

Executive fact sheet

France's Digital Accessibility Laws



Introduction

France has introduced comprehensive regulations mandating digital accessibility across both private- and public-sector organizations.

The primary legislation affecting private businesses in France is the European Accessibility Act (EAA). To ensure seamless integration of the Act's provisions into France's domestic legal framework, several laws were enacted, amended, and reorganized. These laws collectively form the full transposition of the EAA into French legislation. (In the EU, a transposition integrates a higher-level EU directive into a Member State's national laws.)

Meanwhile, public-sector organizations in France must meet specific web accessibility standards under the country's transposition of the EU Web Accessibility Directive (WAD) and through the implementation of the *Référentiel Général d'Accessibilité pour les Administrations* (RGAA).

Beyond these regulations, France has an older anti-discrimination law known as the Montchamp Law (Loi n° 2005-102), which mandates web accessibility for public administrative bodies and businesses with an annual turnover of €250M or more. The RGAA was developed as a standard to ensure compliance with this law.

Understanding the details of France'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.

Table of contents

01	<u>Overview of France’s digital accessibility laws</u>	04
02	<u>Unpacking digital accessibility laws in France</u>	06
	<u>Laws impacting both public- and private-sector organizations</u>	07
	• <u>Loi n° 2005-102 (Montchamp Law)</u>	07
	• <u>Ordonnance n° 2023-859</u>	09
	<u>Laws impacting public-sector and business-to-government (B2G) organizations</u>	10
	• <u>Décret n° 2019-768</u>	10

	<u>Laws impacting private businesses</u>	11
	• <u>Loi n° 2023-171</u>	11
	• <u>Arrêté du 9 octobre 2023</u>	12
	• <u>Décret n° 2023-931</u>	13
	• <u>Décret n° 2023-778</u>	14
	• <u>Arrêté du 14 août 2023</u>	15
03	<u>Start your journey to compliance</u>	16

Overview of France’s digital accessibility Laws

Law	Description	Sectors impacted	Compliance standard
Loi n° 2005-102, or “Loi Montchamp” (Law No. 2005-102, or “Montchamp Law”)	A law ensuring equal rights, opportunities, participation, and citizenship for people with disabilities	Both private businesses and public organizations	EN 301 549 RGAA
Ordonnance n° 2023-859 (Ordinance No. 2023-859)	Ordinance strengthening the sanctions for non-compliance of entities subject to the Montchamp Law	Both private businesses and public organizations	EN 301 549 RGAA
Décret n° 2019-768 (Decree No. 2019-768)	Transposition of the WAD into the Montchamp Law	Public organizations (directly impacted), private businesses that sell to the public sector (indirectly impacted)	RGAA EN 301 549
Loi n° 2023-171 (Law No. 2023-171)	Transposition of EAA basic provisions into France’s domestic legal system	Private businesses	EN 301 549

Overview of France’s digital accessibility laws (continued)

Law	Description	Sectors impacted	Compliance standard
Arrêté du 9 octobre 2023 (Order of October 9, 2023)	Order establishing accessibility requirements applicable to products and services in accordance with the EAA	Private businesses	EN 301 549
Décret n° 2023-931 (Decree No. 2023-931)	Decree providing for penalties and fines for violations of the EAA transposition provisions	Private businesses	EN 301 549
Décret n° 2023-778 (Decree No. 2023-778)	Legislation mandating the accessibility of digital books and specialized software in accordance with the EAA	Private businesses providing digital books and specialized software	EN 301 549
Arrêté du 14 août 2023 (Order of August 14, 2023)	Order establishing specific accessibility requirements for digital books and specialized software in accordance with the EAA	Private businesses providing digital books and specialized software	EN 301 549

Unpacking digital accessibility laws in France

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



Laws impacting both public- and private-sector organizations

Loi n° 2005-102, or “Loi Montchamp” (Law No. 2005-102, or “Montchamp Law”)

Summary:

Loi Montchamp (the Montchamp Law) protects the equal rights of individuals with disabilities in France, including their rights to equal opportunities, citizenship, and participation in society. This law addresses various aspects of both physical and digital accessibility and specifically mandates web accessibility for public administrative bodies and for private businesses with an annual turnover of €250M or more (averaged over the last three years).

Historically, the web accessibility provisions of the Loi Montchamp have primarily targeted the public sector. However, a landmark 2024 ruling against the education technology provider ProNote set a significant precedent, holding private businesses accountable for digital accessibility violations when their services are deemed to operate within the public realm.

The standard for compliance with Loi Montchamp’s web accessibility requirements is the RGAA, France’s digital accessibility standard. The RGAA aligns with the principles set out in Loi Montchamp by providing technical guidelines for making digital content accessible to people with disabilities. The RGAA is based on the Web Content Accessibility Guidelines (WCAG) and EN 301 549 (the harmonized European standard for digital accessibility) and does not offer any additional criteria.

Loi n° 2005-102, or “Loi Montchamp” (Law No. 2005-102, or “Montchamp Law”) (continued)

Requirements:

To comply with Loi Montchamp, organizations should aim to conform with the RGAA and EN 301 549.

Public administrative bodies and businesses with an annual turnover of €250M or more must take the following actions:

- Publish an accessibility declaration.
- Publish annual and multi-year accessibility plans.
- Indicate on their website’s home page whether the site is compliant.
- Create a reporting mechanism for accessibility issues.

Public administrative bodies are also accountable for upholding digital accessibility requirements outlined by [Décret n° 2019-768](#). (Information about these requirements is provided in the following sections of this resource.)

Enforcement:

The web accessibility provisions in Loi Montchamp are enforced through the sanctions and penalties outlined in [Ordonnance n° 2023-859](#).

Ordonnance n° 2023-859 (Ordinance No. 2023-859)

Summary:

Ordonnance n° 2023-859 increases the penalties for non-compliance with Loi Montchamp's web accessibility requirements, which apply to public administrative bodies and to private businesses with an annual turnover of €250M or more (averaged over the last three years). It also outlines additional requirements for these entities.

Requirements:

To comply, organizations must follow the requirements set by Loi Montchamp. Organizations impacted by Ordonnance n° 2023-859 must ensure their web content conforms with EN 301 549 and the RGAA.

Enforcement:

Under Ordonnance n° 2023-859, public organizations and businesses with an annual turnover of €250M or more (averaged over the last three years) that fail to conform with EN 301 549 and the RGAA may incur a €50,000 fine. (Prior to the Ordonnance, Loi Montchamp allowed for a lesser fine of €20,000.)

Ordonnance n° 2023-859 also provides for an additional fine of €25,000 for failure to publish an accessibility declaration, publish annual and multi-year accessibility plans, indicate a website's compliance status on its home page, and create an accessibility reporting mechanism.

Recurring penalties can be levied every six months until compliance is achieved. Entities that initially fail to comply will receive a formal notice from the regulatory authority, providing a 90-day notice period. If non-compliance persists beyond this period, financial penalties will be imposed.

Laws impacting public-sector and business-to-government (B2G) organizations

Décret n° 2019-768 (Decree No. 2019-768)

Summary:

Décret n° 2019-768 transposed the WAD into Loi Montchamp to further reinforce the accessibility of digital public services. This decree sets more stringent accessibility requirements for the websites and mobile applications of public-sector organizations, ensuring that people with disabilities can easily access these services.

Private businesses that sell digital products to public-sector organizations in France should also ensure these products meet the accessibility requirements set by the WAD, or they risk limiting procurement opportunities.

Requirements:

In accordance with the WAD, Décret n° 2019-768 requires that public-sector organizations bring their websites and mobile applications into conformance with EN 301 549, which aligns with the RGAA and WCAG standards.

Organizations subject to accessibility regulations under Loi Montchamp—including public-sector organizations impacted by Décret n° 2019-768—must also publish a statement of conformity and a multi-year accessibility plan, along with annual action plans and corresponding reports.

Enforcement:

Décret n° 2019-768 itself cannot be enforced as it amended Loi Montchamp. However, organizations that fail to comply with the provisions in this decree may be subject to consequences under Loi Montchamp, which is enforced through Ordonnance n° 2023-859.

Laws impacting private businesses

Loi n° 2023-171 (Law n° 2023-171)

Summary:

Loi n° 2023-171 is part of France's ongoing process of transposing the basic provisions of the EAA. The law amended the Consumer, Financial, and Transport codes within existing French legislation.

Requirements:

To ensure compliance with this law, organizations should meet functional requirements set by the EAA. At a high level, the EAA states that a digital product or service must be perceivable, operable, understandable, and robust for all users. The best way for an organization to meet the EAA's requirements is to 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.

Enforcement:

Loi 2023-171 is enforced through the mechanisms outlined in Décret n° 2023-931 du 9 Octobre 2023.

Arrêté du 9 octobre 2023 (Order of October 9, 2023)

Summary:

This order complements [Loi n° 2023-171](#) by establishing accessibility requirements for products and services covered by the EAA. It mandates that digital and physical offerings within the scope of the EAA, including e-commerce, banking, and transport services, be usable by individuals with disabilities.

Requirements:

The requirements for compliance with this order align with the general requirements for compliance with the EAA, and the requirements for compliance with [Loi n° 2023-171](#).

Organizations offering digital products and services within the EAA's scope must ensure these offerings are perceivable, operable, understandable, and robust for all users, and should aim to conform with the latest version of EN 301 549.

Enforcement:

Arrêté du 9 Octobre 2023 is enforced through the sanctions and penalties outlined in [Décret n° 2023-931](#).

Décret n° 2023-931 (Decree No. 2023-931)

Summary:

Décret n° 2023-931 establishes enforcement measures and penalties for non-compliance with France's EAA provisions, complementing [Loi n° 2023-171](#). It amends existing codes to allow organizations to be held accountable for violations of the EAA.

Requirements:

This decree does not introduce any new requirements but instead outlines penalties for violations of the accessibility requirements outlined in France's other EAA transposition laws, such as [Loi n° 2023-171](#).

Enforcement:

Under Décret n° 2023-931, organizations that fail to comply with France's EAA transposition laws may face penalties, including fines and sanctions.

In French law, offenses are categorized into five classes. This decree states that EAA violations fall under Class 5, which applies to the most severe minor offenses. This class is typically used for infractions that are severe but do not reach the level of a crime. Class 5 offenses are usually adjudicated by France's tribunal de police ("Police Tribunal") or administrative bodies.

Fines for Class 5 offenses may vary in size depending on factors including the nature of the infraction. There is no set range for the amount of these fines. In some cases, Class 5 offenses may also include sanctions such as the confiscation of property, suspension of licenses, or community service requirements.

Décret n° 2023-778 (Decree No. 2023-778)

Summary:

Décret n° 2023-171 mandates the accessibility of digital books and software in accordance with the EAA. It sets technical standards for accessibility and allows for enforcement through oversight and potential penalties.

Requirements:

Organizations that provide digital books and software should ensure these products conform with EN 301 549. Specifically, publishers of digital books must make these books available in accessible formats.

Enforcement:

If digital books are non-compliant, organizations may be subject to fines that range from €1,500 to €3,000. Organizations may also incur criminal liability in the event of repeat offenses. Penalties, fines, or sanctions related to software have not yet been defined.

Arrêté du 14 août 2023 (Order of August 14, 2023)

Summary:

Arrêté du 14 août 2023 complements Décret n° 2023-778 by establishing additional technical accessibility requirements for digital books and specialized software.

Requirements:

Providers of e-books and specialized software can satisfy the requirements of this order through conformance with EN 301 549.

Enforcement:

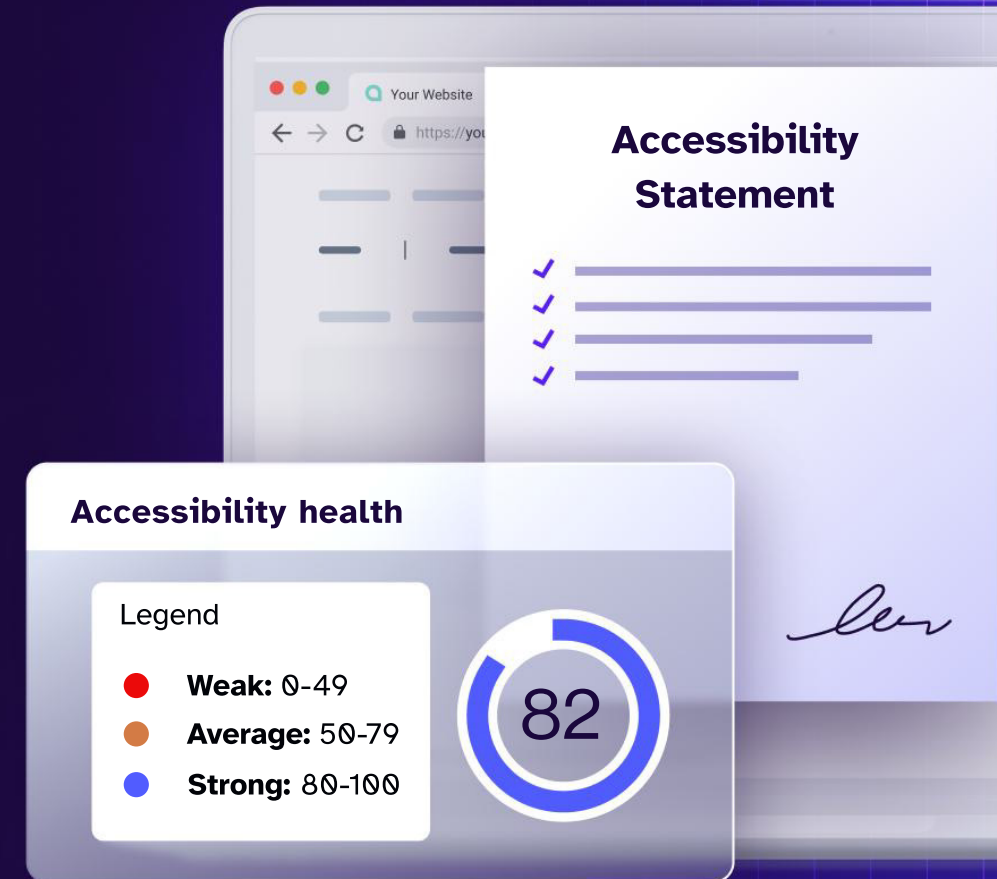
The penalties for non-compliance with this order align with the penalties for non-compliance with Décret n° 2023-778.

Start your journey to compliance

To comply with current French 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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