



2015/0278(COD)

27.3.2017

AMENDMENTS

447 - 697

Draft report
Morten Løkkegaard
(PE597.391v01-00)

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

Proposal for a directive
(COM(2015)0615 – C8-0387/2015 – 2015/0278(COD))

Amendment 447
Anneleen Van Bossuyt, Helga Stevens

Proposal for a directive
Article 8 – paragraph 2

Text proposed by the Commission

2. Before making a product available on the market distributors shall verify that the product ***bears the CE marking, that it*** is accompanied by the required documents and by instructions and information in a language which can be easily understood by consumers and other end-users in the Member State in which the product is to be made available on the market and that the manufacturer and the importer have complied with the requirements set out in Article 5(5) and (6) and Article 7(4).

Amendment

2. Before making a product available on the market distributors shall verify that the product ***is in conformity with this Directive and*** is accompanied by the required documents and by instructions and information in a language which can be easily understood by consumers and other end-users in the Member State in which the product is to be made available on the market and that the manufacturer and the importer have complied with the requirements set out in Article 5(5) and (6) and Article 7(4).

Or. en

Amendment 448
Sabine Verheyen, Birgit Collin-Langen

Proposal for a directive
Article 8 – paragraph 2

Text proposed by the Commission

2. Before making a product available on the market distributors shall verify that the product ***bears the CE marking, that it*** is accompanied by the required documents and by instructions and information in a language which can be easily understood by consumers and other end-users in the Member State in which the product is to be made available on the market and that the manufacturer and the importer have complied with the requirements set out in Article 5(5) and (6) and Article 7(4).

Amendment

2. Before making a product available on the market distributors shall verify that the product is accompanied by the required documents and by instructions and information in a language which can be easily understood by consumers and other end-users in the Member State in which the product is to be made available on the market and that the manufacturer and the importer have complied with the requirements set out in Article 5(5) and (6) and Article 7(4).

Or. en

Amendment 449
Vicky Ford, Daniel Dalton

Proposal for a directive
Article 8 – paragraph 2

Text proposed by the Commission

2. Before making a product available on the market distributors shall verify that the product ***bears the CE marking, that it*** is accompanied by the required documents and by instructions and information in a language which can be easily understood by consumers and other end-users in the Member State in which the product is to be made available on the market and that the manufacturer and the importer have complied with the requirements set out in Article 5(5) and (6) and Article 7(4).

Amendment

2. Before making a product available on the market distributors shall verify that the product is accompanied by the required documents and by instructions and information in a language which can be easily understood by consumers and other end-users in the Member State in which the product is to be made available on the market and that the manufacturer and the importer have complied with the requirements set out in Article 5(5) and (6) and Article 7(4).

Or. en

Amendment 450
Marco Zullo

Proposal for a directive
Article 8 – paragraph 3

Text proposed by the Commission

3. Where a distributor considers or has reason to believe that a product is not in conformity with the accessibility requirements referred to in Article 3, they shall not make the product available on the market until it has been brought into conformity. ***Furthermore, where the product presents a risk, the distributor shall inform the manufacturer and the market surveillance authorities to that effect.***

Amendment

3. Where a distributor considers or has reason to believe that a product is not in conformity with the accessibility requirements referred to in Article 3, they shall ***inform the manufacturer and the market surveillance authorities and*** not make the product available on the market until it has been brought into conformity.

Or. it

Amendment 451

Anneleen Van Bossuyt, Helga Stevens

Proposal for a directive

Article 8 – paragraph 3

Text proposed by the Commission

3. Where a distributor considers or has reason to believe that a product is not in conformity with the accessibility requirements referred to in Article 3, they shall not make the product available on the market until it has been brought into conformity. Furthermore, where the product **presents a risk**, the distributor shall inform the manufacturer and the market surveillance authorities to that effect.

Amendment

3. Where a distributor considers or has reason to believe that a product is not in conformity with the accessibility requirements referred to in Article 3, they shall not make the product available on the market until it has been brought into conformity. Furthermore, where the product **is not in conformity with this Directive**, the distributor shall inform the manufacturer and the market surveillance authorities to that effect.

Or. en

Amendment 452

Andreas Schwab, Ildikó Gáll-Pelcz, Ivan Štefanec, Pascal Arimont, Sabine Verheyen

Proposal for a directive

Article 8 – paragraph 3

Text proposed by the Commission

(3) Where a distributor considers or has reason to believe that a product is not in conformity with the accessibility requirements referred to in Article 3, they shall not make the product available on the market until it has been brought into conformity. Furthermore, where the product presents a risk, the distributor shall inform the manufacturer and the market surveillance authorities to that effect.

Amendment

(3) Where a distributor considers or has reason to believe that a product is not in conformity with the accessibility requirements referred to in Article 3, they shall not make the product available on the market until it has been brought into conformity. Furthermore, where the product presents a risk **to safety or health**, the distributor shall inform the manufacturer and the market surveillance authorities to that effect.

Or. de

Amendment 453
Sabine Verheyen, Birgit Collin-Langen

Proposal for a directive
Article 8 – paragraph 3

Text proposed by the Commission

3. Where a distributor considers or has reason to believe that a product is not in conformity with the accessibility requirements referred to in Article 3, they shall not make the product available on the market until it has been brought into conformity. Furthermore, where the product presents a risk, the distributor shall inform the manufacturer and the market surveillance authorities to that effect.

Amendment

3. Where a distributor considers or has reason to believe that a product is not in conformity with the accessibility requirements referred to in Article 3, they shall not make the product available on the market until it has been brought into conformity. Furthermore, where the product presents a risk ***for security or health***, the distributor shall inform the manufacturer and the market surveillance authorities to that effect.

Or. en

Amendment 454
Anneleen Van Bossuyt, Helga Stevens

Proposal for a directive
Article 8 – paragraph 5

Text proposed by the Commission

5. Distributors who consider or have reason to believe that a product which they have made available on the market is not in conformity with this Directive shall make sure that the necessary corrective measures are taken to bring that product into conformity, ***to withdraw it or recall it, if appropriate. Furthermore, where the product presents a risk, distributors 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

5. Distributors who consider or have reason to believe that a product which they have made available on the market is not in conformity with this Directive shall make sure that the necessary corrective measures are taken to bring that product into conformity.

Or. en

Amendment 455

Marco Zullo

Proposal for a directive

Article 8 – paragraph 5

Text proposed by the Commission

5. Distributors who consider or have reason to believe that a product which they have made available on the market is not in conformity with this Directive shall make sure that the necessary corrective measures are taken to bring that product into conformity, to withdraw it or recall it, if appropriate. Furthermore, where the product **presents a risk**, distributors 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

5. Distributors who consider or have reason to believe that a product which they have made available on the market is not in conformity with this Directive shall make sure that the necessary corrective measures are taken to bring that product into conformity, to withdraw it or recall it, if appropriate. Furthermore, where the product **fails to conform to this Directive**, distributors 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. it

Amendment 456

Maria Grapini

Proposal for a directive

Article 8 – paragraph 5

Text proposed by the Commission

5. Distributors who consider or have reason to believe that a product which they have made available on the market is not in conformity with this Directive shall make sure that the necessary corrective measures are taken to bring that product into conformity, to withdraw it or recall it, if appropriate. Furthermore, where the product presents a risk, distributors shall **immediately** inform the competent national authorities of the Member States in which

Amendment

5. Distributors who consider or have reason to believe that a product which they have made available on the market is not in conformity with this Directive shall make sure that the necessary corrective measures are taken to bring that product into conformity, to withdraw it or recall it, if appropriate. Furthermore, where the product presents a risk, distributors shall, **within 24 hours at most**, inform the competent national authorities of the

they made the product available to that effect giving details, in particular, of the non-compliance and of any corrective measures taken.

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. ro

Amendment 457

Sabine Verheyen, Birgit Collin-Langen

Proposal for a directive Article 8 – paragraph 5

Text proposed by the Commission

5. Distributors who consider or have reason to believe that a product which they have made available on the market is not in conformity with this Directive shall make sure that the necessary corrective measures are taken to bring that product into conformity, to withdraw it ***or recall it***, if appropriate. Furthermore, where the product presents a risk, distributors 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

5. Distributors who consider or have reason to believe that a product which they have made available on the market is not in conformity with this Directive shall make sure that the necessary corrective measures are taken to bring that product into conformity, to withdraw it if appropriate. Furthermore, where the product presents a risk ***for security or health***, distributors 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 458

Vicky Ford, Daniel Dalton

Proposal for a directive Article 8 – paragraph 5

Text proposed by the Commission

5. Distributors who consider or have reason to believe that a product which they have made available on the market ***is not in conformity with*** this Directive shall

Amendment

5. Distributors who consider or have reason to believe that a product which they have made available on the market ***does not meet the requirements of*** this

make sure that the necessary corrective measures are taken to bring that product into **conformity**, to withdraw it or recall it, if appropriate. Furthermore, where the product presents a risk, distributors 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.

Directive shall make sure that the necessary corrective measures are taken to bring that product into **accordance**, to withdraw it or recall it, if appropriate. Furthermore, where the product presents a risk, distributors 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 459

Andreas Schwab, Ildikó Gáll-Pelcz, Ivan Štefanec, Pascal Arimont, Sabine Verheyen

Proposal for a directive Article 8 – paragraph 5

Text proposed by the Commission

(5) Distributors who consider or have reason to believe that a product which they have made available on the market is not in conformity with this Directive shall make sure that the necessary corrective measures are taken to bring that product into conformity, to withdraw it or recall it, if appropriate. Furthermore, where the product presents a risk, distributors 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

(5) Distributors who consider or have reason to believe that a product which they have made available on the market is not in conformity with this Directive shall make sure that the necessary corrective measures are taken to bring that product into conformity, to withdraw it or recall it, if appropriate. Furthermore, where the product presents a risk **to safety or health**, distributors 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. de

Amendment 460

Rosa Estaràs Ferragut, Antonio López-Istúriz White

Proposal for a directive Article 8 – paragraph 6

Text proposed by the Commission

6. Distributors shall, ***further to a reasoned request from a*** competent national ***authority, provide it*** with all the information and documentation necessary to demonstrate the conformity of a product. They shall cooperate with ***that*** authority, at its request, on any action taken to eliminate the risks posed by products which they have made available on the market.

Amendment

6. Distributors shall ***provide*** competent national ***authorities*** with all the information and documentation necessary to demonstrate the conformity of a product. They shall cooperate with ***the*** authority ***concerned***, at its request, on any action taken to eliminate the risks posed by products which they have made available on the market.

Or. en

Amendment 461

Anneleen Van Bossuyt, Helga Stevens

**Proposal for a directive
Article 8 – paragraph 6**

Text proposed by the Commission

6. Distributors shall, further to a reasoned request from a competent national authority, provide it with all the information and documentation necessary to demonstrate the conformity of a product. They shall cooperate with that authority, at its request, on any action taken to ***eliminate the risks posed by*** products which they have made available on the market.

Amendment

6. Distributors shall, further to a reasoned request from a competent national authority, provide it with all the information and documentation necessary to demonstrate the conformity of a product. They shall cooperate with that authority, at its request, on any action taken to ***fulfil the conformity requirements of*** products which they have made available on the market.

Or. en

Amendment 462

Sabine Verheyen, Birgit Collin-Langen

**Proposal for a directive
Article 8 – paragraph 6**

Text proposed by the Commission

6. Distributors shall, further to a

Amendment

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reasoned request from a competent national authority, provide it with all the information and documentation necessary to demonstrate the conformity of a product. They shall cooperate with that authority, at its request, on any action taken to eliminate the **risks posed by** products which they have made available on the market.

reasoned request from a competent national authority, provide it with all the information and documentation necessary to demonstrate the conformity of a product. They shall cooperate with that authority, at its request, on any action taken to eliminate the **non-conformity of** products which they have made available on the market.

Or. en

Amendment 463

Olga Sehnalová, Vilija Blinkevičiūtė, Anna Hedh, Brando Benifei, Maria Grapini, Lucy Anderson

Proposal for a directive Article 8 – paragraph 6

Text proposed by the Commission

6. Distributors shall, further to a **reasoned** request from a competent national authority, provide it with all the information and documentation necessary to demonstrate the conformity of a product. They shall cooperate with that authority, at its request, on any action taken to eliminate the risks posed by products which they have made available on the market.

Amendment

6. Distributors shall, further to a request from a competent national authority, provide it with all the information and documentation necessary to demonstrate the conformity of a product. They shall cooperate with that authority, at its request, on any action taken to eliminate the risks posed by products which they have made available on the market.

Or. en

Amendment 464

Olga Sehnalová, Vilija Blinkevičiūtė, Anna Hedh, Brando Benifei, Maria Grapini, Lucy Anderson, Nicola Danti, Sergio Gutiérrez Prieto, Marc Tarabella

Proposal for a directive Article 8 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6a. Distributors shall ensure proper and continuous training of personnel to be knowledgeable in how to use accessible products and deliver accessible services.

That training shall cover issues such as information provision, advice and advertising.

Or. en

Justification

New provision is added on the need to ensure proper and continuous training of personnel to be knowledgeable in how to use accessible products and services

Amendment 465

Sabine Verheyen, Birgit Collin-Langen

Proposal for a directive

Article 10 – paragraph 2

Text proposed by the Commission

2. Economic operators shall be able to present the information referred to in paragraph 1 for ***a period of 10 years after they have been supplied with the product and for a period of 10 years after they have supplied*** the product.

Amendment

2. Economic operators shall be able to present the information referred to in paragraph 1 for ***at least five years or a period that corresponds to the life-cycle of*** the product ***in question***.

Or. en

Amendment 466

Anneleen Van Bossuyt, Daniel Dalton, Helga Stevens

Proposal for a directive

Article 10 – paragraph 2

Text proposed by the Commission

2. Economic operators shall be able to present the information referred to in paragraph 1 for a period of ***10*** years after they have been supplied with the product and for a period of ***10*** years after they have supplied the product.

Amendment

2. Economic operators shall be able to present the information referred to in paragraph 1 for a period of ***five*** years after they have been supplied with the product and for a period of ***five*** years after they have supplied the product.

Or. en

Amendment 467

Anneleen Van Bossuyt, Helga Stevens

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 the services meet the accessibility requirements referred to in Article 3. The information shall be made available to the public in a manner which is accessible to persons with disabilities. Service providers shall keep the information as long as the service is in operation.

Or. en

Amendment 468

Sabine Verheyen, Birgit Collin-Langen

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 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 disabilities. Service providers shall keep the information as long as the service is in operation.

Or. en

Amendment 469

Rosa Estaràs Ferragut, Antonio López-Istúriz White

Proposal for a directive

Article 11 – paragraph 4

Text proposed by the Commission

4. Service providers shall, ***further to a reasoned request from a competent authority, provide it*** with all information necessary to demonstrate the conformity of the service with the accessibility requirements referred to in Article 3. They shall cooperate with those authorities, at their request, on any action taken to bring the service in conformity with those requirements.

Amendment

4. Service providers shall ***provide*** competent ***national authorities*** with all information necessary to demonstrate the conformity of the service with the accessibility requirements referred to in Article 3. They shall cooperate with those authorities, at their request, on any action taken to bring the service in conformity with those requirements.

Or. en

Amendment 470

Olga Sehnalová, Vilija Blinkevičiūtė, Anna Hedh, Brando Benifei, Maria Grapini, Nicola Danti

Proposal for a directive

Article 11 – paragraph 4

Text proposed by the Commission

4. Service providers shall, further to a ***reasoned*** request from a competent authority, provide it with all information necessary to demonstrate the conformity of the service with the accessibility requirements referred to in Article 3. They shall cooperate with those authorities, at their request, on any action taken to bring the service in conformity with those requirements.

Amendment

4. Service providers shall, further to a request from a competent authority, provide it with all information necessary to demonstrate the conformity of the service with the accessibility requirements referred to in Article 3. They shall cooperate with those authorities, at their request, on any action taken to bring the service in conformity with those requirements.

Or. en

Amendment 471

Othmar Karas

Proposal for a directive

Article 11 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

(4a) Products and services which are covered by Regulation (EU) No 1300/2014 (PRM TSI) satisfy the accessibility requirements under Article 3.

Or. de

Justification

The Article should ensure that there is no duplication. Products and services which are covered by Regulation (EU) No 1300/2014 on the technical specifications for interoperability relating to accessibility of the Union's rail system for persons with disabilities and persons with reduced mobility should therefore be recognised as compliant with the requirements of this Directive.

Amendment 472

Olga Sehnalová, Vilija Blinkevičiūtė, Anna Hedh, Brando Benifei, Maria Grapini, Lucy Anderson, Liisa Jaakonsaari, Nicola Danti, Sergio Gutiérrez Prieto, Marc Tarabella

Proposal for a directive

Article 11 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. Even if a service, or part of a service, is subcontracted to a third party, the accessibility of that service should not be compromised and the obligations of this Directive shall apply.

Or. en

Amendment 473

Olga Sehnalová, Vilija Blinkevičiūtė, Anna Hedh, Brando Benifei, Maria Grapini, Lucy Anderson, Nicola Danti, Sergio Gutiérrez Prieto

Proposal for a directive
Article 11 – paragraph 4 b (new)

Text proposed by the Commission

Amendment

4b. Service providers shall ensure proper and continuous training of personnel to be knowledgeable in how to use accessible products and services. That training shall cover issues such as information provision, advice and advertising.

Or. en

Justification

New provision is added on the need to ensure proper and continuous training of personnel to be knowledgeable in how to use accessible products and services

Amendment 474
Igor Šoltes

Proposal for a directive
Article 12 – paragraph 1

Text proposed by the Commission

Amendment

1. The accessibility requirements referred to in Article 3 apply to the extent that they do not introduce a significant change in ***an aspect or feature of a product or service that results in the alteration of*** the basic nature of the product or service.

1. The accessibility requirements referred to in Article 3 apply to the extent that they do not introduce a significant change in the basic nature of the product or service.

Or. en

Amendment 475
Jiří Maštálka

Proposal for a directive
Article 12 – paragraph 3 – point b

Text proposed by the Commission

Amendment

(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.***

(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.***

Or. en

Amendment 476

Igor Šoltes

Proposal for a directive

Article 12 – paragraph 3 – point b

Text proposed by the Commission

Amendment

(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.

(b) the estimated costs and benefits for the economic operators in relation to the estimated benefit for persons with disabilities, ***persons with functional limitations and persons with age related or any other impairments,*** taking into account the frequency and duration of use of the specific product or service.

Or. en

Amendment 477

Olga Sehnalová, Vilija Blinkevičiūtė, Anna Hedh, Brando Benifei, Maria Grapini, Lucy Anderson, Liisa Jaakonsaari, Nicola Danti, Sergio Gutiérrez Prieto, Marc Tarabella

Proposal for a directive

Article 12 – paragraph 3 – point b

Text proposed by the Commission

Amendment

(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

(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, taking into account the

specific product or service.

frequency and duration of use of the
specific product or service.

Or. en

Justification

Reference to “persons with functional limitations” in addition to the term “persons with disabilities” should be retained in order to illustrate that much wider part of the population will benefit from this Directive. Also when making the estimated costs and benefits analysis, it is key to take into account the whole population that benefit from accessible products and services.

Amendment 478

Marlene Mizzi

Proposal for a directive

Article 12 – paragraph 3 – point b a (new)

Text proposed by the Commission

Amendment

(ba) if there is no significant negative impact on consumers in particular as regards the availability of similar products and services.

Or. en

Amendment 479

Sabine Verheyen, Dieter-Lebrecht Koch

Proposal for a directive

Article 12 – paragraph 3 – point b a (new)

Text proposed by the Commission

Amendment

(ba) the lifetime of the machines that are necessary for the provision of a service.

Or. de

Justification

If, for example, a ticket machine with a lifetime of more than 10 years is in working order and

represents a large investment, it is unreasonable to require the economic operators to replace it immediately after the date of application of this Directive. The assessment of what constitutes a disproportionate burden should therefore take into account the lifetime of the machines, all the more so as the scope of this Directive is limited to new products and services.

Amendment 480

Sabine Verheyen, Dieter-Lebrecht Koch

Proposal for a directive

Article 12 – paragraph 3 – point b b (new)

Text proposed by the Commission

Amendment

(bb) alternatives that are offered free of charge and made available by the passenger transport service providers.

Or. de

Justification

Service providers, particularly in the transport sector, often make staff available to assist persons with a disability in operating the machines. This assistance, which can address the individual needs of persons with a disability much more effectively, should also be taken into account in assessing proportionality.

Amendment 481

Sabine Verheyen, Birgit Collin-Langen

Proposal for a directive

Article 12 – paragraph 4

Text proposed by the Commission

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.***

4. The burden shall not be deemed disproportionate where it is compensated by funding from other sources than the economic operator's own resources, ***made available for the purpose of improving accessibility.***

Or. en

Amendment 482
Kostadinka Kuneva, Curzio Maltese

Proposal for a directive
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.

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.***

Or. en

Amendment 483
Jiří Maštálka

Proposal for a directive
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.

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.***

Or. en

Amendment 484
Igor Šoltes

Proposal for a directive
Article 12 – paragraph 5

Text proposed by the Commission

5. The assessment of whether compliance with accessibility requirements regarding products or services imposes a fundamental alteration or disproportionate burden shall be performed by the economic operator.

Amendment

5. The assessment of whether compliance with accessibility requirements regarding products or services imposes a fundamental alteration or disproportionate burden shall be performed by the economic operator. ***Lack of priority, time or knowledge shall not be considered as legitimate reasons to claim the disproportionate burden.***

Or. en

Amendment 485
Marco Zullo

Proposal for a directive
Article 12 – paragraph 5

Text proposed by the Commission

5. The assessment of whether compliance with accessibility requirements regarding products or services imposes a fundamental alteration or ***disproportionate*** burden shall be performed by the ***economic operator***.

Amendment

5. The assessment of whether compliance with accessibility requirements regarding products or services imposes a fundamental alteration or ***excessive*** burden shall be performed by the ***market surveillance authorities, in cooperation with the organisations representing persons with disabilities.***

Or. it

Amendment 486
Igor Šoltes

Proposal for a directive
Article 12 – paragraph 5

Text proposed by the Commission

5. The assessment of whether compliance with accessibility requirements regarding products or services imposes a

Amendment

5. The assessment of whether compliance with accessibility requirements regarding products or services imposes a

fundamental alteration or disproportionate burden shall be performed by the economic operator.

fundamental alteration or disproportionate burden shall be performed by the economic operator ***together with users and experts on accessibility requirements.***

Or. en

Amendment 487

Andreas Schwab, Ildikó Gáll-Pelcz, Ivan Štefanec, Pascal Arimont, Sabine Verheyen

Proposal for a directive

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 ***relevant*** 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.***

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. The assessment must be ***submitted*** to the relevant ***market surveillance authority in accordance with paragraph 3, if so requested.***

Or. de

Amendment 488

Igor Šoltes

Proposal for a directive

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 relevant market surveillance authority of the

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 relevant 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.***

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.***

Or. en

Amendment 489

Sabine Verheyen, Dieter-Lebrecht Koch, Birgit Collin-Langen

Proposal for a directive 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 relevant 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.***

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 ***inform*** the relevant market surveillance authority of the Member State in the market of which the product or service is placed or made available. The assessment referred to in paragraph 3 ***shall be submitted to the market surveillance authority upon reasonable request.*** Microenterprises are exempted from this notification requirement but must be able to supply the relevant documentation upon request from a relevant market surveillance authority.

Or. en

Amendment 490

Anneleen Van Bossuyt

Proposal for a directive 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 relevant 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.

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 relevant 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.

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

Or. en

Amendment 491

Olga Sehnalová, Vilija Blinkevičiūtė, Anna Hedh, Brando Benifei, Maria Grapini, Lucy Anderson, Marlene Mizzi, Sergio Gutiérrez Prieto, Marc Tarabella

Proposal for a directive

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 relevant 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.

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 relevant 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. ***The market surveillance authority shall systematically verify the assessment for such an exemption to be granted.***

Amendment 492
Kostadinka Kuneva, Jiří Maštálka

Proposal for a directive
Article 12 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6a. 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 exceptions are established in order to ensure that they are coherent.

Or. en

Amendment 493
Igor Šoltes

Proposal for a directive
Article 12 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6a. 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 exceptions are established in order to ensure that they are coherent.

Or. en

Amendment 494
Jiří Maštálka

Proposal for a directive
Article 12 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6a. 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.

Or. en

Amendment 495

Olga Sehnalová, Vilija Blinkevičiūtė, Anna Hedh, Brando Benifei, Maria Grapini, Lucy Anderson, Liisa Jaakonsaari, Marlene Mizzi, Sergio Gutiérrez Prieto, Marc Tarabella

Proposal for a directive
Article 12 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6a. A structured dialogue shall be established between relevant stakeholders, including organisations representing persons with disabilities and the market surveillance authorities to ensure that adequate principles for the assessment of the exemptions are established to make sure they are coherent.

Or. en

Justification

Participation of persons with disabilities and their representative organisations on equal basis with other stakeholders should be promoted.

Amendment 496
Marlene Mizzi

Proposal for a directive
Article 12 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6a. Member States shall ensure, in particular by strengthening support networks and structures, that they encourage SMEs and very small enterprises to adopt an accessibility sound approach as early as at the product design stage and service provision.

Or. en

Amendment 497

Olga Sehnalová, Vilija Blinkevičiūtė, Anna Hedh, Brando Benifei, Maria Grapini, Biljana Borzan, Lucy Anderson, Liisa Jaakonsaari, Nicola Danti, Sergio Gutiérrez Prieto, Marc Tarabella

Proposal for a directive
Article 12 – paragraph 6 b (new)

Text proposed by the Commission

Amendment

6b. Member States are encouraged to provide incentives and guidelines to microenterprises and SMEs to facilitate the implementation of this Directive. The procedures and guidelines shall be developed in consultation with relevant stakeholders, including organisations representing persons with disabilities.

Or. en

Amendment 498
Marlene Mizzi

Proposal for a directive
Article 14 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Relevant stakeholders, including organisations representing persons with disabilities, shall be consulted systematically as part of the procedure for the adoption of implementing acts and for the development of European standards;

Or. en

Amendment 499

Olga Sehnalová, Vilija Blinkevičiūtė, Anna Hedh, Brando Benifei, Maria Grapini, Biljana Borzan, Lucy Anderson, Liisa Jaakonsaari, Marlene Mizzi, Sergio Gutiérrez Prieto, Marc Tarabella

Proposal for a directive

Article 14 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Relevant stakeholders, including organisations representing persons with disabilities, shall be consulted systematically as part of the procedure for the adoption of implementing acts.

Or. en

Justification

Participation of persons with disabilities and their representative organisations on equal basis with other stakeholders should be promoted.

Amendment 500

Jiří Maštálka

Proposal for a directive

Article 14 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Relevant stakeholders, including persons with disabilities and their

representative organisations, shall be consulted systematically as part of the procedure for the adoption of implementing acts.

Or. en

Amendment 501

Anneleen Van Bossuyt, Helga Stevens

Proposal for a directive

Article 15 – paragraph 2

Text proposed by the Commission

2. The EU declaration of conformity shall have the model structure set out in Annex III to Decision No 768/2008/EC. ***It shall contain the elements specified in Annex II to this Directive and shall be continuously updated.*** The requirements concerning the technical documentation shall avoid imposing any disproportionate burden for micro, small and medium-sized enterprises. It shall be translated into the language or languages required by the Member State in the market of which the product is placed or made available.

Amendment

2. The EU declaration of conformity shall have the model structure set out in Annex III to Decision No 768/2008/EC. The requirements concerning the technical documentation shall avoid imposing any disproportionate burden for micro, small and medium-sized enterprises. It shall be translated into the language or languages required by the Member State in the market of which the product is placed or made available.

Or. en

Amendment 502

Olga Sehnalová, Vilija Blinkevičiūtė, Anna Hedh, Brando Benifei, Maria Grapini, Lucy Anderson, Marlene Mizzi, Sergio Gutiérrez Prieto, Marc Tarabella

Proposal for a directive

Article 15 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. In addition to the EU declaration of conformity, a notice on the packaging shall inform consumers in a simple and precise way that the product incorporates accessibility features.

Justification

Clear reference to the accessibility will allow consumers to make informed choice.

Amendment 503

Andreas Schwab, Róza Gräfin von Thun und Hohenstein, Ivan Štefanec, Pascal Arimont, Sabine Verheyen

Proposal for a directive

Article 16

Text proposed by the Commission

Amendment

Article 16

deleted

General principles of the CE marking of products

The CE marking shall be subject to the general principles set out in Article 30 of Regulation (EC) No 765/2008.

Amendment 504

Sabine Verheyen, Birgit Collin-Langen

Proposal for a directive

Article 16

Text proposed by the Commission

Amendment

Article 16

deleted

General principles of the CE marking of products

The CE marking shall be subject to the general principles set out in Article 30 of Regulation (EC) No 765/2008.

Amendment 505
Anneleen Van Bossuyt, Helga Stevens

Proposal for a directive
Article 16

Text proposed by the Commission

Amendment

Article 16

deleted

General principles of the CE marking of products

The CE marking shall be subject to the general principles set out in Article 30 of Regulation (EC) No 765/2008.

Or. en

Amendment 506
Rosa Estaràs Ferragut, Antonio López-Istúriz White

Proposal for a directive
Article 17 – paragraph 3

Text proposed by the Commission

Amendment

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 to consumers 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.

Or. en

Amendment 507
Kostadinka Kuneva, Curzio Maltese, Jiří Maštálka

Proposal for a directive
Article 17 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. Each Member State shall establish a public accessible database register of non –accessible product. Consumers shall be able to consult and log information about non – accessible products. Member States shall take the necessary measures to inform consumers or other interested parties of the possibility to lodge complaints. An interactive system between the national databases shall be envisaged possibly under the responsibility of the Commission or the relevant representative organizations so that information on non-accessible products can be disseminated across the Europe.

Or. en

Amendment 508
Marlene Mizzi

Proposal for a directive
Article 17 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. Each Member State shall establish a public accessible database register of non-accessible products and services. Member States shall also take the necessary measures to inform consumers or other interested parties of the possibility of lodging complaints referred to in subparagraph a) and b) to the designated competent authority.

Or. en

Justification

Statistics and general information about market surveillance activities on accessibility of products and services by the authorities should be available. Market surveillance authorities

should provide consumers and other interested parties with the opportunity to submit information about potentially non-compliant products and services. Effective complaints handling procedures, including the foreseen obligation for market surveillance authorities to follow up with economic operators on these complaints, should be introduced as they will lead to more effective market surveillance.

Amendment 509

Igor Šoltes

Proposal for a directive

Article 17 a (new)

Text proposed by the Commission

Amendment

Article 17 a

National database

Each Member State shall establish a public accessible database register of non-accessible products. Consumers shall be able to consult and log information about non-accessible products. Member States shall take the necessary measures to inform consumers or other interested parties of the possibility to lodge complaints. An interactive system between national databases shall be envisaged, possibly under the responsibility of the Commission or the relevant representative organizations, so that information on non-accessible products can be disseminated across the Europe.

Or. en

Amendment 510

Rosa Estaràs Ferragut, Antonio López-Istúriz White

Proposal for a directive

Article 18 a (new)

Text proposed by the Commission

Amendment

Article 18 a

National databases

Each Member State shall create and regularly update a national database, accessible to all citizens and stakeholders, containing, all relevant information on the degree of accessibility of the products and services listed in Article 1(1) and (2).

Or. en

Amendment 511

Anneleen Van Bossuyt, Helga Stevens

Proposal for a directive

Article 19 – title

Text proposed by the Commission

Procedure for dealing with products
presenting a risk related to accessibility at
national level

Amendment

Procedure for dealing with products ***failing to fulfil the conformity requirements*** at
national level

Or. en

Amendment 512

Sabine Verheyen, Birgit Collin-Langen

Proposal for a directive

Article 19 – title

Text proposed by the Commission

Procedure for dealing with products
presenting a risk ***related to accessibility*** at
national level

Amendment

Procedure for dealing with products
presenting a risk ***for security or health*** at
national level

Or. en

Amendment 513

Andreas Schwab, Ildikó Gáll-Pelcz, Ivan Štefanec, Pascal Arimont, Sabine Verheyen

Proposal for a directive

Article 19 – title

Text proposed by the Commission

Procedure for dealing with products presenting a risk related to accessibility at national level

Amendment

Procedure for dealing with products presenting a risk **to safety or health** related to accessibility at national level

Or. de

Amendment 514

Anneleen Van Bossuyt, Helga Stevens

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 sufficient reason to believe that a product covered by this Directive **does not fulfil the conformity requirements**, 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.

Or. en

Amendment 515

Andreas Schwab, Ildikó Gáll-Pelcz, Ivan Štefanec, Pascal Arimont, Sabine Verheyen

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

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 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.

reason to believe that a product covered by this Directive presents a risk *to safety or health* 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.

Or. de

Amendment 516

Sabine Verheyen, Birgit Collin-Langen

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 presents a risk *for security or health* 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.

Or. en

Amendment 517

Anneleen Van Bossuyt

Proposal for a directive

Article 19 – paragraph 1 – subparagraph 2

Text proposed by the Commission

Where, in the course of that evaluation, the

Amendment

Where, in the course of that evaluation, the

market surveillance authorities find that the product does not comply with the requirements laid down in this Directive, they shall without delay require the relevant economic operator to take all appropriate corrective action to bring the product into compliance with those requirements, *to withdraw the product from the market, or to recall it within a reasonable period, commensurate with the nature of the risk, as they may prescribe.*

market surveillance authorities find that the product does not comply with the requirements laid down in this Directive, they shall without delay require the relevant economic operator to take all appropriate corrective action to bring the product into compliance with those requirements.

Or. en

Amendment 518
Sabine Verheyen, Birgit Collin-Langen

Proposal for a directive
Article 19 – paragraph 1 – subparagraph 2

Text proposed by the Commission

Where, in the course of that evaluation, the market surveillance authorities find that the product does not comply with the requirements laid down in this Directive, they shall without delay require the relevant economic operator to take all appropriate corrective action to bring the product into compliance with those requirements, to withdraw the product from the market, *or to recall it within a reasonable period, commensurate with the nature of the risk, as they may prescribe.*

Amendment

Where, in the course of that evaluation, the market surveillance authorities find that the product does not comply with the requirements laid down in this Directive, they shall without delay require the relevant economic operator to take all appropriate corrective action to bring the product into compliance with those requirements or to withdraw the product from the market *within an additional reasonable period, if the relevant economic operator has failed to take any corrective measure.*

Or. en

Amendment 519
Anneleen Van Bossuyt, Helga Stevens

Proposal for a directive
Article 19 – paragraph 1 – subparagraph 3

Text proposed by the Commission

Amendment

Article 21 of Regulation (EC) No 765/2008 shall apply to the measures referred to in the second subparagraph.

deleted

Or. en

Amendment 520

Anneleen Van Bossuyt, Helga Stevens

Proposal for a directive

Article 19 – paragraph 4

Text proposed by the Commission

Amendment

4. Where the relevant economic operator does not take adequate corrective action ***within the period referred to in the second subparagraph of paragraph 1***, the market surveillance authorities shall take all appropriate provisional measures to ***prohibit or restrict products being made available on their national markets, to withdraw the product from that market or to recall it***. The market surveillance authorities shall inform the Commission and the other Member States, without delay, of those measures.

4. Where the relevant economic operator does not take adequate corrective action, the market surveillance authorities shall take all appropriate provisional measures to ***ensure that the product is brought into compliance with the accessibility requirements set out by this Directive***. The market surveillance authorities shall inform the Commission and the other Member States, without delay, of those measures.

Or. en

Amendment 521

Sabine Verheyen, Birgit Collin-Langen

Proposal for a directive

Article 19 – paragraph 4

Text proposed by the Commission

Amendment

4. Where the relevant economic operator does not take adequate corrective action within the period referred to in the second subparagraph of paragraph 1, the

4. Where the relevant economic operator does not take adequate corrective action within the period referred to in the second subparagraph of paragraph 1, the

market surveillance authorities shall take all appropriate provisional measures to prohibit or restrict products being made available on their national markets, to withdraw the product from that market ***or to recall it***. The market surveillance authorities shall inform the Commission and the other Member States, without delay, of those measures.

market surveillance authorities shall take all appropriate provisional measures to prohibit or restrict products being made available on their national markets, to withdraw the product from that market. The market surveillance authorities shall inform the Commission and the other Member States, without delay, of those measures.

Or. en

Amendment 522

Anneleen Van Bossuyt, Helga Stevens

Proposal for a directive

Article 19 – paragraph 5 – introductory part

Text proposed by the Commission

5. The information referred to in paragraph 4 shall include all available details, in particular the data necessary for the identification of the non-compliant product, the origin of the product, the nature of the alleged non-compliance ***and the risk involved***, the nature and duration of the national measures taken and the arguments put forward by the relevant economic operator. In particular, the market surveillance authorities shall indicate whether the non-compliance is due to any of the following:

Amendment

5. The information referred to in paragraph 4 shall include all available details, in particular the data necessary for the identification of the non-compliant product, the origin of the product, the nature of the alleged non-compliance, the nature and duration of the national measures taken and the arguments put forward by the relevant economic operator. In particular, the market surveillance authorities shall indicate whether the non-compliance is due to any of the following:

Or. en

Amendment 523

Sabine Verheyen, Birgit Collin-Langen

Proposal for a directive

Article 19 – paragraph 5 – introductory part

Text proposed by the Commission

5. The information referred to in

Amendment

5. The information referred to in

paragraph 4 shall include all available details, in particular the data necessary for the identification of the non-compliant product, the origin of the product, the nature of the alleged non-compliance and the risk *involved*, the nature and duration of the national measures taken and the arguments put forward by the relevant economic operator. In particular, the market surveillance authorities shall indicate whether the non-compliance is due to any of the following:

paragraph 4 shall include all available details, in particular the data necessary for the identification of the non-compliant product, the origin of the product, the nature of the alleged non-compliance and the risk *for security or health*, the nature and duration of the national measures taken and the arguments put forward by the relevant economic operator. In particular, the market surveillance authorities shall indicate whether the non-compliance is due to any of the following:

Or. en

Amendment 524

Andreas Schwab, Ildikó Gáll-Pelcz, Ivan Štefanec, Pascal Arimont, Sabine Verheyen

Proposal for a directive

Article 19 – paragraph 5 – introductory part

Text proposed by the Commission

(5) The information referred to in paragraph 4 shall include all available details, in particular the data necessary for the identification of the non-compliant product, the origin of the product, the nature of the alleged non-compliance and the risk involved, the nature and duration of the national measures taken and the arguments put forward by the relevant economic operator. In particular, the market surveillance authorities shall indicate whether the non-compliance is due to any of the following:

Amendment

(5) The information referred to in paragraph 4 shall include all available details, in particular the data necessary for the identification of the non-compliant product, the origin of the product, the nature of the alleged non-compliance and the risk *to safety or health* involved, the nature and duration of the national measures taken and the arguments put forward by the relevant economic operator. In particular, the market surveillance authorities shall indicate whether the non-compliance is due to any of the following:

Or. de

Amendment 525

Andreas Schwab, Ildikó Gáll-Pelcz, Ivan Štefanec, Pascal Arimont, Sabine Verheyen

Proposal for a directive

Article 19 – paragraph 5 – point a

Text proposed by the Commission

(a) the failure of the product to meet requirements relating to those set out in Article 3 of this Directive, or

Amendment

(a) the failure of the product to meet requirements relating to those set out in Article 3 of this Directive, ***resulting in a risk to safety or health***, or

Or. de

Amendment 526

Andreas Schwab, Ildikó Gáll-Pelcz, Ivan Štefanec, Pascal Arimont, Birgit Collin-Langen, Sabine Verheyen

Proposal for a directive

Article 19 – paragraph 5 – point b

Text proposed by the Commission

(b) the shortcomings in the harmonised standards referred to in Article 13 conferring a presumption of conformity.

Amendment

(b) the shortcomings in the harmonised standards referred to in Article 13 conferring a presumption of conformity, ***resulting in a risk to safety or health***.

Or. de

Amendment 527

Anneleen Van Bossuyt

Proposal for a directive

Article 19 – paragraph 8

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.

Amendment

8. Member States shall ensure that appropriate measures are taken in respect of the product concerned, without delay.

Or. en

Amendment 528

Andreas Schwab, Ildikó Gáll-Pelcz, Ivan Štefanec, Pascal Arimont, Birgit Collin-Langen, Sabine Verheyen

Proposal for a directive

Article 19 – paragraph 8

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.

Amendment

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

Or. de

Amendment 529

Kostadinka Kuneva, Jiří Maštálka

Proposal for a directive

Article 19 – paragraph 8 a (new)

Text proposed by the Commission

Amendment

8a. To facilitate the exchange of information and best practices amongst the market surveillance authorities and to ensure coherence in the application of the accessibility requirements set out in this Directive or in cases deemed necessary following a request by the Commission to express an opinion on exceptions from those requirements, the Commission shall establish a working group formed by representatives of the national market surveillance authorities and the representative organisations of the relevant stakeholders, including persons with disabilities.

Or. en

Amendment 530

Igor Šoltes

Proposal for a directive

Article 19 a (new)

Text proposed by the Commission

Amendment

Article 19a

Exchange of information

To facilitate the exchange of information and best practices among market surveillance authorities and to ensure coherence in the application of the requirements set out in this Directive or in cases deemed necessary following a request by the Commission to express an opinion on exceptions from those requirements, the Commission shall establish a working group formed by representatives of the national market surveillance authorities and the representative organisations of the relevant stakeholders, including persons with disabilities.

Or. en

Amendment 531

Maria Grapini

Proposal for a directive

Article 20 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Amendment

Where, on completion of the procedure set out in Article 19(3) and (4), objections are raised against a measure taken by a Member State, or where the Commission **considers** a national measure **to be** contrary to Union legislation, the Commission shall without delay enter into consultation with the Member States and the relevant economic operator or operators and shall evaluate the national measure. On the basis

Where, on completion of the procedure set out in Article 19(3) and (4), objections are raised against a measure taken by a Member State, or where the Commission **has reasonable evidence to suggest that** a national measure **is** contrary to Union legislation, the Commission shall without delay enter into consultation with the Member States and the relevant economic operator or operators and shall evaluate the

of the results of that evaluation, the Commission shall decide whether the national measure is justified or not.

national measure. On the basis of the results of that evaluation, the Commission shall decide whether the national measure is justified or not.

Or. ro

Amendment 532
Marco Zullo

Proposal for a directive
Article 20 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Where, on completion of the procedure set out in Article 19(3) and (4), objections are raised against a measure taken by a Member State, or where the Commission considers a national measure to be contrary to Union legislation, the Commission shall without delay enter into consultation with the Member States and the relevant economic operator or operators and shall evaluate the national measure. On the basis of the results of that evaluation, the Commission shall decide whether the national measure is justified or not.

Amendment

Where, on completion of the procedure set out in Article 19(3) and (4), objections are raised against a measure taken by a Member State, or where the Commission considers a national measure to be contrary to Union legislation, the Commission shall without delay enter into consultation with the Member States, **and with the organisations representing persons with disabilities** and the relevant economic operator or operators, and shall evaluate the national measure. On the basis of the results of that evaluation, the Commission shall decide whether the national measure is justified or not.

Or. it

Amendment 533
Anneleen Van Bossuyt, Helga Stevens

Proposal for a directive
Article 20 – paragraph 2

Text proposed by the Commission

2. If the national measure is considered justified, all Member States shall take the measures necessary to ensure that the non-compliant product is

Amendment

2. If the national measure is considered justified, all Member States shall take the measures necessary to ensure that the non-compliant product is **brought**

withdrawn from their market, and shall inform the Commission accordingly. If the national measure is considered unjustified, the Member State concerned shall withdraw the measure.

into compliance, and shall inform the Commission accordingly. If the national measure is considered unjustified, the Member State concerned shall withdraw the measure.

Or. en

Amendment 534
Vicky Ford

Proposal for a directive
Article 21 – paragraph 1 – introductory part

Text proposed by the Commission

1. The ***Accessibility*** requirements set out in ***Section IX*** of Annex I shall apply:

Amendment

1. The ***accessibility*** requirements set out in ***Sections I to V*** of Annex I shall apply ***to the products and services referred to in Article 1(1) and 1(2) as follows***:

Or. en

Amendment 535
Vicky Ford

Proposal for a directive
Article 21 – paragraph 1 – point a

Text proposed by the Commission

(a) When establishing the technical specifications ***and award criteria*** related to ***all public contracts and concessions the object of which is intended for use by persons, whether general public or staff of the contracting authority or contracting entity***, which are subject to Directive 2014/23/EU,⁴⁹ Directive 2014/24/EU⁵⁰ and Directive 2014/25/EU.⁵¹

Amendment

(a) when establishing the technical specifications related to public contracts ***including mixed contracts, as defined in Article 1(3) of this Directive***, which are subject to Directive 2014/24/EU⁵⁰ ***or*** Directive 2014/25/EU⁵¹.

⁴⁹ ***Directive 2014/23/EU of the European Parliament and of the Council of 26 February 2014 on the award of***

concession contracts.

⁵⁰ Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement.

⁵¹ Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors.

⁵⁰ Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement.

⁵¹ Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors.

Or. en

Amendment 536
Edward Czesak

Proposal for a directive
Article 21 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) When establishing the accessibility requirements referred to in the preparation and implementation of programmes under Regulation (EC) No 1303/2013 on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and Regulation (EU) No 1304/2013 on the European Social Fund;

deleted

Or. en

Amendment 537
Edward Czesak

Proposal for a directive
Article 21 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) When establishing the accessibility

deleted

requirements related to social and quality criteria established by competent authorities in tender procedures for public passenger transport services by rail and by road under Regulation (EC) No 1370/2007;

Or. en

Amendment 538

Sabine Verheyen, Dieter-Lebrecht Koch

Proposal for a directive

Article 21 – paragraph 1 – point c

Text proposed by the Commission

(c) When establishing the accessibility requirements related to social and quality criteria established by competent authorities in tender procedures for public passenger transport services by rail and by road under Regulation (EC) No 1370/2007;

Amendment

(c) When establishing the accessibility requirements related to social and quality criteria established by competent authorities in tender procedures for public passenger transport services by rail and by road under Regulation (EC) No 1370/2007, ***in so far as the competent authorities lay down accessibility requirements;***

Or. de

Justification

Competent authorities are free to choose whether compliance with accessibility requirements should be an award criterion or not. If they do make them a condition, however, the criteria must be consistent with the accessibility requirements laid down in this Directive.

Amendment 539

Edward Czesak

Proposal for a directive

Article 21 – paragraph 1 – point d

Text proposed by the Commission

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

Amendment

deleted

Amendment 540

Igor Šoltes

Proposal for a directive

Article 21 – paragraph 1 – point d a (new)

Text proposed by the Commission

Amendment

(da) where applicable, all relevant Union legislation or to the provisions in Union legislation referring to accessibility for persons with disabilities.

Or. en

Amendment 541

Jiří Maštálka

Proposal for a directive

Article 21 – paragraph 1 – point d a (new)

Text proposed by the Commission

Amendment

(da) where applicable, all relevant Union legislation or to the provisions in Union legislation referring to accessibility for persons with disabilities.

Or. en

Amendment 542

Sabine Verheyen, Dieter-Lebrecht Koch, Birgit Collin-Langen

Proposal for a directive

Article 22 – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) the estimated costs and benefits for the competent authorities concerned in relation to the estimated benefit for persons

(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;

with disabilities, taking into account the frequency, duration of use of the specific product or service **as well as the estimated amount of users.**

Or. en

Amendment 543

Olga Sehnalová, Vilija Blinkevičiūtė, Anna Hedh, Brando Benifei, Maria Grapini, Lucy Anderson, Nicola Danti, Sergio Gutiérrez Prieto, Marc Tarabella

Proposal for a directive

Article 22 – paragraph 2 – point b

Text proposed by the Commission

(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;

Amendment

(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, taking into account the frequency and duration of use of the specific product or service;

Or. en

Justification

Reference to “persons with functional limitations” in addition to the term “persons with disabilities” should be retained in order to illustrate that much wider part of the population will benefit from this Directive. Also when making the estimated costs and benefits analysis, it is key to take into account the whole population that benefit from accessible products and services.

Amendment 544

Igor Šoltes

Proposal for a directive

Article 22 – paragraph 2 – point b

Text proposed by the Commission

(b) the estimated costs and benefits for the competent authorities concerned in relation to the estimated benefit for persons

Amendment

(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;

with disabilities ***and persons with functional limitations***, taking into account the frequency and duration of use of the specific product or service;

Or. en

Amendment 545
Igor Šoltes

Proposal for a directive
Article 22 – paragraph 3

Text proposed by the Commission

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.

Amendment

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.

Or. en

Amendment 546
Igor Šoltes

Proposal for a directive
Article 22 – paragraph 4

Text proposed by the Commission

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.

Amendment

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.***

Or. en

Amendment 547

Olga Sehnalová, Vilija Blinkevičiūtė, Anna Hedh, Brando Benifei, Maria Grapini, Lucy Anderson, Liisa Jaakonsaari, Sergio Gutiérrez Prieto, Marc Tarabella

Proposal for a directive

Article 22 – paragraph 4

Text proposed by the Commission

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.

Amendment

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.***

Or. en

Amendment 548

Jiří Maštálka

Proposal for a directive

Article 22 – paragraph 4

Text proposed by the Commission

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.

Amendment

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.***

Or. en

Amendment 549

Igor Šoltes

Proposal for a directive
Article 22 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. 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 19a to verify the assessment referred to in paragraph 2 of this Article and issue an opinion.

Or. en

Amendment 550
Othmar Karas

Proposal for a directive
Article 25 – paragraph 2

Text proposed by the Commission

Amendment

(2) The means referred to paragraph 1 shall include: **deleted**

(a) provisions whereby a consumer may take action under national law before the courts or before the competent administrative bodies to ensure that the national provisions transposing this Directive are complied with;

(b) provisions whereby public bodies or private associations, organisations or other legal entities which have a legitimate interest, in ensuring that the provisions of this Directive are complied with, may take action under national law before the courts or before the competent administrative bodies on behalf of consumers to ensure that the national provisions transposing this Directive are complied with.

Or. de

Justification

These legal provisions should be deleted as they would otherwise make it possible for an actio popularis to be brought.

Amendment 551

Sabine Verheyen, Birgit Collin-Langen

Proposal for a directive

Article 25 – paragraph 2 – point a

Text proposed by the Commission

(a) provisions whereby a consumer may take action under national law before the courts or before the competent administrative bodies to ensure that the national provisions transposing this Directive are complied with;

Amendment

(a) provisions whereby a ***directly affected*** consumer may take action under national law before the courts or before the competent administrative bodies to ensure that the national provisions transposing this Directive are complied with;

Or. en

Amendment 552

Sabine Verheyen, Dieter-Lebrecht Koch, Birgit Collin-Langen

Proposal for a directive

Article 25 – paragraph 2 – point b

Text proposed by the Commission

(b) provisions whereby public bodies or private associations, organisations or other legal entities ***which have a legitimate interest, in ensuring that the provisions of this Directive are complied with,*** may take action under national law before the courts or before the competent administrative bodies ***on behalf of consumers*** to ensure that the national provisions transposing this Directive are complied with.

Amendment

(b) provisions whereby public bodies or private associations, organisations or other legal entities ***that are directly affected by the non-conformity of a product or service*** may take action under national law before the courts or before the competent administrative bodies to ensure that the national provisions transposing this Directive are complied with.

Or. en

Amendment 553

Igor Šoltes

Proposal for a directive

Article 25 – paragraph 2 – point b a (new)

Text proposed by the Commission

Amendment

(ba) provisions whereby an accessible, comprehensive and adequately resourced complaints mechanism for consumers is established to complement a system of implementation and monitoring.

Or. en

Amendment 554

Kostadinka Kuneva, Curzio Maltese

Proposal for a directive

Article 25 – paragraph 2 – point b a (new)

Text proposed by the Commission

Amendment

(ba) provisions whereby a comprehensive and adequately resourced complaints mechanism for consumers is established to complement a system of implementation and monitoring.

Or. en

Amendment 555

Olga Sehnalová, Vilija Blinkevičiūtė, Anna Hedh, Brando Benifei, Maria Grapini, Biljana Borzan, Lucy Anderson, Liisa Jaakonsaari, Nicola Danti, Sergio Gutiérrez Prieto, Marc Tarabella

Proposal for a directive

Article 25 – paragraph 2 – point b a (new)

Text proposed by the Commission

Amendment

(ba) provisions whereby a comprehensive and adequately resourced complaints mechanism for consumers is

established to complement a system of implementation and monitoring.

Or. en

Amendment 556

Rosa Estaràs Ferragut, Antonio López-Istúriz White

Proposal for a directive

Article 25 – paragraph 2 – point b a (new)

Text proposed by the Commission

Amendment

(ba) provisions whereby a comprehensive , adequately resourced consumer complaints mechanism is established to complement a system of implementation and monitoring.

Or. en

Amendment 557

Marco Zullo

Proposal for a directive

Article 25 – paragraph 2 – point b a (new)

Text proposed by the Commission

Amendment

(ba) provisions whereby a consumer complaints mechanism is established.

Or. it

Amendment 558

Igor Šoltes

Proposal for a directive

Article 25 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Member States shall ensure that prior to an action being taken before the courts or before the competent

administrative bodies, there shall be an opportunity for the relevant economic operator to resolve any alleged non-compliance with the provisions of this Directive, including via engagement, cooperation or alternative dispute resolution mechanisms with consumers, public bodies and / or private associations, organisations or other legal entities with a legitimate interest. This shall be known as the "engagement mechanism".

If the non-compliance cannot be resolved to the satisfaction of both parties within 15 days from the date that the economic operator is notified of the concerns raised by consumers, public bodies and / or private associations, organisations or other legal entities with a legitimate interest, the engagement mechanism shall be considered to have failed, unless the parties mutually agree to extend that period.

In cases where the engagement mechanism fails, national courts shall be required, when assessing the merits of a case involving allegations of substantial non-compliance with this Directive, to take into consideration whether or not the parties availed themselves of the engagement mechanism.

Or. en

Amendment 559

Vicky Ford

Proposal for a directive

Article 25 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. This Article shall not apply to contracts which are subject to Directives 2014/24/EU and 2014/25/EU.

Or. en

Amendment 560

Igor Šoltes

Proposal for a directive

Article 25 – paragraph 2 b (new)

Text proposed by the Commission

Amendment

2b. To further the aim in paragraph 2a, Member States shall encourage economic operators to implement and publicise a consumer complaints mechanism with the aim of resolving disputes.

Or. en

Amendment 561

Olga Sehnalová, Vilija Blinkevičiūtė, Anna Hedh, Brando Benifei, Maria Grapini, Biljana Borzan, Nicola Danti, Sergio Gutiérrez Prieto, Marc Tarabella

Proposal for a directive

Article 26 – paragraph 2

Text proposed by the Commission

Amendment

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

2. The penalties provided for shall be effective, proportionate and dissuasive **enough to not constitute an alternative for the economic operators from not conforming their products or services to the accessibility requirements laid down in this Directive.**

Or. en

Amendment 562

Rosa Estaràs Ferragut, Antonio López-Istúriz White

Proposal for a directive

Article 26 – paragraph 2

Text proposed by the Commission

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

Amendment

2. The penalties provided for shall be effective, proportionate and dissuasive, ***but not serve as an alternative to the fulfilment by economic operators of their obligation to make their products or services accessible.***

Or. en

Amendment 563

Igor Šoltes

Proposal for a directive

Article 26 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Member States shall dedicate the necessary resources to enforce and collect penalties. Funds raised shall be re-invested in accessibility-related measures.

Or. en

Amendment 564

Rosa Estaràs Ferragut, Antonio López-Istúriz White

Proposal for a directive

Article 26 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. The proceeds collected from the imposition of penalties shall be re-invested in accessibility-related measures.

Or. en

Amendment 565

Vicky Ford

Proposal for a directive
Article 26 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. This Article shall not apply to contracts which are subject to Directives 2014/24/EU and 2014/25/EU.

Or. en

Amendment 566
Jiří Maštálka

Proposal for a directive
Article 27 – paragraph 2

Text proposed by the Commission

Amendment

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

2. They shall apply those provisions from:

(a) ... [three years after the date of entry into force of this Directive] for products referred to in point (a) of Article 1(1) - general purpose computer hardware and operating systems;

(b) ... [five years after the date of entry into force of this Directive] for products referred to in point (b) of Article 1(1) - self - service terminals;

(c) ... [four years after the date of entry into force of this Directive] for products referred to in point (c) of Article 1(1) - consumer terminal equipment with advanced computing capability related to telephony services;

(d) ... [four years after the date of entry into force of this Directive] for products referred to in point (d) of Article 1(1) - consumer terminal equipment with advanced computing capabilities related to audiovisual media services;

(e) ... [four years after date of the entry into force of this Directive] for products referred to in point (e) of Article 1(1) - household appliances operated by a user interface;

(f) ... [four years after the date of entry into force of this Directive] for services referred to in point (a) of Article 1(2) - telephony services;

(g) ... [six years after the date of entry into force of this Directive] for services referred to in point (b) of Article 1(2) - audiovisual Media services;

(h) ... [three years after the date of entry into force of this Directive] for services referred to in point (c) of Article 1(2) - air, bus, rail and waterborne passenger transport services (websites and mobile applications);

(i) ... [five years after the date of entry into force of this Directive] for services referred to in point (c) of Article 1(2) - air, bus, rail and waterborne passenger transport services (self-service terminals and ticketing machines);

(j) ... [10 years after the date of entry into force of this Directive] for services referred to in point (c) of Article 1(2) , air, bus, rail and waterborne passenger transport services (vehicles and infrastructure);

(k) ... [five years after the date of entry into force of this Directive] for services referred to in point (d) of Article 1(2) - banking services and payment terminals (self-service terminals and payment terminals);

(l) ... [three years after the date of entry into force of this Directive] for services referred to in point (d) of Article 1(2) - banking services and payment terminals (banking service);

(m) ... [three years after the date of entry into force of this Directive] for services referred to in point (e) of Article

1(2) - e-books;

(n) ... [three years after the date of entry into force of this Directive] for services referred to in point (f) of Article 1(2) - e-commerce, websites of providers of products and services, social media and new websites, and online platforms;

(o) ... [three years after the date of entry into force of this Directive] for services referred to in point (g) of Article 1(2) - accommodation services (websites);

(p)- ... [three years after the date of entry into force of this Directive] for services referred to in point (g) of Article 1(2) - accommodation services (built environment).

Or. en

Amendment 567

Rosa Estaràs Ferragut, Antonio López-Istúriz White

Proposal for a directive Article 27 – paragraph 2

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 568

Olga Sehnalová, Vilija Blinkevičiūtė, Anna Hedh, Brando Benifei, Maria Grapini, Lucy Anderson, Nicola Danti, Sergio Gutiérrez Prieto

Proposal for a directive Article 27 – paragraph 2

Text proposed by the Commission

2. They shall apply those provisions from [... **insert date - six years after the**

Amendment

2. They shall apply those provisions

entry into force of this Directive].

from:

Or. en

Amendment 569

Olga Sehnalová, Vilija Blinkevičiūtė, Anna Hedh, Brando Benifei, Maria Grapini, Lucy Anderson, Nicola Danti, Sergio Gutiérrez Prieto

Proposal for a directive

Article 27 – paragraph 2 – point a (new)

Text proposed by the Commission

Amendment

(a) ... [three years after the date of entry into force of this Directive] for products and services referred to in Article 1;

Or. en

Justification

Implementation of the Directive should be shortened to ensure persons with functional limitations and persons with disabilities will benefit from accessibility in a reasonable period of time.

Amendment 570

Olga Sehnalová, Vilija Blinkevičiūtė, Anna Hedh, Brando Benifei, Maria Grapini

Proposal for a directive

Article 27 – paragraph 2 – point b (new)

Text proposed by the Commission

Amendment

(b) ... [ten years after the date of entry into force of this Directive] for provisions linked to the built environment referred to in Article 3(10).

Or. en

Justification

Reasonable additional time to comply with the requirements of the Directive for the built environment is suggested.

Amendment 571

Olga Sehnalová, Vilija Blinkevičiūtė, Anna Hedh, Brando Benifei, Maria Grapini, Liisa Jaakonsaari, Sergio Gutiérrez Prieto, Marc Tarabella

Proposal for a directive

Article 27 – paragraph 5

Text proposed by the Commission

5. Member States *using the possibility provided for in Article 3(10) shall communicate to the Commission the text of the main provisions of national law which they adopt to that end and* shall report to the Commission on the progress made in their implementation.

Amendment

5. Member States shall report to the Commission on the progress made in their implementation.

Or. en

Amendment 572

Sabine Verheyen, Birgit Collin-Langen

Proposal for a directive

Article 27 a (new)

Text proposed by the Commission

Amendment

Article 27 a

Transitional period

Without prejudice to Article 27(2), Member States may provide for a transitional period of six years after the date of application of this Directive during which service providers may continue to provide their services using products which were lawfully used to provide similar services before that date.

Or. en

Amendment 573

Rosa Estaràs Ferragut, Antonio López-Istúriz White

Proposal for a directive
Article 28 – introductory part

Text proposed by the Commission

By [...*insert date* - **five** years after the application of this Directive], and every **five** years thereafter, the Commission shall submit to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions a report on the application of this Directive.

Amendment

By ... [**three** years after the application of this Directive], and every **three** years thereafter, the Commission shall submit to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions a report on the application of this Directive.

Or. en

Amendment 574
Maria Grapini

Proposal for a directive
Article 28 – introductory part

Text proposed by the Commission

By [...insert date - **five** years after the application of this Directive], and every **five** years thereafter, the Commission shall submit to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions a report on the application of this Directive.

Amendment

By [...insert date - **three** years after the application of this Directive], and every **three** years thereafter, the Commission shall submit to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions a report on the application of this Directive.

Or. ro

Amendment 575
Olga Sehnalová, Vilija Blinkevičiūtė, Anna Hedh, Brando Benifei, Maria Grapini, Liisa Jaakonsaari, Nicola Danti, Sergio Gutiérrez Prieto, Marc Tarabella

Proposal for a directive
Article 28 – paragraph 1

Text proposed by the Commission

1. The report shall, inter alia, address in the light of social, economic and

Amendment

1. The report shall, **based on the notifications received, assess whether this**

technological developments the evolution of the accessibility of products and services and the impact on economic operators and persons with disabilities, identifying where possible, areas for burden reduction, with a view to assessing the need to review this Directive.

Directive has achieved its objectives, in particular with regard to enhancing the free circulation of accessible products and services. It shall, inter alia, address in the light of social, economic and technological developments and the level of compliance with this Directive, the evolution of the accessibility of products and services and the need to include or exclude new products and services under the scope of the Directive. The Commission shall also evaluate the functioning of Articles 12 and 22 and their impact on economic operators and persons with disabilities, identifying where possible, areas for burden reduction, with a view to assessing the need to review this Directive.

Or. en

Amendment 576
Morten Løkkegaard

Proposal for a directive
Article 28 – paragraph 3

Text proposed by the Commission

3. The Commission's report shall take into account the viewpoints of the economic stakeholders and relevant non-governmental organisations, including organisations of persons with disabilities ***and those representing older persons.***

Amendment

3. The Commission's report shall take into account the viewpoints of the economic stakeholders and relevant non-governmental organisations, including organisations of persons with disabilities.

Or. en

Amendment 577
Anneleen Van Bossuyt, Helga Stevens

Proposal for a directive
Article 28 – paragraph 3

Text proposed by the Commission

3. The Commission's report shall take into account the viewpoints of the economic stakeholders and relevant non-governmental organisations, including organisations of persons with disabilities ***and those representing older persons.***

Amendment

3. The Commission's report shall take into account the viewpoints of the economic stakeholders and relevant non-governmental organisations, including organisations of persons with disabilities.

Or. en

Amendment 578
Olga Sehnalová

Proposal for a directive
Annex I – Section I – title

Text proposed by the Commission

General purpose computer hardware and operating systems

Amendment

General purpose computer hardware and operating systems ***and e-book readers***

Or. en

Amendment 579
Igor Šoltes

Proposal for a directive
Annex I – Section I – point -1 a (new)

Text proposed by the Commission

Amendment

-1. Operating Systems

1. The provision of services in order to maximise their intended use by persons with functional limitations, including persons with disabilities, shall be achieved by meeting the requirements as laid down in point 3 on user interface and functionality design. The provision of services includes:
(a) information about the functioning of the service and about its accessibility characteristics and facilities which may be

*provided in digital format
(b) the electronic information, including
the websites needed in the provision of the
service.*

Or. en

Amendment 580
Igor Šoltes

Proposal for a directive
Annex I – Section I – paragraph 1 – title

Text proposed by the Commission

1. Design and production:

Amendment

1. Design and production *of general
purpose computer hardware:*

Or. en

Amendment 581
Olga Schnalová

Proposal for a directive
Annex I – Section I – point 1

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:
- (a) the information on the use of the product provided on the product itself (labelling, instructions, warning), which:
 - (i) *must be available by more than one sensory channel;*
 - (ii) *must be understandable;*
 - (iii) *must be perceivable;*

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:
- (a) the information on the use of the product provided on the product itself (labelling, instructions, warning), which:
 - (i) *shall be understandable;*
 - (ii) *shall be perceivable;*
 - (iii) *shall have an adequate size and*

(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);

(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;*

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

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;*

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

(i) *shall meet the requirements laid down in point (a);*

(ii) *shall in a simple and precise way inform the users that the product incorporates accessibility features and its compatibility with assistive 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-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.

- (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 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.***

Or. en

Amendment 582
Olga Sehnalová

Proposal for a directive
Annex I – Section I – point 2

Text proposed by the Commission

2. *User interface and functionality design:*

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:

- (a) provide for communication and orientation via more than one sensory channel;
- (b) provide for alternatives to speech for communication and orientation;

Amendment

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 ***shall*** be designed, where applicable, as follows:

- (a) provide for 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;

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

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

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

(f) provide for *user control of volume*;

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

Where the product requires vocal input from users, the product shall provide at least one mode of 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 *a visual mode of operation that does not require user perception of colour*;

(e) provide for user 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*;

(f) 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*;

(g) 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 ranges or it shall be possible for a user to place it within reach*;

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

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

(h) *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;*

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

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

Or. en

Amendment 583
Olga Sehnalová

Proposal for a directive
Annex I – Section I – 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 with functional limitations and persons with disabilities.

Or. en

Justification

Accessibility of the support services, where applicable, should be also guaranteed in order to provide all necessary information to consumers

Amendment 584
Jiří Maštálka

2a. Functional performance requirements

(a) usage without vision

Where ICT provides visual models of operation, it shall provide at least one mode of operation that does not require vision.

(b) Usage with limited vision

Where ICT provides visual models of operation, it shall provide at least one mode of operation that enables users to make better use of their limited vision.

(c) Usage without perception of colour

Where ICT provides visual models of operation, it shall 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 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 provide at least one mode of operation with enhanced audio features.

(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 them 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.

(h) Usage with limited reach

Where ICT products are freestanding or installed, the operational elements will need to be within reach of all users.

(i) Minimising the risk of triggering photosensitive seizures

Where ICT provides visual modes of operation, it shall 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 incorporating features that make it simpler and easier to use.

(k) Privacy

Where ICT incorporates features that are provided for accessibility, it shall provide at least one mode of operation that maintained privacy when using those ICT features that are provided for accessibility.

Or. en

Amendment 585

Olga Sehnalová

Proposal for a directive

Annex I – Section II – title

Text proposed by the Commission

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

Amendment

Self-service terminals: Automatic Teller Machines, ticketing machines and check-in machines; **and payment terminals**

Or. en

Amendment 586
Igor Šoltes

Proposal for a directive
Annex I – Section II – Title

Text proposed by the Commission

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

Amendment

Self-service terminals: Automatic Teller Machines, ticketing machines, ***parking ticket vending machines*** and check-in machines ***and payment terminals***,

Or. en

Amendment 587
Lambert van Nistelrooij

Proposal for a directive
Annex I – Section II – Title

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 588
Marco Zullo

Proposal for a directive
Annex I – Section II – Title

Text proposed by the Commission

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

Amendment

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

Or. it

Proposal for a directive
Annex I – Section II – point 1

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:

- (a) the information on the use of the product provided on the product itself (labelling, instructions, warning), which:
 - (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 user interface of the product (handling, controls and feedback, input and output) in accordance with point 2;
- (c) the functionality of the product by providing functions aimed to address the needs of persons with functional limitations, in accordance with point 2;
- (d) **the interfacing of the product with** assistive devices.

Amendment

1. Design and production:

The design and production of products in order to maximise their foreseeable use by persons with functional limitations **and** 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:
 - (i) **shall** be available by more than one sensory channel;
 - (ii) **shall** be understandable;
 - (iii) **shall** be perceivable; foreseeable conditions of use;
 - (iv) **shall list and explain how to activate and use the accessibility features of the product and its compatibility with assistive technologies maximise its readability** in
 - (v) shall have an adequate size **and type** of fonts **with sufficient contrast between the characters and their background in order to**
- (b) the user interface of the product (handling, controls and feedback, input and output) in accordance with point 2;
- (c) the functionality of the product by providing functions aimed to address the needs of persons with functional limitations, in accordance with point 2;
- (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.

Or. en

Amendment 590

Olga Sehnalová

Proposal for a directive

Annex I – Section II – point 2

Text proposed by the Commission

2. User interface and functionality design:

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, *as follows*:

- (a) *provide for communication and orientation via more than one sensory channel;*
- (b) *provide for alternatives to speech for communication and orientation;*
- (c) *provide for flexible magnification and contrast;*
- (d) *provide for an alternative colour to convey information;*
- (e) *provide for flexible ways to separate and control foreground from background including for reducing*

Amendment

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 (b) and (c) of point 1 they must be designed, where applicable, *in accordance with point 2 of Section I as well as*:

- (a) *shall not require that an accessibility feature be on in order for a user who needs the feature to turn it on;*
- (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;*
- (c) *the product shall be operable, including the operable parts of the product, such as keys and controls, shall have an adequate contrast between the keys and controls and their background, and shall be tactilely discernible;*
- (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;*
- (e) *where the product uses biological characteristics of the user, it shall not rely on the use of a particular biological*

background noise and improve clarity;

(f) provide for user control of volume;

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

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

(i) provide avoidance of triggering photosensitive seizures.

characteristic as the only means of user identification or for

Or. en

Amendment 591
Igor Šoltes

Proposal for a directive
Annex I – Section II – point 2a (new)

Text proposed by the Commission

Amendment

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 592

Jiří Maštálka

Proposal for a directive

Annex I – Section III – Part A – point 1

Text proposed by the Commission

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

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:

- (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"
- (b) providing information about the functioning of the service and about its accessibility characteristics and facilities as follows:
 - (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,
 - (ii) alternatives to non-text content shall be provided;
 - (iii) the electronic information, including the related online applications needed in the provision of the service shall be provided in accordance with point (c).
- (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 level;
- (d) providing accessible information to facilitate complementarities with assistive services;

including persons with disabilities, shall be achieved by:

- (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"
- (b) 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 and electronic non-web document by making them perceivable, operable, understandable and robust in accordance with point (c)*
 - (ii) *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*
 - (iii) *shall be provided on alternative non-electronic formats upon request. The alternative non-electronic formats may include large print, Braille or easy-to-read text.*
- (c) making websites accessible *and online applications needed for the provision of the service* 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;
- (d) *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*

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 593

Igor Šoltes

Proposal for a directive

Annex I – Section III – Part A – point 1 – point c

Text proposed by the Commission

(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 level;

Amendment

(c) making websites ***and online 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 594

Igor Šoltes

Proposal for a directive

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

Text proposed by the Commission

Amendment

(ca) 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 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 595

Olga Sehnalová

Proposal for a directive

Annex I – Section III –Part A – point 1 a (new)

Text proposed by the Commission

Amendment

1a. Support Services

Where available, support services (helpdesks, 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 and persons with disabilities.

Or. en

Amendment 596

Olga Sehnalová

Proposal for a directive

Annex I – Section III –Part B – point 1

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

1. Design and production :

The design and production of products in order to maximise their foreseeable use by persons with functional limitations **and** persons with disabilities and those with age related impairments, shall be achieved by

be achieved by ***making accessible*** the following:

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

(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 use conditions;

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

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

(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***

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

complying with the following ***accessibility requirements:***

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

(ii) ***shall*** be understandable;

(iii) ***shall*** be perceivable;

(iv) 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;

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

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

(i) ***shall meet the requirements laid down in point (a);***

(ii) ***shall in a simple and precise way inform the users that the product incorporates accessibility features and its compatibility with assistive 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***

- (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.***

assistive technologies available at Union and international level;

(iia) shall be provided on alternative non-electronic formats upon request. The alternative non electronic formats may include large print, Braille, or easy to read;

- (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 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.***

Or. en

Amendment 597 **Olga Sehnalová**

Proposal for a directive **Annex I – Section III –Part B – point 2**

Text proposed by the Commission

2. *User interface and* functionality design:

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***:

- (a) ***provide for communication and orientation via more than one sensory channel;***
- (b) ***provide for alternatives to speech***

Amendment

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 ***in Section I. Point 2, as well as***:

- (a) ***the product shall be able to encode and decode two-way voice communication with high-fidelity audio;***
- (b) ***the product supporting two-way voice communication shall also allow a***

for communication and orientation;

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

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

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

(f) *provide for user control of volume;*

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

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

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

user to communicate with another user by Real Time Text(RTT), so RTT can be used standalone or combined with voice on the same call;

(c) *where the product interoperates for two-way voice communication within a specific network, it shall also interoperate in real-time text on the same voice call using the real-time text format specified for that network;*

(d) *where the product that provides two-way voice communication includes real-time video functionality, the product shall support a video resolution that allows users to communicate using sign language and lip-reading;*

(e) *where the product delivers output by an audio transducer, the product shall provide a means for effective wireless coupling to hearing technologies, such as hearing aids, telecoils, cochlear implants, and assistive listening devices, and shall reduce interferences with these hearing technologies to the lowest possible level.*

Or. en

Amendment 598

Olga Sehnalová

Proposal for a directive

Annex I – Section III – Part B – point 2 a (new)

Text proposed by the Commission

Amendment

2a. Support services

Where technically possible, 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 and persons with disabilities.

Or. en

Amendment 599

Jiří Maštálka

Proposal for a directive

Annex I – Section III – Part B a (new)

Text proposed by the Commission

Amendment

Ba. Functional performance requirements

(a) usage without vision

Where ICT provides visual models of operation, it shall provide at least one mode of operation that does not require vision.

(b) Usage with limited vision

Where ICT provides visual models of operation, it shall provide at least one mode of operation that enables users to make better use of their limited vision.

(c) Usage without perception of colour

Where ICT provides visual models of operation, it shall 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 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 provide at least one mode of operation with enhanced audio features.

(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 them 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.

(h) Usage with limited reach

Where ICT products are freestanding or installed, the operational elements will need to be within reach of all users.

(i) Minimising the risk of triggering photosensitive seizures

Where ICT provides visual modes of operation, it shall 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 incorporating features that make it simpler and easier to use.

(k) Privacy

Where ICT incorporates features that are provided for accessibility, it shall provide at least one mode of operation that maintained privacy when using those ICT features that are provided for accessibility.

Or. en

Amendment 600
Sabine Verheyen, Birgit Collin-Langen

Proposal for a directive
Annex I – Section IV – Title

Text proposed by the Commission

Amendment

Audiovisual media *services* and the *related consumer equipment with advance computing capability*

Consumer terminal equipment related to audio-visual media service and the architecture of websites and mobile applications

Or. en

Amendment 601
Sabine Verheyen, Birgit Collin-Langen

Proposal for a directive
Annex I – Section IV – Part A

Text proposed by the Commission

Amendment

A. Services:

deleted

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) ensuring the accessibility of the products they use in the provision of the service, in accordance with the rules laid down in point B "Related consumer equipment with advance computing capability"

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

(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;

(ii) alternatives to non-text content

shall be provided;

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

(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 level;

(d) providing accessible information to facilitate complementarities with assistive services;

(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.

Or. en

Amendment 602
Olga Sehnalová

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

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:

(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 "Related consumer

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:

(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 "Related consumer

equipment with advance computing capability";

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

(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;*

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

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

(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 level;

equipment with advance computing capability";

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

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

(ii) *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;*

(iii) *shall provide accessible information to facilitate complementarities with other access services provided by a third party.*

(c) 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;

(ca) 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 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

(d) providing accessible information to facilitate complementarities with assistive services;

(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.*

international level;

(d) providing accessible information to facilitate complementarities with assistive services.

Or. en

Amendment 603
Igor Šoltes

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

Text proposed by the Commission

(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 level;

Amendment

(c) making websites *and online 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 604
Igor Šoltes

Proposal for a directive
Annex I – Section IV – Part A – point 1 – point c a (new)

Text proposed by the Commission

Amendment

(ca) 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 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 605
Olga Sehnalová

Proposal for a directive
Annex I – Section IV – Part A – point 1 – point e a (new)

Text proposed by the Commission

Amendment

(ea) including functions, practices, policies and procedures and alterations in the operation of the service targeted to address the needs of persons with functional limitations, and persons with disabilities. In order to meet this requirement, the service provider shall provide at least the following access services:

(i) Subtitles for the deaf and hard of hearing (SDH)

(ii) Audio Description

(iii) Spoken Subtitles

(iv) Sign Language interpretation;

Or. en

Amendment 606
Olga Sehnalová

Proposal for a directive
Annex I – Section IV –Part A – point 1 – point e b (new)

(eb) Where an audiovisual content includes access services, these shall be clearly indicated in the content information, as well as in the EPG;

Or. en

Amendment 607

Olga Sehnalová

Proposal for a directive

Annex I – Section IV –Part A – point 1 – point e c (new)

(ec) In consultation with users' organisations, including organisations representing persons with disabilities, audiovisual media service providers shall ensure the quality of the access services:

(i) Service providers shall ensure that SDH are well synchronised with the video, readable, accurate and comprehensible in order to effectively reflect the audio information. This includes setting up quality specifications covering at least the font type, font size, contrast and use of colours 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 synchronized with the video. This includes setting up 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 setting up professional requirements for the interpreters and quality specifications for the way the signing is provided. Where technically possible, requirements to ensure users' control over the signing provision shall be adopted.

Or. en

Amendment 608
Olga Sehnalová

Proposal for a directive
Annex I – Section IV – Part 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 and services, in accessible modes of communication for users with functional limitations and persons with disabilities.

Or. en

Amendment 609
Olga Sehnalová

Proposal for a directive
Annex I – Section IV – Part B – point 1

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

1. Design and production:

The design and production of products in order to maximise their foreseeable use by persons with functional limitations **and** persons with disabilities and those with age

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

- (a) the information on the use of the product provided in the product itself (labelling, instructions, warning), which:
 - (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 ***use*** conditions;

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

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

- (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***
- (ii) ***instructions shall provide***

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:

- (ii) ***shall*** be understandable;
- (iii) ***shall*** be perceivable;
- (iv) 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***;

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

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

- (i) ***shall meet the requirements laid down in point (a)***
- (ii) ***shall in simple and precise way inform the users that the product incorporates accessibility features and its compatibility with assistive 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***

alternatives to non-text content;

(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.

and its compatibility with a variety of assistive technologies available at Union and international level;

(iia) shall be provided on alternative non-electronic formats upon request. The alternative non-electronic formats may include large print, Braille, or easy to read;

(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 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.***

Or. en

Amendment 610

Sabine Verheyen, Birgit Collin-Langen

Proposal for a directive

Annex I – Section IV – Part B

Text proposed by the Commission

B. Related terminal equipment with advance computing capability used by consumers:

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

B. Related terminal equipment with advance computing capability used by consumers:

1. Design and production:

The design and production of products in order to maximise their ***reasonably*** foreseeable 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, and shall include:***

- (a) the information on the use of the product provided in the product itself (labelling, instructions, warning), **which:**
 - (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 use conditions;***
- (b) the packaging of the product including the information provided in it (opening, closing, use, disposal);
- (c) the product instructions for use, installation and maintenance, storage and disposal of the product ***which shall comply with the following:***
 - (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***
 - (ii) ***instructions shall provide alternatives to non-text content;***
- (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.

2. User interface and functionality design

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:

- (a) ***provide for communication and orientation via more than one sensory***

- (a) the information on the use of the product provided in the product itself (labelling, instructions, warning):
- (b) the packaging of the product including the information provided in it (opening, closing, use, disposal);
- (c) the product instructions for use, installation and maintenance, storage and disposal of the product;
- (d) the user interface of the product (handling, controls and feedback, input and output);
- (e) the functionality of the product by providing functions aimed to address the needs of persons with ***disabilities;***
- (f) the interfacing of the product with assistive devices.

channel;

- (b) provide for alternatives to speech for communication and orientation;*
- (c) provide for flexible magnification and contrast;*
- (d) provide for an alternative colour to convey information;*
- (e) provide for flexible ways to separate and control foreground from background including for reducing background noise and improve clarity;*
- (f) provide for user control of volume;*
- (g) provide for sequential control and alternatives to fine motor control;*
- (h) provide for modes of operation with limited reach and strength;*
- (i) provide avoidance of triggering photosensitive seizures.*

Or. en

Amendment 611
Olga Sehnalová

Proposal for a directive
Annex I – Section IV – Part B – point 2

Text proposed by the Commission

2. User interface and functionality Design

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:

- (a) provide for communication and orientation via more than one sensory channel;*
- (b) provide for alternatives to speech for communication and orientation;*

Amendment

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 **in point 2 of Section I, as well as:**

- (a) where the product displays audiovisual content, it shall have a mode of operation to display available SDH to the default video channel;*
- (b) where the product displays audiovisual content, it shall provide a*

- (c) *provide for flexible magnification and contrast;*
- (d) *provide for an alternative colour to convey information;*
- (e) *provide for flexible ways to separate and control foreground from background including for reducing background noise and improve clarity;*
- (f) *provide for user control of volume;*
- (g) *provide for sequential control and alternatives to fine motor control;*
- (h) *provide for modes of operation with limited reach and strength;*
- (i) *provide avoidance of triggering photosensitive seizures*

mechanism to select and play available audio description to the default audio channel;

- (c) *where the product displays audiovisual content, it shall provide a mechanism to select and play available spoken subtitles to the default audio channel;*
- (d) *where the product displays audiovisual content, where technically possible it shall provide a mechanism to select and display available sign language interpretation to the default video channel;*
- (e) *the product shall support the provision of the available access services singly and within combination with each other;*
- (f) *the product shall allow the personalisation of the access services to the greatest extent possible, including by accessing the access services through other means like synchronisation with other device;*
- (g) *user controls to activate access services shall be provided to the user at the same level of prominence as the primary media controls;*
- (h) *the product shall provide a means for effective wireless coupling to hearing technologies, such as hearing aids, telecoils, cochlear implants, and assistive listening devices.*

Or. en

Amendment 612
Olga Sehnalová

Proposal for a directive
Annex I – Section IV – Part 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 with functional limitations and persons with disabilities.

Or. en

Amendment 613

Sabine Verheyen, Birgit Collin-Langen

Proposal for a directive

Annex I – Section IV – Part B a (new)

Text proposed by the Commission

Amendment

Ba. Functional performance requirements

(a) Usage without vision

Where ICT provides visual modes of operation, it shall 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 provide at least one mode of operation that enables users to make use of their limited vision;

(c) Usage without perception of colour

Where ICT provides visual modes of operation, it shall 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 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 provide at least one mode of operation with enhanced audio features;

(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 them 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;

(h) Usage with limited reach

Where ICT products are freestanding or installed, the operational elements will need to be within reach of all users;

(i) Minimising the risk of triggering photosensitive seizures

Where ICT provides visual modes of operation, it shall 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 incorporating features that make it simpler and easier to use.

(k) Privacy

Where ICT incorporates features that are provided for accessibility, it shall provide at least one mode of operation that maintains privacy when using those ICT features that are provided for

accessibility.

Or. en

Amendment 614
Sabine Verheyen, Birgit Collin-Langen

Proposal for a directive
Annex I – Section IV – Part C a (new)

Text proposed by the Commission

Amendment

Ca. Architecture of websites and mobile applications

(a) Making the architecture of websites and mobile applications accessible in a consistent and adequate way for users' perception, operation and understanding, 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 615
Lambert van Nistelrooij

Proposal for a directive
Annex I – Section V – Title

Text proposed by the Commission

Amendment

Self service terminals, ticketing machines and check-in machines used for provision of passenger transport services'

Self-service terminals ***including payment terminals*** ticketing machines and check-in machines used for provision of passenger transport services'

Or. en

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

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:
- (a) providing information about the functioning of the service and about its accessibility characteristics and facilities as follows:
- (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,***
- (ii) ***alternatives to non-text content shall be provided,***
- (iii) ***the electronic information, including the related online applications needed in the provision of the service shall be provided in accordance with point (b).***
- (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;

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:
- (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 and electronic non-web document 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 including accessibility of vehicles and surrounding infrastructure and built environment as well as information about assistance provided in accordance with Regulation 1107/2006, Regulation 1177/2010, Regulation 1371/2007, and Regulation 181/2011,***
- (iii) ***shall be provided on alternative non-electronic formats upon request. The alternative non-electronic formats may include large print, Braille, or easy to read.***
- (b) making websites ***including 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;

(ba) making mobile-based services including mobile applications needed in 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) including functions, practices, policies and procedures and alterations in the operation of the service targeted to address the needs of persons with functional limitations.

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

(i) smart ticketing (electronic reservation, booking of tickets, etc.),

(ii) real-time passenger information (timetables; information about traffic disruptions, connecting services, onwards travel with other transport modes, etc.),

(iii) additional service information (e.g. staffing of stations; lifts that are out of order or services that are temporarily unavailable);

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

Or. en

Amendment 617
Igor Šoltes

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

Text proposed by the Commission

(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;

Amendment

(b) making websites ***and online 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 618

Igor Šoltes

Proposal for a directive

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

Text proposed by the Commission

Amendment

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

Or. en

Amendment 619

Olga Sehnalová

Proposal for a directive

Annex I – Section V – Part 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 and services, in accessible modes of communication for users with functional limitations and persons with disabilities.

Or. en

Amendment 620
Olga Sehnalová

Proposal for a directive
Annex I – Section V – Part 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 621
Igor Šoltes

Proposal for a directive
Annex I – Section V – Part B – point a

Text proposed by the Commission

Amendment

(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

(a) making websites **and online 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

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

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

Or. en

Amendment 622

Dieter-Lebrecht Koch, Sabine Verheyen

Proposal for a directive

Annex I – Section V – Part B – point a a (new)

Text proposed by the Commission

Amendment

(aa) As a minimum, the content of websites relating to the following operations must comply with the requirements under (a):

(i) accessing timetables, special reduced fares and all-network tickets, as well as details of reservation costs and ticket prices;

(ii) booking or changing a booking or reservation including all transport amenities;

(iii) checking in;

(iv) accessing a personal travel itinerary;

(v) accessing the status of a flight;

(vi) accessing a personal customer account;

(vii) accessing carrier contact information;

(viii) accessing information on transport assistance available.

Or. de

Justification

This amendment draws on a list of ‘seven core elements’ of websites drawn up by the Department of Transportation for the USA (‘Nondiscrimination on the Basis of Disability in

Amendment 623

Dieter-Lebrecht Koch, Sabine Verheyen

Proposal for a directive

Annex I – Section V – Part B – point a b (new)

Text proposed by the Commission

Amendment

(ab) Third-party content that is neither funded nor developed by, nor under the control of, the provider concerned shall be exempt from the requirements laid down in (a).

Or. de

Justification

In line with Directive (EU) 2016/2102 on the accessibility of the websites and mobile applications of public sector bodies, third-party content that is not under the control of the website provider need not comply with the accessibility requirements.

Amendment 624

Olga Sehnalová

Proposal for a directive

Annex I – Section V – Part C

Text proposed by the Commission

Amendment

C. Mobile device-based services, smart ticketing and real time information:

deleted

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) 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,

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

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

(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;

Or. en

Amendment 625

Igor Šoltes

Proposal for a directive

Annex I – Section V – Part C – title

Text proposed by the Commission

C. Mobile device-based services, smart ticketing and real time information:

Amendment

C. Mobile device-based services, smart ticketing, ***smart check-in*** and real time information:

Or. en

Amendment 626

Lambert van Nistelrooij

Proposal for a directive

Annex I – Section V – Part D – title

Text proposed by the Commission

D. Air, bus, rail and waterborn passenger transport services; websites used for provision of passenger transport, services; mobile device-based services, smart ticketing and real time information; Self service terminals, ticketing machines and check-in machines used for provision of passenger transport services:

Amendment

D. Air, bus, rail and waterborn passenger transport services; websites used for provision of passenger transport, services; mobile device-based services, smart ticketing and real time information; Self-service terminals ***including payment terminals***, ticketing machines and check-in machines used for provision of passenger transport services:

Or. en

Amendment 627
Olga Sehnalová

Proposal for a directive
Annex I – Section V – Part D

Text proposed by the Commission

D. Self-service terminals, ticketing machines and check-in machines used for provision of passenger transport services:

Amendment

D. Self-service terminals, ticketing machines and check-in machines used for provision of passenger transport services ***shall comply with the requirements laid down in Section II.***

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:

- (a) the information on the use of the product provided in the product itself (labelling, instructions, warning), which:***
 - (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 use conditions;

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

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

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

2. User interface and functionality design

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, as follows:

(a) provide for communication and orientation via more than one sensory channel;

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

(c) provide for flexible magnification and contrast;

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

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

(f) provide for user control of volume;

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

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

(i) provide avoidance of triggering photosensitive seizures.

Or. en

Amendment 628
Lambert van Nistelrooij

Proposal for a directive
Annex I – Section VI — Title

Text proposed by the Commission

Banking services; websites used for provision of banking services; mobile device-based **baning** services; self service terminals, including Automatic Teller machines used for provision of banking services

Amendment

Banking services; websites used for provision of banking services; mobile device-based **banking** services; self-service terminals, including **payment terminals** **and** Automatic Teller machines used for provision of banking services

Or. en

Amendment 629
Igor Šoltes

Proposal for a directive
Annex I – Section VI — Title

Text proposed by the Commission

Banking services; websites used for provision of banking services; mobile device-based banking services; self service terminals, including Automatic Teller machines used for provision of banking services

Amendment

Banking services; websites used for provision of banking services; mobile device-based banking services; self-service terminals, including Automatic Teller machines used for provision of banking services **and payment terminals.**

Or. en

Amendment 630
Olga Sehnalová

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

Text proposed by the Commission

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

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:

- (a) ensuring the accessibility of the products they use in the provision of the service, in accordance with the rules laid down in point D:
- (b) providing information about the functioning of the service and about its accessibility characteristics and facilities as follows:
 - (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,***
 - (ii) ***alternatives to non-text content*** shall be provided,
 - (iii) ***the electronic information, including the related online applications needed in the provision of the service shall be provided in accordance with point (c).***

(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 level;

including persons with disabilities, shall be achieved by:

- (a) ensuring the accessibility of the products they use in the provision of the service, in accordance with the rules laid down in point D:
- (b) 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 and electronic non-web document by making them perceivable, operable, understandable and robust in accordance with point (c),***
 - (ii) ***shall list and explain how to use the accessibility features of the service in combination with the related terminal equipment,***
 - (iii) ***shall be provided on alternative non-electronic formats upon request. The alternative non-electronic formats may include large print, Braille, or easy-to-read***
 - (iiia) ***shall be understandable, without exceeding a level of complexity superior to level B2 (upper intermediate) of the Council of Europe's Common European Framework of Reference for Languages.***
- (c) making websites ***and online 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 ***robust*** way which facilitates interoperability with a variety of user agents and assistive technologies available at Union and international level;
 - (ca) ***making mobile-based services including applications needed for the provision of banking 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) including functions, practices, policies and procedures and alterations in the operation of the service targeted to address the needs of persons with functional limitations.

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

(da) 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.

(db) The built environment for the provision of the service shall comply with the requirements laid down in Section X.

Or. en

Amendment 631

Marco Zullo

Proposal for a directive

Annex I – Section VI – Part A – point d a (new)

Text proposed by the Commission

Amendment

(da) the built environment for the provision of the service shall comply with the requirements laid down in Section X.

Or. it

Amendment 632

Olga Sehnalová

Proposal for a directive

Annex I – Section VI – Part 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 and services, in accessible modes of communication for users with functional limitations and persons with disabilities.

Or. en

Amendment 633

Olga Sehnalová

Proposal for a directive

Annex I – Section VI – Part B

Text proposed by the Commission

Amendment

B. Websites used for provision of banking services:

deleted

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;

Or. en

Amendment 634

Igor Šoltes

Proposal for a directive

Annex I – Section VI – Part B – point a

Text proposed by the Commission

(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;

Amendment

(a) making websites ***and online 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 635

Olga Sehnalová

Proposal for a directive

Annex I – Section VI – Part C

Text proposed by the Commission

C. Mobile device-based banking 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) 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

Amendment

deleted

and via more than one sensory channel,

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

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

(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;

Or. en

Amendment 636
Olga Sehnalová

Proposal for a directive
Annex I – Section VI – Part D

Text proposed by the Commission

D. Self-service terminals, including Automatic Teller machines used for provision of banking services:

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:

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

Amendment

D. Self-service terminals, including Automatic Teller machines used for provision of banking services ***and payment terminals shall comply with Section II.***

- (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 use conditions;*
- (b) *the user interface of the product (handling, controls and feedback, input and output) in accordance with point 2;*
- (c) *the functionality of the product by providing functions aimed to address the needs of persons with functional limitations, in accordance with point 2;*
- (d) *the interfacing of the product with assistive devices.*

Or. en

Amendment 637
Lambert van Nistelrooij

Proposal for a directive
Annex I – Section VI – Part D – Title

Text proposed by the Commission

D. Self-service terminals, including Automatic Teller machines used for provision of banking services'

Amendment

D. Self-service terminals', including **payment terminals**, Automatic Teller machines used for provision of banking services

Or. en

Amendment 638
Igor Šoltes

Proposal for a directive
Annex I – Section VI — Part D – Title

Text proposed by the Commission

D. Self-service terminals, including

Amendment

D. Self-service terminals, including

Automatic Teller machines used for provision of banking services:

Automatic Teller machines used for provision of banking services *and payment terminals*:

Or. en

Amendment 639
Sabine Verheyen, Birgit Collin-Langen

Proposal for a directive
Annex I – Section VII – Title

Text proposed by the Commission

Amendment

E-books

E-books *and related equipment*

Or. en

Amendment 640
Olga Sehnalová

Proposal for a directive
Annex I – Section VII – Title

Text proposed by the Commission

Amendment

E-books

E-books *and e-book readers*

Or. en

Amendment 641
Olga Sehnalová

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

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 order to maximise their foreseeable use by persons with functional limitations, including persons with disabilities, shall be achieved by:

- (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 "Products";
- (b) providing information about the functioning of the service and about its accessibility characteristics and facilities as follows:
 - (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,***
 - (ii) ***alternatives to non-text content shall be provided;***
 - (iii) ***the electronic information, including the related online applications needed in the provision of the service shall be provided in accordance with point (c).***
- (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 level;

- (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 "Products";
- (b) 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 and electronic non-web document by making them perceivable, operable, understandable and robust in accordance with point (c),***
 - (ii) ***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,***
 - (iii) ***shall be provided on alternative non-electronic formats upon request. The alternative non-electronic formats may include large print, Braille, or easy to read.***
- (c) 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;
 - (ca) 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 necessary providing an accessible electronic alternative; and in a robust way which facilitates interoperability with a variety of user agents and assistive***

(d) providing accessible information to facilitate complementarities with assistive services;

(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.

technologies available at Union and international level;

(d) providing accessible information to facilitate complementarities with assistive services;

(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 ***and persons with disabilities, by ensuring the navigation throughout the document, dynamic layouts, the possibility to synchronize text and audio content, text-to-speech technology, allowing alternative renditions of the content and its interoperability with a variety of assistive technologies in such a way that can be perceivable, understandable, operable and maximizes compatibility with current and future user agents.***

Or. en

Amendment 642

Sabine Verheyen, Birgit Collin-Langen

Proposal for a directive

Annex I – Section VII – Part A – point 1

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:

(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 ***"Products"***;

(b) ***providing*** information about the functioning of the service and about its

Amendment

1. The provision of services in order to maximise their ***reasonably*** foreseeable use by persons with disabilities shall be achieved by ***all actors of the supply chain meeting the functional performance requirements set out in point Ba, and shall include:***

(a) ***the products the service providers*** use in the provision of the service ***concerned***, in accordance with the rules laid down in point B;

(b) information about the functioning of the service and about its accessibility

accessibility characteristics and facilities *as follows*:

(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,*

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

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

(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 level;*

(d) *the electronic information, including the related websites and online applications and the e-book equipment, needed in the provision of the service;*

(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*.

characteristics and facilities;

(c) *the electronic information, including the related websites and online applications and the e-book equipment, needed in the provision of the service;*

(d) *providing accessible information to facilitate complementarities with assistive services*

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

Or. en

Amendment 643
Igor Šoltes

Proposal for a directive
Annex I – Section VII — Part 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 level;

(c) making websites ***and online 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 644

Igor Šoltes

Proposal for a directive

Annex I – Section VII — Part A – point 1 – point c a (new)

Text proposed by the Commission

Amendment

(ca) 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 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 645

Olga Sehnalová

Proposal for a directive

Annex I – Section VII – Part A – point 1 a (new)

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 and services, in accessible modes of communication for users with functional limitations and persons with disabilities.

Or. en

Amendment 646

Olga Sehnalová

**Proposal for a directive
Annex I – Section VII – Part B**

B. "Products"

B. Products *shall comply with Section 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:

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

(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 use conditions;

- (b) the packaging of the product including the information provided in it (opening, closing, use, disposal);*
- (c) the product instructions for use, installation and maintenance, storage and disposal of the product which shall comply with the following:*
 - (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*
 - (ii) instructions shall provide alternatives to non-text content;*
- (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.*

2. User interface and functionality design:

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:

- (a) provide for communication and orientation via more than one sensory channel;*
- (b) provide for alternatives to speech for communication and orientation;*
- (c) provide for flexible magnification and contrast;*
- (d) provide for an alternative colour to convey information;*
- (e) provide for flexible ways to separate and control foreground from background including for reducing*

- background noise and improve clarity;*
- (f) provide for user control of volume;*
- (g) provide for sequential control and alternatives to fine motor control;*
- (h) provide for modes of operation with limited reach and strength;*
- (i) provide avoidance of triggering photosensitive seizures.*

Or. en

Amendment 647
Sabine Verheyen, Birgit Collin-Langen

Proposal for a directive
Annex I – Section VII – Part B – point 1

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***:
- (a) the information on the use of the product provided in the product itself (labelling, instructions, warning), ***which***:
- (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 use conditions;***
- (b) the packaging of the product including the information provided in it (opening, closing, use, disposal);
- (c) the product instructions for use, installation and maintenance, storage and disposal of the product ***which shall comply***

Amendment

1. Design and production:
- The design and production of products in order to maximise their ***reasonably*** foreseeable 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, and shall include***:
- (a) the information on the use of the product provided on the product itself (labelling, instructions, warning);
- (b) the packaging of the product including the information provided in it (opening, closing, use, disposal);
- (c) the product instructions for use, installation and maintenance, storage and

with the following:

(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

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

(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.

2. User interface and functionality design:

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:

(a) provide for communication and orientation via more than one sensory channel;

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

(c) provide for flexible magnification and contrast;

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

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

(f) provide for user control of volume;

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

(h) provide for modes of operation

disposal of the product;

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

(e) the functionality of the product;

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

with limited reach and strength;

(i) provide avoidance of triggering photosensitive seizures.

Or. en

Amendment 648

Sabine Verheyen, Birgit Collin-Langen

Proposal for a directive

Annex I – Section VII – Part B a (new)

Text proposed by the Commission

Amendment

Ba. Functional performance requirements

(a) Usage without vision

Where ICT provides visual modes of operation, it shall 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 provide at least one mode of operation that enables users to make use of their limited vision;

(c) Usage without perception of colour

Where ICT provides visual modes of operation, it shall 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 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 provide at least one mode of operation with enhanced audio features;

(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 them 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;

(h) Usage with limited reach

Where ICT products are freestanding or installed, the operational elements will need to be within reach of all users;

(i) Minimising the risk of triggering photosensitive seizures

Where ICT provides visual modes of operation, it shall 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 incorporating features that make it simpler and easier to use;

(k) Privacy

Where ICT incorporates features that are provided for accessibility, it shall provide at least one mode of operation that maintains privacy when using those ICT features that are provided for accessibility.

Or. en

Amendment 649
Sabine Verheyen, Birgit Collin-Langen

Proposal for a directive
Annex I – Section VII – Part B a (new)

Ba. Websites and mobile application

(a) making e-book files accessible in a consistent and adequate way for users' perception, operation and understanding, including the adaptability of content presentation and interaction, when necessary collaborating with specialist organisations (or "authorised entities") to provide alternative accessible format copies; and in a way which facilitates interoperability with a variety of user agents and assistive technologies available at Union and international level;

(b) providing accessibility metadata to be communicated through the value chain to facilitate discoverability of accessible e-books

Or. en

Amendment 650

Olga Sehnalová

Proposal for a directive

Annex I – Section VIII – title

E-commerce

E-commerce, including website and mobile device-based services of postal, energy and insurance providers

Or. en

Amendment 651

Igor Šoltes

Proposal for a directive

Annex I – Section VIII – title

E-commerce

E-commerce, ***including website and mobile device-based services of postal, energy and insurance providers***

Or. en

Amendment 652

Sabine Verheyen, Birgit Collin-Langen

Proposal for a directive

Annex I – Section VIII – Part A – point 1

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) ***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,***

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

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

(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***

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

(a) information about the functioning of the service and about its accessibility characteristics and facilities;

(b) ***electronic information, including the related websites and online applications needed in the provision of the service;***

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 653
Olga Sehnalová

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

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:

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

(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,*

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

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

(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

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:

(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

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

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;

(ba) making mobile-based services including mobile applications needed for the provision of ecommerce 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;

(bb) 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.

Or. en

Amendment 654

Igor Šoltes

Proposal for a directive

Annex I – Section VIII – Part A – point 1 – point b

Text proposed by the Commission

(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;

Amendment

(b) making websites ***and online 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;

Amendment 655

Igor Šoltes

Proposal for a directive

Annex I – Section VIII – Part A – point 1 – point b a (new)

Text proposed by the Commission

Amendment

(ba) 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 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 levels;

Or. en

Amendment 656

Olga Sehnalová

Proposal for a directive

Annex I – Section VIII – Part 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 and services, in accessible modes of communication for users with functional limitations and persons with disabilities.

Amendment 657
Sabine Verheyen, Birgit Collin-Langen

Proposal for a directive
Annex I – Section VIII – Part A a (new)

Text proposed by the Commission

Amendment

Aa. Functional performance requirements

(a) Usage without vision

Where ICT provides visual modes of operation, it shall 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 provide at least one mode of operation that enables users to make use of their limited vision;

(c) Usage without perception of colour

Where ICT provides visual modes of operation, it shall 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 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 provide at least one mode of operation with enhanced audio features;

(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 them 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;

(h) Usage with limited reach

Where ICT products are freestanding or installed, the operational elements will need to be within reach of all users;

(i) Minimising the risk of triggering photosensitive seizures

Where ICT provides visual modes of operation, it shall 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 incorporating features that make it simpler and easier to use;

(k) Privacy

Where ICT incorporates features that are provided for accessibility, it shall provide at least one mode of operation that maintains privacy when using those ICT features that are provided for accessibility.

Or. en

Amendment 658

Sabine Verheyen, Birgit Collin-Langen

Proposal for a directive

Annex I – Section VIII – Part A b (new)

Text proposed by the Commission

Amendment

Ab. Websites and mobile application

- (a) making websites accessible in a consistent and adequate way for users' perception, operation and understanding, 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;*
- (b) the following content will be excluded:*
 - (i) image files published before six years after the date of application of this Directive, unless they are essential for completing the service;*
 - (ii) pre-recorded time based media published before six years after the date of application of this Directive;*
 - (iii) online maps and mapping services, as long as essential information is provided in an accessible digital manner for maps intended for navigational use;*
 - (iv) third party content that is neither funded nor developed nor under the control of, the service provider.*

Or. en

Amendment 659

Olga Sehnalová, Vilija Blinkevičiūtė, Anna Hedh, Brando Benifei, Maria Grapini, Marc Tarabella

Proposal for a directive

Annex I – Section IX – Part A – point 1

Text proposed by the Commission

Amendment

1. Design and production

deleted

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:

- (a) the information on the use of the product provided in the product itself (labelling, instructions, warning), which:*
 - (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 use conditions;*
- (b) the packaging of the product including the information provided in it (opening, closing, use, disposal);*
- (c) the product instructions for use, installation and maintenance, storage and disposal of the product which shall comply with the following:*
 - (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*
 - (ii) instructions shall provide alternatives to non-text content;*
- (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.*

Or. en

Amendment 660

Olga Sehnalová, Vilija Blinkevičiūtė, Anna Hedh, Brando Benifei, Maria Grapini, Marc Tarabella

Proposal for a directive

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

Text proposed by the Commission

Amendment

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:

Shall comply with Section I.

Or. en

Amendment 661

Jiří Maštálka

Proposal for a directive

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

Text proposed by the Commission

Amendment

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**:

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

Or. en

Amendment 662

Jiří Maštálka

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;**

(i) **shall be understandable**

Amendment 663

Jiří Maštálka

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;*

(ii) *shall be perceivable*

Or. en

Amendment 664

Jiří Maštálka

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;*

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

Or. en

Amendment 665

Jiří Maštálka

Proposal for a directive

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

Text proposed by the Commission

Amendment

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

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

robust

Or. en

Amendment 666

Jiří Maštálka

Proposal for a directive

Annex I – Section IX – Part A – 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) the packaging of the product including the information provided in it (opening, closing, use, disposal) ***which:***

Or. en

Amendment 667

Jiří Maštálka

Proposal for a directive

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

Text proposed by the Commission

Amendment

(i) shall meet the requirements laid down in point (a)

Or. en

Amendment 668

Jiří Maštálka

Proposal for a directive

Annex I – point 1 – point 2 – point b – point ii (new)

Text proposed by the Commission

Amendment

(ii) shall in a simple and precise way inform the users that the product incorporates accessibility features and its compatibility with assistive technologies

Amendment 669

Jiří Maštálka

Proposal for a directive

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

Text proposed by the Commission

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

Amendment

(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:

Or. en

Amendment 670

Jiří Maštálka

Proposal for a directive

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

Text proposed by the Commission

(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***

Amendment

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

Or. en

Amendment 671

Jiří Maštálka

Proposal for a directive

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

Text proposed by the Commission

Amendment

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

(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*

Or. en

Amendment 672

Jiří Maštálka

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) *shall be provided on alternative non-electronic formats upon request. The alternative non-electronic formats may include large print, Braille, or easy-to-read text*

Or. en

Amendment 673

Jiří Maštálka

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.

(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.

Or. en

Amendment 674

Jiří Maštálka

Proposal for a directive

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

Text proposed by the Commission

Amendment

(fa) accommodation services (built environment)

Or. en

Amendment 675

Olga Sehnalová, Vilija Blinkevičiūtė, Anna Hedh, Brando Benifei, Maria Grapini, Marc Tarabella

Proposal for a directive

Annex I – Section IX – Part A – point 2

Text proposed by the Commission

Amendment

2. User interface and functionality design **deleted**

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:

- (a) provide for communication and orientation via more than one sensory channel;***
- (b) provide for alternatives to speech for communication and orientation;***
- (c) provide for flexible magnification and contrast;***
- (d) provide for an alternative colour to convey information;***
- (e) provide for flexible ways to separate and control foreground from background including for reducing background noise and improve clarity;***

- (f) provide for user control of volume;*
- (g) provide for sequential control and alternatives to fine motor control;*
- (h) provide for modes of operation with limited reach and strength;*
- (i) provide avoidance of triggering photosensitive seizures.*

Or. en

Amendment 676
Jiří Maštálka

Proposal for a directive
Annex I – Section IX – Part A – point 2 – title

Text proposed by the Commission

Amendment

User interface and *functionality design*

Functionality requirements for user interface and design of the product

Or. en

Amendment 677
Jiří Maštálka

Proposal for a directive
Annex I – Section IX – Part A – point 2 – point a

Text proposed by the Commission

Amendment

(a) provide for communication and orientation via more than one sensory channel;

(a) provide for 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

Or. en

Amendment 678

Jiří Maštálka

Proposal for a directive

Annex I – Section IX – Part A – point 2 – point b

Text proposed by the Commission

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

Amendment

(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 operation, that does not require the users to generate orally - generated sounds like speeches, whistles or clicks.***

Or. en

Amendment 679

Jiří Maštálka

Proposal for a directive

Annex I – Section IX – Part A – point 2 – point c

Text proposed by the Commission

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

Amendment

(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***

Or. en

Amendment 680

Jiří Maštálka

Proposal for a directive

Annex I – Section IX – Part A – point 2 – point d

Text proposed by the Commission

Amendment

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

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

Or. en

Amendment 681

Jiří Maštálka

Proposal for a directive

Annex I – Section IX – Part A – point 2 – point e

Text proposed by the Commission

Amendment

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

(e) provide for ***user 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;***

Or. en

Amendment 682

Jiří Maštálka

Proposal for a directive

Annex I – Section IX – Part A – point 2 – point g

Text proposed by the Commission

Amendment

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

(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

Or. en

Amendment 683
Jiří Maštálka

Proposal for a directive
Annex I – Section IX – Part A – point 2 – point h

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 684
Jiří Maštálka

Proposal for a directive
Annex I – Section IX – Part A – point 2 – point i

Text proposed by the Commission

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

Amendment

(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.

Or. en

Amendment 685

Jiří Maštálka

Proposal for a directive

Annex I – Section IX – Part A – point 2 – point i a (new)

Text proposed by the Commission

Amendment

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

Or. en

Amendment 686

Jiří Maštálka

Proposal for a directive

Annex I – Section IX – Part A – point 2 – point i b (new)

Text proposed by the Commission

Amendment

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

Or. en

Amendment 687

Olga Sehnalová, Vilija Blinkevičiūtė, Anna Hedh, Brando Benifei, Maria Grapini, Nicola Danti, Marlene Mizzi, Marc Tarabella

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

(e) 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

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;

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;

Or. en

Amendment 688

Olga Sehnalová, Vilija Blinkevičiūtė, Anna Hedh, Brando Benifei, Maria Grapini, Nicola Danti, Marlene Mizzi, Marc Tarabella

Proposal for a directive

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

Text proposed by the Commission

Amendment

(ea) making mobile-based services including mobile applications needed for the provision of the 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.

Or. en

Amendment 689

Olga Sehnalová, Vilija Blinkevičiūtė, Anna Hedh, Brando Benifei, Maria Grapini, Marlene Mizzi, Marc Tarabella

Proposal for a directive

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

Text proposed by the Commission

Amendment

(f) providing accessible information to

(f) providing accessible information to

facilitate complementarities with assistive services;

facilitate complementarities with assistive services ***and technologies, including hearing technologies, such as hearing aids, telecoils, cochlear implants, and assistive listening devices.***

Or. en

Amendment 690
Jiří Maštálka

Proposal for a directive
Annex I – Section IX – Part B a (new)

Text proposed by the Commission

Amendment

Ba. Functional performance requirements

(a) usage without vision

Where ICT provides visual models of operation, it shall provide at least one mode of operation that does not require vision.

(b) Usage with limited vision

Where ICT provides visual models of operation, it shall provide at least one mode of operation that enables users to make better use of their limited vision.

(c) Usage without perception of colour

Where ICT provides visual models of operation, it shall 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 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 provide at least one mode of operation with enhanced audio

features.

(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 them 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.

(h) Usage with limited reach

Where ICT products are freestanding or installed, the operational elements will need to be within reach of all users.

(i) Minimising the risk of triggering photosensitive seizures

Where ICT provides visual modes of operation, it shall 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 incorporating features that make it simpler and easier to use.

(k) Privacy

Where ICT incorporates features that are provided for accessibility, it shall provide at least one mode of operation that maintained privacy when using those ICT features that are provided for accessibility.

Or. en

Amendment 691
Igor Šoltes

Ba. 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 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 692

Olga Sehnalová, Vilija Blinkevičiūtė, Anna Hedh, Brando Benifei, Maria Grapini

Proposal for a directive

Annex I – Section X – title

Text proposed by the Commission

SECTION X - ACCESSIBILITY
REQUIREMENTS FOR THE PURPOSE
OF ARTICLE 3(10) CONCERNING THE
BUILT ENVIRONMENT WHERE THE
SERVICES UNDER THE SCOPE OF
THIS DIRECTIVE **IS** PROVIDED

Amendment

SECTION X - ACCESSIBILITY
REQUIREMENTS FOR THE PURPOSE
OF ARTICLE 3(10) CONCERNING THE
BUILT ENVIRONMENT WHERE THE
PRODUCTS AND SERVICES UNDER
THE SCOPE OF THIS DIRECTIVE **ARE**
PROVIDED

Or. en

Amendment 693

Olga Sehnalová, Vilija Blinkevičiūtė, Anna Hedh, Brando Benifei, Maria Grapini, Marlene Mizzi

Proposal for a directive

Annex I – Section X – point a

Text proposed by the Commission

Amendment

(a) use of related outdoor areas and facilities ***under the responsibility of the service provider***;

(a) use of related outdoor areas and facilities;

Or. en

Amendment 694

Olga Sehnalová, Vilija Blinkevičiūtė, Anna Hedh, Brando Benifei, Maria Grapini, Marlene Mizzi

Proposal for a directive

Annex I – Section X – point b

Text proposed by the Commission

Amendment

(b) approaches to buildings ***under the responsibility of the service provider***;

(b) approaches to buildings;

Or. en

Amendment 695

Olga Sehnalová, Vilija Blinkevičiūtė, Anna Hedh, Brando Benifei, Maria Grapini, Marlene Mizzi, Marc Tarabella

Proposal for a directive

Annex I – Section X – point g

Text proposed by the Commission

Amendment

(g) use of equipment and facilities used in the provision of the service;

(g) use of equipment and facilities used in the provision of the ***product or*** service;

Or. en

Amendment 696

Igor Šoltes

Proposal for a directive

Annex I – Section X a (new)

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 room 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.

Or. en

Amendment 697

Anneleen Van Bossuyt, Helga Stevens

Proposal for a directive

Annex II

Text proposed by the Commission

Amendment

[...]

deleted

