



# ARTICLE

## ENTRY INTO FORCE OF DIRECTIVE (EU) 2019/882: ACCESSIBILITY BY DESIGN.

IT and Data Protection | 11/07/25 | Robin Nini Marc Mossé

The European Directive on the accessibility of products and services (commonly known as the EEA Act) requires businesses to incorporate accessibility into the design of their digital and physical offerings. This is a legal imperative that anchors an essential ethical requirement. It came into force on 28 June 2025.

### A directive to strengthen accessibility and harmonise rules

Adopted on 17 April 2019, Directive (EU) 2019/882 - known as the *European Accessibility Act* - aims to guarantee people with disabilities equivalent access to digital products and services, while removing the national disparities that are holding back the internal market.

Transposed into French law by Law 2023-171 of 9 March 2023, it imposes new compliance obligations on businesses. These will apply to products and services placed on the market after **28 June 2025**.

### A broad, multi-sector scope

The directive applies to **any company** that markets, designs or distributes the **following products and services** in the European Union:

#### Products :

- Smartphones, tablets, laptops ;
- Payment terminals and automatic teller machines (ATMs);
- E-readers and associated software.

#### Services :

- **E-commerce** sites and applications;
- Banking and telephony services for consumers;
- Video-on-demand platforms;
- Transport reservation and information tools;
- Digital books ;
- Electronic messaging services;
- Emergency numbers (such as 112).

Micro-enterprises (with fewer than 10 employees and sales of less than €2 million) offering services falling within the scope of the directive **are exempt from these obligations**.

### Compliance expected from the design stage

The directive imposes a logic of "**inclusive design**": products and services must be designed from the outset to be accessible to all.

For digital services, this means, for example :

- digital interfaces compatible with screen readers,
- accessible keyboard navigation
- a logical information structure
- documentation available in accessible formats.

In the same way that a company sets out its **general terms and conditions of use**, or incorporates **RGPD compliance** into its developments, it must now **incorporate accessibility into any new service or product project**.

### Differentiated application depending on the date of marketing

#### For products or services placed on the market after 28 June 2025

Accessibility requirements will apply **immediately** to any new service or product marketed after this date.



Examples:

- A new e-commerce site launched on 1 July 2025;
- A new banking application available on stores after this date;
- A new generation of payment terminals.

**For products or services already on the market before 28 June 2025**

They may continue to be offered until **28 June 2030**, even if they are not fully compliant, **provided that they are not substantially modified**.

Any major update or technical overhaul could make the new requirements immediately applicable.

**What are the risks in the event of non-compliance?**

**The DGCCRF will be the main supervisory authority responsible for ensuring compliance with these new rules. The procedures and penalties of the DGCCRF will therefore apply. For certain services, ARCOM, ARCEP, ACPR, AMF or the Banque de France may have jurisdiction. In addition to the reputational risk for non-compliant companies, there is also the risk of :**

- **Administrative penalties:** checks and penalties imposed by the DGCCRF, which can be as high as €7,5000 and €15,000 in the event of a repeat offence. This amount seems to have to be calculated per service or product. A fine of up to 3,000 euros per day may be imposed to ensure compliance, up to a maximum of 300,000 euros. It should be noted that a prior formal notice procedure is provided for so that the company can take appropriate corrective measures.
  - **Withdrawal from the contract** or prohibition on making the equipment available ;
  - **Litigation by individuals or associations** relating to discrimination on the grounds of disability.
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