</i>
(a) the information on the use of the product provided on the product itself (labelling, instructions, warning), which:	(a) the information on the use of the product provided on the product itself (labelling, instructions, warning), which <i>shall be provided in digital and accessible formats</i> ;	See EDF proposal for AM 50

Or. en

Amendment 155

Proposal for a directive

Annex I – row 7 - Section VI – column 2 – point D – point 1 – point a – point i

<i>Text proposed by the Commission</i>	<i>Amendment</i>	<i>EDF Position</i>
(i) <i>must be available by more than one sensory channel</i> ;	<i>deleted</i>	<i>Retain Commission proposal</i>

Or. en

Amendment 156

Proposal for a directive

Annex I – row 7 - Section VI – column 2 – point D – point 1 – point a – point ii

Text proposed by the
Commission

Amendment

EDF Position

(ii) must be
understandable;

deleted

Retain Commission
proposal

Or. en

Mis en forme : Anglais
(Royaume-Uni)

Mis en forme : Anglais
(Royaume-Uni)

Mis en forme : Anglais
(Royaume-Uni)

Mis en forme : Anglais
(Royaume-Uni)

Amendment 157

Proposal for a directive

Annex I – row 7 - Section VI – column 2 – point D – point 1 – point a – point iii

Text proposed by the
Commission

Amendment

EDF position

(iii) must be
perceivable;

deleted

Retain Commission
proposal

Or. en

Mis en forme : Anglais
(Royaume-Uni)

Mis en forme : Anglais
(Royaume-Uni)

Mis en forme : Anglais
(Royaume-Uni)

Mis en forme : Anglais
(Royaume-Uni)

Mis en forme : Anglais
(Royaume-Uni)

Amendment 158

Proposal for a directive

Annex I – row 7 - Section VI – column 2 – point D – point 1 – point a – point iv

Text proposed by the
Commission

Amendment

EDF position

(iv) shall have an
adequate size of fonts in
foreseeable use
conditions;

deleted

Retain Commission
proposal

Or. en

Mis en forme : Anglais
(Royaume-Uni)

Mis en forme : Anglais
(Royaume-Uni)

Mis en forme : Anglais
(Royaume-Uni)

Mis en forme : Anglais
(Royaume-Uni)

Amendment 159

Proposal for a directive

Annex I – row 7 - Section VI – column 2 – point D – point 1 – point b

Text proposed by the Commission	Amendment
(b) the user interface of the product (handling, controls and feedback, input and output) <i>in accordance with point 2</i> ;	(b) the user interface of the product (handling, controls and feedback, input and output);

Or. en

- Mis en forme : Anglais (Royaume-Uni)
- Mis en forme : Anglais (Royaume-Uni)
- Mis en forme : Anglais (Royaume-Uni)
- Mis en forme : Anglais (Royaume-Uni)

Amendment 160

Proposal for a directive

Annex I – row 7 - Section VI – column 2 – point D – point 1 – point c

Text proposed by the Commission	Amendment
(c) <i>the functionality of the product by providing functions aimed to address the needs of persons with functional limitations, in accordance with point 2</i> ;	<i>deleted</i>

Or. en

- Mis en forme : Anglais (Royaume-Uni)
- Mis en forme : Anglais (Royaume-Uni)
- Mis en forme : Anglais (Royaume-Uni)
- Mis en forme : Anglais (Royaume-Uni)

Amendment 161

Proposal for a directive

Annex I – row 7 - Section VI – column 2 – point D – point 1 – point d

Text proposed by the Commission	Amendment
(d) <i>the interfacing of the product with assistive devices.</i>	<i>deleted</i>

Or. en

- Mis en forme : Anglais (Royaume-Uni)
- Mis en forme : Anglais (Royaume-Uni)
- Mis en forme : Anglais (Royaume-Uni)
- Mis en forme : Anglais (Royaume-Uni)

Amendment 162

Proposal for a directive

Annex I – row 7 - Section VI – column 2 – point D – point 1 a (new)

Text proposed by the Commission

Amendment

1a. Support services

Where available, support services (help desks, call centres, technical support, relay services and training services) shall provide information on the accessibility of the product and its compatibility with assistive technologies, in accessible modes of communication for users with functional limitations, including persons with disabilities.

Or. en

Amendment 163

Proposal for a directive

Annex I – row 7 - Section VI – column 2 – point D – point 2

Text proposed by the Commission

Amendment

[...]

deleted

Or. en

Amendment 164

Proposal for a directive

Annex I – row 7 - Section VI – column 2 – point D a (new)

*Text proposed by the
Commission*

Amendment

EDF position

***Da. Functional
performance
requirements***

***See EDF proposal for
AM 47***

***(a) Usage without
vision: where ICT
provides visual modes of
operation, it shall also
provide at least one mode
of operation that does not***

require vision;

(b) Usage with limited vision: where ICT provides visual modes of operation, it shall also provide at least one mode of operation that enables users with limited vision to make better use of that vision;

(c) Usage without perception of colour and contrast: where ICT provides visual modes of operation, it shall also provide at least one mode of operation that does not require user perception of colour and contrast;

(d) Usage without hearing: where ICT provides auditory modes of operation, it shall also provide at least one mode of operation that does not require hearing;

(e) Usage with limited hearing: where ICT provides auditory modes of operation, it shall also provide at least one mode of operation with enhanced audio features, clarity and volume included;

(f) Usage without vocal capability: where ICT requires vocal input from users, it shall provide at least one mode of operation that does not require users to generate vocal output;

(g) Usage with limited manipulation or strength: where ICT requires

manual actions, it shall provide at least one mode of operation that enables users to make use of the ICT through alternative actions not requiring manipulation or hand strength, or operation of more than one control at the same time;

(h) Usage with limited reach: where ICT products are free-standing or installed, their operational elements must be within reach of all users;

(i) Minimising of photosensitive seizure triggers: where ICT provides visual modes of operation, it shall also provide at least one mode of operation that minimises the potential for triggering photosensitive seizures;

(j) Usage with limited cognition: the ICT shall provide at least one mode of operation making it simpler and easier to use;

(k) Privacy: where ICT provides features ensuring accessibility, it shall also provide at least one mode of operation that maintains users' privacy when using those ICT features ensuring accessibility.

Or. en

Amendment 165

Proposal for a directive

Annex I – row 8 - Section VII – column 2 – point A – point 1 – introductory part

Text proposed by the Commission

1. The provision of services in *order* to maximise their *foreseeable* use by persons with *functional limitations*, *including persons with* disabilities, shall be achieved by:

Amendment

1. The provision of services in *such a way as* to maximise their *intended* use by persons with disabilities shall be achieved by *meeting the functional performance requirements set out in point Ba. The provision of services shall include:*

Or. en

Amendment 166

Proposal for a directive

Annex I – row 8 - Section VII – column 2 – point A – point 1 – point a

Text proposed by the Commission

(a) *ensuring the accessibility of* the products they use in the provision of the service, in accordance with the rules laid down in point B on "Products"

Amendment

(a) the products they use in the provision of the service, in accordance with the rules laid down in point B on "Products";

Or. en

Amendment 167

Proposal for a directive

Annex I – row 8 - Section VII – column 2 – point A – point 1 – point b

Text proposed by the Commission

(b) *providing* information about the functioning of the service and about its accessibility characteristics and facilities as follows:

Amendment

(b) information about the functioning of the service and about its accessibility characteristics and facilities, *which shall be provided in digital format* as follows:

Or. en

Amendment 168

Proposal for a directive

Annex I – row 8 - Section VII – column 2 – point A – point 1 – point b – point i

Text proposed by the Commission

Amendment

(i) *the information content shall be available in text formats that can be used to generate alternative assistive formats to be presented in different ways by the users and via more than one sensory channel,* *deleted*

Or. en

Amendment 169

Proposal for a directive

Annex I – row 8 - Section VII – column 2 – point A – point 1 – point b – point i a (new)

Text proposed by the Commission

Amendment

(ia) *it shall be made available in accessible web format and electronic non-web document format by making it perceivable and operable;*

Or. en

Amendment 170

Proposal for a directive

Annex I – row 8 - Section VII – column 2 – point A – point 1 – point b – point ii

Text proposed by the Commission

Amendment

(ii) *alternatives to non-text content shall be provided;* *deleted*

Or. en

Amendment 171

Proposal for a directive

Annex I – row 8 - Section VII – column 2 – point A – point 1 – point b – point ii a (new)

Text proposed by the Commission

Amendment

(iia) the economic operator shall list and explain how to use the accessibility features of the service and its compatibility with assistive technologies;

Or. en

Amendment 172

Proposal for a directive

Annex I – row 8 - Section VII – column 2 – point A – point 1 – point b – point iii

Text proposed by the Commission

Amendment

(iii) the electronic information, including the related online applications needed in the provision of the service *shall be provided in accordance with point (c).*

(iii) the electronic information, including the related online *and mobile* applications *and websites* needed in the provision of the service *shall be provided in accordance with point (ia);*

Or. en

Amendment 173

Proposal for a directive

Annex I – row 8 - Section VII – column 2 – point A – point 1 – point c

Text proposed by the Commission

Amendment

(c) *making websites accessible in a consistent and adequate way for users' perception, operation and understanding, including the adaptability of content presentation and interaction, when necessary providing an accessible electronic alternative; and in a way which facilitates interoperability with a variety of user agents and assistive technologies available at Union and international*

deleted

level;

Or. en

Amendment 174

Proposal for a directive

Annex I – row 8 - Section VII – column 2 – point A – point 1 – point e

Text proposed by the Commission

Amendment

(e) ***including*** functions, practices, policies and procedures and alterations in the operation of the service targeted to address the needs of persons with ***functional limitations***.

(e) functions, practices, policies and procedures and alterations in the operation of the service targeted to address the needs of persons with ***disabilities, throughout the document, dynamic layouts, the possibility to synchronise text and audio content, text-to-speech technology, allowing alternative renditions of the content and its interoperability with a variety of assistive technologies***.

Or. en

Amendment 175

Proposal for a directive

Annex I – row 8 - Section VII – column 2 – point A – point 1 a (new)

Text proposed by the Commission

Amendment

1a. Support services

Where available, support services (help desks, call centres, technical support, relay services and training services) shall provide information on the accessibility of the service and its compatibility with assistive technologies, in accessible modes of communication for users, including persons with disabilities.

Or. en

Amendment 176

Proposal for a directive
Annex I – row 8 - Section VII – column 2 – point B – point 1 – introductory part

<i>Text proposed by the Commission</i>	<i>Amendment</i>
1 Design and production: The design and production of products in order to maximise their foreseeable use by persons with functional limitations, including persons with disabilities and those with age related impairments, shall be achieved by making accessible the following:	1 Design and production: The design and production of products in such a way as to maximise their intended use by persons with disabilities and those with age-related impairments shall be achieved by meeting the functional performance requirements set out in point Ba. The design and production of products shall include:

Or. en

Amendment 177

Proposal for a directive
Annex I – row 8 - Section VII – column 2 – point B – point 1 – point a

<i>Text proposed by the Commission</i>	<i>Amendment</i>	<i>EDF position</i>
(a) the information on the use of the product provided on the product itself (labelling, instructions, warning), which:	(a) the information on the use of the product provided on the product itself (labelling, instructions, warning), which shall be provided in digital and accessible formats;	See EDF proposal for AM 50

Or. en

Amendment 178

Proposal for a directive
Annex I – row 8 - Section VII – column 2 – point B – point 1 – point a – point i

Text proposed by the Commission

Amendment

(i) *must be available by more than one sensory channel;* *deleted*

Or. en

Amendment 179

Proposal for a directive

Annex I – row 8 - Section VII – column 2 – point B – point 1 – point a – point ii

Text proposed by the Commission

Amendment

(ii) *must be understandable;* *deleted*

Or. en

Amendment 180

Proposal for a directive

Annex I – row 8 - Section VII – column 2 – point B – point 1 – point a – point iii

Text proposed by the Commission

Amendment

(iii) *must be perceivable;* *deleted*

Or. en

Amendment 181

Proposal for a directive

Annex I – row 8 - Section VII – column 2 – point B – point 1 – point a – point iv

Text proposed by the Commission

Amendment

(iv) *shall have an adequate size of fonts in foreseeable use conditions;* *deleted*

Or. en

Amendment 182

Proposal for a directive

Annex I – row 8 - Section VII – column 2 – point B – point 1 – point b

<i>Text proposed by the Commission</i>	<i>Amendment</i>	
(b) the packaging <i>of the product including the information provided in it (opening, closing, use, disposal);</i>	(b) <i>an indication of the brand, the name and the type of the product on its packaging, which shall be perceivable for blind persons;</i>	Or. en

Amendment 183

Proposal for a directive

Annex I – row 8 - Section VII – column 2 – point B – point 1 – point c

<i>Text proposed by the Commission</i>	<i>Amendment</i>	<i>EDF Position</i>
(c) the product instructions for use, installation and maintenance, storage and disposal of the product which shall comply with the following:	(c) the instructions for <i>the</i> use, installation and maintenance, storage and disposal of the product, which shall <i>be provided in digital and accessible formats and which shall</i> comply with the following:	See EDF proposal for AM 50
		Or. en

Amendment 184

Proposal for a directive

Annex I – row 8 - Section VII – column 2 – point B – point 1 – point c – point i

<i>Text proposed by the Commission</i>	<i>Amendment</i>	
(i) <i>content of instruction shall be available in text formats that can be used for generating alternative assistive formats to be presented in different ways and via more than one sensory channel,</i>	<i>deleted</i>	
PA\1109576EN.docx	PA\1109576EN.docx	113/139
	PE594.023v01-00	PE594.023v01-00

and

Or. en

Amendment 185

Proposal for a directive
Annex I – row 8 - Section VII – column 2 – point B – point 1 – point c – point i a (new)

Text proposed by the Commission

Amendment

(ia) they shall be made available in accessible web format and electronic non-web document by making them perceivable and operable;

Or. en

Amendment 186

Proposal for a directive
Annex I – row 8 - Section VII – column 2 – point B – point 1 – point c – point ii

Text proposed by the Commission

Amendment

(ii) the instructions shall provide alternatives to non-text content; *deleted*

Or. en

Mis en forme : Anglais
(Royaume-Uni)

Mis en forme : Anglais
(Royaume-Uni)

Mis en forme : Anglais
(Royaume-Uni)

Mis en forme : Anglais
(Royaume-Uni)

Amendment 187

Proposal for a directive
Annex I – row 8 - Section VII – column 2 – point B – point 1 – point c – point ii a (new)

Text proposed by the Commission

Amendment

(iia) the manufacturer shall list and explain how to use the accessibility features of the product and its compatibility with assistive technologies;

Or. en

Amendment 188

Proposal for a directive

Annex I – row 8 - Section VII – column 2 – point B – point 1 – point d

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(d) the user interface of the product (handling, controls and feedback, input and output) <i>in accordance with point 2;</i>	(d) the user interface of the product (handling, controls and feedback, input and output);

Or. en

Amendment 189

Proposal for a directive

Annex I – row 8 - Section VII – column 2 – point B – point 1 – point e

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(e) <i>the functionality of the product by providing functions aimed to address the needs of persons with functional limitations, in accordance with point 2;</i>	<i>deleted</i>

Or. en

Amendment 190

Proposal for a directive

Annex I – row 8 - Section VII – column 2 – point B – point 1 – point f

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(f) <i>the interfacing of the product with assistive devices.</i>	<i>deleted</i>

Or. en

Amendment 191

Proposal for a directive
Annex I – row 8 – Section VII – column 2 – point B - point 1 a (new)

<i>Text proposed by the Commission</i>	<i>Amendment</i>
	<p>1a. Support services</p> <p><i>Where available, support services (help desks, call centres, technical support, relay services and training services) shall provide information on the accessibility of the product and its compatibility with assistive technologies, in accessible modes of communication for users, including persons with disabilities.</i></p>
	Or. en

Amendment 192

Proposal for a directive
Annex I – row 8 – Section VII – column 2 – point B a (new)

<i>Text proposed by the Commission</i>	<i>Amendment</i>	<i>EDF position</i>
	<p>Ba. Functional performance requirements</p> <p>(a) Usage without vision: where ICT provides visual modes of operation, it shall also provide at least one mode of operation that does not require vision;</p> <p>(b) Usage with limited vision: where ICT provides visual modes of operation, it shall also provide at least one mode of operation that enables users with limited vision to make better use of that vision;</p>	<p>See EDF proposal for AM 47</p>

(c) Usage without perception of colour and contrast: where ICT provides visual modes of operation, it shall also provide at least one mode of operation that does not require user perception of colour;

(d) Usage without hearing: where ICT provides auditory modes of operation, it shall also provide at least one mode of operation that does not require hearing;

(e) Usage with limited hearing: where ICT provides auditory modes of operation, it shall also provide at least one mode of operation with enhanced audio features, clarity and volume included;

(f) Usage without vocal capability: where ICT requires vocal input from users, it shall provide at least one mode of operation that does not require users to generate vocal output;

(g) Usage with limited manipulation or strength: where ICT requires manual actions, it shall provide at least one mode of operation that enables users to make use of the ICT through alternative actions not requiring manipulation or hand strength, or operation of more than one control at the same time;

(h) *Usage with limited reach: where ICT products are free-standing or installed, their operational elements must be within reach of all users;*

(i) *Minimising of photosensitive seizure triggers: where ICT provides visual modes of operation, it shall also provide at least one mode of operation that minimises the potential for triggering photosensitive seizures;*

(j) *Usage with limited cognition: the ICT shall provide at least one mode of operation making it simpler and easier to use;*

(k) *Privacy: where ICT provides features ensuring accessibility, it shall also provide at least one mode of operation that maintains users' privacy when using those ICT features ensuring accessibility.*

Or. en

Amendment 193

Proposal for a directive

Annex I – row 9 - Section VIII – column 2 – point A – point 1 – introductory part

Text proposed by the Commission

1. The provision of services in order to maximise their *foreseeable* use by persons with *functional limitations*, *including persons with* disabilities, shall

Amendment

1. The provision of services in order to maximise their *intended* use by persons with disabilities shall be achieved by *meeting the functional performance requirements set out in point Aa. The*

be achieved by:

provision of services shall include:

Or. en

Amendment 194

Proposal for a directive

Annex I – row 9 - Section VIII – column 2 – point A – point 1 – point a

<i>Text proposed by the Commission</i>	<i>Amendment</i>	<i>EDF position</i>
(a) <i>providing</i> information about the functioning of the service and about its accessibility characteristics and facilities as follows:	(a) information about the functioning of the service and about its accessibility characteristics and facilities, <i>which shall be provided in digital and accessible formats</i> as follows:	See EDF proposal for AM 50

Or. en

Amendment 195

Proposal for a directive

Annex I – row 9 - Section VIII – column 2 – point A – point 1 – point a – point i

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(i) <i>the information content shall be available in text formats that can be used to generate alternative assistive formats to be presented in different ways by the users and via more than one sensory channel,</i>	<i>deleted</i>

Or. en

Amendment 196

Proposal for a directive

Annex I – row 9 - Section VIII – column 2 – point A – point 1 – point a – point i a (new)

Text proposed by the Commission

Amendment

(ia) it shall be made available in accessible web format and electronic non web document by making it perceivable, operable, understandable and robust;

Or. en

Amendment 197

Proposal for a directive

Annex I – row 9 - Section VIII – column 2 – point A – point 1 – point a – point ii

Text proposed by the Commission

Amendment

(ii) alternatives to non-text content shall be provided;

deleted

Or. en

Amendment 198

Proposal for a directive

Annex I – row 9 - Section VIII – column 2 – point A – point 1 – point a – point ii a (new)

Text proposed by the Commission

Amendment

(iia) the economic operator shall list and explain how to use the accessibility features of the service and its compatibility with assistive technologies;

Or. en

Amendment 199

Proposal for a directive

Annex I – row 9 - Section VIII – column 2 – point A – point 1 – point a – point iii

Text proposed by the Commission

Amendment

(iii) the electronic information,

(iii) the electronic information,

[PE594.023v01-00](#)~~PE594.023v01-00~~

120/139

[PA\1109576EN.docx](#)~~PA\1109576EN.docx~~

including the related online applications needed in the provision of the service *shall be provided in accordance with point (b).*

including the related online *and mobile* applications *and websites*, needed in the provision of the service *shall be provided in accordance with point (ia);*

Or. en

Amendment 200

Proposal for a directive

Annex I – row 9 - Section VIII – column 2 – point A – point 1 – point b

Text proposed by the Commission

Amendment

(b) making websites accessible in a consistent and adequate way for users' perception, operation and understanding, including the adaptability of content presentation and interaction, when necessary providing an accessible electronic alternative; and in a way which facilitates interoperability with a variety of user agents and assistive technologies available at Union and international level;

deleted

Or. en

Amendment 201

Proposal for a directive

Annex I – row 9 - Section VIII – column 2 – point A - point 1 a (new)

Text proposed by the Commission

Amendment

1a. Support services

Where available, support services (help desks, call centres, technical support, relay services and training services) shall provide information on the accessibility of the service and its compatibility with assistive technologies, in accessible modes of communication for users, including persons with disabilities.

Amendment 202

Proposal for a directive
Annex I – Section VIII – column 2 – point A a (new)–

Text proposed by the
Commission

Amendment

EDF position

Commentaire [VDE53]: Ok pour
BDF

**Aa. Functional
performance
requirements**

**See EDF proposal for
AM 47**

**(a) Usage without
vision: where ICT
provides visual modes of
operation, it shall also
provide at least one mode
of operation that does not
require vision;**

**(b) Usage with limited
vision: where ICT
provides visual modes of
operation, it shall also
provide at least one mode
of operation that enables
users with limited vision
to make better use of that
vision;**

**(c) Usage without
perception of colour and
contrast: where ICT
provides visual modes of
operation, it shall also
provide at least one mode
of operation that does not
require user perception of
colour and contrast;**

**(d) Usage without
hearing: where ICT
provides auditory modes
of operation, it shall also
provide at least one mode
of operation that does not
require hearing;**

(e) Usage with limited hearing: where ICT provides auditory modes of operation, it shall also provide at least one mode of operation with enhanced audio features, clarity and volume included;

(f) Usage without vocal capability: where ICT requires vocal input from users, it shall provide at least one mode of operation that does not require users to generate vocal output;

(g) Usage with limited manipulation or strength: where ICT requires manual actions, it shall provide at least one mode of operation that enables users to make use of the ICT through alternative actions not requiring manipulation or hand strength, or operation of more than one control at the same time;

(h) Usage with limited reach: where ICT products are free-standing or installed, their operational elements must be within reach of all users;

(i) Minimising photosensitive seizure triggers: where ICT provides visual modes of operation, it shall also provide at least one mode of operation that minimises the potential for triggering photosensitive seizures;

- (j) *Usage with limited cognition: the ICT shall provide at least one mode of operation making it simpler and easier to use;*
- (k) *Privacy: where ICT provides features ensuring accessibility, it shall also provide at least one mode of operation that maintains users' privacy when using those ICT features ensuring accessibility.*

Or. en

Amendment 203

Proposal for a directive

Annex I – Section IX – Part A – point 1 – introductory part

Text proposed by the Commission

1. Design and production: The design and production of products in order to maximise their *foreseeable* use by persons with *functional limitations, including persons with* disabilities and those with age related impairments, shall be achieved by *making accessible the following*:

Amendment

1. Design and production: The design and production of products in order to maximise their *intended* use by persons with disabilities and those with age-related impairments shall be achieved by *meeting the functional performance requirements set out in Part Ba. The design and production of products shall include*:

Or. en

Amendment 204

Proposal for a directive

Annex I – Section IX – Part A – point 1 – point a

Text proposed by the Commission

(a) the information on the use of the product

Amendment

(a) the information on the use of the product

EDF position

See EDF proposal for AM

[PE594.023v01-00](#)~~PE594.023v01-00~~

124/139

[PA\1109576EN.docx](#)~~PA\1109576EN.docx~~

provided on the product itself (labelling, instructions, warning), which:

provided on the product itself (labelling, instructions, warning), which *shall be provided in digital and accessible formats*;

50

Or. en

Amendment 205

Proposal for a directive
Annex I – Section IX – Part A – point 1 – point a – point i

Text proposed by the Commission

Amendment

(i) *must be available by more than one sensory channel;* *deleted*

Or. en

Amendment 206

Proposal for a directive
Annex I – Section IX – Part A – point 1 – point a – point ii

Text proposed by the Commission

Amendment

(ii) *must be understandable;* *deleted*

Or. en

Amendment 207

Proposal for a directive
Annex I – Section IX – Part A – point 1 – point a – point iii

Text proposed by the Commission

Amendment

(iii) *must be perceivable;* *deleted*

Or. en

Amendment 208

Proposal for a directive
Annex I – Section IX – Part A – point 1 – point a – point iv

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(iv) <i>shall have an adequate size of fonts in foreseeable use conditions;</i>	<i>deleted</i>

Or. en

Amendment 209

Proposal for a directive
Annex I – Section IX – Part A – point 1 – point b

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(b) <i>the packaging of the product including the information provided in it (opening, closing, use, disposal);</i>	(b) <i>an indication of the brand, the name and the type of the product on its packaging, which shall be perceivable for blind persons;</i>

Or. en

Amendment 210

Proposal for a directive
Annex I – Section IX – Part A – point 1 – point c

<i>Text proposed by the Commission</i>	<i>Amendment</i>	<i>EDF Position</i>
(c) <i>the product</i> instructions for use, installation and maintenance, storage and disposal of the product which shall comply with the following:	(c) <i>the instructions for the use, installation and maintenance, storage and disposal of the product, which shall be provided in digital and accessible formats and which shall</i> comply with the following:	See EDF proposal for AM 50

Or. en

Amendment 211

Proposal for a directive

Annex I – Section IX – Part A – point 1 – point c – point i

Text proposed by the Commission

Amendment

(i) *content of instruction shall be available in text formats that can be used for generating alternative assistive formats to be presented in different ways and via more than one sensory channel, and* *deleted*

Or. en

Amendment 212

Proposal for a directive

Annex I – Section IX – Part A – point 1 – point c – point i a (new)

Text proposed by the Commission

Amendment

(ia) *they shall be made available in accessible web format and electronic non-web document format by making them perceivable and operable.*

Or. en

Amendment 213

Proposal for a directive

Annex I – Section IX – Part A – point 1 – point c – point ii

Text proposed by the Commission

Amendment

(ii) *the instructions shall provide alternatives to non-text content;* *deleted*

Or. en

Amendment 214

Proposal for a directive

Annex I – Section IX – Part A – point 1 – point c – point ii a (new)

Text proposed by the Commission

Amendment

(iia) the manufacturer shall list and explain how to use the accessibility features of the product and its compatibility with assistive technologies;

Or. en

Amendment 215

Proposal for a directive

Annex I – Section IX – Part A – point 1 – point d

Text proposed by the Commission

Amendment

(d) the user interface of the product (handling, controls and feedback, input and output) *in accordance with point 2;*

(d) the user interface of the product (handling, controls and feedback, input and output);

Or. en

Amendment 216

Proposal for a directive

Annex I – Section IX – Part A – point 1 – point e

Text proposed by the Commission

Amendment

(e) *the functionality of the product by providing functions aimed to address the needs of persons with functional limitations, in accordance with point 2;* *deleted*

Or. en

Amendment 217

Proposal for a directive

Annex I – Section IX – Part A – point 1 – point f

Text proposed by the Commission

Amendment

(f) *the interfacing of the product with
assistive devices.* *deleted*

Or. en

Amendment 218

Proposal for a directive

Annex I – Section IX – Part A – point 2

Text proposed by the Commission

Amendment

[...] *deleted*

Or. en

Amendment 219

Proposal for a directive

Annex I – Section IX – Part B – point 1 – introductory part

Text proposed by the Commission

Amendment

1. The provision of services in *order* to maximise their *foreseeable* use by persons with *functional limitations*, *including persons with* disabilities, shall be achieved by:

1. The provision of services in *such a way as* to maximise their *intended* use by persons with disabilities shall be achieved by *meeting the functional performance requirements set out in Part Ba. The provision of services shall include:*

Or. en

Amendment 220

Proposal for a directive

Annex I – Section IX – Part B – point 1 – point b – point ii

Text proposed by the Commission

Amendment

(ii) *the information shall be available in different ways and via more than one sensory channel;* *deleted*

Or. en

Amendment 221

Proposal for a directive

Annex I – Section IX – Part B – point 1 – point b – point iii

Text proposed by the Commission

Amendment

(iii) *alternatives to non-text visual content shall be provided;* *deleted*

Or. en

Amendment 222

Proposal for a directive

Annex I – Section IX – Part B – point 1 – point c

Text proposed by the Commission

Amendment

(c) *ensuring the accessibility of* the products used in the provision of the service, in accordance with the rules laid down in Part A;

(c) the products used in the provision of the service, in accordance with the rules laid down in Part A;

Or. en

Amendment 223

Proposal for a directive

Annex I – Section IX – Part B – point 1 – point d

Text proposed by the Commission

Amendment

EDF Position

(d) *providing* (d) information about See EDF proposal for AM

[PE594.023v01-00](#)~~PE594.023v01-00~~

130/139

[PA\1109576EN.docx](#)~~PA\1109576EN.docx~~

information about the functioning of the service and about its accessibility characteristics and facilities as follows:

the functioning of the service and about its accessibility characteristics and facilities, ***which shall be provided in digital and accessible formats*** as follows:

50

Or. en

Amendment 224

Proposal for a directive

Annex I – Section IX – Part B – point 1 – point d– point i

Text proposed by the Commission

Amendment

(i) ***the information content shall be available in text formats that can be used to generate alternative assistive formats to be presented in different ways by the users and via more than one sensory channel,***

deleted

Or. en

Amendment 225

Proposal for a directive

Annex I – Section IX – Part B – point 1 – point d – point i a (new)

Text proposed by the Commission

Amendment

(ia) ***it shall be made available in accessible web format and electronic non-web document format by making it perceivable and operable;***

Or. en

Amendment 226

Proposal for a directive

Annex I – Section IX – Part B – point 1 – point d – point ii

Text proposed by the Commission

Amendment

(ii) *alternatives to non-text content shall be provided;* *deleted*

Or. en

Amendment 227

Proposal for a directive

Annex I – Section IX – Part B – point 1 – point d – point ii a (new)

Text proposed by the Commission

Amendment

(iia) *the economic operator shall list and explain how to use the accessibility features of the service and its compatibility with assistive technologies;*

Or. en

Amendment 228

Proposal for a directive

Annex I – Section IX – Part B – point 1 – point d – point iii

Text proposed by the Commission

Amendment

(iii) the electronic information, including the related online applications needed in the provision of the service *shall be provided in accordance with point (e).*

(iii) the electronic information, including the related online *and mobile* applications *and websites* needed in the provision of the service *shall be provided in accordance with point (ia).*

Or. en

Amendment 229

Proposal for a directive

Annex I – Section IX – Part B – point 1 – point e

Text proposed by the Commission

Amendment

(e) *making websites accessible in a consistent and adequate way for users' perception, operation and understanding, including the adaptability of content presentation and interaction, when necessary providing an accessible electronic alternative; and in a way which facilitates interoperability with a variety of user agents and assistive technologies available at Union and international level;* *deleted*

Or. en

Amendment 230

Proposal for a directive

Annex I – Section IX – Part B a (new)

Text proposed by the Commission

Amendment

EDF position

Ba. Functional performance requirements

See EDF proposal for AM 47

(a) *Usage without vision: where ICT provides visual modes of operation, it shall also provide at least one mode of operation that does not require vision;*

(b) *Usage with limited vision: where ICT provides visual modes of operation, it shall also provide at least one mode of operation that enables users with limited vision*

to make better use of that vision;

(c) Usage without perception of colour and contrast: where ICT provides visual modes of operation, it shall also provide at least one mode of operation that does not require user perception of colour and contrast;

(d) Usage without hearing: where ICT provides auditory modes of operation, it shall also provide at least one mode of operation that does not require hearing;

(e) Usage with limited hearing: where ICT provides auditory modes of operation, it shall also provide at least one mode of operation with enhanced audio features, clarity and volume included;

(f) Usage without vocal capability: where ICT requires vocal input from users, it shall provide at least one mode of operation that does not require users to generate vocal output;

(g) Usage with limited manipulation or strength: where ICT requires manual actions, it shall provide at least one mode of operation that enables users to make use of the ICT through alternative actions not requiring manipulation or hand strength, or operation of more than one control at

the same time;

(h) Usage with limited reach: where ICT products are free-standing or installed, their operational elements must be within reach of all users;

(i) Minimising of photosensitive seizure triggers: where ICT provides visual modes of operation, it shall also provide at least one mode of operation that minimises the potential for triggering photosensitive seizures;

(j) Usage with limited cognition: the ICT shall provide at least one mode of operation making it simpler and easier to use;

(k) Privacy: where ICT provides features ensuring accessibility, it shall also provide at least one mode of operation that maintains users' privacy when using those ICT features ensuring accessibility.

Or. en

NEW AMENDMENT

**Proposal for a directive
Annex I – Section XI**

Text proposed by the Commission

*Section XI – Accessibility requirements for
the purpose of Article 3(10) concerning the*

EDF position

*Section XI – Accessibility requirements for
the purpose of Article 3(10) concerning the*

Commentaire [VDE54]: BDF est Ok avec ceci. Avec la question des délais différents de mise en conformité à intégrer.

built environment where the services under the scope of this Directive is provided

(a) use of related outdoor areas and facilities **under the responsibility of the service provider**;

(b) approaches to buildings **under the responsibility of the service provider**;

(g) use of equipment and facilities used in the provision of the service;

built environment where the **products and services under the scope of this Directive are provided**

[...] _____

(a) use of related outdoor areas and facilities;

(b) approaches to buildings;

(g) use of equipment and facilities used in the provision of the **product or service**;

Mis en forme : Taquets de tabulation : 3,7 cm, Centré

Justification:

The Directive should not only cover the built environment related to the provision of the service but also to the provision of the products. For example, the shop where an accessible product is sold should also be accessible. It is important that the whole chain of purchasing and delivering the product is accessible because only regulating a part of this chain will not make much difference to persons with disabilities. The retail premises are a big part of this chain and can thus be expected to be covered in Section X.

NEW AMENDMENT

Proposal for a directive Annex I – Section XII

Text proposed by the Commission

New section

EDF position

Commentaire [VDE55]: Ok pour le BDF

Section XII

Accommodation services

A. Services

1. The provision of services in order to maximise their foreseeable use by persons with functional limitations, including persons with disabilities, shall be achieved

by:

- (a) providing information about the functioning of the service and about its accessibility characteristics and facilities as follows:*
 - (i) shall be made available in accessible web format by making them perceivable, operable, understandable and robust in accordance with point (b)*
 - (ii) shall list and explain how to use the accessibility features of the service and its complementarity with a variety of assistive technologies.*
- (b) making websites and online applications needed for the provision of the service accessible in a consistent and adequate way for users' perception, operation and understanding, including the adaptability of content presentation and interaction, when necessary providing an accessible electronic alternative; and in a robust way which facilitates interoperability with a variety of user agents and assistive technologies available at Union and international level;*
- (c) making mobile-based services including mobile applications needed for the provision of e-commerce services accessible in a consistent and adequate way for users' perception, operation and understanding, including the adaptability of content presentation and interaction, when necessary providing an accessible*

electronic alternative; and in a robust way which facilitates interoperability with a variety of user agents and assistive technologies available at Union and international level;

(d) Electronic identification, security and payment methods needed for the provision of the service shall be understandable, perceivable, operable and robust without undermining the security and privacy of the user.

(e) Making the built environment accessible to persons with disabilities according to requirements in Section XI.

(a) All common areas (reception, entrance, leisure facilities, conference rooms, etc.)

(ii) Rooms according to requirements in Section XI whereas the minimum number of accessible rooms per establishment shall be:

- 1 accessible room for establishments with less than 20 rooms overall*
- 2 accessible rooms for establishments with more than 20 but less than 50 rooms*
- 1 supplementary accessible room for every additional 50 rooms*

2. Support services

Where available, support services (help desks, call centres, technical support, relay services and training services) shall provide information on the accessibility of the service and its compatibility with

assistive technologies and services, in accessible modes of communication for users with functional limitations, including persons with disabilities.

Justification:

As stated in the Commission's own Impact Assessment, "the main barrier for tourism accessibility is lack of information (inaccessible websites, unreliable information on accessibility features) and attitudinal barriers (e.g. lack of staff training), followed by inaccessible facilities and premises". (p. 38). Accommodation services was identified as one of the high priority areas to be tackled under the Act (see p. 17) but it was finally not included in the legislative proposal. EDF does not see a reason why this aspect was excluded, considered its crucial importance for persons with disabilities..