

The new European Accessibility Act (EAA)

The EAA (i.e., Directive (EU) 2019/882) aims at improving the accessibility of certain products and/or services across the EU. It seeks to harmonize accessibility requirements, ensuring that people with disabilities can fully participate in society and economy. The EU Member States are obliged to transpose the EAA into national law. In Germany, for example, the EAA is transposed via the German Accessibility Strengthening Act (*Barrierefreiheitsstärkungsgesetz* or *BFSG*).

Key questions for our clients

■ When did the EAA come into effect?

The EAA applies to certain in-scope products and services in **all EU Member States** as of **28 June 2025**.

■ Are my products and services in the EAA's scope?

Pursuant to Art. 2 of EAA, the EAA applies to certain

- **products** such as computers and operating systems, ATMs, ticketing and check-in machines, smartphones, certain TV equipment, e-readers, etc. as well as
- **services** such as electronic communications, audio-visual media services, transport services, financial services, reading applications, e-commerce services (such as online stores or marketplaces), etc.

■ Which economic operators are in the EAA's scope?

The EAA generally applies to **manufacturers, authorized representatives, importers, distributors, and service providers**. The obligations of economic operators dealing with products are stipulated in Chapter III of EAA (Art. 7 – 12) and for providing services in Chapter IV of EAA (Art. 13).

- Affected **manufacturers** – for example - must design and manufacture products in compliance with the EAA requirements, maintain technical documentation, carry out conformity assessment procedure, affix CE marking, provide clear and accessible user information, etc.
- Affected **service providers** – for example - must ensure their services are in compliance with the EAA requirements, by maintaining compliance documentation, offering information in accessible formats, training staff accordingly, etc.

■ What are the general accessibility requirements?

The EAA outlines specific accessibility requirements, including: i) the **two-senses principle** (information must be provided in a way that can be perceived by at least two different senses), ii) **usability** (products and/or services must be perceivable, operable, understandable, and robust), iii) **compatibility** (ensuring compatibility with assistive technologies, iv) information (providing accessible information and instructions for use), etc.

■ Are a product's conformity procedure and/or an update of the DoC required?

Yes. Affected companies are generally obliged to update/conduct **conformity assessment procedures**, to amend an existing or draw up a new Declaration of Conformity (DoC) and affix the CE marking (as stipulated in Annex IV EAA). This generally applies to all products placed on the market after **28 June 2025**.

If you have any questions, feel free to reach out. We are happy to help!

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