



# MCA Web Accessibility Directive Regulatory Process for Public Sector Entities

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## 1. General Information

In accordance with the Accessibility of the Websites and Mobile Applications of Public Sector Bodies Regulations (S.L. 418.03 of the Laws of Malta) ('the Regulations'), public sector entities in Malta are required to ensure their websites and apps are accessible to everyone irrespective of his or her disabilities. The Regulations transpose Directive (EU) 2016/2102 of the European Parliament and of the Council of the 26 October 2016 on the accessibility of the websites and mobile applications of public sector bodies ('the Web Accessibility Directive').

The Regulations require that the Malta Communications Authority ('MCA') regularly monitors public sector websites (and eventually mobile apps) and ensures that such websites conform to the requirements of aforesaid Regulations.

## 2. Applicable standards

The Regulations are based on the [European EN 301 549](#) standard titled "Accessibility requirements for ICT products and services". This standard has been updated to reflect the Web Content Accessibility Guidelines (WCAG 2.1). Public sector entities can refer to the [WCAG 2.1](#) guidelines to cross-check their website with EN 301 549 and seek to comply with the **WCAG Level AA**.

## 3. Website assessments

In collaboration with the Foundation for IT Accessibility ('FITA'), the websites of the public sector entities which are selected as part of the yearly sample (please refer to section 5) will be assessed by the MCA to confirm adherence or otherwise of the public sector entity's website to the European EN 301 549 standard specified in section 2 above.

Subsequent to this regulatory assessment, the MCA will publish its findings and assign a score to the websites under evaluation. This information will be published on the Malta Public Sector Websites Accessibility Status List hosted on the Government of Malta CIOs Portal.

Public sector entities which repeatedly fail to meet the accessibility level as specified in section 2, will be flagged for further assessments and evaluations, and may be subject to an administrative fine in accordance with regulation 11 of the Regulations.

## 4. Types of Evaluations

Two types of website monitoring assessments may be undertaken namely: 'Simplified Monitoring' and 'In-Depth Monitoring'.

'Simplified Monitoring' covers the basic website accessibility requirements and are carried out mostly in an automated manner by the MCA. The MCA will provide a Simplified Monitoring



assessment report to the particular public sector entity and the public sector entity will need to rectify any shortcomings as per the provided report.

'In-Depth Monitoring' is significantly more thorough when compared to Simplified Monitoring and is carried out in a manual manner by technical personnel as opposed to automated means. Automated tools in In-Depth Monitoring may be used by the MCA in conjunction with manual testing but such evaluations do not rely on automated tools. Following In-Depth assessment, the MCA will provide an In-Depth Monitoring assessment report to the particular public sector entity, as part of its regulatory assessment processes. The public sector entity will need to rectify any shortcomings as per the provided report.

## **5. Public Sector bodies chosen for assessment**

The Web Accessibility Directive requires that Member States carry out a minimum number of assessments, commensurate with the population of the Member State in question. In the case of Malta, this amounts to 85 Simplified Monitoring tests and 14 In-Depth Monitoring tests per year. The public sector entities' websites that are chosen for the yearly assessment, are based on a list of public sector entity websites which the MCA maintains as updated as possible. The chosen sample reflects, as much as possible, a balance across the diverse Government ministries but also takes into account the applicability and the propensity of the individual public sector entity's website to be accessed and used by persons with disabilities. In this regard, the MCA consults and will continue to consult extensively with the Commission for the Rights of Persons with Disabilities ('CRPD') during the sampling process it undertakes each year.

For both Simplified and In-Depth Monitoring, websites may be listed for evaluation on successive years. Whilst this may not normally be the case, it will depend on the MCA's findings during previous assessments and on the CRPD's recommendations.

## **6. Further information**

Further information on the Web Accessibility Directive may be obtained by contacting the MCA as follows:

Telephone: +356 21336840

Email: [web.accessibility@mca.org.mt](mailto:web.accessibility@mca.org.mt)

Post: Malta Communications Authority, Valletta Waterfront, Pinto Wharf, Floriana, FRN1913, Malta.