

Executive Fact Sheet

Denmark's Digital Accessibility Laws



Introduction

Denmark has enacted several laws governing digital accessibility in the public and private sectors. Like many other European Union (EU) nations, Denmark has transposed the EU Web Accessibility Directive (WAD), establishing clear web accessibility requirements for public-sector organizations. (A transposition refers to a law integrating an EU directive into a Member State's domestic legal framework.).

Private businesses should be aware of Denmark's transposition of the European Accessibility Act (EAA), which will be enforced beginning in June of 2025. This law covers many commonly used consumer products and services and impacts any business that serves customers in Denmark, regardless of where the business is based. Non-compliant organizations may face fines and sanctions, and risk incurring criminal liability.

Understanding the details of Denmark'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.

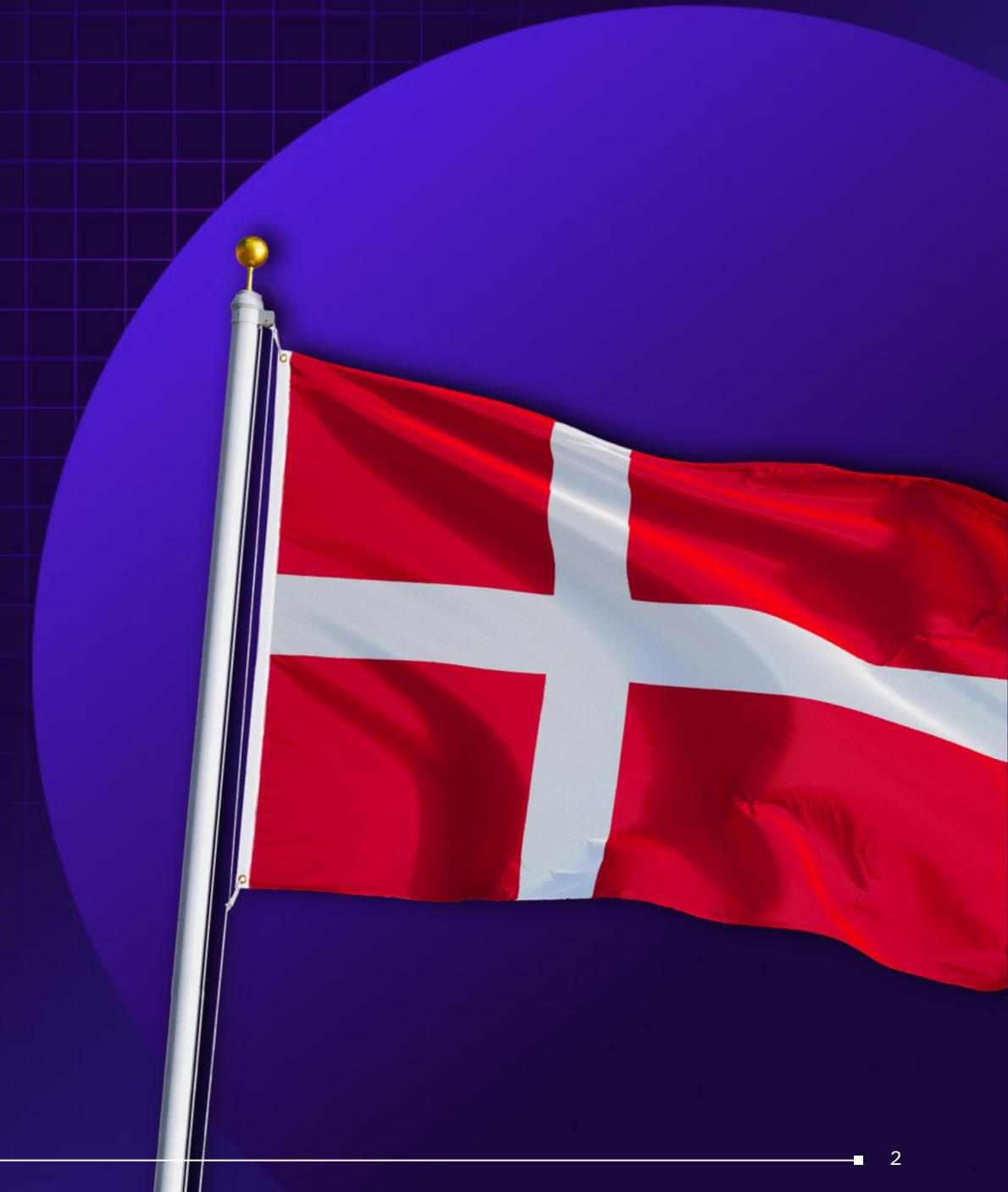


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Overview of Denmark's digital accessibility laws

Law	Description	Sectors impacted	Compliance standard
Lov om tilgængelighed af offentlige myndigheders websteder og mobilenheder (Act on the accessibility of public-sector websites and mobile applications)	Denmark's transposition of the EU WAD	Public organizations (directly covered), private businesses that sell to the public sector (indirectly impacted)	EN 301 549
BEK no 904 of 22/08/2019 (Executive Order No. 904 of 22/08/2019)	An Act complementing Denmark's EU WAD transposition by providing requirements for the accessibility statements of public organizations	Public organizations	EN 301 549
LOV nr 801 af 07/06/2022 - Lov om tilgængelighedskrav for produkter og tjenester 1 (ACT no. 801 of 07/06/2022 - Act on accessibility requirements for products and services 1)	Denmark's transposition of the EAA	Private businesses	EN 301 549

Unpacking digital accessibility laws in Denmark

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

Laws impacting public-sector and business-to-government (BTG) organizations

Lov om tilgængelighed af offentlige myndigheders websteder og mobilenheder (Act on the accessibility of public-sector websites and mobile applications)

Summary:

This law is Denmark's transposition of the EU WAD. In alignment with the broader EU directive, the law requires that public-sector organizations in the nation ensure their websites and mobile applications are accessible to people with disabilities. Private businesses that sell digital products to public-sector organizations in Denmark should also aim to meet the law's requirements, or risk limiting their market share.

Requirements:

To comply with this transposition law, organizations must meet the general requirements of the EU WAD, which mandates that public-sector entities' websites and mobile apps conform to EN 301 549 (the harmonized European digital accessibility standard). In practice, that means ensuring digital content is perceivable, operable, understandable and robust (POUR) for all users.

Public-sector organizations must also provide an accessibility statement on websites and mobile applications, in accordance with the requirements of BEK no 904 of 22/08/2019.

Enforcement:

Public-sector organizations that violate this law may be held accountable by Digitaliseringsstyrelsen (the Danish Agency for Digitalization). The agency may order non-compliant organizations to take corrective measures, including addressing accessibility issues in digital content, updating accessibility statements, and / or providing accessible alternatives.

BEK no 904 of 22/08/2019 (Executive Order No. 904 of 22/08/2019)

Summary:

This executive order complements Denmark's transposition of the EU WAD by providing requirements for the accessibility statements of public-sector organizations in the nation.

Enforcement:

BEK no 904 of 22/08/2019 is enforced through the same mechanisms as Lov om tilgængelighed af offentlige myndigheders websteder og mobilenheder, Denmark's transposition of the EU WAD.

Requirements:

The law requires that public-sector organizations publish an accessibility statement on their websites and mobile applications. This statement should serve as a detailed, clear, and comprehensive declaration of an organization's compliance with Denmark's EU WAD transposition law. The statement itself must be accessible, and it must include information about how a website or mobile application meets the law's technical accessibility requirements.

Laws impacting private businesses

LOV nr 801 af 07/06/2022 - Lov om tilgængelighedskrav for produkter og tjenester 1 (ACT no. 801 of 07/06/2022 - Act on accessibility requirements for products and services 1)

Summary:

Denmark's transposition of the EAA, LOV nr 801 af 07/06/2022 mandates that many products and services provided within Denmark, including e-commerce, banking, and transportation, are accessible to people with disabilities. Importantly, the law applies not only to businesses based in Denmark, but also those located outside the nation that sell covered products and services to Danish consumers. It will be enforced beginning in June 2025.

Requirements:

The requirements for compliance with LOV nr 801 af 07/06/2022 align with the general requirements for EAA compliance. To meet these, web and mobile content should 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.

The EAA also mandates that software and hardware associated with covered products and services are accessible to people with disabilities.

Exemptions may be granted in certain cases, such as when compliance would place a disproportionate burden on a business.

Enforcement:

Beginning in June 2025, businesses that fail to comply with Zákon č. 424/2023 Sb. may face penalties including:

Fines: Non-compliant organizations may be fined for violating the requirements Denmark's EAA transposition law, as well as for failing to cooperate with regulatory authorities (e.g., obstructing these authorities' access to information, neglecting to follow authorities' directions, or evading their control). The specific amounts of fines may be determined by the specific government entity responsible for enforcement. Notably, organizations may incur criminal liability for non-compliance with this law.

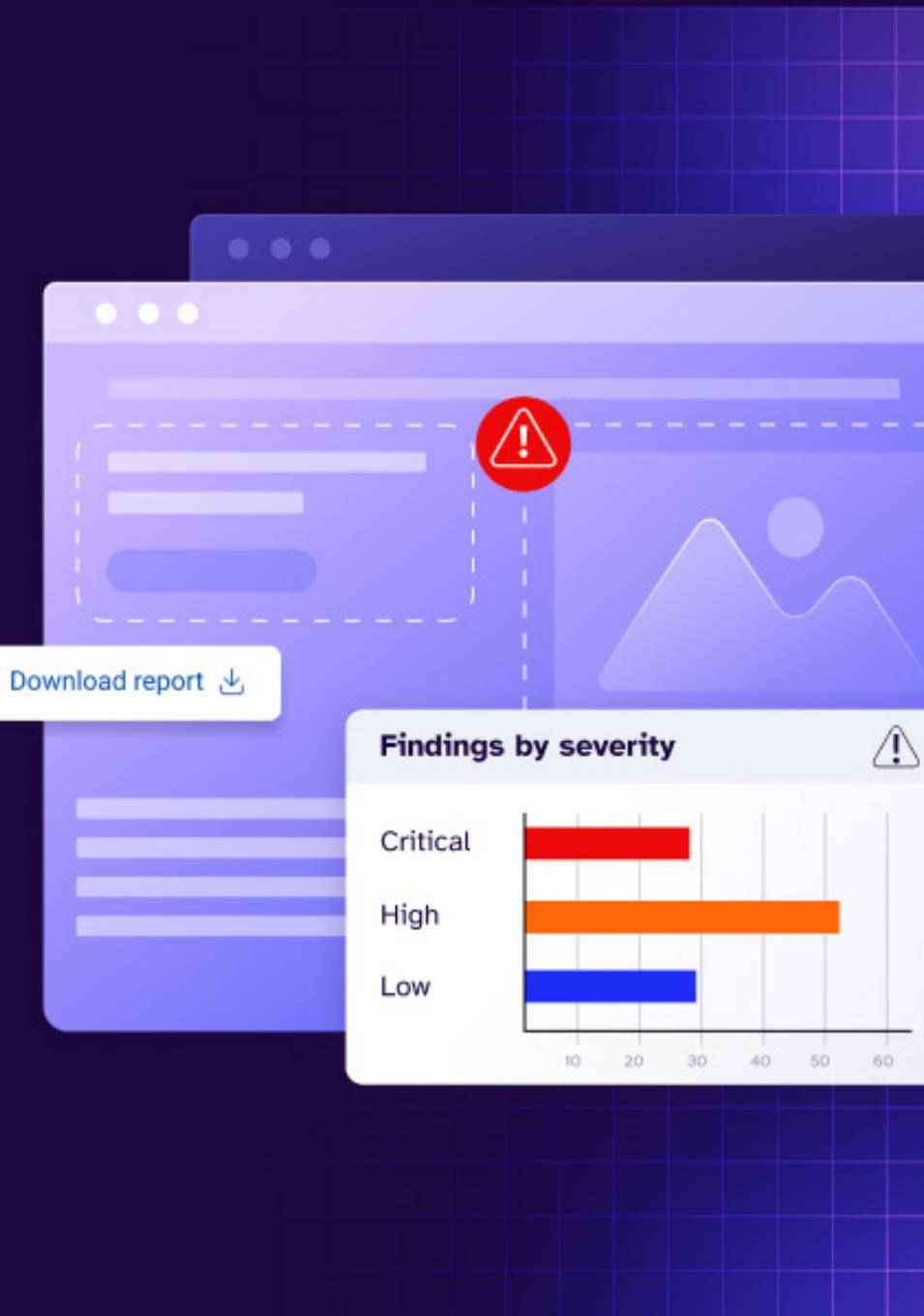
Sanctions: In some cases, regulatory authorities may require the removal of non-compliant products and services from the market. If a product or service violates EAA requirements, authorities may first demand that it be brought into compliance within a fixed time period. If non-compliance persists, authorities may order the cessation of a product's sale or its complete withdrawal. Authorities can also request reimbursement for related expenses.

Start your journey to compliance

To comply with current Danish 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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