



Guidelines on the accessibility of services pursuant to Article 21 of Legislative Decree No 82/2022

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1. Acronyms and definitions pursuant to Article 2(1) of Legislative Decree No 82/2022

[AGCOM] Communications Regulatory Authority

[AgID] Agency for a Digital Italy

[CAD] Code of the Digital Administration

[CEI] (Italian Electrotechnician Committee)

[CEN] European Committee for Standardization

[CSS] Cascade Style Sheet

[Legislative Decree] Legislative Decree

[DRM] Digital Rights Management

[EN] European Norm

[EPG] Electronic Programme Guides

[EPUB] Electronic Publication

[FCS] Critical Success Factor

[HTML] Hyper Text Markup Language

[ICT] Information and Communications Technology

[ISO] International Organization for Standardization

[MIMIT] Ministry of Enterprises and Made in Italy

[N/A] Non Applicabile

[ONYX] ONline Information eXchange

[POUR] Perceivable Operable Understandable Robust

[PSAP] Public-Safety Answering Point

[SQuaRE] Software Quality Requirements and Evaluation

[EU] European Union

[UNI] Italian Standards Body

[W3C] World Wide Web Consortium

[WCAG] Web Content Accessibility Guidelines

‘electronic tickets’¹: any system in which a ticket, in the form of single or multiple travel tickets, travel subscriptions or travel credit, is stored electronically on a physical transport pass or other device, instead of being printed on a paper ticket;

‘consumer’²: a natural person who purchases the product in question or is the recipient of the service in question for purposes other than their trade, business, craft or profession;

‘service provider’³: a natural or legal person who provides a service on the Union market or offers to provide such a service to consumers in the Union;

‘electronic book (e-book) and dedicated software’⁴: a service consisting of the provision of digital files that transmit the electronic version of a book so that it may be accessed and browsed and read and used, as well as software, including services for mobile devices including mobile applications, intended to enable the access, browsing, reading and use of such digital files, and excludes software as defined;

‘microenterprise’⁵: an enterprise which employs fewer than 10 people and has an annual turnover or annual balance sheet total not exceeding EUR 2 million;

‘harmonised standard’⁶: a harmonised standard as defined in Article 2(1)(c) of [Regulation \(EU\) No 1025/2012](#);

‘people with disabilities’⁷: people with physical, mental or sensory impairments within the meaning of Article 3 of [Law No 104 of 5 February 1992](#), as amended. A person with a disability is someone with long-term physical, mental, intellectual or sensory impairments which, in interaction with barriers of different kinds, may hinder full and effective participation in different life contexts on an equal basis with others, as determined following the outcome of the basic assessment;

¹ Article 2(1)(zz) of Legislative Decree No 82/2022.

² Article 2(1)(aa) of Legislative Decree No 82/2022.

³ Article 2(1)(d) of Legislative Decree No 82/2022.

⁴ Article 2(1)(uu) of Legislative Decree No 82/2022.

⁵ Article 2(1)(bb) of Legislative Decree No 82/2022.

⁶ Article 2(1)(dd) of Legislative Decree No 82/2022.

⁷ Article 2(1)(a) of Legislative Decree No 82/2022.

‘small and medium-sized enterprises’⁸: a category of enterprises which employ fewer than 250 people, whose annual turnover does not exceed EUR 50 million or whose annual balance sheet total does not exceed EUR 43 million, but which does not include micro-enterprises;

‘products’⁹: substances, preparations or goods produced through a manufacturing process, other than food, feed, live plants and animals, products of human origin and products of plants and animals directly related to their future reproduction;

‘e-ticketing services’¹⁰: a system in which passenger transport tickets are purchased, including online, using a device with interactive computing capability and provided to the purchaser in electronic form, allowing them to be printed on paper or to be viewed, at the time of travel, using a mobile device with interactive computing capability;

‘service’¹¹: a service as defined in Article 8(1)(a) of Legislative Decree No 59 of 26 March 2010, i.e. any service, including intellectual services, carried out in an entrepreneurial or professional capacity, provided without any form of subordination and normally provided for remuneration;

‘technical specifications’¹²: a technical specification as defined in Article 2(4) of [Regulation \(EU\) No 1025/2012](#), transposed by Article 1(1)(c) of [Law No 317 of 21 June 1986](#), which constitutes a means of complying with the accessibility requirements applicable to a product or service;

‘assistive technology’¹³: any item, part of equipment, service or product system, including software, used to increase, maintain, replace or improve functional capabilities of people with disabilities or to alleviate or compensate for impairments, activity limitations or participation restrictions.

⁸ Article 2(1)(cc) of Legislative Decree No 82/2022.

⁹ Article 2(1)(b) of Legislative Decree No 82/2022.

¹⁰ Article 2(1)(aaa) of Legislative Decree No 82/2022.

¹¹ Article 2(1)(c) of Legislative Decree No 82/2022.

¹² Article 2(1)(ee) of Legislative Decree No 82/2022.

¹³ Article 2(1)(qq) of Legislative Decree No 82/2022.

2. Framework of regulatory and technical references

2.1. References to regulatory documents

[Council Directive 95/18/EC](#) of 19 June 1995 on the licensing of railway undertakings.

[Law No 104 of 5 February 1992](#) on the framework law for assistance, social integration and the rights of disabled persons.

[Legislative Decree No 196 of 30 June 2003](#) concerning the Data Protection Code, laying down provisions for the adaptation of national law to Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC.

[Law No 4 of 9 January 2004](#) on provisions to facilitate and simplify the access of users and, in particular, persons with disabilities to IT tools.

[Legislative Decree No 82 of 7 March 2005](#) on the Digital Administration Code.

[Directive 2008/48/EC](#) of the European Parliament and of the Council of 23 April 2008 on credit agreements for consumers and repealing Council Directive 87/102/EEC.

[Law No 18 of 3 March 2009](#) ratifying and implementing the United Nations Convention on the Rights of Persons with Disabilities, with an Optional Protocol, signed in New York on 13 December 2006, and establishing the National Observatory on the Condition of Persons with Disabilities.

[Regulation \(EU\) No 1177/2010](#) of the European Parliament and of the Council of 24 November 2010 concerning the rights of passengers when travelling by sea and inland waterway and amending Regulation (EC) No 2006/2004.

[Regulation \(EU\) No 181/2011](#) of the European Parliament and of the Council of 16 February 2011 concerning the rights of passengers in bus and coach transport and amending Regulation (EC) No 2006/2004.

[Directive 2012/34/EU](#) of the European Parliament and of the Council of 21 November 2012 establishing a single European railway area.

[Directive 2014/17/EU](#) of the European Parliament and of the Council of 4 February 2014 on credit agreements for consumers relating to residential immovable property and amending Directives 2008/48/EC and 2013/36/EU and Regulation (EU) No 2010/1093.

[Directive \(EU\) 2015/2366](#) of the European Parliament and of the Council of 25 November 2015 on payment services in the internal market, amending Directives 2002/65/EC, 2009/110/EC and 2013/36/EU and Regulation (EU) No 1093/2010, and repealing Directive 2007/64/EC.

[Regulation \(EU\) 2015/2120](#) of the European Parliament and of the Council of 25 November 2015 laying down measures concerning open internet access and amending Directive 2002/22/EC on universal service and users' rights relating to electronic communications networks and services and Regulation (EU) No 531/2012 on roaming on public mobile communications networks within the Union.

[Regulation \(EU\) 2016/679](#) of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free circulation of such data, and repealing Directive 95/46/EC (General Data Protection Regulation).

[Directive \(EU\) 2016/2102](#) of the European Parliament and of the Council of 26 October 2016 on the accessibility of the websites and mobile applications of public sector bodies.

[Law No 163 of 25 October 2017](#) delegating powers to the Government for the transposition of European directives and the implementation of other acts of the European Union – European Delegation Law 2016-2017.

[Legislative Decree No 106 of 10 August 2018](#) on the implementation of Directive (EU) 2016/2102 on the accessibility of the websites and mobile applications of public sector bodies.

[Directive \(EU\) 2019/882](#) of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services.

[Decree-Law No 76 of 16 July 2020](#) on urgent measures for simplification and digital innovation, converted with amendments by [Law No 120 of 11 September 2020](#).

[Law No 53 of 22 April 2021](#) on the delegation to the Government for the transposition of European directives and the implementation of other acts of the European Union – European Delegation Law 2019-2020.

[Regulation \(EU\) 2021/782](#) of the European Parliament and of the Council of 29 April 2021 on rail passengers' rights and obligations.

[Legislative Decree No 207 of 8 November 2021](#) on the implementation of Directive (EU) 2018/1972 of the European Parliament and of the Council of 11 December 2018 establishing the European Electronic Communications Code (Recast).

[Legislative Decree No 208 of 8 November 2021](#) on the implementation of Directive (EU) 2018/1808 of the European Parliament and of the Council of 14 November 2018 amending Directive 2010/13/EU on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services in view of changing market realities.

[Legislative Decree No 82 of 27 May 2022](#), implementing Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services.

[Directive \(EU\) 2023/2255](#) of the European Parliament and of the Council of 18 October 2023 on credit agreements for consumers and repealing Directive 2008/48/EC.

2.2 References to technical standards

EN 17161:2019. "Design for All - Accessibility following a Design for All approach in products, goods and services - Extending the range of users".

EN 17210:2021. "Accessibility and usability of the built environment - Functional requirements".

EN 301 549 v.3.2.1 (2021-03) “Harmonised European Standard Accessibility requirements for ICT products and services”.

UNI CEI ISO/IEC TS 25011:2020 ‘Information technology – Systems and software Quality Requirements and Evaluation (SQuaRE) – Service quality models’.

UNI CEI EN 301549:2021 – EN 301 549 V3.2.1. (2021-03) ‘Accessibility requirements for ICT products and services’. UNI EN ISO 9999:2022 – ‘Assistive products for persons with disabilities – Classification and terminology’.

UNI CEI ISO/IEC 25010:2024 – ‘Systems and software engineering – Systems and software Quality Requirements and Evaluation (SQuaRE) – Product quality model’.

UNI CEI ISO/IEC 25019:2024 – ‘Systems and software engineering – Systems and software Quality Requirements and Evaluation (SQuaRE) – Quality-in-use model’.

2.3 Standard references

EPUB Accessibility 1.1 (W3C) – content conformity requirements for verifying the accessibility of publications – <https://www.w3.org/TR/epub-a11y-11/>.

EPUB 3 (W3C) – Distribution and interchange format for publications and digital documents – <https://www.w3.org/TR/epub-33/>.

Web Content Accessibility Guidelines (WCAG) 2.1 – Authorised Italian translation - Published on 13 September 2018
<https://www.w3.org/Translations/WCAG21-it/>.

Web Content Accessibility Guidelines (WCAG) 2.2 – Authorised Italian translation – Published on 5 October 2023
<https://www.w3.org/Translations/WCAG22-it/>.

ONIX for Books Product Information Format 3.1 – Standard for metadata in e-book distribution, (EDItEUR) 22 March 2023
<https://www.editeur.org/8/ONIX/>.

PDF/UA (UNI ISO 14289-1:2019) – PDF format enhancement for accessibility
<https://store.uni.com/uni-iso-14289-1-2019>.

3. Introduction

Legislative Decree No 82 of 27 May 2022 (hereinafter also referred to as the Decree) transposed Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 (hereinafter also referred to as the Directive) on the accessibility requirements for products and services.

The Decree entered into force on 16 July 2022, however its provisions take effect from 28 June 2025.

The decree applies to the following products placed on the market after 28 June 2025:

- a) consumer general purpose computer hardware systems and operating systems for those hardware systems;
- b) self-service payment terminals and those intended for the provision of the regulated services;
- c) consumer terminal equipment with interactive computing capabilities used for electronic communications services;
- d) terminal equipment with interactive consumer computing capabilities used to access audiovisual media services;
- e) electronic book readers (e-readers).

For specific products and services, there are transitional provisions according to which the accessibility requirements may be fulfilled at a later date (Article 25 of the Decree) as specified in Section 4.3 of these Guidelines.

The purpose of the law is to ensure accessibility of products and services in the interest of consumers and users, strengthening the right of persons with disabilities to participate in the life of society and taking into account the harmonisation of the internal market, in accordance with Article 3 of the Italian Constitution, the United Nations Convention on the Rights of Persons with Disabilities and EU provisions.

In accordance with the provisions of the above-mentioned Convention on the Rights of Persons with Disabilities and, in particular, in compliance with the principle of non-discrimination and social integration, these Guidelines

contribute to ensuring the right to consumer accessibility in the context of the services offered through websites and mobile applications.

The decree supplements the regulatory framework on accessibility, which was already introduced in Italy by Law No 4 of 9 January 2004, and extends the accessibility obligations without prejudice to those set out in Article 3(1-bis) of the aforementioned law.

The implementation of these Guidelines is, in any event, subject to compliance with the EU and national legislation in force on the protection of personal data.

In accordance with Article 21(2), of the Decree, AgID has obtained the opinion of the following authorities for the purpose of adopting these Guidelines:

- a) Regulatory Authority for Communications for the services referred to in Article 1(3)(a) and (b) of the Decree (electronic communications services and services providing access to audiovisual media services);
- b) Transport Regulation Authority for the services referred to in Article 1(3)(c) of the Decree (air, bus, rail and waterway passenger transport services, including urban, suburban and regional transport services).

In particular, these Guidelines are adopted pursuant to Article 71 of the CAD, after public consultation carried out within thirty days, after hearing the competent administrations and the Personal Data Protection Supervisor in the matters falling within their sphere of competence, and after obtaining the opinion of the Joint Conference.

4. Scope of application of the Guidelines

4.1. Objective scope

Article 21(1) of the Decree attributes to the AgID the status of Supervisory Authority for the compliance of the services listed below.

4.1.1. Electronic communications services, excluding transmission services used for the provision of machine-to-machine services.

Electronic communications services means services, normally provided for remuneration over electronic communications networks, which include,

with the exception of services providing content transmitted using electronic communications networks and services or exercising editorial control over such content, the following types of services:

- a) internet access service as defined in Article 2, second paragraph, point (2), of Regulation (EU) 2015/2120;
- b) interpersonal communication service;
- c) services consisting exclusively or predominantly in the transmission of signals, such as transmission services used for the provision of machine-to-machine services and for broadcasting.

In this respect, it should be noted that the competences attributed by law to AGCOM and MIMIT in the field of electronic communication (Legislative Decree No 207/2021) remain unaffected.

4.1.2. Services providing access to audiovisual media services.

These are services transmitted by electronic communications networks used to identify, select, receive information on, and view audiovisual media services and all provided features, such as subtitles for the deaf and hard of hearing, audio description, spoken subtitles, sign language interpretation, which result from the implementation of measures to make services accessible and include electronic programme guides (EPGs)¹⁴.

In this regard, it should be noted that services providing access to audiovisual media services are subject to the supervisory activity of the AgID, while the audiovisual media services referred to in Article 3 of Legislative Decree No 208 of 8 November 2021 are subject to the powers attributed by law to AGCOM and MIMIT. Accordingly, these Guidelines apply only to services providing access to audiovisual media services.

In relation to audiovisual media services, it is the task of AGCOM to adopt the measures aimed at ensuring that the relevant providers make their services progressively accessible through three-year action plans; AGCOM

¹⁴ Article 2(1)(f) of Legislative Decree No 82/2022.

itself shall carry out the relevant supervisory and sanctioning activities (Article 31 of Legislative Decree No 208/2021).

Services providing access to audiovisual media services and the accessibility characteristics of electronic programme guides (EPGs) are the subject of the decree and, consequently, fall within the scope of supervision attributed to the AgID.

4.1.3. Air, bus, rail and waterway passenger transport services, including urban, suburban and regional transport services.

In particular, the scope of the decree covers the following elements relating to the services in question:

- 1) websites;
- 2) services for mobile devices, including mobile applications;
- 3) electronic tickets and electronic ticketing services.
- 4) provision of information relating to transport services, including real-time travel information; for information screens, this shall be limited to interactive screens located within the territory of the Union;
- 5) interactive self-service terminals located in the territory of the Union, excluding those installed as integral parts on vehicles, aircraft, vessels and rolling stock used for the provision of any part of such passenger transport services;

The supervisory functions for ensuring compliance with the accessibility requirements of the elements listed in points 1 to 4 are the responsibility of AgID, while those listed in point 5 are the responsibility of the public entities that have entrusted or authorised the provision of the transport service to the public. To verify the compliance of the elements referred to in point 5, to monitor the implementation of corrective measures and to handle complaints, the procedures set forth in the relevant sector regulations apply (Article 21(6) of the Decree).

For ease of reading, definitions are provided below.

Air passenger transport services refer to commercial air services (i.e. an air passenger transport service operated by an air carrier on a scheduled or non-scheduled flight offered to the public for a fee, either individually or as part of a package¹⁵), on departure from, on transit through, or on arrival at an airport, when the airport is situated in the territory of a Member State, including flights departing from an airport situated in a third country to an airport situated in the territory of a Member State where the services are operated by Union air carriers¹⁶.

Bus passenger services refer to services offered to passengers travelling with regular services for non-specified categories of passengers where the boarding or the alighting point of the passengers is situated in the territory of a Member State.¹⁷

Rail passenger services refer to all rail passenger services throughout the Community provided by one or more railway undertakings licensed under Council Directive 95/18/EC of 19 June 1995 on the licensing of railway undertakings¹⁸.

Waterway passenger transport services refer to passenger transport services:

- a) the boarding port of which is situated in the territory of a Member State;
- b) where the port of embarkation is situated outside the territory of a Member State and the port of disembarkation is situated in the territory of a Member State, provided that the service is operated by a Union carrier (i.e. a carrier established within the territory of a Member State or offering transport by passenger services operated to or from the territory of a Member State);

¹⁵ Article 2(I) of Regulation (EC) No 1107/2006.

¹⁶ Article 2(1)(ii) of Legislative Decree No 82/2022.

¹⁷ Article 2(1)(II) of Legislative Decree No 82 of 2022 pursuant to which the services referred to in Article 2(1) and (2) of Regulation (EU) No 181/2011 are intended.

¹⁸ Regulation (EC) No 1371/2007 as reformulated by Regulation (EU) 2021/782 on rail passengers' rights and obligations.

- c) on a cruise where the port of embarkation is situated in the territory of a Member State.¹⁹

Excluded are services related to passengers travelling:

- a) on ships authorised to carry up to twelve passengers;
- b) on ships operated by a crew of no more than three people or where the overall distance of the passenger service is less than 500 metres, one way;
- c) with excursions and tourist visits other than cruises;
- d) on ships without mechanical propulsion, as well as on original and individual reproductions of historic passenger ships, designed before 1965, built primarily from original materials, authorised to carry up to thirty-six passengers.

Urban and suburban transport services²⁰ refer to urban and suburban transport services whose main purpose is to meet the needs of an urban centre or an agglomeration, including a cross-border agglomeration, together with transport needs between that centre or agglomeration and its peripheral areas, but for the purposes of these Guidelines this definition includes only the following modes of transport: rail, bus and coach, metro, tram and trolleybus (Article 2(1)(oo) of the Decree).

Regional transport services refer to regional rail, bus and coach, metro, tram and trolleybus transport services²¹, the main purpose of which is to meet the transport needs of one or more regions, including a cross-border region.

4.1.4. Banking services for consumers.

These services refer to the provision of the following banking and financial services to consumers:

¹⁹ Article 2(1) of Regulation (EU) No 1177/2010, with the exception of the services referred to in Article 2(2) of the same Regulation (Article 2(1)(nn) of the Decree)

²⁰ Article 3(6) of Directive 2012/34/EU of the European Parliament and of the Council transposed by Article 3(1)(f) of Legislative Decree No 112 of 15 July 2015.

²¹ Article 3(7) of Directive 2012/34/EU of the European Parliament and of the Council transposed by Article 3(1)(g) of Legislative Decree No 112 of 15 July 2015

- a) credit agreements²² whereby a lender grants or undertakes to grant a consumer credit in the form of a deferred payment, loan or other financial facility, where the credit is secured by a mortgage on the ownership right or on another immovable property interest in residential real estate or is for the purpose of acquiring or retaining the right of ownership in respect of land or a constructed or designed building;
- b) the services defined in points 1, 2, 4 and 5 of Section A and points 1, 2, 4 and 5 of Section B of Annex I to Directive 2014/65/EU of the European Parliament and of the Council as transposed by Legislative Decree No 129 of 3 August 2017.

For Section A ('Investment services and activities'), the services concerned are as follows:

- 1) Reception and transmission of orders in relation to one or more financial instruments (Section A.1);
- 2) Execution of orders on behalf of clients (Section A.2);
- 3) Portfolio management (Section A.4);
- 4) Investment advice (section A.5).

For Section B ('Ancillary services'), the services concerned are the following:

- 1) Safekeeping and administration of financial instruments for the account of clients, including custodianship and related services such as cash/collateral management and excluding maintaining securities accounts at the top tier level (Section B.1);
- 2) Granting credits or loans to an investor to allow them to carry out a transaction in one or more financial instruments, where

²² Directive 2008/48/EC of the European Parliament and of the Council, transposed by Legislative Decree No 141 of 13 August 2010. With regard to Directive 2008/48/EC, it should be noted that it has been repealed by Directive (EU) 2023/2225 of the European Parliament and of the Council which will have effect from 20 November 2026. Directive 2008/48/EC will continue to apply to credit agreements in progress until their expiry.

the firm granting the credit or loan is involved in the transaction (Section B.2);

- 3) Foreign exchange services where these are connected to the provision of investment services (section B.4);
- 4) Investment research and financial analysis or other forms of general recommendation relating to transactions in financial instruments (section B.5).

c) methods of payment²³:

- 1) services enabling cash to be placed on a payment account as well as all the operations required for operating a payment account;
- 2) services enabling cash withdrawals from a payment account as well as all the operations required for operating a payment account;
- 3) execution of payment transactions, including the transfer of funds to a payment account with the user's payment service provider or with another payment service provider:
 - i. execution of direct debits, including one-off direct debits;
 - ii. execution of payment transactions by means of payment cards or similar devices;
 - iii. execution of credit transfers, including standing orders;
- 4) execution of payment transactions when the funds are part of a credit line granted to a payment service user:
 - i. execution of direct debits, including one-off direct debits;
 - ii. execution of payment transactions by means of payment cards or similar devices;
 - iii. execution of credit transfers, including standing orders;
- 5) issuing of payment instruments and/or acquiring of payment transactions;
- 6) money remittance;

²³ Article 4(3) of Directive (EU) 2015/2366 of the European Parliament and of the Council transposed by Article 1(2)(h-septies.1) of Legislative Decree No 385 of 1993).

- 7) payment initiation services;
- 8) account information services.
- d) services linked to the payment account²⁴

These are all services related to the opening, management and closure of a payment account, including the opening of credit, overdrafts and the operations referred to in Article 2(2)(g) of Legislative Decree No 11 of 27 January 2010;

- e) electronic money²⁵:

The electronically stored monetary value, including magnetic storage, represented by a claim on the issuer which is issued for the purpose of making payment transactions as defined in Article 1(1)(c) of Legislative Decree No 11 of 27 January 2010 and which is accepted by a natural and legal person other than the issuer. The following are not considered electronic money:

- i. the monetary value stored on the instruments referred to in Article 2(2)(m) of Legislative Decree No. 11 of 27 January 2010;
- ii. the monetary value used for the payment transactions referred to in Article 2(2)(n) of Legislative Decree No 11 of 27 January 2010.

4.1.5. Electronic books (e-books) and dedicated software

As already stated in the definitions at the beginning of the document, an electronic book (e-book) is the service consisting of the provision of digital files that transmit the electronic version of a book in order to be able to access, navigate, make it possible to read and use it, and the software, as well as mobile device services including mobile applications, intended to

²⁴ As defined in Article 2(3) of Directive 2014/92/EU of the European Parliament and of the Council transposed by Article 126-decies of Legislative Decree No 385 of 1993.

²⁵ As defined in Article 2(2) of Directive 2009/110/EC of the European Parliament and of the Council, implemented by Article 1(2)(h-ter) of Legislative Decree No 385 of 1 September 1993 (Article 2(1)(ff) of Legislative Decree No 82 of 2022).

enable the operations of access, navigation, reading and use of such digital files, and excludes the software referred to in the definition;²⁶

The legislator thus distinguishes the 'electronic book (e-book) service' from the product 'electronic book reader (e-reader)'. The latter is the dedicated equipment, including both hardware and software, used for accessing, navigating, reading and using e-book files²⁷. The software dedicated to reading and using digital files, which transmits the electronic version of the book, therefore expressly excludes *e-readers'* software, i.e. the basic software which, together with the hardware components, makes up the equipment dedicated to supporting the use of the services offered by the *e-book*. AgID is therefore the supervisory authority in relation to the 'electronic book (e-book) service and dedicated software'.

4.1.6. Electronic commerce services

These are services provided at a distance, via websites and services for mobile devices, by electronic means and at the individual request of a consumer in order to conclude a consumer contract²⁸.

4.2. Subjective scope

The recipients of these Guidelines are, therefore, the providers of the services referred to in Article 1, paragraph 3, letters a), b), c), nos. 1, 2, 3, 4 and letters d), e), f) of the Decree, listed in the previous paragraph 4.1, without prejudice to the provisions of Article 3, paragraph 1-bis, Law No 4 of 9 January 2004.

Microenterprises are exempted from complying with accessibility obligations.

With particular reference to the e-book service, reference should be made to recital 41 of Directive (EU) No 882/2019, which provides that '*in the context of e-books, the concept of a service provider could include publishers and other economic operators involved in their distribution*'.

²⁶ Article 2(1)(uu) of Legislative Decree No 82/2022.

²⁷ Article 2(1)(vv) of Legislative Decree No 82/2022.

²⁸ Article 2(1)(hh) of Legislative Decree No 82/2022.

For providers²⁹ offering services to the public through websites or mobile applications, with an average turnover in the last three years of activity of more than EUR 500 million, AgID shall apply an administrative fine of up to 5% of turnover³⁰ in relation to the breach of the obligations referred to in Article 24(1) of the Decree.

In particular, as from 28 June 2025³¹, the provisions laid down in Law No 4 of 9 January 2004 shall not apply to the digital service providers provided for in the Decree in relation to the following elements:

- a) AgID Guidelines on the accessibility of IT tools³² identifying the technical rules necessary to ensure compliance with the principles and accessibility requirements set out in paragraphs 1 and 2 of Article 3a of Law No 4 of 9 January 2004;
- b) identification of the disproportionate burden for the accessibility of websites and mobile applications³³;
- c) accessibility statement³⁴;
- d) implementing procedure³⁵;
- e) accessibility obligations³⁶ in relation to the prohibition of contracting for the construction and modification of websites and mobile applications that do not comply with accessibility requirements;
- f) the obligation to adapt websites and mobile applications³⁷ to accessibility requirements by 5 November 2022.

²⁹ Article 3(1-bis) of Law No 4 of 9 January 2004.

³⁰ Article 9(1-bis) of Law No 4 of 9 January 2004.

³¹ Article 25 (3) of Legislative Decree No 82/2022.

³² Article 3-bis(3) of Law No 4 of 9 January 2004.

³³ Article 3b of Law No 4 of 9 January 2004.

³⁴ Article 3-quater, Law No 4 of 9 January 2004.

³⁵ Article 3-quinquies, Law No 4 of 9 January 2004.

³⁶ Article 4(2) of Law No 4 of 9 January 2004.

³⁷ Article 4(2-bis) of Law No 4 of 9 January 2004.

4.3. Commencement of obligations

If the service falls within the scope of the Decree, service providers must comply with the accessibility requirements from 28 June 2025. For some products and services, there are transitional provisions according to which accessibility requirements can be fulfilled at a later date.

In particular, until 28 June 2030, service providers may continue to provide their services using products (referred to in Article 1(2) of the Decree) that they lawfully used before that date to provide similar services.

In addition, service contracts concluded before 28 June 2025 may be maintained unchanged until their expiry date, but for no longer than five years from that date.

Self-service terminals lawfully used by service providers for the provision of services before 28 June 2025 may continue to be used for the provision of similar services until the end of their useful economic life, but for no longer than twenty years after their entry into service (Article 25 (1) and (2) of the Decree).

5. Obligations of the service provider and exceptions

5.1. Obligations of the service provider

Article 12 of the Decree stipulates that the service provider is obliged to design and provide the services falling within the scope of the Decree in such a way as to meet the accessibility requirements of Article 3(2) of the Decree.

These services must comply with the accessibility requirements set out in Sections III and IV of Annex I 'Accessibility requirements for products and services' to the Decree.

Section III of Annex I provides for the general accessibility requirements relating to the services regulated in Article 1(3) of the Decree.

The provision of these services, in order to optimise their foreseeable use by persons with disabilities, must be carried out by:

- a) ensuring the accessibility of the products used for the provision of the service in accordance with Section I and, where applicable, Section II of Annex I to the Decree;
- b) providing information on the functioning of the service and, where products are used in the provision of the service, its connection to those products, as well as information on their accessibility features and interoperability with assistive facilities and devices:
 - i. making information available through more than one sensory channel;
 - ii. presenting the information in an understandable manner;
 - iii. presenting information to users in perceptible ways;
 - iv. making information content available in text formats that can be used to produce alternative assistive formats that can be accessed by the user in different ways and through more than one sensory channel;
 - v. presenting characters of suitable sizes and shapes, taking into account foreseeable conditions of use and using sufficient contrast as well as adjustable spacing between letters, lines and paragraphs;
 - vi. supplementing any non-textual content with an alternative presentation of that content;
 - vii. making available the electronic information necessary for the provision of the service in a consistent and adequate manner, ensuring that it is perceivable, usable, understandable and robust;
- c) making websites, including online applications and related mobile services, including mobile applications, accessible in a consistent and adequate manner, making them perceivable, usable, understandable and robust;
- d) where available, through support services (help desks, helplines, technical support, retransmission services and training services) that

provide information about the accessibility of services and their compatibility with assistive technologies, in accessible ways of communication.

Section IV of Annex I to the Decree regulates additional accessibility requirements related to specific services.

The provision of services, in order to optimise their foreseeable use by persons with disabilities, shall be achieved by including functions, practices, strategies and procedures, as well as changes to the functioning of the service, aimed at addressing the needs of persons with disabilities and ensuring interoperability with assistive technologies:

- a) Electronic communications services, including emergency communications as referred to in Article 109(2) of Directive (EU) 2018/1972:
 - i. making real-time text available in addition to voice communication;
 - ii. enabling global conversation if video is offered in addition to voice communication;
 - iii. ensuring that emergency communications using voice and text (including real-time text) are synchronised and that, if video is offered, they are also synchronised as a global conversation and transmitted by the electronic communication service provider to the most appropriate PSAP.
- b) Services providing access to audiovisual media services:
 - i. providing electronic programme guides (EPGs) that are perceivable, usable, understandable and robust and providing information on the availability of accessibility;
 - ii. ensuring that the accessibility elements (access services) of audiovisual media services, such as subtitles for the deaf and hard of hearing, audio description, spoken subtitles and sign language interpretation, are broadcast in their entirety in a

quality suitable for accurate viewing and synchronised with sound and video, while allowing control of their display and use by the user.

- c) Air, bus, rail and waterway passenger transport services, including urban and suburban transport services and regional transport services:
 - i. ensuring the provision of information on the accessibility of vehicles, the surrounding infrastructure, and the built environment and assistance for persons with disabilities.
 - ii. ensuring the provision of information on smart ticketing systems (electronic reservation, ticket booking, etc.), real-time travel information (timetables, information on traffic disruptions, connecting services, connections with other means of transport, etc.) and further information on services (e.g. station staff, broken lifts or temporarily unavailable services).
- d) Banking services for consumers:
 - i. providing identification methods, electronic signatures, security and payment services that are perceivable, usable, understandable and robust;
 - ii. ensuring that the information is comprehensible, with a degree of complexity limited to level B2 (advanced intermediate) of the Council of Europe's Common European Framework of Reference for Languages.
- e) Electronic books (e-books):
 - i. ensuring that the electronic book, if it contains audio in addition to text, provides synchronised text and audio;
 - ii. ensuring that the digital files of the electronic book do not prevent the assistive technology from functioning properly;
 - iii. ensuring access to the content, navigation within the content and graphic layout of the file, including the dynamic graphic

layout, offering structure, flexibility and choice in the presentation of the content.

- iv. enabling alternative reproductions of the content and its interoperability with a range of assistive technologies so that it is perceivable, usable, understandable and robust;
- v. enabling their discovery by providing information through metadata on their accessibility characteristics;
- vi. ensuring that Digital Rights Management (DRM) measures do not block accessibility features.

f) E-commerce services:

- i. providing information on the accessibility of the products and services sold where such information is provided by the responsible economic operator;
- ii. ensuring that the identification, security and payment functionality is accessible when provided as part of a service rather than a product, making it perceivable, usable, understandable and robust;
- iii. providing identification methods, electronic signatures and payment services that are perceivable, usable, understandable and robust.

In addition, with regard to audiovisual media services (Article 2(1)(e) of the Decree), the service provider shall ensure, where possible, the availability of more than one sensory channel (Article 12(1) of the Decree).

The service provider may only provide its service if it has prepared the accessibility information in accordance with Annex IV of the Decree, indicating the manner in which the accessibility requirements are met (Article 12(2) of the Decree).

In addition, the service provider must make the above information available to the public, in written and oral form, including in a way that is accessible to persons with disabilities. It is recommended that this information be subject to

periodic verification by the service provider in order to avoid any misalignments in view of possible changes to the service and technological developments.

The service shall provider retain this information for as long as the service is operational (Article 12(2) of the Decree).

Websites and mobile applications that provide information on the routes of local public transport means shall also indicate the routes accessible to persons with disabilities (Article 12(3) of the Decree).

The service provider must also implement the necessary measures to ensure the continued conformity of the service with the accessibility requirements, taking into account changes in the characteristics of the service provision, the applicable accessibility requirements and the harmonised standards or technical specifications by reference to which the service is declared compliant with the accessibility requirements, without prejudice to the transitional and final provisions set out in Article 25 of the Decree.

If a service does not comply with the accessibility requirements, the service provider shall:

- a) take the corrective measures necessary to restore compliance with the accessibility requirements referred to in Article 3(2) of the Decree, which refers, in turn, to the requirements laid down in Sections III and IV of Annex I to the Decree;
- b) immediately inform AgID, in the manner published by it on the accessibility area of its institutional website;
- c) it shall also inform the competent supervisory authorities of the other EU Member States in which it provides the service through the methods published by the AgID on the dedicated accessibility area of the relevant institutional website.

This information must be detailed, with particular reference to the accessibility requirements with which the service does not comply and, therefore, the corrective measures to be taken by the service provider to restore compliance (Article 12(5) of the Decree).

The service provider shall communicate, upon a reasoned request from the AgID and/or the competent supervisory authorities of the other Member States where the service is provided, the information necessary to demonstrate the conformity of the service with the applicable accessibility requirements.

Where required, the service provider shall cooperate with the AgID and/or the other above-mentioned authorities on the implementation of the initiatives to be taken to make the service compliant with the accessibility requirements (Article 12(6) of the Decree).

In order to reduce risks to the rights and freedoms of data subjects with disabilities who use, including through the use of specific assistive technologies, the services made available by providers, the latter must take appropriate measures to avoid tracking, either through their own systems or through third-party systems, both hardware and software tools and solutions, as well as usage settings that help persons with disabilities access digital information and services. Reference is made, in particular, to web tracking techniques, such as cookies and browser fingerprinting³⁸, which are used to collect data relating to system settings/configurations and which, specifically, could contain information from which a user's disability status could also be inferred.

For these purposes, service providers must declare, among the mandatory information referred to in Article 12(2) of the Decree, that they do not use web tracking techniques from which it is possible to infer any conditions of disability of the user.

5.2. Substantial change and disproportionate burden

Article 13 (1) of the Decree provides that the accessibility requirements referred to in Article 3 apply only to the extent that compliance:

- a) does not require a significant change in a product or service that results in the fundamental alteration of its basic nature;
- b) does not result in the imposition of a disproportionate burden on the economic operators concerned.

³⁸ Cookies and browser fingerprinting are techniques used by developers to identify users who have already logged on to a particular site.

The assessment of the applicability of one of the two conditions shall be carried out by the service provider. In particular, the assessment referred to in point (b) above must be carried out on the basis of the criteria listed in Annex V to the Decree.

In both cases (substantial change/disproportionate burden), the service provider must document the assessment and retain the results of that assessment for at least five years, starting from the last provision of the service.

The service provider that invoked the disproportionate burden shall update the assessment:

- a) when the service offered is changed;
- b) at the request of the authorities responsible for monitoring the conformity of services;
- c) regularly, at least one year after the last assessment, in view of the need to ensure adaptive interventions to maintain levels of accessibility and usability in line with the possible evolution of the technical elements and the legislative and regulatory framework.

Service providers receiving public or private funding, in order to improve accessibility, cannot invoke the disproportionate burden.

If a provider invokes either of these conditions for a specific service, it must immediately inform AgID in the manner published by it on the dedicated accessibility area of its institutional website; it must also inform the competent service compliance authorities of the Member State where the specific service is provided.

5.3. Criteria for assessing the disproportionate nature of the burden

The criteria for assessing the disproportionate burden are laid down in Annex V to the Decree.

If the service provider considers the condition of disproportionate burden to exist, it must assess it and document its assessment in accordance with the aforementioned Annex V, which provides for the following criteria (which are set out for illustrative purposes only, without prejudice to the reference to the law):

- 1) the ratio between the net costs of complying with accessibility requirements and the total costs (operating and capital expenditure) of providing the service to economic operators. Elements to be used to assess the net costs of compliance with accessibility requirements:
 - a) criteria related to one-off organisational costs to take into account in the assessment:
 - i) expenses related to additional human resources with accessibility expertise;
 - ii) expenditure related to the training of human resources and the acquisition of accessibility skills;
 - iii) expenditure on the development of new processes to include accessibility in product development or service delivery;
 - iv) expenditure related to the development of explanatory material on accessibility;
 - v) one-off expenses to learn about accessibility legislation;
 - b) criteria related to on-going production and development costs to take into account in the assessment:
 - i) expenses related to the design of the accessibility features of the product or service;
 - ii) costs incurred during manufacturing processes;
 - iii) expenses related to accessibility tests for products or services;
 - iv) expenditure related to the implementation of the documentation.
- 2) Estimated costs and benefits for economic operators, including production processes and investments, compared to the expected benefit for persons with disabilities, taking into account the number and frequency of use of the specific product or service.
- 3) Ratio between the net costs of compliance with accessibility requirements and the net turnover of the economic operator. Elements to be used to assess the net costs of compliance with accessibility requirements:

- a) criteria related to one-off organisational costs to take into account in the assessment:
 - i) expenses related to additional human resources with accessibility expertise;
 - ii) expenditure related to the training of human resources and the acquisition of accessibility skills;
 - iii) expenditure on the development of new processes to include accessibility in product development or service delivery;
 - iv) expenditure related to the development of explanatory material on accessibility;
 - v) one-off expenses to learn about accessibility legislation;
- b) criteria related to on-going production and development costs to take into account in the assessment:
 - i) expenses related to the design of the accessibility features of the product or service;
 - ii) costs incurred during manufacturing processes;
 - iii) expenses related to accessibility tests for products or services;
 - iv) expenditure related to the implementation of the documentation.

5.4. Presumption of conformity

To facilitate conformity assessment with the applicable accessibility requirements, the Directive introduces a presumption of conformity for products and services which are in conformity with voluntary harmonised standards adopted pursuant to Regulation (EU) No 1025/2012 of the European Parliament and of the Council for the purpose of expressing detailed technical specifications of those requirements³⁹.

The Decree transposes the above by providing, verbatim, as follows:

'Services which are in conformity with harmonised standards or parts thereof, the references of which have been published in the Official Journal of the European

³⁹ Recital 74 and Article 15 of Directive (EU) 2019/882.

Union, shall be presumed to be in conformity with the accessibility requirements of this Decree covered by those standards or parts thereof⁴⁰.

Services which are in conformity with the technical specifications or parts thereof shall be presumed to be in conformity with the accessibility requirements of this Decree in so far as those technical specifications or parts thereof cover those requirements⁴¹.

6. General principles of accessibility

6.1. The four pillars of accessibility

The POUR principles constitute the four fundamental pillars of accessibility. In particular, they set out general principles for designing user interfaces, compliance with which ensures the inclusivity of digital services for users with disabilities.

Below is the meaning of each principle:

- a) **Perceivable:** the information and components of the user interface shall be presented in such a way that users can perceive it, regardless of their sensory abilities.
- b) **Operable:** user interface components and navigation must be operable, ensuring that all users can interact with digital content.
- c) **Understandable:** the information and functioning of the user interface must be understandable, providing clear and concise instructions and feedback.
- d) **Robust:** content must be robust enough that it can be interpreted reliably by a wide variety of user agents, including assistive technologies.

The application of these principles not only enables persons with disabilities to use digital content effectively, but also improves the overall user experience. Integrating the principles from an early stage of service design and development of a site or application ensures universal and inclusive usability.

⁴⁰ Article 14(1) of Legislative Decree No 82/2022.

⁴¹ Article 14(2) of Legislative Decree No 82/2022.

6.2. Accessibility by default and by design

Accessibility by default and accessibility by design constitute two different approaches, which can also be used together, and which, if applied correctly, allow service providers to fulfil the accessibility requirements of the Decree more easily.

The use of these approaches, which are also of a general nature, makes it possible to avoid 'post-production' adjustment interventions which are certainly more costly both in terms of costs and in terms of time.

In particular, the accessibility by design approach aims to consider accessibility aspects throughout the service life cycle (design, implementation, operation, support and maintenance).

In this sense, the by design approach is transversal to the individual phases in the life cycle and to the related process activities, ensuring effective governance in the compliance process from the concept phase.

Accessibility by design has the advantage that once it is acquired as a corporate value, it is applied systematically, allowing for the progressive improvement of internal production quality.

On the other hand, it requires investments aimed at disseminating an appropriate corporate culture through the use of various levers (organisation, resources, training, etc.).

The definition of functions, practices, strategies and procedures within the company requires, in fact, specific competences in the field of accessibility to be referred to throughout the service life cycle.

The approach may appear complex for small and medium-sized businesses although, among the factors to be balanced, one must take into account the undoubted benefits in terms of the greater inclusiveness of the services provided, the widening of the audience of potential users and, in general, a higher degree of perceived quality by all users.

With the by default approach, design starts with interfaces and components that are already accessible, in a form of reuse that aims to use what has already been achieved to implement new ones and enrich their functionality.

AgID has also made use of this approach several times in its dissemination and training initiatives on accessibility culture.

Service providers implementing their digital services in-house (make⁴²) can use special kits⁴³ to design interfaces in order to speed up their implementations, to increase the quality of service in a short time and to reduce costs.

The same approach can also be followed with regard to 'third-party' companies providing the implementations to service providers (buy⁴⁴).

7. Accessibility requirements

7.1. General accessibility requirements

The service provider must bring its services referred to in Article 1(3) of the Decree, as indicated in section 4.1 of these Guidelines, into line with the accessibility requirements laid down by law, Sections III and IV of Annex I to the Decree.

Annex II to the Decree provides non-binding indicative examples of possible solutions that contribute to meeting the accessibility requirements set out in Annex I to the Decree.

Furthermore, pursuant to Article 22 of the Decree, for the services referred to in Article 1, the accessibility requirements listed in Annex I thereto constitute the mandatory accessibility requirements within the meaning of Articles 68 and 170 of Legislative Decree No 50 of 18 April 2016 (now Legislative Decree No 36 of 31 March 2023).

A service whose features, elements or functions comply with the accessibility requirements set out in Section VI of Annex I shall be deemed to be in conformity with the relevant obligations laid down in Union acts, as regards accessibility, for the features, elements or functions regulated by the Decree, unless otherwise provided.

⁴² Implementation strategy whereby a service is implemented internally within a company. It contrasts with the concept of buy.

⁴³ Please refer to the section on the website Designers Italia [Resources for designing – Designers Italia](#)

⁴⁴ Implementation strategy requiring a service to be implemented externally to a company. It contrasts with the concept of making.

Services which are in conformity with harmonised standards or parts thereof, the references of which have been published in the Official Journal of the European Union, are presumed to be in conformity with the accessibility requirements of the Decree covered by those standards or parts thereof. The existing harmonised technical standard to ensure the general accessibility requirements for the services is: EN 301549 v.3.2.1 (2021-03).

By Implementing Decision of 14 September 2022 (M/587 – C(2022)6456), entitled '*Commission Implementing Decision of 14.9.2022 on a standardisation request to the European standardisation organisations as regards the accessibility requirements of products and services in support of Directive (EU) 2019/882 of the European Parliament and of the Council*', the European Commission mandated the revision of certain technical standards, such as EN 301549 v.3.2.1 (2021-03) and the development of new technical standards, in relation to the accessibility requirements of the Directive.

Section III of Annex I contains the general requirements relating to the services covered by Article 1(3) of the Decree.

These are the accessibility requirements that all providers of the above-mentioned services must comply with in order for them to comply with the accessibility requirements.

As stated above, in order to optimise their foreseeable use by persons with disabilities, the provision of the services must be achieved by ensuring the general requirements and the specific requirements.

One of the requirements set out in Section III of Annex I is to provide information about the functioning of the service and, where products are used in the provision of the service, its connection with those products as well as information on their accessibility features and interoperability with assistive devices and facilities. In this case, for each of the elements reported, the Decree indicates some examples of actions that can be implemented. To make the information available through more than one sensory channel, computer readable electronic files can be provided using screen reading software so that visually impaired persons can use the information.

To present the information in a comprehensible manner, the same words can be used in a coherent manner or according to a clear and logical structure, so that they can be better understood by people with cognitive disabilities.

To present the information to users in a perceptible manner, subtitles may be made available if video instructions are provided.

In order to make the content of information available in textual formats that can be used for the production of alternative assistive formats usable in different manners by the user and through more than one sensory channel, a person who is blind can be allowed to use a file by printing it in Braille.

In order to present characters of suitable sizes and shapes, taking into account foreseeable conditions of use and using sufficient contrast and adjustable spacing between letters, lines and paragraphs, text reading by visually impaired persons can be made possible.

To supplement any non-textual content with an alternative presentation of that content, a diagram may be supplemented with a textual description identifying the main elements or describing the main actions.

In order to make available the electronic information necessary for the provision of the service in a consistent and appropriate manner, ensuring that it is perceivable, usable, understandable and robust, if a service provider offers a USB stick containing information about the service, that information shall be made accessible.

To make websites, including online applications and related mobile device-based services, including mobile applications, accessible in a consistent and adequate manner, ensuring that they are perceivable, operable, understandable and robust, all functionalities can be made available via keyboards, leaving sufficient time to read, ensuring that the content appears and operates in a predictable manner, and ensuring compatibility with assistive technologies, so that persons with different disabilities can read and interact with a website.

7.2. Additional accessibility requirements for specific services

Section IV of Annex I to the Decree also regulates additional accessibility requirements to be met by certain specific services, in addition to compliance with the general requirements laid down in Section III of Annex I to the Decree. These are electronic communication services, services providing access to audiovisual media services, air, bus, rail and waterway passenger transport services, including urban and suburban transport services and regional transport services, consumer banking services, electronic books (e-books), and e-commerce services.

In particular, by way of illustration, only with reference to Section IV of Annex I to the Decree, it should be noted that the provision of the services, in order to optimise their foreseeable use by persons with disabilities, must be achieved by including functions, practices, strategies and procedures, as well as changes to the operation of the service, aimed at responding to the needs of persons with disabilities and ensuring interoperability with assistive technologies:

a) Electronic communications services, including emergency communications as referred to in Article 109(2) of Directive (EU) 2018/1972:

i) making real-time text available in addition to voice communication.

Example: enabling a hearing impaired person to write and receive a text interactively and in real time;

ii) enabling global conversation if video is offered in addition to voice communication. Example: allowing deaf persons to use sign language to communicate with each other;

iii) ensuring that emergency communications using voice and text (including real-time text) are synchronised and that, if video is offered, they are also synchronised as a global conversation and transmitted by the electronic communication service provider to the most appropriate PSAP. Example: allowing those who have a speech or hearing disorder and choose to use a combination of text, voice and video to know that

the communication is transmitted over the network to an emergency service.

In particular, with reference to point (ii), it should be noted that 'global conversation' refers to a real-time multimedia conversation service that allows the symmetrical two-way real-time transfer of moving video images, as well as real-time text and voice communications between users in two or more locations (Article 2(35) of Directive (EU) 2018/1972, transposed by Article 2(1)(mmm) of Legislative Decree No 259/2003) (Article 2(1)(i) of the Decree).

b) Services providing access to audiovisual media services:

i) providing electronic programme guides (EPGs) that are perceivable, usable, understandable and robust and providing information on the availability of accessibility. Example: allowing a person who is blind to select programmes on television.

(ii) ensuring that the accessibility elements (access services) of audiovisual media services, such as subtitles for the deaf and hard of hearing, audio description, spoken subtitles and sign language interpretation, are broadcast in their entirety in a quality suitable for accurate viewing and synchronised with sound and video, while allowing control over their display and use by the user. Example: supporting the possibility to select, personalise and display 'access services' such as subtitles for the deaf or hard of hearing, audio description, spoken subtitles and sign language interpretation, either by providing effective wireless connection tools to hearing technologies or by providing control devices for users to activate 'access services' to audiovisual media services at the same level as primary media controls.

c) Air, bus, rail and waterway passenger transport services, including urban and suburban transport services and regional transport services:

i) ensuring the provision of information on the accessibility of vehicles, the surrounding infrastructure, and the built environment and assistance for persons with disabilities.

ii) ensuring the provision of information on smart ticketing systems (electronic reservation, ticket booking, etc.), real-time travel information (timetables, information on traffic disruptions, connecting services, connections with other means of transport, etc.) and further information on services (e.g. station staff, broken lifts or temporarily unavailable services).

iii) (only for urban and suburban transport services and regional transport services) ensuring the accessibility of self-service terminals used in the provision of the service in accordance with Section I of this Annex.

d) Banking services for consumers:

i) providing identification methods, electronic signatures, security and payment services that are perceivable, usable, understandable and robust. Example: making on-screen identification dialogues readable by screen-reading software so that they can be used by persons who are blind;

ii) ensuring that the information is comprehensible, with a degree of complexity limited to level B2 (advanced intermediate) of the Council of Europe's Common European Framework of Reference for Languages.

e) Electronic books (e-books):

i) ensuring that the electronic book, if it contains audio in addition to text, provides synchronised text and audio. Example: allowing a dyslexic person to read and listen to the text at the same time;

ii) ensuring that the digital files of the electronic book, including digital rights management (DRM), do not prevent the assistive technology from functioning properly. Example: allowing the provision of synchronized text and audio or an updateable Braille transcript;

iii) ensuring access to the content, navigation within the content and graphic layout of the file, including the dynamic graphic layout, offering structure, flexibility and choice in the presentation of the content.

Example: allowing a person who is blind to access the table of contents or change chapter;

iv) enabling alternative reproductions of the content and its interoperability with a range of assistive technologies so that it is perceivable, usable, understandable and robust;

v) enabling their discovery by providing information through metadata on their accessibility characteristics. Example: ensuring that the electronic file contains information on its accessibility features, so that persons with disabilities can be informed about it;

vi) ensuring that Digital Rights Management (DRM) measures do not block accessibility features. Example: ensuring that there is no blocking, for example that technical protection measures, rights management information or interoperability issues do not prevent the text from being read aloud by assistive devices, so that blind users can read the book.

f) E-commerce services:

i) providing information concerning the accessibility of the services sold, where such information is provided by the responsible economic operator, so that this information is perceptible, usable, comprehensible and robust. Example: ensuring that the available information on the accessibility characteristics of a product is not deleted;

ii) ensuring the accessibility of the functionality for identification, security and payment where it is provided as part of the service rather than a product, making it perceivable, usable, understandable and robust. Example: making the payment service user interface available by voice, so that persons who are blind can make online purchases independently;

iii) providing identification methods, electronic signatures and payment services that are perceivable, usable, understandable and robust.

Example: making on-screen identification dialogues readable by screen-reading software so that they can be used by persons who are blind.

7.3. Additional requirements for transport services

Services complying with the requirements on the provision of accessible information and accessibility information laid down in Regulations (EC) No 261/2004, No 1107/2006, No 1371/2007, No 1177/2010 and No 181/2011, as well as the acts adopted on the basis of Legislative Decree No 57 of 14 May 2019, shall be deemed to comply with the corresponding accessibility requirements laid down in the Decree, unless the latter provides for additional requirements. In such a case, the services shall be deemed to be compliant if they also meet the latter requirements.

8. Focus

8.1. Further general information

Until 28 June 2025, the date of entry into force of the Decree, the accessibility obligations were only applicable to public entities and the private entities listed in Article 3(1) and (1-bis) of Law No 4 of 9 January 2004.

From 28 June 2025, the range of private entities subject to obligations relating to products and services will be expanded to include for the former, manufacturers, authorised representatives, importers, distributors and, for the latter, service providers.

In relation to the role of Supervisory Authority for services assigned to AgID and in line with the purposes of these Guidelines, the obligations of the service providers addressed by the Decree are outlined below, while also providing operational instructions, which are intended to be non-prescriptive.

The scale of the parties involved and the diverse scope of areas inevitably determine that the indications provided cannot be considered applicable with the same effectiveness in all the contexts defined by the Decree: the variables to be taken into account (type of company, number of employees, organisation, degree of diversification, organisational capacity for adaptability to external

events, export propensity, competitive positioning, etc.) are numerous and the sustainability of investments is to be assessed on a case-by-case basis.

That said, in order to better frame the scope of the Decree, it is necessary, first of all, to conduct some in-depth analysis of the definitions of 'service provider' and 'consumer'; according to the Decree, the former is defined as '*a natural or legal person who provides a service on the Union market or offers to provide that service to consumers in the Union*'.

'Consumer' refers to '*a natural person who purchases the product in question or is the recipient of the service in question for purposes which are other than their trade, business, craft or profession*'.

It follows that the services falling within the scope of the Decree are those provided to consumers: services exclusively provided to different entities (traders / industrials / craftsmen / professionals) are to be excluded from the scope of the Decree.

Moreover, it is clear that the aim of the legislature is to enable all users of a service to benefit from it in a non-discriminatory manner.

The Directive, in relation to the exclusion of micro-enterprises from the fulfilment obligations, calls for micro-enterprises to take action, even if they are not addressees of the Decree, to provide inclusive services⁴⁵.

In addition, the Directive encourages Member States to take on, when transposing the Directive, more limited regulatory initiatives in relation to compliance by service providers⁴⁶.

Given the above, in the event that services can be provided to consumers, but also to individuals who use them for commercial, industrial, craft and/or professional purposes, it is necessary that these services are in line with the accessibility requirements laid down in the Decree.

This applies, for example, to an e-commerce service offering the sale of hardware products: users may be, in addition to consumers, professionals who purchase personal computers for their own business.

⁴⁵ Recital 72 of the Directive.

⁴⁶ Recital 90 of the Directive.

In this case, it is clear that the service in its entirety must comply with the accessibility requirements set out in the Decree, regardless of whether it can be used, not only by consumers, but also by professionals.

However, where a service is only available to professionals, it is hoped that this, while not falling within the applicability of the Decree, will still meet the accessibility requirements.

The provisions of Article 3 (2) of the Decree should also be examined in greater detail: *'the services referred to in Article 1(3) shall comply with the accessibility requirements set out in Sections III and IV of Annex I'*.

The aforementioned regulatory provision identifies the compliance requirements of the services in a timely manner, specifying that it is not sufficient to satisfy only one of the elements reported, but it is necessary to satisfy all of them from 28 June 2025.

While Article 3(2) sets out what is meant by the conformity of services, Article 13, entitled 'Substantial amendment and disproportionate burden', indicates the cases in which providers may use it to justify a failure to adapt their services to the accessibility requirements of the Decree.

On the other hand, Article 25, entitled 'Transitional and final rules', transposes the provisions of Recital No of the Directive: *'in order to give service providers sufficient time to adapt to the requirements of this Directive, it is necessary to provide for a transitional period of five years from the date of application of this Directive, during which products used for the provision of a service placed on the market before that date do not need to comply with the accessibility requirements of this Directive, unless they are replaced by service providers during the transitional period. Given the cost and long life cycle of self-service terminals, it is appropriate to provide that, when used for the provision of services, such terminals may continue to be used until the end of their economic life, provided that they are not replaced during that period, which shall not exceed 20 years.'*

It can therefore be said that the combined provisions of Articles 13 and 25 introduce the following exceptions to the obligations to be implemented from 28 June 2025:

- a) substantial change
- b) disproportionate burden
- c) transitional provisions.

In the first two cases, the Decree stipulates that it is the responsibility of the provider, following the assessment carried out, to prepare and maintain the relevant documentation.

With regard to the provisions during the transitional period, a service provider may continue to provide services using the products previously in use for similar services, where the term products refers to the definition in Article 2(1) of the Decree. In the case of contracts that have already been defined before 28 June 2025, these contracts will continue to be valid and, consequently, the relevant services may be provided under the same conditions for a maximum period of five years, with the constraint, however, that the service remains unchanged. In the event of amendments, the transitional arrangement is no longer applicable.

8.2. Insights into substantial modification and disproportionate burden

A definition of 'substantial modification' is laid down in Regulation (EU) 2023/1230 of the European Parliament and of the Council of 14 June 2023 on machinery and repealing Directive 2006/42/EC of the European Parliament and of the Council and Council Directive 73/361/EEC: *'a modification of machinery or a related product, by physical or digital means after that machinery or related product has been placed on the market or put into service, which is not foreseen or planned by the manufacturer, and which affects the safety of that machinery or related product, by creating a new hazard, or by increasing an existing risk, which requires: (a) the addition of guards or protective devices to that machinery or related product, the processing of which necessitates the modification of the existing safety control system; or (b) the adoption of additional protective*

measures to ensure the stability or mechanical strength of that machinery or related product'.

Another definition can be found in the Transparency Provisions issued by the Bank of Italy, according to which a substantial modification is defined as '*a significant modification in the characteristics of a product already offered that results from a business choice by the intermediary*'.

In the absence of a precise definition in the context of the Directive and the Decree, where the provider notices that the measures to bring a service into compliance with the accessibility requirements of the Decree are such as to alter its structural characteristics and/or to modify the delivery interfaces/functionalities, it is required to notify the AgID accordingly using the methods indicated on the relevant institutional website. By way of example, the redesign of the user interface of a website or mobile application is to be understood as a modification change as well as a modification in the technological infrastructure (this may be the case for migration from one content management system product to another).

Otherwise, the updating of versions of a content management system is generally not to be understood as a substantial modification.

Likewise, the introduction of a chatbot functionality does not constitute a substantial change.

As regards the definition of disproportionate burden, again there is no definition in the Directive or the Decree.

In this case, however, it is possible to reiterate the definition contained in Article 3-ter of Law No 4 of 9 January 2004: '*a disproportionate burden refers to an excessive organisational or financial burden on providers or a burden that impairs the ability of providers to fulfil their intended purpose or to publish information that is necessary or relevant to the tasks and services, while taking into account the likely benefit or prejudice that would result for citizens and, in particular, for persons with disabilities.*'

The criteria for assessing the disproportionate nature of the burden are set out in Annex V to the Decree.

Also in these cases, where the provider considers that the functional interventions to make a service compliant with the accessibility requirements of the Decree are such as to determine a disproportionate burden, it is required to send an appropriate communication to AgID in the manner indicated on the institutional website.

8.3. Insights into the preliminary assessment of the service and reporting obligations

Article 12(5) of the Decree provides as follows: *'In the event of non-compliance, the service provider shall take the necessary corrective measures to bring the service into compliance with the accessibility requirements referred to in Article 3(2). Where the service does not comply with the accessibility requirements, the service provider shall immediately inform the Agency for Digital Italy and the competent national authorities of the Member States in which it provides the service, indicating, in particular, the requirements with which the service does not comply and the corrective measures taken'*.

Consequently, the provider is required to conduct an assessment of the services, included in the scope of application of the Decree and aimed at consumers.

It is up to the provider to identify the most appropriate way to carry out this assessment of the services using internal resources or external experts.

If the assessment reveals evidence of non-compliance, the provider must notify the AgID and the competent national authorities of the Member States in which it provides the service accordingly, indicating, in particular, the requirements with regard to which the service does not comply and the corrective measures taken.

If the condition of substantial modification or disproportionate burden is met, the supplier, as set out in the previous Chapter, shall notify the AgID accordingly.

8.4. Insights into organisational aspects

In the section 'Accessibility by default and accessibility by design', reference has already been made to the importance of ensuring a proper approach to accessibility at all stages of the lifecycle of a service.

It would be appropriate, also in order to ensure the obligations laid down in the Decree and to minimise the risk of sanctions on the part of the supervising authorities, to provide within its organisation a compliance function, which, in analogy with what happens in the banking world for the monitoring of processes, procedures and information flows, is responsible for the monitoring and supervision of all obligations related to accessibility.

This would facilitate the adoption of approaches such as those of accessibility by default and accessibility by design, allowing for the inclusion of the service being designed and its ease of use, even for disabled people, to be established right from the initial concept stage.

In other words, such an approach would be instrumental in ensuring the most effective cross-organisational support, not only in terms of quality monitoring, regulatory and technical compliance, but also in terms of internal procedures. The same approach in smaller companies could be ensured by using one or more internal or external figures, as 'Accessibility Contact' for the purposes of coordinating accessibility activities.

Regardless of the solution deemed appropriate, the compliance function or the accessibility contact would, in any event, contribute to the efficient management of the obligations required of the service provider in order to make the users of those services fully inclusive.

Similarly, it is important to update/integrate processes, procedures and information flows to take into account the obligations related to accessibility.

In the design of a new service, one of the greatest risks is that an approach that is not supported methodologically and is not structured, could result, from the initial phase, in serious design shortcomings in terms of accessibility.

In general, it would be desirable for each service to provide for the direct involvement of a group of users with different disabilities throughout its life cycle. Where this is not sustainable, involvement at least in the design/testing phases would be appropriate.

This is in order to also implement a co-design approach⁴⁷ aimed not only at assessing the implementation assumptions but also the applicability of the technologies to be used.

Any critical issues that hinder user/service interaction would be identified in the initial stages and potential solutions to be implemented for greater inclusiveness would be identified.

For this purpose, one can consult, for example, the European Commission's 'Study on inclusive web-accessibility for persons with cognitive disabilities' available at <https://digital-strategy.ec.europa.eu/it/library/commission-publishes-study-inclusive-web-accessibility-persons-cognitive-disabilities>.

8.5. Standard EN 301 549

The standard EN 301 549 serves as the reference for ensuring that the websites and mobile applications of public sector bodies comply with the accessibility requirements set out in Directive (EU) 2016/2102.

The standard, which is currently being updated in relation to the accessibility requirements of the Directive, is characterised by the following:

- a) it is applicable to products and services based on TLCs;
- b) it is self-scoping as it consists of two sections: the first illustrates the assumptions applicable to products and services, the second illustrates the requirements to be fulfilled;
- c) it shares many elements with the Guidelines for the accessibility of web content v2.1, published by the W3C and known as WCAG 2.1.

The scope of application is described in the standard itself:

'The standard specifies the functional accessibility requirements applicable to ICT products and services, together with a description of the test procedures and evaluation methodology for each accessibility requirement in a form that is suitable for use in public procurement within Europe.'

The standard is intended for use with web-based technologies, non-web technologies and hybrids that use both.

⁴⁷ Collaborative design approach that actively involves all stakeholders (users, customers, experts, etc.) in the decision-making process, from the conception to the implementation of a service.

It covers both software and hardware as well as services.

It is intended for use by both providers and procurers, but it is expected that it will also be of use to many others as well.

The relationship between the standard and the essential requirements of Directive 2016/2102 on the accessibility of the websites and mobile applications of public sector bodies is provided in Annex A.

The standard contains the necessary functional requirements and provides a reference document such that if the procedures are followed by different actors, the results of testing are similar and the interpretation of those results is clear. The test descriptions and evaluation methodology included in the standard are elaborated to a level of detail compliant with ISO/IEC 17007:2009, so that conformance testing can provide conclusive results.'

For ICT, the standard refers to a 'technology, equipment or interconnected system or subsystem of equipment for which the primary function is the creation, conversion, duplication, automatic acquisition, storage, analysis, evaluation, manipulation, management, movement, control, display, switching, interchange, transmission, reception or broadcast of data or information'.

Examples of ICT include: web pages, electronic content, telecommunication products, computers and auxiliary equipment, software including mobile applications, information kiosks and transaction machines, videos, IT services and office multifunction machines that copy, scan and fax documents.

The standard contains statements to describe the functional performance of ICT that enable people to find, identify and manage ICT functions and to access the information provided, regardless of their physical, cognitive or sensory capabilities:

- a) Usage without vision
- b) Usage with limited vision
- c) Usage without perception of colour
- d) Usage without hearing
- e) Usage with limited hearing
- f) Usage with no or limited vocal capability

- g) Usage with limited manipulation or strength
- h) Usage with limited reach
- i) Minimise photosensitive seizures triggers
- j) Usage with limited cognition, language or learning
- k) Privacy.

For web pages, sections 9.1, 9.2, 9.3 and 9.4 of the standard list conformity requirements that are equivalent to those required for level AA of the W3C Web Content Accessibility Guidelines (WCAG 2.1).

Section 9.5, on the other hand, includes the success criteria for the AAA level of compliance.

Section 10 sets out the conformity requirements for non-web documents, i.e. documents that are not a web page, are not embedded in web pages, and are not used in the representation or operation of the page. Some examples are letters, spreadsheets, e-mails, books, images, presentations and videos with an associated user program such as a document reader, editor or multimedia reader. These documents require a user program so that the content can be presented to users: the requirements for user programmes can be found in point 11 of the standard. For further details, please refer to the full text of the standard and, in particular, to Appendix A (information), which contains, inter alia, tables A.1 and A.2 to be used for the compliance of websites and mobile applications respectively.

8.6. WCAG

The Web Content Accessibility Guidelines (in short WCAG) implement a series of recommendations to provide useful guidance for the creation of accessible web content applicable to desktop, laptop, tablet and mobile devices.

They therefore constitute a worldwide reference standard for all those who wish to make their digital content usable by the widest possible audience of users; in particular, they concern technical solutions to facilitate the use of digital content by persons with sensory, motor and cognitive disabilities.

In relation to the different types of recipients, the WCAG make available different levels of guidance that *'include global principles, general guidelines, verifiable success criteria and a rich collection of sufficient and recommended techniques, as well as documentation on the most common errors with examples, links to resources and code'*.

In the WCAG, 13 Guidelines are derived from the four principles described above, which aim to indicate the areas to be considered in the design in order to make content accessible to users with different disabilities.

For each guideline, the WCAGs indicate success criteria consisting of testable instructions that do not depend on the technology used.

Guidance on the fulfilment of the success criteria for specific technologies, as well as general information on the interpretation of the criteria, is then provided in separate documents.

Each success criterion can be attributed to a minimum (A), medium (AA) and maximum (AAA) level. In order to be considered compliant, a service must at least comply with the criteria referring to levels A and AA. For further details, please refer to the full text of the WCAGs.

8.7. Learn more about e-books

The definition of e-books encompasses digital books produced in different formats (e.g. international standards such as EPUB, PDF, HTML; but also any other type of file that serves as a vehicle for a digital book), reflecting the variety of digital publishing.

These standards respond to the specificities of digital content and the way e-books are distributed and also ensure that the e-book is developed in an open and interoperable manner, guaranteeing wide dissemination and consistent use globally.

Regardless of the standard used, an accessible e-book must include:

- a) Semantic Structuring and Navigation: the e-book is organised in a hierarchical and logical way (correct use of titles, paragraphs, lists, tables, etc.) to facilitate navigation and understanding by users and to

ensure that assistive technologies (such as screen readers) can correctly interpret and present the information.

- b) Use of Standard Web Technologies: is based on international open technologies and standards (HTML, CSS, XML, MathML, SVG) that allow the application of established accessibility techniques, reducing barriers for users with different needs.
- c) Accessibility Metadata⁴⁸: incorporates specific metadata ('discoverability' function) describing its accessible characteristics (e.g. information on textual alternatives for images, navigation structures, visualisation customisation options, indexes and summaries, footnotes or endnotes, colophons, etc.). This metadata not only facilitates the search and identification of accessible content, but also informs users about how to use it and any limitations (e.g. in the case of fixed layout publications such as comics or illustrated books).
- d) Interoperability with assistive technologies: designed to work correctly with support tools (screen readers, Braille devices, magnifying software, etc.), ensuring that no element of the content prevents interaction or reading by means of these technologies.
- e) Specific features: for example, audio-text synchronisation (media overlays), which allows reading in sync with the audio when embedding audiovisual elements, the ability for users to customise the appearance of the text (changing size, spacing, contrast, etc.) to suit their visual or comprehension needs, all without losing information or disrupting the user interface.

With reference to the subjective scope of the Decree and given the specificity of the general chain of e-books, the following should be noted.

Typically, publishers, after having acquired the relevant rights from the author, deal with the creation and distribution / making available of digital files containing

⁴⁸ ONIX for Books (link: <https://www.editeur.org/83/Overview/>) is the metadata standard for e-book distribution: managed by EDITEUR (link: <https://www.editeur.org/2/About/>) it provides specific encodings to describe the accessibility characteristics of EPUBs.

the electronic version of a book and the production of information on the accessibility requirements of the same.

According to the Directive, publishers are obliged to ensure compliance with the accessibility requirements of the produced files and the related information / metadata even when they use external providers for these stages of the production cycle.

Subsequently, publishers usually involve third party economic operators in the distribution chain to provide the service to the final customer.

These operators are not authorised to modify the files and information produced by the publisher, but they provide additional services.

These operators may be:

- a) distributors/aggregators who are responsible for managing operations to supply files to e-commerce operators;
- b) e-commerce operators who make the files available to the public and publish information on their accessibility;
- c) suppliers of e-book reading tools and software;
- d) providers of cloud spaces used by users to store and access e-books securely.

In light of these considerations, publishers, other than micro-enterprises, are responsible for producing digital books that comply with accessibility requirements and for preparing metadata describing their accessibility characteristics.

The other actors in the distribution chain must make the digital books transmitted by publishers available to consumers without compromising their accessibility characteristics. Specifically:

- a) distributors – who provide a B2B service – must ensure that the files and metadata provided by publishers are not manipulated, compromising their accessibility;
- b) e-commerce operators must ensure the accessibility of their service and make the descriptive metadata and information on accessibility features publicly available to consumers, through simple, user-friendly,

accessible information elements, so as to make an informed purchase possible in an easy and autonomous manner. If publishers do not transmit such metadata, these operators shall inform consumers accordingly;

- c) manufacturers of e-book reading hardware and software and cloud services must ensure that their services as a whole are accessible and, in particular, that the hardware and reading software are able to correctly interpret the accessibility characteristics of the files produced by the publishers.

9. Supervision of services and user complaints

The AgID, as the Services Supervisory Authority, assesses the compliance of the aforementioned services, as referred to in Article 1(3)(a), (b), (c), numbers 1), 2), 3), 4) and (d), (e) and (f) of the Decree, with each of the requirements laid down in the regulatory and technical provisions.

In this regard, the procedures for carrying out compliance checks, examining complaints submitted by users, identifying violations and exercising the power to impose sanctions are the subject of a specific regulation adopted by AgID.

A consumer who considers that a service is not usable due to a certain disability may file a complaint with the Agency, providing the necessary information on the type of service, the address of the website (if any) or the name of the APP, and the reason why the service causes prejudice.

The manner in which the complaint shall be submitted shall be indicated on the institutional website.

Following acceptance of the complaint and the positive outcome of the first formal assessment of the complaint, the Agency will contact the service provider requesting cooperation in the substantive investigation of the complaint.

This stage is to be considered mandatory in accordance with recital 99 of the Directive: *'Member States should ensure that, in accordance with applicable Union law, alternative dispute resolution mechanisms are available to address*

alleged cases of non-compliance with this Directive before recourse is made to the competent courts or administrative authorities'.

The provider shall, upon reasoned request from AgID and the competent national authorities of the Member States in which it provides the service, nevertheless provide the information necessary to demonstrate the conformity of the service with the applicable accessibility requirements and, where requested, cooperate with them in the implementation of the actions taken to bring the service into conformity with the accessibility requirements.

In particular, it is the provider's responsibility to send AgID complete documentation to prove the conformity of the service for each of the applicable elements.

Within the framework of the collaboration between the provider and the AgID, as required by Article 12(6) of the Decree and with reference to the principle of presumption of conformity, Article 23 of the Decree, the provider may, among the information to be communicated to demonstrate the conformity of the service with accessibility requirements, provide, by way of example and where applicable, the control sheets provided for by UNI EN 301 549 v.3.2.1 (2021-03) and WCAG 2.1.

AgID may request, depending on the outcome of the assessment of the documentation submitted, any document additions and/or changes to the service.

The documentation to be transmitted to AgID must be rendered in digital mode and the various relevant attestations (tests, control sheets, evaluations, attestations of substantial modification/disproportionate burden condition, etc.) must be signed, on the date of definition, with a digital signature and time stamp. The documentation shall be signed by the legal representative, by the delegate themselves or by any person designated ad hoc for accessibility compliance activities (such as, for example, an accessibility contact person, if internal to the company).

Annex Information on services that meet accessibility requirements.

The service provider shall include in the general terms and conditions, or an equivalent document, information on the assessment of how the service meets the accessibility requirements referred to in Article 3 (2) of the Decree.

That information shall specify the applicable requirements and shall include, where necessary for the assessment, the design and operation of the service. In addition to the information obligations for consumers laid down in Directive 2011/83/EU, the information shall contain, where applicable, the following elements:

- a) a general description of the service in accessible formats;
- b) descriptions and explanations necessary for understanding the functioning of the service;
- c) a description of how the service meets the relevant accessibility requirements set out in Annex I to the Decree.

In order to comply with the above, the service provider may apply in whole or in part the harmonised standards and other technical specifications, the references of which have been published in the Official Journal of the European Union.

The service provider shall provide information demonstrating that the service provision process and its monitoring ensure compliance of the service with the above and with the applicable requirements of the Directive.

If a document does not meet the accessibility criteria or is only available in a non-accessible format, it is necessary to provide in accessible format a textual content summarising the content (summary) and to provide an accessible way of contacting the provider, to enable the person with a disability to receive alternative information equivalent to the non-accessible document.

Annex Control sheets

The following are examples of control sheets as useful documents to be customised to implement specific check-list models in relation to the possible cases and contexts of use (web services, mobile applications and, also, non-web documents).

Each sheet is applicable to a given context in relation to EN 301 549 v.3.2.1 (2021-03) or WCAG 2.1.

Sheet 1 – Applicable context: websites – EN 301 549 v.3.2.1 (2021-03)

Criterion	Conformance	Notes
9.1.1.1 Non-textual content		
9.1.2.1 Audio only and video only (pre-recorded)		
9.1.2.2 Subtitles (pre-recorded)		
9.1.2.3 Audio description or type of alternative media (pre-recorded)		
9.1.2.4 Subtitles (in real-time)		
9.1.2.5 Audio description (pre-recorded)		
9.1.3.1 Information and correlations		
9.1.3.2 Significant sequence		
9.1.3.3 Sensory characteristics		
9.1.3.4 Guidance		
9.1.3.5 Identify the input scope		
9.1.4.1 Usage of colour		
9.1.4.2 Sound control		
9.1.4.3 Minimum contrast		
9.1.4.4 Text resizing		
9.1.4.5 Text images		
9.1.4.10 Flow recalculation		
9.1.4.11 Non-text contrast		
9.1.4.12 Text spacing		
9.1.4.13 Content with Hover or Focus		
9.2.1.1 Keyboard		
9.2.1.2 No impediment to keyboard use		
9.2.1.4 Shortcut keys		
9.2.2.1 Regulation of execution times		

Criterion	Conformance	Notes
9.2.2.2 Pause, Stop, Hide		
9.2.3.1 Three flashes or below threshold		
9.2.4.1 Block skipping		
9.2.4.2 Page title		
9.2.4.3 Focus order		
9.2.4.4 Purpose of the connection (in the context)		
9.2.4.5 Different modes		
9.2.4.6 Headings and labels		
9.2.4.7 Visible focus		
9.2.5.1 Pointer movements		
9.2.5.2 Cancelling pointer actions		
9.2.5.3 Label in the name		
9.2.5.4 Motion activation		
9.3.1.1 Page Language		
9.3.1.2 Language parts		
9.3.2.1 On focus		
9.3.2.2 On input		
9.3.2.3 Consistent navigation		
9.3.2.4 Consistent identification		
9.3.3.1 Identification of errors		
9.3.3.2 Labels or instructions		
9.3.3.3 Tips for errors		
9.3.3.4 Prevention of errors (legal, financial, data)		
9.4.1.1 Syntactic analysis (parsing)		
9.4.1.2 Name, role, value		
9.4.1.3 Status message		
9.6 WCAG Compliance Requirements		

Sheet 2 – applicable context: websites – WCAG 2.1

Criterion	Conformance	Notes
1.1.1 Non-textual content (Level A)		
1.2.1 Audio only and video only (pre-recorded) (Level A)		
1.2.2 Subtitles (pre-recorded) (Level A)		
1.2.3 Audio description or type of alternative media (pre-recorded) (Level A)		
1.2.4 Subtitles (in real time) (Level AA)		
1.2.5 Audio description (pre-recorded) (Level AA)		
1.3.1 Information and correlations (Level A)		
1.3.2 Significant sequence (Level A)		
1.3.3 Sensory characteristics (Level A)		
1.3.4 Guidance (Level AA)		
1.3.5 Identify the input scope (Level AA)		
1.4.1 Usage of colour (Level A)		
1.4.2 Sound control (Level A)		
1.4.3 Minimum contrast (Level AA)		
1.4.4 Text resizing (Level AA)		
1.4.5 Text images (Level AA)		
1.4.10 Flow recalculation (Level AA)		
1.4.11 Non-text contrast (Level AA)		
1.4.12 Text Spacing (Level AA)		
1.4.13 Content with Hover or Focus (Level AA)		
2.1.1 Keyboard (Level A)		
2.1.2 No impediment to keyboard use (Level A)		
2.1.4 Shortcut keys (Level AA)		
2.2.1 Regulation of execution times (Level A)		
2.2.2 Pause, Stop, Hide (Level A)		
2.3.1 Three flashes or below threshold (Level A)		
2.4.1 Block skipping (Level A)		
2.4.2 Page title (Level A)		
2.4.3 Focus order (Level A)		
2.4.4 Purpose of the connection (in context) (Level A)		
2.4.5 Different modes (Level AA)		

Criterion	Conformance	Notes
2.4.6 Headings and labels (Level AA)		
2.4.7 Visible focus (Level AA)		
2.5.1 Pointer movements (Level A)		
2.5.2 Cancelling pointer actions (Level A)		
2.5.3 Label in the name (Level A)		
2.5.4 Motion activation (Level A)		
3.1.1 Page language (Level A)		
3.1.2 Language parts (Level AA)		
3.2.1 On focus (Level A)		
3.2.2 On input (Level A)		
3.2.3 Consistent navigation (Level AA)		
3.2.4 Consistent identification (Level AA)		
3.3.1 Identification of errors (Level A)		
3.3.2 Labels or instructions (Level A)		
3.3.3 Tips for errors (Level AA)		
3.3.4 Prevention of errors (legal, financial, data) (Level AA)		
4.1.1 Syntactic analysis (parsing) (Level A)		
4.1.2 Name, role, value (Level A)		
4.1.3 Status messages (Level AA)		
5.2 Compliance requirements		

Sheet 3 – applicable context: non-web documents – EN 301 549 v.3.2.1 (2021-03)

Criterion	Conformance	Notes
10.1.1.1 Non-textual content		
10.1.2.1 Audio only and video only (pre-recorded)		
10.1.2.2 Subtitles (pre-recorded)		
10.1.2.3 Audio description or type of alternative media (pre-recorded)		
10.1.2.4 Subtitles (in real-time)		
10.1.2.5 Audio description (pre-recorded)		
10.1.3.1 Information and correlations		
10.1.3.2 Significant sequence		
10.1.3.3 Sensory characteristics		
10.1.3.4 Guidance		
10.1.3.5 Identify the input scope		
10.1.4.1 Usage of colour		
10.1.4.2 Sound control		
10.1.4.3 Contrast (minimum)		
10.1.4.4 Text resizing		
10.1.4.5 Text images		
10.1.4.10 Flow recalculation		
10.1.4.11 Non-text contrast		
10.1.4.12 Text spacing		
10.1.4.13 Content with Hover or Focus		
10.2.1.1 Keyboard		
10.2.1.2 No impediment to keyboard use		
10.2.1.4 Shortcut keys		
10.2.2.1 Regulation of execution times		
10.2.2.2 Pause, stop, hide		
10.2.3.1 Three flashes or below threshold		
10.2.4.2 Title of document		
10.2.4.3 Focus order		
10.2.4.4 Purpose of the connection (in the context)		
10.2.4.6 Headings and labels		
10.2.4.7 Visible focus		
10.2.5.1 Pointer movements		
10.2.5.2 Cancelling pointer actions		

Criterion	Conformance	Notes
10.2.5.3 Labels in the name		
10.2.5.4 Motion activation		
10.3.1.1 Document language		
10.3.1.2 Language parts		
10.3.2.1 On focus		
10.3.2.2 On input		
10.3.3.1 Identification of errors		
10.3.3.2 Labels or instructions		
10.3.3.3 Tips for errors		
10.3.3.4 Prevention of errors (legal, financial, data)		
10.4.1.1 Syntactic analysis (parsing)		
10.4.1.2 Name, role, value		
10.4.1.3 Status message		
10.5 Subtitles positioning		WARNING – THERE ARE NO TESTABLE REQUIREMENTS
10.6 Timing of the audio description		WARNING – THERE ARE NO TESTABLE REQUIREMENTS

Sheet 4 – applicable context: mobile applications – EN 301 549 v.3.2.1 (2021-03)

Criterion	Conformance	Notes
11.1.1.1.1 Non-textual content (open functionality)		
11.1.1.1.2 Non-textual content (closed functionality)		
11.1.2.1.1 Audio only and video only (pre-recorded – open functionality)		
11.1.2.1.2.1 Pre-recorded audio only (closed functionality)		
11.1.2.1.2.2 Pre-recorded video only (closed functionality)		
11.1.2.2 Subtitles (pre-recorded)		
11.1.2.3.1 Audio description or alternative media type (pre-recorded – open functionality)		
11.1.2.3.2 Audio description or alternative media type (pre-recorded – closed functionality)		
11.1.2.4 Subtitles (in real-time)		
11.1.2.5 Audio description (pre-recorded)		
11.1.3.1.1 Information and correlations (open functionality)		
11.1.3.1.2 Information and correlations (closed functionality)		WARNING – THERE ARE NO TESTABLE REQUIREMENTS
11.1.3.2.1 Significant sequence (open functionality)		
11.1.3.2.2 Significant sequence (closed functionality)		WARNING – THERE ARE NO TESTABLE REQUIREMENTS
11.1.3.3 Sensory characteristics		
11.1.3.4 Guidance		
11.1.3.5.1 Identify the input scope (open functionality)		
11.1.3.5.2 Identify the input scope (closed functionality)		
11.1.4.1 Usage of colour		
11.1.4.2 Sound control		
11.1.4.3 Contrast (minimum)		
11.1.4.4.1 Text resizing (open functionalities)		
11.1.4.4.2 Text resizing (closed functionality)		

Criterion	Conformance	Notes
11.1.4.5.1 Text images (open functionality)		
11.1.4.5.2 Text images (closed functionality)		
11.1.4.10 Flow recalculation		
11.1.4.11 Non-text contrast		
11.1.4.12 Text spacing		
11.1.4.13 Content with Hover or Focus		
11.2.1.1.1 Keyboard (open functionality)		
11.2.1.1.2 Keyboard (closed functionality)		
11.2.1.2 No impediment to keyboard use		
11.2.1.4.1 Shortcut keys (open functionality)		
11.2.1.4.2 Shortcut keys (closed functionality)		
11.2.2.1 Regulation of execution times		
11.2.2.2 Pause, stop, hide		
11.2.3.1 Three flashes or below threshold		
11.2.4.3 Focus order		
11.2.4.4 Purpose of the connection (in the context)		
11.2.4.6 Headings and labels		
11.2.4.7 Visible focus		
11.2.5.1 Pointer movements		
11.2.5.2 Cancelling pointer actions		
11.2.5.3.1 Label in the name (open functionality)		
11.2.5.3.2 Label in the name (closed functionality)		WARNING - THERE ARE NO TESTABLE REQUIREMENTS
11.2.5.4 Motion activation		
11.3.1.1.1 Software language (open functionality)		
11.3.1.1.2 Software language (closed functionality)		
11.3.2.1 On focus		
11.3.2.2 On input		
11.3.3.1.1 Error identification (open functionality)		
11.3.3.1.2 Error identification (closed functionality)		
11.3.3.2 Labels or instructions		
11.3.3.3 Tips for errors		
11.3.3.4 Prevention of errors (legal, financial, data)		
11.4.1.1.1 Syntactic analysis (parsing) (open functionality)		

Criterion	Conformance	Notes
11.4.1.1.2 Syntactic analysis (parsing) (closed functionality)		WARNING – THERE ARE NO TESTABLE REQUIREMENTS
11.4.1.2.1 Name, role, value (open functionality)		
11.4.1.2.2 Name, role, value (closed functionality)		WARNING – THERE ARE NO TESTABLE REQUIREMENTS
11.4.1.3.1 Status messages (open functionality)		
11.4.1.3.2 Status messages (closed functionality)		WARNING – THERE ARE NO TESTABLE REQUIREMENTS
11.5.1 Closed functionality		
11.5.2.1 Platform accessibility service support for software that provides a user interface		
11.5.2.2 Platform accessibility service support for assistive technologies		
11.5.2.3 Use of accessibility services		
11.5.2.4 Assistive technology		
11.5.2.5 Object information		
11.5.2.6 Row, column and heading		
11.5.2.7 Values		
11.5.2.8 Label relations		
11.5.2.9 Parent-child relations		
11.5.2.10 Text		
11.5.2.11 List of available actions		
11.5.2.12 Execution of available actions		
11.5.2.13 Tracking of focus attributes and selection		
11.5.2.14 Change of focus attributes and selection		
11.5.2.15 Notification of amendments		
11.5.2.16 Modifications of states and properties		
11.5.2.17 Modifications of values and text		
11.6.1 User control of accessibility functionalities		
11.6.2 No disruption of accessibility functionalities		
11.7 User preferences		
11.8.1 Content technology		
11.8.2 Creation of accessible content		
11.8.3 Preservation of accessibility information in		

Criterion	Conformance	Notes
transformations		
11.8.4 Repair assistance		
11.8.5 Models		

Annex Assistive technologies

Assistive technologies are tools and solutions, both hardware and software, that help persons with disabilities to access digital information and services. In particular, Law No 4 of 9 January 2004 defines technologies as ‘technical tools and solutions, hardware and software, which enable the disabled person, by overcoming or reducing disadvantage, to access the information and services provided by computer systems’. In order to be able to effectively design and monitor the accessibility of digital services, it is therefore useful to carry out, from the design stage, realistic tests integrating assistive technologies and possibly involving persons with disabilities. A test carried out using assistive technologies makes it possible to detect any technical problems more reliably.

In carrying out the tests, the service provider should use those assistive technologies relevant to the use of the main services it provides and carry out periodic audits, including in collaboration with experts or persons with disabilities. In addition, these tests can help to increase the culture of accessibility within the organisation and consolidate the social responsibility and reputation of the company.

Classification

Assistive technologies are classified according to the ISO 9999:2022 standard, which aims to provide a systematic structure for identifying and categorising technical aids, facilitating their selection, purchase and use by professionals, users and institutions. Assistive devices are grouped into classes, subclasses and subdivisions, by means of numerical coding, on the basis of their main functions. **Class 22** '*Communication and information management aids*' includes devices and software that enable persons with disabilities to **process information** in the digital environment.

Below is a list of the subdivisions of assistive technologies.

22 03 Assistive products for vision

- o 03 - Light filters (absorption filters)
- o 06 - Glasses and contact lenses
- o 09 - Magnifying glasses, lenses and lens systems
- o 12 - Binoculars and monoculars
- o 15 - Auxiliary products for the extension and adjustment of the field of vision and viewing angle
- o 18 - Image magnification systems
- o 21 - Screen magnification software

22 06 Assistive products for hearing

- o 03 - Earplugs
- o 06 - Acoustic amplifiers
- o 09 - Hearing aids for glasses
- o 12 - In-the-ear hearing aids
- o 15 - Behind-the-ear hearing aids
- o 18 - Tactile hearing aids
- o 21 - Hearing aids used in combination with implants
- o 25 - Sound transmission systems for hearing aids
- o 27 - Accessories for hearing assistance products

22 09 Assistive products for voice and voice functions

- o 03 - Voice generators
- o 06 - Voice amplifiers for personal use
- o 09 - Voice flow devices
- o 12 - Assistive products for voice and speech training

22 13 Assistive products for reading, writing and drawing include:

- o 03 - Page turner
- o 06 - Writing tables, reading aids and book cushions
- o 09 - Signature guides, stamps and writing frames
- o 12 - Reading masks and typoscopes
- o 15 - Speech synthesis devices and software
- o 18 - OCR equipment and software
- o 21 - DAISY readers and e-book readers
- o 24 - Manual devices for drawing and writing by hand
- o 27 - Braille handwriting equipment
- o 30 - Typing machines
- o 33 - Special paper for writing/plastic
- o 36 - Portable devices for taking notes in Braille
- o 39 - Text processing and multimedia software
- o 42 - Design and painting software
- o 45 - Assistive products for reading training
- o 48 - Assistive products for writing training
- o 51 - Assistive products for Braille training

22 15 Assistive products for calculation and basic arithmetic training

- o 03 - Manual devices for calculation
- o 06 - Calculators
- o 09 - Calculation software
- o 12 - Assistive products for training and supporting the basics of arithmetic

- o 15 - Assistive products for basic geometric skills training
- o 18 - Assistive products for the understanding of money
- o 21 - Support products for training in mathematics and physical sciences

22 18 Assistive products for recording, reproducing and displaying audio and visual information

- o 03 - Sound recording and playback devices
- o 06 - Video recording and playback devices
- o 09 - Radio receivers
- o 12 - Two-way radios
- o 15 - Televisions
- o 18 - Closed circuit television systems
- o 21 - Decoders for video television and text television
- o 33 - Microphones
- o 36 - Speakers
- o 38 - Headphones, earphones and earbuds
- o 39 - Accessories for audio, video and visual systems

22 21 Assistive products for face-to-face communication

- o 03 - Set of letters and symbols and sheets
- o 09 - Dialogue units
- o 12 - Face-to-face communication software
- o 18 - Assistive products for handwriting training using fingers
- o 21 - Assistive products for sign language training
- o 24 - Assistive products for lip reading training
- o 27 - Assistive products for assisted speech training
- o 30 - Assistive products for training in the use of tactile symbols other than Braille
- o 33 - Assistive products for training in the use of visual symbols for communication
- o 36 - Assistive products for Morse communication training

22 24 Assistive products for remote communication

- o 04 - Multifunctional communication systems
- o 05 - Telex and telefax
- o 07 - Devices primarily for voice communication
- o 12 - Telephone booths
- o 18 - Telephone switchboards
- o 21 - Accessories for remote communication assistance products
- o 24 - Software for distance communication
- o 33 - Intercoms

22 28 Assistive products for time management, memory and planning

- o 03 - Watches and timepieces
- o 06 - Calendars and roadmaps
- o 09 - Assistive products for structuring periods of time, activities and personal objectives
- o 12 - Memory support products

22 29 Assistive products for signalling, alarm and localisation

- o 03 - Signalling devices
- o 06 - Personal emergency alarm systems
- o 09 - Environmental emergency alarm systems
- o 12 - Tracking and tracing systems
- o 15 - Marking materials and tools

22 31 Assistive products for language learning

22 33 Computers and terminals

- o 03 - Desktop computers (not portable)
- o 06 - Laptop computers and personal digital assistants (PDAs)
- o 09 - Terminals for public information and transactions
- o 12 - Operational software
- o 15 - Browser software
- o 18 - Computer accessories and networks

22 39 Output devices

- o 04 - Visual displays
- o 05 - Tactile displays
- o 06 - Printers
- o 07 - Acoustic displays
- o 12 - Software for output devices

22 45 Assistive products for guidance

- o 03 - Assistive products for electronic guidance
- o 06 - Acoustic navigation assistive products
- o 09 - Compasses
- o 12 - Materials for tactile guidance
- o 15 - Visual guidance materials