

Executive fact sheet

# Germany's Digital Accessibility Laws



# Introduction

Germany has enacted several laws governing digital accessibility across both the public and private sectors. Like other EU Member States, Germany has published a transposition of the European Accessibility Act (EAA), establishing accessibility requirements for private businesses. (A transposition refers to a law integrating an EU directive into a Member State's domestic legal framework.) Germany's EAA transposition applies to many organizations that serve consumers in the country, regardless of where the organization is located, and violations are punishable through fines.

Meanwhile, public-sector organizations in Germany—as well as any organizations receiving funding from Germany's federal government—must adhere to specific technical web accessibility standards under the Behindertengleichstellungsgesetz (BGG). Also known as the Disability Equality Act, the BGG was amended as part of the country's transposition of the EU Web Accessibility Directive (WAD).

Understanding the details of Germany's digital accessibility regulations can be challenging. This guide aims to provide senior executives with a clear overview of key laws and related compliance requirements.



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# Overview of German digital accessibility laws

Law	Description	Sectors impacted	Compliance standard
<b>Behindertengleichstellungsgesetz (BGG) or “Disability Equality Act”</b>	Law prohibiting disability-based discrimination, updated to integrate the EU Web Accessibility Directive (WAD)	Public organizations (directly impacted), private businesses that sell to the public sector (indirectly impacted)	EN 301 549
<b>Barrierefreie-Informationstechnik-Verordnung (BITV) or “Ordinance on Accessible Information Technology”</b>	Regulation establishing accessibility requirements for information technology, supporting the BGG	Public organizations (directly impacted), private businesses that sell to the public sector (indirectly impacted)	EN 301 549
<b>Barrierefreiheitsstärkungsgesetz (BFSG) or “Accessibility Strengthening Act”</b>	Germany’s transposition of the EAA	Private businesses	EN 301 549
<b>Verordnung zum Barrierefreiheitsstärkungsgesetz (BFSGV) or “Ordinance on Accessibility Requirements for Products and Services Under the Accessibility Strengthening Act”</b>	Regulation outlining the requirements for compliance with the BFSG	Private businesses	EN 301 549

# Unpacking digital accessibility laws in Germany

The following sections of this resource provide more information about the specific digital accessibility laws impacting organizations in Germany, including the entities they apply to, related compliance requirements, and how they're enforced.

## Laws impacting public-sector and business-to-government organizations

### Behindertengleichstellungsgesetz (BGG) or “Disability Equality Act”

#### Summary:

The Behindertengleichstellungsgesetz (BGG), or “Disability Equality Act,” is an anti-discrimination law protecting the rights of people with disabilities in Germany. It was amended in 2018 to include provisions of the EU Web Accessibility Directive (WAD). These provisions establish web accessibility requirements for German government organizations, and other organizations that are managed, supervised, or funded by Germany’s federal government.

With regard to digital accessibility, the requirements for BGG compliance are outlined in the Barrierefreie-Informationstechnik-Verordnung (BITV). Notably, these requirements extend to third-party digital products integrated into the websites and mobile apps of federal government organizations. As a result, digital product vendors in the private sector may need to meet these requirements to do business with German government entities.

#### Requirements:

Public organizations must ensure that websites and mobile apps, as well as electronically supported administrative processes (such as file management systems) and graphical program interfaces, are accessible to people with disabilities. Specifically, these digital assets must meet the requirements outlined in the BITV, which incorporates EN 301 549 (the harmonized European standard for digital accessibility) as a technical standard for compliance.

In line with the requirements of the EU WAD, organizations covered by the BGG must also:

- Adopt, whenever possible, measures to increase accessibility, bearing in mind the minimum level of accessibility that must be met at all times.
- Offer users a communication mechanism that allows any person to submit accessibility suggestions and complaints.
- Provide an accessibility statement (a detailed, comprehensive, and clear declaration of compliance with the law) on websites and applications.

## Behindertengleichstellungsgesetz (BGG) or “Disability Equality Act” (continued)

### Enforcement:

Organizations that fail to comply with the BGG may be held accountable through:

- Court and arbitration processes: Individuals with disabilities who believe their rights have been violated may take legal action against organizations, either in court or through an arbitration process. Recognized disability associations are also authorized to undertake court and / or arbitration proceedings on behalf of these individuals.
- Right of collective action: Recognized disability associations have the right to initiate collective legal actions against organizations that violate the BGG, after attempting a conciliation process through Germany’s arbitration board.

## Barrierefreie-Informationstechnik-Verordnung (BITV) or “Ordinance on Accessible Information Technology”

### Summary:

This ordinance supplements the BGG by providing specific technical digital accessibility requirements for German government organizations, and other organizations managed, supervised, or funded by the German federal government. These requirements apply to websites (including intranet systems), mobile apps, electronically supported administrative processes, and graphical program interfaces that are made available by covered entities.

### Enforcement:

Compliance with the BITV is enforced through the provisions in the BGG. These provisions focus primarily on arbitration, which addresses disputes between users and organizations failing to meet accessibility requirements. Organizations may need to take corrective actions to remediate violations as part of the arbitration process.

### Requirements:

The BITV incorporates EN 301 549 as the standard for compliance.

This means that, to comply with the BITV, organizations must ensure their websites, mobile apps, and other covered digital assets conform with EN 301 549. Conformance with EN 301 549 involves adhering to digital accessibility best practices including:

- Ensuring compatibility with assistive technologies like screen readers.
- Offering flexible input methods.
- Providing alternatives for visual and auditory content.



## Laws impacting private businesses

### Barrierefreiheitsstärkungsgesetz (BFSG) or “Accessibility Strengthening Act”

#### Summary:

Germany’s transposition of the EAA, the Barrierefreiheitsstärkungsgesetz (BFSG) mandates the accessibility of many consumer products and services, including e-commerce, banking, and transportation. With some exceptions, any company that provides covered products and services to consumers in Germany must comply with the law, regardless of where the company is located. Enforcement of the BFSG will begin in June 2025, and organizations may face steep fines for non-compliance.

#### Requirements:

To comply with the BFSG, organizations must ensure their digital products and services meet the functional requirements set by the EAA. At a high level, the EAA states that a digital product or service must be perceivable, operable, usable, and robust (POUR) for all users. The best way for an organization to satisfy the EAA’s requirements is to conform with EN 301 549.

#### Enforcement:

Non-compliance with the BFSG is punishable through fines. The specific amounts for fines range depending on the type of violation. The law allows fines up to €100,000 for:

- Selling products or services in violation of the law.
- Incorrect or delayed use of the CE (European Conformity) marking.
- Using unauthorized symbols or markings on products.

The BFSG also permits lesser fines of up to €10,000 for:

- Failing to provide accurate or timely information.
- Omitting required product markings or user instructions.
- Submitting incomplete or inaccurate documents.

In addition to fines, non-compliant organizations may be held accountable through the same court and arbitration processes and the right of collective action established by the BGG.

## Verordnung zum Barrierefreiheitsstärkungsgesetz (BFSGV) or “Ordinance on Accessibility Requirements for Products and Services Under the Accessibility Strengthening Act”

### Summary:

Part of Germany’s EAA transposition, this ordinance supplements the BFSG by providing additional details regarding the technical requirements for compliance with the EAA.

### Enforcement:

Organizations may be held accountable for compliance with the BFSGV through the penalties and enforcement mechanisms outlined by the BFSG.

### Requirements:

Because this ordinance supplements the BFSG, it does not introduce any additional compliance requirements. Rather, it offers more detailed and technical information about how products and services should meet the requirements set by the BFSG.

# Start your journey to compliance

To comply with current German digital accessibility laws and stay ahead of the 2025 EAA enforcement deadline, we recommend that your organization start by taking the following actions:

- 🔍 Audit your digital assets for conformance with EN 301 549.
- ⚠️ Swiftly address existing accessibility issues in your digital assets.
- ✅ Publish a detailed accessibility statement, and regularly update this document.

Third-party digital accessibility solution providers, like Level Access, can help you understand your legal obligations and equip you with advanced technology, expert support services, and training to ensure all assets in your portfolio are accessible and compliant.



## Let's get started

Engage our team to make accessibility a priority now. An investment in digital accessibility today is an investment in the sustainability and success of your company tomorrow.

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