
STATUTORY INSTRUMENTS

2018 No. 852

The Public Sector Bodies (Websites and Mobile Applications) Accessibility Regulations 2018

PART 1

General

Citation and commencement

1.—(1) These Regulations may be cited as the Public Sector Bodies (Websites and Mobile Applications) Accessibility Regulations 2018.

(2) These Regulations come into force on 23rd September 2018.

Interpretation

2. In these Regulations—

“accessibility requirement” means the requirement to make a website or mobile application accessible by making it perceivable, operable, understandable and robust;

“accessibility statement” means a detailed, comprehensive and clear statement produced by a public sector body on the compliance of its website or mobile application with these Regulations;

“bodies governed by public law” means bodies that have all of the following characteristics—

- (a) they are established for the specific purpose of meeting needs in the general interest, not having an industrial or commercial character;
- (b) they have legal personality; and
- (c) they have any of the following characteristics—
 - (i) they are financed, for the most part, by the State, regional or local authorities, or by other bodies governed by public law;
 - (ii) they are subject to management supervision by those authorities or bodies;
 - (iii) they have an administrative, managerial or supervisory board, more than half of whose members are appointed by the State, regional or local authorities, or by other bodies governed by public law;

“the Directive” means Directive 2016/2102 of the European Parliament and of the Council on the accessibility of the websites and mobile applications of public sector bodies⁽¹⁾;

“European standard” has the meaning set out in Article 2(1)(b) of Regulation (EU) No 1025/2012 of the European Parliament and of the Council on European standardisation⁽²⁾;

(1) OJ L 327, 2.12.2016, p.1.
(2) OJ L 316, 14.11.2012, p.19.

“harmonised standard” has the meaning set out in Article 2(1)(c) of Regulation (EU) No 1025/2012 of the European Parliament and of the Council on European standardisation⁽³⁾;

“mobile application” means application software designed and developed by or on behalf of a public sector body for use by the general public on mobile devices such as smartphones and tablets, but does not include the software that controls those devices (mobile operating systems) or hardware;

“model accessibility statement” means an accessibility statement adopted by the European Commission in accordance with Article 7(2) of the Directive;

“Official Journal” means the Official Journal of the European Union;

“public sector body” means—

- (a) the State;
- (b) regional or local authorities;
- (c) bodies governed by public law; or
- (d) associations formed by one or more of the authorities in paragraph (b) or one or more of the bodies in paragraph (c), if those associations are established for the specific purpose of meeting needs in the general interest, not having an industrial or commercial character;

“standard” has the meaning set out in Article 2(1) of Regulation (EU) No 1025/2012 of the European Parliament and of the Council on European standardisation⁽⁴⁾;

“technical specifications” means specifications established in implementing acts adopted by the European Commission which prescribe technical requirements for meeting the accessibility requirement; and

“time-based media” means media of one or more of the following types: audio-only, video-only, audio-video, audio and/or video combined with interaction.

Application

3.—(1) These Regulations apply to a website or mobile application of a public sector body, except a website or mobile application of—

- (a) public service broadcasters and their subsidiaries, and of other bodies or their subsidiaries fulfilling a public service broadcasting remit;
- (b) non-governmental organisations, unless they provide services that—
 - (i) are essential to the public; or
 - (ii) specifically address the needs of, or are meant for, persons with disabilities; and
- (c) schools or nurseries, except for the content of their websites or mobile applications relating to essential online administrative functions.

(2) These Regulations do not apply to the following content of a website and mobile application of a public sector body—

- (a) office file formats published before 23rd September 2018, unless such content is needed for active administrative processes relating to the tasks performed by the public sector body;
- (b) pre-recorded time-based media published before 23rd September 2020;
- (c) live time-based media;

(3) OJ L 316, 14.11.2012, p.19.

(4) OJ L 316, 14.11.2012, p.19.

- (d) online maps and mapping services, as long as essential information is provided in an accessible digital manner for maps intended for navigational use;
 - (e) third-party content that is neither funded nor developed by, nor under the control of, the public sector body;
 - (f) reproductions of items in heritage collections that cannot be made fully accessible because of either—
 - (i) the incompatibility of the accessibility requirement with either the preservation of the item concerned or the authenticity of the reproduction; or
 - (ii) the unavailability of automated and cost-efficient solutions that would easily extract the text of manuscripts or other items in heritage collections and transform it into content compatible with the accessibility requirement;
 - (g) content of extranets and intranets published before 23rd September 2019, or until such time as the website undergoes a substantial revision, whichever is sooner;
 - (h) content of websites and mobile applications qualifying as archives.
- (3) In this regulation—
- (a) “archives” means a website or mobile application which—
 - (i) only contains content that is not needed for active administrative processes; and
 - (ii) is not updated or edited after 23rd September 2019;
 - (b) “extranets and intranets” means a website that is only available for a closed group of people and not to the general public;
 - (c) “items in heritage collections” means privately or publicly owned goods presenting an historical, artistic, archaeological, aesthetic, scientific or technical interest and that are part of collections preserved by cultural institutions such as libraries, archives and museums; and
 - (d) “office file formats” means a document in a format that is not intended primarily for use on the web and that is included in web pages, such as Adobe Portable Document Format, Microsoft Office documents or their open-source equivalents.