

Executive fact sheet

Portugal's Digital Accessibility Laws



Introduction

Portugal is committed to upholding the principles of digital accessibility and has implemented several regulations impacting both private- and public-sector organizations.

Like other European Union (EU) nations, Portugal has enacted a transposition of the European Accessibility Act (EAA), which applies to most private-sector organizations that conduct business in Portugal. (In the EU, a transposition integrates a higher-level EU directive into a Member State's national laws.)

Additionally, public-sector organizations in Portugal must meet specific digital accessibility standards under the country's transposition of the EU Web Accessibility Directive (WAD).

Navigating the intricacies of Portugal's digital accessibility regulations can be complex. This resource is designed to help senior executives understand the essence of these laws and what is required for compliance.



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Overview of Portugal's digital accessibility laws

Law	Description	Sectors impacted	Compliance standard
Decreto-Lei n.º 83/2018 (Decree-Law No. 83/2018)	Portugal's transposition of the EU WAD applicable to the public sector	Public-sector organizations (directly covered), private businesses that sell to the public sector (indirectly impacted)	EN 301 549
Decreto-Lei n.º 82/2022 (Decree-Law No. 82/2022)	Portugal's transposition of the EAA	Private businesses	EN 301 549
Portaria n.º 220/2023 (Ordinance No. 220/2023)	Part of the implementation of Decreto-Lei n.º 82/2022, which transposed the EAA into Portuguese law	Private businesses	EN 301 549

Unpacking digital accessibility laws in Portugal

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

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

Decreto-Lei n.º 83/2018 (Decree-Law No. 83/2018)

Summary:

Decreto-Lei n.º 83/2018 is Portugal's transposition of the EU WAD applicable to the public sector. This law establishes accessibility requirements for various digital products and services provided by public organizations, intended to ensure they are usable by people with disabilities. Private-sector companies in Portugal that sell digital products to public-sector organizations in the country must also meet the law's requirements to conduct business with government entities.

Enforcement:

Organizations that fail to comply with Decreto-Lei n.º 83/2018 may be barred from receiving public funds or subsidies for up to two years, or funding may be suppressed or suspended entirely or partially. If an individual with a disability experiences unfair treatment, they can file a complaint to be submitted to specific entities. They may be entitled to compensation in severe cases.

Requirements:

To comply with Decreto-Lei n.º 83/2018, public-sector organizations must ensure any digital content they have control over is perceivable, operable, understandable, and robust (POUR) for all users.

Additional requirements include:

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

As a best practice to avoid regulatory action, organizations should aim to conform with the latest version of EN 301 549 (the harmonized European standard for web accessibility), which incorporates the Web Content Accessibility Guidelines (WCAG) 2.1 AA, or provide alternative solutions that fulfill the criteria in this standard.

Laws impacting private businesses

Decreto-Lei n.º 82/2022 (Decree-Law No. 82/2022)

Summary:

Decreto-Lei n.º 82/2022, Portugal's transposition of the EAA, introduces a set of accessibility requirements for consumer products and services and impacts private businesses. Enforcement of the EAA is set to begin in June of 2025.

Requirements:

To avoid sanctions and penalties under this law, organizations must ensure their products and services meet the functional accessibility requirements set by the EAA, which may be achieved through conformance with EN 301 549.

They must also satisfy the requirements of [Decreto-Lei n.º 83/2018](#), including taking measures to continually enhance accessibility, offering a mechanism for users to submit complaints, and publishing an accessibility statement.

Enforcement:

Organizations that violate Decreto-Lei n.º 82/2022 may face penalties, including:

- **Fines:** Individuals may face fines ranging from €650 to €1,500,000, and businesses may face fines ranging from €12,000 to €1,500,000. The specific amount of a fine is determined by the severity of an offense. Attempted offenses and negligence are also punishable by fines, with minimum and maximum penalties reduced by half.
- **Company sanctions:** Market surveillance authorities can take appropriate measures to restrict or prohibit a product's availability in the market, or ensure its recall or removal from the market, in cases of non-compliance.
- **Damages:** A person who is discriminated against because of their disability is entitled to compensation for damages suffered.

In cases of an omission of duty, the offender is still required to fulfill the obligation, if feasible.

Portaria n.º 220/2023 (Ordinance No. 220/2023)

Summary:

This ordinance is part of the implementation of Decreto-Lei n.º 82/2022, which transposed the EAA into Portuguese law. Portaria n.º 220/2023 complements Decreto-Lei n.º 82/2022 by defining the accessibility requirements for products and services covered by the law, as well as the criteria for assessing disproportionate burden.

Enforcement:

Portaria n.º 220/2023 is enforced through the sanctions and penalties outlined in Decreto-Lei n.º 82/2022.

Requirements:

Because Portaria n.º 220/2023 is focused on the enforcement of Decreto-Lei n.º 82/2022, it does not introduce any new compliance requirements or reference specific standards. Rather, to avoid sanctions and penalties under this law, organizations must meet the requirements of Decreto-Lei n.º 82/2022.

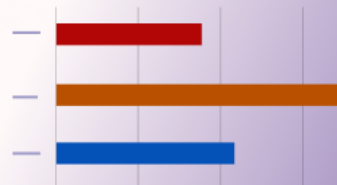
Start your journey to compliance

To comply with current digital accessibility laws in Portugal 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 digital portfolio are accessible and compliant.

Findings by severity



Accessibility health

Legend

- **Weak:** 0-49
- **Average:** 50-79
- **Strong:** 80-100



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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