
EU Disability Law

An overview

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EU laws and regulations

[United Nations Convention on the Rights of Persons with Disabilities \(UNCRPD\)](#)

- first international, legally binding instrument setting minimum standards for rights of people with disabilities
- first human rights convention to which the EU has become a party
- entered into force for the EU on January 2011
- all EU Member States have signed and ratified the convention
- 22 EU countries have also signed and ratified its [optional protocol](#) in January 2019

[Charter of Fundamental Rights of the European Union](#)

- Brings together the most important personal freedoms and rights enjoyed by EU citizens into one legally binding document.
- Declared in 2000; came into force in December 2009 along with the Treaty of Lisbon
- Article 20. Equality before the law.
- Article 21. Non-discrimination – forbids discrimination on grounds of sex, race, colour, ethnic or social origin, genetic features, language, religion or other belief, political opinion, membership of a national minority, property, birth, disability, age or sexual orientation.
- Article 26. Integration of persons with disabilities.

[European Disability Strategy 2010-2020](#)

- adopted in 2010
- reflects main elements of UNCRPD
- paved the way to a barrier-free Europe and to empower persons with disabilities so they can enjoy their rights and participate fully in society and economy

[Strategy for the Rights of Persons with Disabilities 2021-2030](#)

- adopted in March 2021
- builds on the results of the previous European Disability Strategy 2010-2020
- objective = progress towards ensuring that all persons with disabilities in Europe, regardless of their sex, racial or ethnic origin, religion or belief, age or sexual orientation enjoy their human rights, have equal opportunities, equal access to participate in society and economy, are able to decide where, how and with whom they live, move freely in the EU regardless of their support needs and no longer experience discrimination

[EU Directive 2016/2102 on the Accessibility of Website and Mobile Applications of Public Sector Bodies](#)

- Entered into force on 22 December 2016

- Implemented in national regulation by 23 September 2018 at the latest → MS had to apply these measures as follows:
 - from 23 September 2019 for websites published after 22 September 2018;
 - from 23 September 2020 for all other websites of public sector bodies;
 - from 23 June 2021 for mobile applications of public sector bodies.
- Aim = to make public sector websites and mobile applications more accessible, and to harmonise varying standards within the EU, reducing barriers for developers of accessibility-related products and services.
- Allows EU citizens, particularly those with a disability, to gain easier access to public services.
- Public sector bodies must regularly provide a detailed, comprehensive and clear accessibility statement
- MS must:
 - monitor compliance
 - publish and submit to the Commission a report that presents the results of monitoring and information on the use of the enforcement procedure
- Directive does not apply to public service broadcasters or non-governmental organisations that do not provide services that are essential to the public or specifically to people with disabilities.
- Directive does also not apply to the following content elements:
 - office file formats published before 23 September 2018, unless needed for administrative processes by the public sector body concerned;
 - audio or video published before 23 September 2020;
 - live audio or video;
 - online mapping, as long as essential navigational information is provided in an accessible manner;
 - third-party content not under the control of the public sector body concerned;
 - reproductions of heritage items or manuscripts in certain circumstances;
 - extranet and intranet content intended for a closed group of people, published before 23 September 2019, until they have a major update;
 - content of websites and mobile applications not updated or edited after 23 September 2019 (archives), if their content is not needed for administrative processes.

European Accessibility Act

- EU directive 2019/882 on the accessibility requirements of products and services
- Aims to improve the functioning of the internal market for accessible products and services, by removing barriers created by divergent rules in MS
- Covers **products and services** that have been identified as being most important for persons with disabilities:
 - computers and operating systems
 - ATMs, ticketing and check-in machines
 - Smartphones
 - TV equipment related to digital television services
 - Telephony services and related equipment
 - Access to audio-visual media services such as television broadcast and related consumer equipment
 - Services related to air, bus, rail and waterborne passenger transport

- Banking services
- e-books
- e-commerce

EU Regulation on the Rights of Disabled Persons and Persons with Reduced Mobility when Travelling by Air

- Regulation (EC) No 1107/2006, adopted on 5 July 2006
- Persons placed at a disadvantage by reduced mobility, whether caused by disability, age or another factor, should have opportunities for air travel comparable to those of other citizens.
- Protection of and provision of assistance to disabled persons and persons with reduced mobility travelling by air, both to protect them against discrimination and to ensure that they receive assistance.
- Provisions apply to disabled persons and persons with reduced mobility, using or intending to use commercial passenger air services on departure from, on transit through, or on arrival at an airport, when the airport is situated in the territory of a MS to which the Treaty applies.
- Regulation prohibits operators from refusing reservation or boarding to persons because of their disability.

EU Regulation on Bus and Coach Passenger Rights

- Regulation (EU) No 181/2011, adopted on 16 February 2011
- Entered into force on 1 March 2013
- Rights of passengers contained apply primarily to long-distance regular services (250 km or more):
 - Rights of disabled persons and persons with reduced mobility (people are entitled to (a) carriage at no additional cost, (b) take one accompanying person with them free of charge if the assistance provided by this person makes it possible to meet safety requirements or overcome barriers on the vehicle or at stops, (c) the provision of assistance free of charge on the bus or coach and at terminals where assistance for disabled persons is provided, (d) compensation for damaged and lost mobility aids and the provision of temporary replacement equipment or devices.

EU Regulation on Passenger Rights when Travelling by Sea or Inland Waterway

- Regulation (EU) No 1177/2010, adopted on 24 November 2010
- Entered into force on 18 December 2012
- Provisions apply to passengers travelling with passenger transport undertakings or participating in cruises where the port of embarkation and/or disembarkation is situated in the territory of a MS of the European Union.
- Rights of disabled persons and persons with reduced mobility:
 - **Right to transport:** There is a right to make a reservation and to be issued a ticket at no additional cost.
 - **Right to information:** Carriers and terminal operators must provide non-discriminatory access conditions for the carriage of disabled persons and

persons with reduced mobility and accompanying persons. It has to be ensured that all essential passenger information (e.g. conditions of carriage, the journey and the access conditions) are available in a format which is suitable for and accessible to disabled persons and persons with reduced mobility.

- **Right to assistance:** Disabled persons and persons with reduced mobility are entitled to obtain certain assistance free of charge in ports, including for embarkation and disembarkation, and on board ships. → The carrier or terminal operator must be informed of specific needs for the carriage when concluding the contract for carriage at the latest.
- **Right to compensation:** Disabled persons or persons with reduced mobility will receive financial compensation in the case of loss of or damage to their mobility equipment or other specific equipment.

EU Regulation on Rail Passenger Rights

- Regulation (EC) No 1371/2007, adopted on 23 October 2007
- Amongst others, all EU train operating companies (TOCs) must give passengers with reduced mobility:
 - access services
 - information on the accessibility of train services, upon request, as well as assistance boarding, whilst on board, and disembarking a train free of charge. Customers must request this assistance at least 48 hours before it's needed.
 - TOCs must also accept responsibility for any loss (total or partial) of, or damage to, mobility equipment or other specific equipment used by persons reduced mobility caused by the company.

EU directive 2000/78/EC establishing a general framework for equal treatment in employment and occupation

- Adopted on 27 November 2000
- Directive empowers the EU to combat discrimination based on religion or belief, age, disability and sexual orientation on the labour market
- Its scope and enforceability vary from country to country, which is why Directive 2000/78/EC lays down general minimum rules in these areas:
 - conditions of access to employed or self-employed activities, including promotion;
 - vocational training;
 - employment and working conditions (including pay, dismissals, the making of reasonable changes at the workplace to allow disabled workers to work, ...);
 - membership of and involvement in an organisation of employers or workers or any other organisation whose members carry on a particular profession.
- Applies to both the public and private sector, as well as for all types of employment.

United Nations Convention on the Rights of Persons with Disabilities - Employment, Social Affairs & Inclusion - European Commission (europa.eu)

Austria

Federal Constitutional Law (Bundes-Verfassungsgesetz (B-VG))

- Article 7. (1) All nationals are equal before the law. Privileges based upon birth, sex, estate, class or religion are excluded. No one shall be discriminated against because of his disability. The Republic (Federation, provinces and municipalities) commits itself to ensuring the equal treatment of disabled and non-disabled persons in all spheres of everyday life.

Federal Disability Equality Act (Bundes-Behindertengleichstellungsgesetz – BGstG)

- Entered into effect on 1 January 2006
- Created a statutory ban on discrimination in broad areas of everyday life
- Is effective in two areas:
 - A ban on the discrimination of people with disabilities in matters related to the federal administration (e.g. tax law, passports and registration, criminal and civil law, large sections of the schools system), and
 - a ban on the discrimination of people with disabilities in their access to and the provision of goods and services which are available to the public (e.g. shopping facilities, events and general leisure-time activities such as cinemas and swimming baths).

Disability Employment Act (Behinderteneinstellungsgesetz – BEinstG)

- Adopted in 1969
- Last amendment in 2017
- Obligates employers employing more than 25 employees in their business to hire disabled persons (1 disabled person per 25 employees).
- The scope of application covers those persons who suffer a disability degree of 50 per cent.
- Employers also must take into consideration the specific requirements with respect to a disabled employee's workplace and other working conditions, so that it takes appropriate action to promote disabled employees.
- There is also a special kind of protection against dismissals. If there is no particular period of notice, the usual period is 4 weeks, but before every dismissal the employer must consult the works committee, the committee of disabled persons and the department of the Land dealing with disabled persons where the enterprise takes its seat. Otherwise the dismissal is void. On the other hand, employment contracts during a probationary period can be terminated by both employer and employee without notice.

Federal Disability Act (Bundesbehindertengesetz – BBG)

- Federal Act of 17 May 1990 concerning advice, support and special assistance for persons with disabilities
- Intended to ensure that people with disabilities and people who are specifically threatened by disability have the best possible participation in social life
- Contains regulations on:
 - Coordination of activities for rehabilitation of persons with disabilities
 - Establishment of a Federal Disability advisor
 - Information, advice and support from the state disability offices
 - Establishment of a national fund for special assistance for persons with disabilities
 - Discounts for motor vehicles purchase
 - Issuance of a Disability badge
 - Fare discounts on the Austrian Federal Railways

Web Accessibility Act (Web-Zugänglichkeits-Gesetz – WZG)

- Transposes Directive (EU) 2016/2102 on the accessibility of the websites and mobile applications of public sector bodies
- Entered into effect in July 2019
- Since 23 September 2020, it applies to all public sector websites.
- Since June 2021, it now also applies to mobile applications such as apps of public sector bodies.
- Stipulates that all digital information services provided by public authorities must be accessible
- WCAG 2.1 AA and some additional criteria serve as the technical benchmark
- An accessibility statement must also be published as a legal requirement.
- The Act provides for the use of a monitoring and service agency.

eGovernment Act (E-Government-Gesetz – E-GovG)

- Centrepiece of the Austrian eGovernment law
- Entered into force on 1 March 2004, last amended on 1 July 2016
- Most important principles are:
 - Freedom of choice in selecting the means of communication when contacting public authorities.
 - Providing security and data protection through appropriate technical measures such as the citizen card.
 - Accessibility measures for people with special needs so they have access to information and can use digital services in public administration. International standards must be adhered to and access to Internet sites must be provided.
- Refers to the WCAG of the W3C as a guideline for accessible web design

Second Protection of Adults Act (2. Erwachsenenschutz-Gesetz – 2. ErwSchG)

- Entered into force on 1 July 2018

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- Is centered on autonomy, self-determination and decision-making guidance of those concerned.
 - The possibility to act on behalf of another person was severely restricted and, in all cases, limited to a certain period of time and for specific measures.

Nursing Home Residence Act (Heimaufenthaltsgesetz)

- Article 1 states that the personal freedom of people who need care or assistance due to old age, a disability or an illness is to be particularly protected. Their human dignity is to be respected and safeguarded under all circumstances.
- From July 1, 2018, the Act also applies to residential homes and other institutions for the care and education of minors. → As a result, for the first time a court-based legal mechanism assessing the measures that restrict the freedom of children and young people, is possible.

Belgium

Belgian Constitution (La Constitution Belge)

- On 12 March 2021, a draft version of the Belgian Constitution incorporating the rights of people with disabilities to fully participate in society was approved → the text is included in a subsection under Article 22 →
 - “Every person with a disability has the right to full inclusion in society, including the right to reasonable accommodation. The law, federate law or rule referred to in Article 134 guarantees the protection of this right.”

1963 Social Rehabilitation Act (Loi du 16 avril 1963 relative au reclassement social des handicapés)

- Entered into effect on 23 April 1963
- Main piece of federal legislation governing disability and employment
- Applies to both the private and public sectors
- Act laid down that public and private bodies must employ a certain number of disabled people → decrees for the regions and communities stipulate that a 2% of people with disabilities have to be employed in the Flemish administration and 2.5% in the Walloon administration

2007 Anti-Discrimination Law (Loi tendant à lutter contre certaines formes de discrimination)

- Entered into effect on 9 June 2007
- Main federal legislation on discrimination in Belgium
- Covers:
 - access to goods and services (including housing, insurance, shops)
 - both public and private sector employment
 - access to health services and social security
 - participation in and access to any form of economic, social, cultural or political public activity.
 - Defines and addresses direct discrimination and indirect discrimination
 - Under this Act, companies have an obligation to make reasonable adjustments for disabled workers.

Reform Act on disability and introducing a new protected status in accordance with human dignity (Loi réformant les régimes d'incapacité et instaurant un nouveau statut de protection conforme à la dignité humaine)

- Entered into effect on 1 September 2014
- Establishes a single global legal protection status
- Is based on the previous regime of provisional administration which it extends to the protection of the person
- Capacity is the rule
- The role of the trusted person is affirmed

- In addition to the judicial protection regime, the law creates an extrajudicial protection of property.

[Act of 27 February 1987 on allowances for persons with disabilities \(Loi du 27 février 1987 relative aux allocations aux handicapés\)](#)

- Defines two allowances for disabled people aged twenty-one and up to sixty-five years:
 - Income replacement allowance granted to a disabled person whose physical or mental condition has reduced their earning capacity to one third of that of an able-bodied person.
 - Integration allowance granted to a disabled person whose lack of autonomy or reduced autonomy is established.
- Defines conditions for entitlement & determines the amount of the allowances (which are subject to certain conditions) and the procedures for granting and paying them.

Royal Decree of 6 July 1987 on the income replacement allowance and the integration allowance (as amended on 29 July 2014). ([Arrêté royal du 6 juillet 1987 relatif à l'allocation de remplacement de revenus et à l'allocation d'intégration](#))

Royal Decree of 22 May 2003 on the procedure for processing files concerning allowances for the disabled ([Arrêté royal du 22 mai 2003 relatif à la procédure concernant le traitement des dossiers en matière d'allocations aux personnes handicapées](#))

Royal Decree of 17 July 2006 implementing article 4, §2, of the law of 27 February 1987 on allowances for the disabled ([Arrêté royal du 17 juillet 2006 exécutant l'article 4, §2, de la loi du 27 février 1987 relative aux allocations aux personnes handicapées](#))

Ministerial decree of 30 July 1987 establishing the categories and the guide for the evaluation of the degree of autonomy in view of the examination of the right to the integration allowance ([Arrêté ministériel du 30 juillet 1987 fixant les catégories et le guide pour l'évaluation du degré d'autonomie en vue de l'examen du droit à l'allocation d'intégration](#))

Ministerial Decree of 7 May 1999 on the disability parking card ([Arrêté ministériel du 7 mai 1999 relatif à la carte de stationnement pour personnes handicapées](#))

Royal Decree of 8 February 2006 specifying the method by which total blindness, complete paralysis of the upper limbs or amputation of the upper limbs, and permanent disability of at least 50% resulting directly from the lower limbs is established, for the purpose of obtaining a parking card or a VAT certificate for vehicles ([Arrêté royal du 8 février 2006 précisant la méthode selon laquelle la cécité totale, une paralysie complète des membres supérieurs ou une amputation des membres supérieurs, et invalidité permanente d'au moins 50 % découlant directement des membres inférieurs est constatée, pour l'obtention d'une carte de stationnement ou une attestation TVA pour les véhicules](#))

Law of 19 July 2018 on the accessibility of the websites and mobile applications of public sector bodies ([Loi relative à l'accessibilité des sites internet et des applications mobiles des organismes du secteur public](#))

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- Entered into force on 19 July 2018
 - Transposes the provisions of Directive (EU) 2016/2102
 - From September 2020, all public sector websites must be accessible for people with disabilities and mobile applications must be accessible from September 2021.

Bulgaria

Constitution of the Republic of Bulgaria

- Pursuant to Article 6(1), all human beings are born free and equal in dignity and rights, and the equality before the law for all citizens is enshrined in paragraph 2 of the same provision. There are no restriction of rights or privileges based on race, ethnicity, gender, origin, religion, education, beliefs, political affiliation, personal or social status or wealth.

Law on the Integration of People with Disabilities

- Entered into force on 1 January 2005
- Main legislation guaranteeing the rights of persons with disabilities and containing the highest concentration of law related to support for people with disabilities
- Is based on the principles of prohibition and prevention of any form of discrimination on grounds of disability.
- Provides for measures to ensure the socioeconomic protection of disabled people by allocating monthly allowances for social integration and targeted benefits.
- Stipulates measures for participation in regular and specialised work environment to ensure employment for people with disabilities and employers who hire people with disabilities can receive incentives and funding for adaptation of jobs, for their equipment to ensure health and safety at work etc.
- Enables people with entrepreneurial spirit to start their own business and they can apply for certain financial resources.

Anti-Discrimination Act

- Entered into force in 2003, amended in 2006
- Introduced mechanisms for practical enforcement of the prohibition of discrimination. It aims to ensure that all persons, including persons with disabilities, have the right to equality before the law, equal treatment and opportunities for participation in public life

Persons with Disabilities Act (PDA) (Bulgarian legislative text available at: <https://asp.government.bg/uploaded/files/5431-ZAKONzahoratasuvrejdaniq01012021.pdf>)

- Entered into force on 1 January 2019 & replaces the previous Act for Persons with Disabilities.
- Initial aim of PDA: To ensure and promote full and equal rights and freedoms for persons with disabilities and to establish a general requirement for employers to employ disabled people in jobs that enable the use and development of their skills and knowledge.

- PDA focuses on ensuring conditions for equal access to employment in a regular, specialised and sheltered work environment while providing adequate support for both disabled people and their employers.
- PDA presents a new requirement for Bulgarian employers with 50 or more employees to follow quotas for hiring permanently disabled personnel. The quotas should be considered without taking into account designated jobs for occupational rehabilitation, and are as follows:
 - employers with 50 to 99 employees: 1 permanently disabled person
 - employers with 100/100+ employees: 2% of their average number of personnel.
 - If, the employer does not meet these quotas within a three month period, a fine can be imposed by the Labor Inspectorate of up to 30% of the minimum monthly working salary (the current minimum monthly salary in Bulgaria is BGN 560/ approximately EUR 280), for each position which remains unoccupied by a permanently disabled individual. Failure to pay the fine may lead to an administrative sanction of between BGN 2000 and BGN 5000 (approximately EUR 1000 to EU R 2500).

[Social Security Code](https://www.lex.bg/laws/ldoc/1597824512) (Bulgarian text available at <https://www.lex.bg/laws/ldoc/1597824512>)

- The right to benefits and pensions is vested upon relevant categories of insured persons envisaged in this Act.
- With regard to social security, the National Social Security Institute provides compensation in cases of temporary partial disability and vocational rehabilitation and pensions in case of permanent disability.
- Persons receiving personal disability pensions are also entitled to cash benefits for prevention and rehabilitation if they are below the age set out in Article 68(1) of the Social Security Code

The [Labour Code](#) and the [Civil Servants Act](#)

- Both provide for various forms of protection of persons with disabilities, obliging employers to determine the percentage of jobs for vocational rehabilitation, introducing a simplified regime of working hours, ban on night shifts and overtime, provision for reduced working hours, prior protection against dismissal, compensation for occupational rehabilitation from the moment of the receipt of the prescription for reassignment until its implementation.

[Employment Promotion Act](#) (The link forwards you to the official translation as amended in 2005)

- Entered into effect on 1 January 2002
- Article 2 states that “no direct or indirect discrimination and privileges or restrictions shall be admissible on the basis of nationality, origin, gender, sexual orientation, race, skin colour, age, political and religious convictions, affiliation to trade-union and other

public organizations and movements, marital, social and property status, and mental and physical disabilities”.

- Provides for measures for the unemployed and promotion and maintenance of employment, provision of services for mediation in finding employment, vocational training and guidance including people with disabilities → Disabled people registered with Bulgaria’s employment agency have the right to use specialised labour mediation in informing and finding employment and vocational guidance.

Corporate Income Tax Act

- Entered into effect on 1 January 2007
- Provides for full assignment of the corporate tax of legal entities holding the status of specialised enterprises, cooperatives and detached production units affiliated to national organisations of people with disabilities and organisations of people with disabilities.
- Assigned funds are used for rehabilitation and social integration of people with disabilities.

Personal Income Tax Act & Local Taxes and Fees Act

- Under the terms and conditions set out in these two acts, people with disabilities who receive income from employment enjoy tax benefits.

Road Traffic Act

- Persons of disabilities estimated at 50% and over are exempt from the vignette for a car they own or owned by their spouse, whose engine capacity is up to 2000 cu.cm and power up to 117,64 kW (160 hp)
- Persons or families raising children with disabilities up to the age of 18 and until the completion of secondary education, but no later than age 20, are also exempt from the payment of the vignette.
- Sets out the requirements for a card entitling the holder to park at parking spaces allocated to vehicles serving people with disabilities and use of facilities for parking.

Pre-School and School Education Act

- Entered into force on 1 August 2016
- Ensures equal access to education for children with special educational needs and/or chronic diseases and their inclusion in mainstream schools
- Introduced obligation to ensure support for personal development of children and pupils

Higher Education Act

- Provides favorable conditions for access of people with disabilities, support and integration in higher education via admission under alleviated conditions of persons with disabilities and reduced working capacity (70% and over, who were successful in

the admission examinations; special reliefs regulated in the rules of higher education institutions for students and postgraduates with permanent disabilities and reduced working capacity of 70% and over; exemption from payment of fees at state universities of persons with disabilities and reduced capacity 70% and over)

Healthcare Act

- Defines the protection of public health as a state of complete physical, mental and social well-being as a national priority
- Provides special health protection for people with physical disabilities and mental disorders

Medical-Treatment Facilities Act

- Amendments of 2015 have introduced a new type of hospital – a centre for comprehensive services to children with disabilities and chronic diseases, which carries out activities to support families of children with disabilities and chronic diseases in early detection, diagnosis, treatment and medical and psycho-social rehabilitation; long-term treatment and rehabilitation of children with disabilities and serious chronic diseases and training of their parents to take care in a family environment; visits by medical professionals to provide special care for children with disabilities and serious chronic diseases who live in a family environment and social service residential; provision of specialist palliative care for children

Spatial Planning Act

- Defines regulatory requirements for accessible built environment
- Regulates the social relations associated with planning, investment planning and construction in Bulgaria.
- Governs the overall process of investment planning, building permits and commissioning of buildings, and Article 169(1)-(3) of the same Act sets out requirements for buildings in terms of design, implementation and maintenance.

Road Transport Act

Established a system of effective, proportionate and dissuasive penalties for violations of the measures imposed at national level for the implementation of regulations on the provision of accessible environment at bus stations for people with disabilities and people with reduced mobility or in case of failure to fulfill the obligations.

Electronic Communications Act

One of the main goals is to enable people with disabilities, including the elderly and persons with special social needs, to benefit to the full from the choice, price and quality of electronic communications.

Physical Education and Sports Act

- Ministry of Youth and Sports supports by targeted funds the preparation and participation of athletes with disabilities in the Paralympic Games, World and European championships, it supports activities of sports organisations associated with adapted physical activity for people with disabilities.
- Athletes with disabilities enjoy free state and municipal sports facilities and do not pay for tickets for competitions.

Protection and Development of Culture Act

Introduced the principles of democracy cultural policy, freedom of artistic creation and avoidance of censorship, equality of artists and cultural organisations, promotion of cultural diversity while preserving the unity of national culture, discovering, support and training of young talents in the field of culture and development and improvement of education in the arts and culture.

Croatia

As part of the accession process, Croatia was be obliged to transpose the EU's anti-discrimination acquis, including Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation (the Employment Directive) and Council Directive 2000/43/EC, implementing the principle of equal treatment between persons irrespective of racial or ethnic origin.

The Croatian Constitution

Guarantees that all are equal before the law and that citizens “enjoy all rights and freedoms regardless of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth, education, social status, or other characteristics” → Disability is not specifically included in this provision.

[Law on Croatian Register of Persons with Disabilities](#) (text linked is in Croatian)

- Adopted on 6 July 2001
- The Register contains data on the cause, type and level of disability. Contains provisions relating to types of disability, means of data gathering, data use and protection.

[Anti-Discrimination Act](#)

- Adopted on 9 July 2008
- Provides for the protection and promotion of equality as the highest value of the constitutional order of the Republic of Croatia, creates prerequisites for the realisation of equal opportunities and regulates protection against discrimination on the grounds of race or ethnic affiliation or colour, gender, language, religion, political or other belief, national or social origin, property, trade union membership, education, social status, marital or family status, age, health condition, disability, genetic heritage, native identity, expression or sexual orientation.
- Protects against discrimination in the following fields: work; education; social security and social welfare; health; judiciary and administration; housing; public information and media; access to goods and services; membership in trade unions, NGOs, political parties and other organizations; and access to culture and art

[Law on Vocational Rehabilitation and Employment of Persons with Disabilities](#) (Zakon o profesionalnoj rehabilitaciji i zapošljavanju osoba s invaliditetom)

- Came into force in 2002
- Provides for rights of disabled persons to vocational rehabilitation and employment.
- Deals with reduced working capacity, employment and work of disabled persons under specific conditions, labour relations of disabled persons, and establishments for vocational rehabilitation.

- One of the key objectives is to encourage private employers to hire, recruit and retain persons with disabilities.
- Provides a strong incentive to professional rehabilitation and employment.
- Stipulates that employers who employ at least 20 workers are obliged to employ, in a reasonable job position of their own choice and with appropriate working conditions, a certain number of people with disabilities → The quota ranges between 2% and 6% (but not less than 2%), depending on the number of employees and the activities carried out by the employers.
- Employers who fulfil the quota are eligible for a financial compensation of 30% of the minimum wage per month for each person with a disability.
- The Law enables people with disabilities to work without the loss of family pensions, and gives them the right to choose either their work-based or family pension.

Social Welfare Act (Link to Croatian text: <https://www.zakon.hr/z/222/Zakon-o-socijalnoj-skrbi>)

- Adopted on 13 December 2013
- Includes relevant EU Directives, and determines activities of social care, principles, financing, rights and social services in the system of social care, and procedures for obtaining them, users, content and employment in social care, databases, supervision and inspection.
- Social protection available to people with disabilities the right to health and pension insurance, the right to employment and occupational rehabilitation, child allowances, and social welfare rights.

Health Care Act

- Adopted on 15 July 2003
- Contains provisions on health care principles and measures, rights and obligations of persons in the implementation of health care, medical activities and establishments.

Compulsory Health Insurance Act

- According to this Act, beneficiaries of pension and disability insurance obtaining that right solely by foreign holders of pension and disability insurance, if an international agreement does not stipulate otherwise, domiciled or with approved permanent residence in Croatia – amongst other groups – are entitled to be insured and acquire the status of beneficiaries to the compulsory health insurance.

Act on Protection of Persons with Mental Disabilities (Link to Croatian text: <https://www.zakon.hr/z/181/Zakon-o-za%C5%A1titi-osoba-s-du%C5%A1evnim-smetnjama>)

- Entered into force in January 2015
- Main aim has been to put forward legal solutions to improve a current legal position of persons suffering from mental disorders. → One of the most important amendments is related to models of placement into psychiatric institution. An agent for healthcare

decisions is a new institute introduced into Croatian legal system to directly and substantially enhance protection of persons with mental health problems. Another important improvement introduced in the Law concerns outpatient treatment of mentally incompetent persons who committed an unlawful act.

- Increased the supervision over the process of forced accommodation of a person with mental disorders and strengthened the powers of the ombudswoman for persons with disabilities in the process.
- Has provided protective instrument but still allows for involuntary placement and treatment based on the disability

Act on the Accessibility of Websites and Mobile Applications of Public Sector Bodies of the Republic of Croatia (Link to the Croatian text: https://narodne-novine.nn.hr/clanci/sluzbeni/2019_02_17_358.html)

- Transposes into national law Directive (EU) 2016/2102 of the European Parliament and of the Council on the accessibility of websites and mobile applications of public sector bodies

Law on the Croatian Sign Language and Other Communication Systems of Deaf and Deafblind Persons in the Republic of Croatia

- Entered into force on 1 August 2015
- Recognised the mentioned persons' right to use sign language in all areas of life, such as education, health, cultural events and the like.
- Defines the right of deaf and deaf-blind people as: the use of communication systems of the deaf and deaf-blind people, providing information via the communication system of the deaf and deaf-blind people and education using communication system of the deaf and deaf-blind people.

National Strategy to Create Equal Opportunities for Persons with Disabilities 2007-2015 (OG, 63/07) & [National Strategy for Equalization of Opportunities for Persons with Disabilities 2017 – 2020](#)

- Aimed at harmonising all policies on the protection of persons with disabilities with the global trends to ensure that all aspects of life are open and accessible to persons with disabilities.
- Defines accessibility as one of the basic preconditions for performing the activities of daily living (ADL) of persons with disabilities and for their inclusion in society.
- Emphasises the accessibility of public transport on all lines, accessible timetables and vehicles, as well as the provision of clear and accessible information at terminals and on board the vehicles.

Building Act & Ordinance Ensuring Access to Buildings for Persons with Disabilities and Reduced Mobility

- They regulate accessibility in Croatia and establish minimum elements of accessibility to buildings that must be provided for both persons with disabilities and persons with reduced mobility.
- The Building Act stipulates that “In particular, construction works must be designed and built taking into consideration accessibility and use for disabled persons.”

In Croatia, education (preschool, primary school and secondary school) of students with special educational needs has been regulated by the following acts – amongst others:

- Act on Preschool Education
- Act on Primary Education
- Act on Secondary Education
- The Decision on the Element of Criteria: Specific Needs of Students with Developmental Handicaps
- Regulations on Special Requirements and Criteria of Realization of Programs for Preschool Education
- Regulations on the Management of Budgetary Funds and Criteria of Co financing Programs for Preschool Education
- Regulations on Enrolment of Students in Primary School
- Regulations on Primary Education of Students with Developmental Handicaps
- Regulations on Number of School students in Classes
- Regulations on Qualifications and Pedagogical-Psychological Education of Teachers and Expert Collaborators in Primary Educational System
- The Regulations on Secondary Education of School students with Difficulties and Major Developmental Handicaps
- Teaching plans and curricula for education of students with developmental difficulties and major developmental handicaps

Republic of Cyprus

[Law to provide for Persons with Disabilities 2000-2007](#)

- Stipulates the principle of equal treatment of disabled persons, which implies that there shall be no discrimination whatsoever against any person on grounds of disability.
- Persons with disabilities have the right to:
 - Early detection and diagnosis of their disability; intervention and prevention of further consequences thereof; provision of medical and pharmaceutical care; restoration of their physical functions including the provision and training for the use of orthotic and prosthetic limbs, as well as psychological and other support for the person and its family;
 - Personal support with assistive devices, with other means and services which assist the person in their everyday life and work, and by providing an interpreter or helper, as well as other necessary support;
 - Accessibility in housing, buildings, roads, public means of transportation and generally to the physical environment and to other means of transport;
 - Accessibility to inclusive education according to the person's needs;
 - Accessibility to information and communication with the use of special means, where necessary, especially for groups of people with sensory disabilities;
 - Accessibility to social and financial services, professional assessment and orientation, professional training and employment in the open labour market;
 - Respectable living standard and, where necessary, financial provisions and social services;
 - Creation of personal and family life;
 - Participation in cultural, social, athletic, religious and recreational activities.

[The Recruitment of Persons with Disabilities in the Wider Public Sector \(Special Provisions\) Law of 2009](#)

- Aims to enhance accessibility of persons with disabilities in employment.
- Persons with disabilities who fulfill specific objective requirements are recruited in employment positions in the wider public sector at a quota of 10% of the number of vacancies.
- 3 objective requirements:
 - to have the necessary qualifications required for the employment position;
 - to have succeeded in any written or oral examinations required for the employment position;
 - assessed to be capable for the execution of the duties of the specific employment position, by the competent appointing body which is obliged to take into consideration the report of a special multidisciplinary commission.

[The consultation process on the state and other agencies on issues concerning people with disabilities Law of 2006](#) (Available in Greek only)

[The allowance for the disabled movement Law of 1980](#) (Available in Greek only)

[Provisions of the Constitution of the Republic of Cyprus concerning People with Disabilities](#) (Available in Greek only)

[Council Resolution of 17th July 1999 on providing equal opportunities for employment to people with disabilities](#) (Available in Greek only)

[Protection of the Beach \(Amendment\) Law of 2019](#) (Available in Greek only)

- Adopted 29 May 2019
- Aims to improve the accessibility of people with disabilities to the beach
- The ban on driving a motor vehicle or other wheeled vehicle on a beach no longer involves the use of a wheelchair, self-propelled or manual, which is a means of transporting a PwD, as well as self-propelled vehicles or small vehicles offering mobility to people with severe physical disabilities, which are moving on a special passageway with appropriate markings
- The ban on driving or walking any animal on the beach or on bathing the animal at sea no longer includes driving or crossing the beach or entering the sea with trained guide dogs for the blind and PwD.
- Infrastructure on the beach must be established with the appropriate signage to ensure free and unhindered access of PwD to the beach and the sea, including accessible parking areas and hygienic spaces, as well as passageways suitably designed for easy and safe entry of people using wheelchair in the sea".
- Furthermore, access ramps/passageways were built at beaches that did not have and/or the existing ones have been improved, while Seatrac and floating wheelchairs have been placed on other beaches that were not accessible from PwD.

Czech Republic

[Constitution of the Czech Republic](#) (Ústava České republiky No. 1/1993)

- States that everybody is equal in accessing the law and according to the law.
- Everyone has the equal opportunity to receive education, free of charge, at compulsory and upper-secondary level.

[National Plan for the Promotion of Equal Opportunities for Persons with Disabilities 2015–2020](#)

- One of the most important comprehensive national documents related to people with disabilities
- Based on UNCRPD
- Contains main aims, tasks and principles for putting inclusion policy into practice regarding health, culture, social and educational policy.

[Strategy for the Education Policy of the Czech Republic up to 2030+ & Long-Term Plan of Education and Development of Educational Policy of the Czech Republic 2019–2023](#) (the latter is available in Czech only)

- These are other key strategic documents covering measures in the field of inclusive education and support for children and pupils with disabilities and their access to special equipment in order to participate in education.
- E.g. recognises the need to create the right conditions to facilitate the transition of pupils, especially those with disabilities and social disadvantages, into post-secondary vocational or higher education.

[Act on Sign Language](#) (Available in Czech only)

- Approved in 1998, amended in 2012
- Legally recognises and highlights the importance of sign language for the education of pupils with hearing impairment & other alternative communication systems, including specific systems of communication for people who are deaf-blind. T
- Guarantees deaf children's right to education by means of sign language & access to sign language interpretation for upper-secondary level pupils, as well as access to sign language courses for parents of deaf children.

[Act on the Communication Systems of Deaf and Deafblind persons \(novela: Zákon o komunikačních systémech neslyšících a hluchoslepých osob\)](#) (Available in Czech only)

- Came into force in October 2008
- The old term “znaková řeč” (sometimes translated also as “Sign Speech” or “Sign System”), which includes both Czech Sign Language and Sign Supported Czech

(Signed Czech)) was removed → Czech Sign Language and communication systems based on the Czech language are now clearly distinguished.

Education Act (Available in Czech only)

- Came into force in January 2005 & has been updated several times since
- Regulates the whole education system in the Czech Republic
- Defines pupils with special educational needs (SEN) and individual target groups:
 - pupils with intellectual, sensory or physical disabilities;
 - pupils with speech and language impairments;
 - pupils with multiple disabilities;
 - pupils with autism;
 - pupils with specific learning and behavioural difficulties;
 - chronically ill pupils;
 - socially disadvantaged pupils.
- 2014 update stresses an inclusive approach & presents a new definition of the target group of pupils with SEN as pupils entitled to additional support to fulfil their right to education. The new definition does not use the terms 'impairment' and/or 'socially disadvantaged
- Guarantees the availability of provisions and services required for supporting learners to access education at all levels, no matter where they are educated (mainstream and/or special settings).
- Pupils with SEN have the right to be provided with additional support provisions free of charge (e.g. adapted textbooks; specific teaching materials; compensatory and rehabilitation equipment and tools; support and counselling services; additional support staff; additional teaching in specific subjects (speech therapy, sign language, orientation and mobility, stimulating techniques, etc.))

Higher Education Act

- Came into force in 1998, last amended in 2017
- Defines standards of accreditation (set of requirements concerned with higher education institutions) including the requirements associated with the assurance of conditions of equality in access to higher education for applicants and students with disabilities

Pension Insurance Act (Zákon o důchodovém pojištění) (Available in Czech only)

- Came into effect on 1 January 1996
- Governs the entitlement to a pension from the basic pension insurance, methods of determination of pension benefits and conditions of payment
- The following pensions are provided from the basic pension insurance: old-age (including the so-called early old-age pension), disability, widow and widower, orphan.
- If conditions which entitle a person to several pensions of the same type have been met or payment of old-age pension or disability pension, then only one type of the pension will be paid, specifically the higher one. If conditions have been met which

entitle a person to old-age or disability pension and to widow or widower pension or orphan pension, then the higher one shall be paid in the full amount and one half of the percentage assessment shall be paid from the other pensions, unless the Act on pension insurance establishes otherwise.

Decree on Disability Assessment ([Vyhláška o posuzování invalidity](#)) (Available in Czech only).

- Establishes the percentage of a deterioration in the capacity to work and the requirements for disability assessment and regulates the disability assessment in more detail. → The insured is disabled if the percentage deterioration in his/her capacity to work has dropped by
 - 35 %, at minimum, however by 49 % at maximum (= first disability level)
 - 50 % at minimum, however by 69 % at maximum (= second disability level)
 - 70 % at minimum (= third disability level)

[Act No. 365/2000 Coll., on information systems of the public administration and on change of certain other laws](#) (Available in Czech only)

- Implements Directive (EU) 2016/2102 on the accessibility of the websites and mobile applications of public sector bodies
- Sets out the requirement to make the information relating to public administration execution available in indispensable extent also to people with disability.
- Covers all public administration sites with only a few unimportant exceptions, on the other hand widespread public services or other sites are not covered at all.
- Ministry of the Interior has been made responsible for compliance checking

[Building Act](#) (Available in Czech only)

- Defines the permitting processes and the competencies of the parties involved in them
- Contains only a minimal focus on the technical aspect of a building and no direct cross reference to the technical standards or general requirements for buildings
- The Act does not define itself directly as a tool to protect the public safety.
- Contains the general requirements for accessibility in buildings

On 14 April 2004, the Czech Government adopted a resolution approving the Government Plan for Financing the National Development Plan of « Mobility for All ». This plan focuses on the removal of barriers in transport and buildings open to the public that predate the Building Act.

Denmark

Act on the Prohibition of Discrimination

- Section 2(1) of the Act on the Prohibition of Discrimination due to Disability prohibits discrimination on account of disability in all public and private activities in all areas of society, including access to and supply of goods and services and education
- In December 2020, the Act on the Prohibition of Discrimination due to Disability was amended to include a legal duty to provide reasonable accommodation for young people and children with disabilities in public and private day-care institutions and schools.

[Act on Compensation for Disabled Persons in Employment](#) (Available in Danish only)

- Persons with disabilities – regardless of disability – are covered by general employment policy measures. If the disability entails a need for special measures or assistance, e.g., personal assistance, such measures or assistance can be granted through the Act.
- The objective of these compensation schemes is to enhance and stimulate the possibility of employing persons with disabilities and retaining them in the labour market and to offer them the same possibilities of pursuing a trade or profession as persons without disabilities.

[Act on Active Employment Measures](#) (Available in Danish only)

- Concerns subsidies for aids, tools, small-scale workstation design and layout or teaching equipment.
- Established the Unit for Job and Handicap (Specialfunktionen Job & Handicap) which supports Denmark's 94 job centres in the initiatives they provide for people with reduced working capacity → offers seminars, online tools, networking activities, etc. and develops new methods as part of employment initiatives to help integrate and retain disabled employees in the labour market

[Danish Act on Prohibition against Differential Treatment on the Labour Market](#) (Available in Danish only)

- Forbids direct and indirect differential treatment and harassment as well as instructions to discriminate on grounds of disability, etc.
 - Employers may not discriminate against wage earners or applicants with respect to vacant positions, dismissal, transfer, promotion or salary and working conditions.
 - Employers must take expedient measures to consider the specific requirements for granting a person with disability access to employment, to work or to success in employment.

- Also applies to anyone carrying out counselling and education activities, offering employment, laying down provisions and making decisions on permission to carry out activities relating to self-employment and anyone making decisions concerning membership of and participation in an employee or employer occupation and the advantages enjoyed by the members of such organizations.

Consolidation Act on the Board of Equal Treatment (Available in Danish only)

- Adopted in 2012, amended in 2015
- Persons who on the job market have been subjected to discriminatory treatment due to, e.g. disability, may submit a complaint to The Board on Equal Treatment or seek recourse through their union or the court system.

Disability Pensions Act

- Adopted in 1978
- Disability pension program had three levels of benefits:
 - 1. A maximum pension, if 100% disabled, consisting of a basic amount plus disability and unemployability supplements
 - 2. A medium pension made up of the basic amount plus a disability supplement, if at least 66% disabled
 - 3. A minimum pension equal to half the basic amount plus half the disability supplement, if at least 50% disabled

Law on Disability and Early Pension

- Combined Disability Pensions Act and the Law on Widows
- Came into force on 1 January 1984
- “Disability pensions” were converted to early pensions.
- The lowest of three previous benefit levels was improved by adding a supplement to the basic pension amount, thereby increasing the recipient’s benefit in most instances.
- The first and second benefit levels were basically retained in their old form, with a pension supplement added for those in particularly severe financial circumstances

Social Pension Act (Available in Danish only)

- Combined the Law on Disability and Early Pension and the Law on National Pension
- Fully implemented on 1 January 1985
- Several amendments have been made (latest 2019)

Labour Market Supplementary Pension (ATP) Act (Available in Danish only)

Action plan for disability policy from 2003 (Available in Danish only)

- Prevailing policy document
- Points at 5 focus areas:

-
- Housing
 - Employment & education
 - Accessibility to physical environment (incl. transport)
 - Public administration
 - Leisure & quality of life
 - Overall policy objective is an accessible society, where people with disabilities may participate in society in an equal way

The following laws and regulations apply to public transport (buses, trains, metro) in terms of accessibility:

- [Law on transport companies](#) (Available in Danish only)
- [Road Traffic Act](#) (Available in Danish only)
- [Railway Act](#) (Available in Danish only)
- [Danish Act on package travel and linked travel arrangements](#)
- [Danish Act on Railway Operations on Light Railways \(Copenhagen Metro\)](#) (Available in Danish only)

[Law on accessibility of websites and mobile applications of public bodies](#)
(Available in Danish only)

- Implements Directive (EU) 2016/2102 on the accessibility of the websites and mobile applications of public sector bodies

Estonia

Constitution of the Republic of Estonia

- Stipulates that everyone is equal before law (§ 12) and no one should be discriminated against on the basis of nationality, race, colour, sex, language, origin, religion, political opinion or other conviction, property or social status, or on other grounds.
- Disability is not explicitly mentioned but the list of protected grounds is non-exhaustive and it can be covered by “other grounds”, especially if there is no specific law that would apply to the particular situation
- § 44 states that everyone is entitled to free access to information disseminated for public use

Memorandum of Cooperation Principles

- Signed by the government and representative organisations of persons with disabilities on 30 March 2012
- Objective was to
 - value the civil society
 - promote the social integration of persons with disabilities
 - increase the involvement of representative organisations of persons with disabilities in national decision-making processes (→ not only in areas of jurisdiction of the Ministry of Social Affairs, but also in jurisdictions of other ministries)
 - increase the efficiency of cooperation between ministries and representative organisations of persons with disabilities regarding the implementation of the UNCRPD
 - increase the involvement of representative organisations of persons with disabilities in decision-making that concerns them on state as well as local government level

National development plan for the protection of the rights of persons with disabilities 2014-2020

- Focuses on guaranteeing the rights of persons with disabilities and improving their independent living in all areas (social inclusion, participation in civil life, accessibility, education, participation in life-long education, employment and use of social and health services).

Competitiveness Strategy Estonia 2020

- Aimed to increase the impact of active labour market policy, general employment rate and labour market participation rate.
- Its objectives were supported by the Ministry of Social Affairs Development Plan for 2015-2018 which targeted the increase of the employment rate of disabled people from 22% to 42% by 2020.

Estonian Lifelong Learning Strategy 2020

- Promoted the implementation of inclusive education

Children and Families Development Plan 2012-2020

- Included measures and activities to support the economic and social coping of disabled children and their families.

General Principles of Cultural Policy until 2020

- Stressed that all people living in Estonia must have a chance to create culture and participate in it regardless of their regional, social, cultural, ethnic, age, gender-related or other individual characteristics and needs.

Transportation Development Plan 2014-2020

- Was guided by the principle that the transportation system must ensure safe and environment-friendly movement possibilities for everyone (incl. disabled people).
- The planning and implementation of the mobility environment was based on the principles of universal design and different needs and social status of various social groups.

[Social Protection, Inclusion and Equal Opportunities Development Plan for 2016-2023](#)

- Set out a clear strategy for disability policy

[Social Benefits for Disabled Persons Act](#)

- Defines “disability” as the loss of or an abnormality in an anatomical, physiological or mental structure or function of a person which in conjunction with different relational and environmental restrictions prevents participation in social life on equal bases with the others
- Stipulates that
 - the Social Insurance Board shall issue to a disabled person who does not have a pension certificate at the request thereof a disabled person's card which certifies the degree of severity of disability and duration.
 - social benefits for disabled persons shall be granted and paid pursuant to the provisions of this Act to permanent residents of Estonia or persons residing in Estonia on the basis of a temporary residence permit or temporary right of residence with moderate, severe or profound disabilities which cause additional expense.
 - persons enjoying international protection staying in Estonia have the right to receive social benefits for disabled persons on equal grounds with permanent residents of Estonia.
- Establishes the following social benefits for disabled persons: disabled child allowance, disability allowance for a person of working age, disability allowance for a

person of retirement age, disabled parent's allowance; education allowance; work allowance; rehabilitation allowance and in-service training allowance.

- This Act together with the State Pension Insurance Act simplified the work of family physicians by an electronic system carrying health data for determining the degree of disability and permanent incapacity for work.

Equal Treatment Act

- Came into force in 2013 and was into force until 2017
- §5 defines disability as “the loss of or an abnormality in an anatomical, physiological or mental structure or function of a person which has a significant and long-term unfavourable effect on the performance of everyday activities” → provides a definition of disability ONLY in the meaning of that Act (mainly for employment relationships)
- States that the discrimination of persons on grounds of religion or other beliefs, age, disability or sexual orientation is prohibited upon in the following areas:
 - 1) establishment of conditions for access to employment, to self-employment or to occupation, including selection criteria and recruitment conditions, as well as upon promotion;
 - 2) entry into employment contracts or contracts for the provision of services, appointment or election to office, establishment of working conditions, giving instructions, remuneration, termination or cancellation of employment contracts or contracts for the provision of services, release from offices
 - 3) access to vocational guidance, vocational training, advanced vocational training and retraining, practical work experience;
 - 4) membership in an organisation of employees or employers, including a professional organisation, and grant of benefits by such organisations.
- Does NOT prohibit discrimination against persons with disabilities in receiving social welfare, health care and social security, including social benefits, in education and in accessibility of goods and services offered to the public, including housing.

Language Act

- §3 recognises Estonian sign language as an independent language and the signed Estonian language as mode of the Estonian language, which is the official language of the state. T
- Provides that deaf and hearing-impaired persons have the right to use the Estonian sign language in communication with state and municipal authorities, with notaries, bailiffs and sworn translators, cultural self-government agencies, and other organisations, companies, non-profit organisations and foundations registered in Estonia.

Estonian Public Information Act

- This Act, along with Regulation EE 2019/20, is the Estonian implementation of Directive EU 2016/2102

Finland

Constitution of Finland

- Guarantees the inviolability of human dignity and the freedom and rights of the individual and promotes justice in society.
- Section 6 states that no one shall, without an acceptable reason, be treated differently from other persons on the grounds of sex, age, origin, language, religion, conviction, opinion, health, disability or other reason that concerns their person.
- Section 16 states that everyone has the right to a basic education free of charge. The public authorities guarantee to everyone equal opportunity to receive other educational services according to their ability and special needs, as well as the opportunity to develop themselves without being prevented by economic hardship.
- Section 19 states that those who cannot obtain the means necessary for a dignified life have the right to receive indispensable subsistence and care. Everyone is guaranteed the right to basic subsistence in the event of unemployment, illness, and disability and during old age as well as at the birth of a child or the loss of a provider. The public authorities guarantee for everyone adequate social, health and medical services and promote the health of the population.

Non-discrimination Act (unofficial translation by the ministry of Employment and the Economy)

- Revised version entered into force on 1 January 2015
- Purpose is to foster and safeguard equality and enhance the protection provided by law to those who have been discriminated against in cases of discrimination that fall under the scope of the Act.
- Nobody must be discriminated against on the basis of age, ethnic or national origin, nationality, language, religion, belief, opinion, health, disability, sexual orientation or other personal characteristics.

Social Welfare Act (Available in Finnish only)

- Arranges primarily the social services of persons with disabilities

Act on Disability Services and Assistance (Disability Services Act, 380/1987) (Available in Finnish only)

- If the services based on the Social Welfare Act or another general law are not sufficient or suitable to the person with a disability, the services are arranged under the Act on Disability Services and Assistance (380/1987, later referred to as the Disability Services Act).
- Defines a disabled person as a person who has long-term specific difficulties with his or her normal life due to a disability or disorder.
- Municipalities are responsible for providing services for disabled persons according to this Act

[Act on Special Care for the Mentally Handicapped](#) (519/1977, later referred to as the **Act on Special Care for People with Intellectual Disabilities) (Available in Finnish only)**

- Lays down the special care services that are meant for persons whose development or mental activity is hindered or disturbed because of an illness or disability that is prenatal or acquired during the age of development.
- Another prerequisite for receiving special care services is; the person cannot get necessary services in accordance with another law.

[Act on Transport Services](#) (320/2017)

- Obligation to provide information, obligations regarding taxi services and key information about mobility services.
- Bus and coach terminals where assistance for disabled persons and persons with reduced mobility shall be provided.
- Transport operators are obliged to establish disability-related training procedures
- Passenger transport services providers must ensure services and assistance available for disabled passengers, accessibility of the fleet, and equipment that facilitates passengers in boarding the vehicle and interaction with the driver

Government decree on essential data about mobility services (643/2017)

- Information that providers of brokering and dispatch services and integrated mobility services must provide in an open access point

Finnish decree implementing the UN Convention on the Rights of Persons with Disabilities (27/2016)

- Is of key significance and provides a definition of accessibility, rights of people with disabilities, legal protection

[Making digital transport and communication services accessible. Action Programme 2017-2021](#)

- Main policy and strategy document regarding accessible public transport systems
- States that the possibility of independent mobility is an important factor affecting the quality of life
- Emphasises the right of everyone to mobility and the opportunity to exert that right
- Objective = transport system suitable for all (covers all modes of public transport and all parts of the journey, also includes service and maintenance)

[Finnish Act on the Provision of Digital Services](#) (Available in Finnish only)

- Sets out the requirements for the accessibility of digital services → i.e. services must be available in accessible formats.
- Enforces the WAD

France

2005 Disability Act (“[Loi numero 2005-102 du 11 février 2005 pour l’égalité des droits et des chances, la participation et la citoyenneté des personnes handicapées](#)”) (Available in French only)

- Defines “disability” as “any limitations in participating in society because of a substantial, permanent condition affecting a person’s physical, sensory or mental functioning, which includes cognitive and psychiatric disorders and disabling chronic illnesses”.
- Based on an equal opportunity, participation and citizenship for people with disabilities & states that individuals with disabilities are entitled to accommodation to secure equal access to all programs and services → guarantees access to fundamental rights for persons with disabilities belonging to all citizens as well as the ability to fully exercise the rights of citizenship
- Main legislation regarding measures to support disabled workers
- Workers with disabilities are entitled to adjustments and arrangements in their working hours and shifts. They also receive priority access to further training and continuing education as part of their current position.
- In case of redundancy, the notice period concerning a disabled worker is double that which is otherwise used in the company. An employee cannot be made redundant on the basis of disability. These acts are considered as discriminatory and can be brought before the courts of justice
- Disabled workers are entitled to early retirement from the age of 55 on the basis of 30 working years with a disabled worker status.
- Requires public buildings and facilities as well as other facilities like railways and public transports to be accessible.
- Article 47 stipulates that requires online public communication services of the State, local authorities and their public establishments must be accessible to people with all disabilities.

2018 Professional Future Law (« [Loi n° 2018-771 du 5 septembre 2018 pour la liberté de choisir son avenir professionnel](#) ») (Available in French only)

- Amended the terms of the compulsory declaration of employment for disabled workers to make it more effective.
- Any employer, whether private or public, employing 20 employees is obligated by the law to hire 6% disabled employees whether on a full-time or on a part-time basis.
- In multi-establishment companies, the rule of 6% applies on an overall company basis rather than an establishment basis.
- Failing to hire employees with disabilities the organization needs to pay an annual contribution to the development fund for the integration of the disabled for each of persons with disabilities it should have employed
- Employers need to provide reasonable accommodation to employees with disabilities as per their requirements. Employer’s refusal to provide reasonable accommodation is treated as a discriminatory practice that is prohibited by the law.

1987 Disability Employment Act (« [Loi numero 87-517 du 10 juillet 1987 en faveur de l'emploi des travailleurs handicapés](#) » as amended) (Available in French only)

- Outlined a quota system for the employment of disabled persons → any company (public offices or private companies) with a workforce of more than 20 employees must ensure that at least 6% of their personnel are disabled workers
- Employers are provided with 3 options to meet this target:
 - hiring disabled workers as employees (direct hire)
 - subcontracting workers from the sheltered sector (indirect hire)
 - paying a contribution fee to AGEFIPH (“Association de gestion du fonds pour l'insertion professionnelle des personnes handicapées”, or Fund for the professional inclusion of disabled people), an organisation dedicated to furthering professional inclusion in the private sector.

French Labour Law (« [Code du Travail](#) ») (Available in French only)

- disabled worker status is guaranteed by Article 323.3
- disabled worker status is open to those who match the following requirements:
 - Workers whose work accident resulted in a disability estimated at 10% or more
 - Disability pensioners
 - War veteran pensioners
 - Holders of a disability card
 - Recipients of the Disabled Adult Allowance
- The following rights are guaranteed to those who qualify as disabled workers:
 - Assistance and guidance from CDAPH in order to find a position in the sheltered sector
 - Access to professional training and rehabilitation workshops
 - Assistance and guidance from ANPE (National Job Centre) and Cap Emploi (specific recruitment organisation)
 - Funding and practical help provided by the AGEFIPH and FIPHP
 - All the provisions otherwise guaranteed by French legislation including the 6% disability employment target

**Application decree of 14 May 2009 (“[Décret d'application du 14 mai 2009](#)”)
(Available in French only)**

- Specifies (supplemented by a ministerial order) that the Référentiel Général d'Accessibilité des Administrations (RGAA), the revised national standard for digital accessibility in the public sector, applies and must be respected

Law No. 2016-1321 of October 7, 2016, for a Digital Republic («[Loi pour une République Numérique \(2016\)](#) ») (Available in French only)

- Entered into force on 9 October 2016
- Stipulates that everyone has the right to access the Internet, even if access might be limited, thus enabling everyone to at least access emails or online public service

- All public institutions and certain private bodies are obliged to:
 - set up and publish a multi-year digital accessibility plan that cannot exceed 3 years and that is broken down into annual action plans;
 - display on their webpage whether or not they are compliant with the RGAA;
 - allow users to report failures to comply with the rules of accessibility of the service.

Decree No. 2019-768 of 24 July 2019 on the accessibility of online public communication services for people with disabilities ([“Décret n° 2019-768 du 24 juillet 2019 relatif à l’accessibilité aux personnes handicapées des services de communication au public en ligne”](#))

- Specifies the terms of application:
 - clarification of the normative references, and consideration of harmonised European standards;
 - definition of the level of revenue above which private sector companies are concerned by the accessibility obligation;
 - clarification of exemptions;
 - clarification of the concept of "disproportionate burden";
 - reminder of the obligation to publish an accessibility statement;
 - details of the administrative sanctions foreseen;
 - Announcement of application dates for the public and private sectors.

Mobility Orientation Law ([“Loi d’orientation des mobilités”](#), LOM) (Available in French only)

- Adopted on 26 December 2019
- Aims to improve mobility for all in all the French regions by making everyday transport more accessible, better adapted to the diversity of needs, and cleaner
- Facilitates Mobility for people with disabilities through a series of concrete measures:
 - a harmonised discount fare policy for persons accompanying people with disabilities is to be introduced for all modes of public transport;
 - parking spaces with electric charging stations have to be accessible for people with reduced mobility;
 - data on the accessibility of services and routes for people with disabilities and reduced mobility must be published to improve the use GPS and route planning systems → acoustic traffic lights, warning and guiding systems, voice-activated passenger information terminals... route planning applications should soon include all this information
 - At the end of June 2021, two decrees were published to regulate this collection of accessibility data: [Decree No. 2021-856 of 30 June 2021](#) concerning transport and [Decree No. 2021-836 of 29 June 2021](#) concerning pedestrian routes on public roads.
 - the booking of assistance services at stations will be made easier by introducing a single booking platform

Germany

German Basic Law (Grundgesetz – GG)

- Current version of 23 May 1949 is the constitution of the Federal Republic of Germany
- Article 3 states that “All persons shall be equal before the law” and that “No person shall be disfavoured because of disability.”

General Act on Equal Treatment (Allgemeines Gleichbehandlungsgesetz – AGG) (Available in German only)

- Entered into force on 14 August 2006
- Incorporates four Anti-Discrimination Directives of the EU into German law
- Aim = to prevent or to eliminate discrimination with respect to employment, access to work counsel, further training, affiliation to a workers’ union, social protection, social benefits, training and education and access to public goods and services on grounds of race, sex, religion, disability, age or sexual identity.
- Employers have to observe the ban on discrimination when publishing job advertisements and also during the application procedure. Employees are also entitled to be protected against discrimination in existing employment relationships.
- Discrimination is permitted if it is due to the nature of the work that is to be done, as long as it is proportional.
- In case of discrimination, the worker has a right to complain and is entitled to compensation. These provisions also apply to civil servants.

Equal Opportunities for Disabled People Act (Behindertengleichstellungsgesetz – BGG) (Available in German only)

- Adopted on 27 April 2002
- Aims to eliminate or prevent discrimination against people with disabilities, as well as ensuring that people with disabilities participate in society on an equal footing and enable them to lead a self-determined life
- Applies primarily to public authorities at the federal level → to implement the same content at the state level, state equality laws are drawn up. However, these state equality laws sometimes contain different intentions and requirements.
- Formulates in particular:
 - a ban on discrimination for public authorities (§ 7 BGG)
 - creation of barrier-free access in the areas of construction and transport (§ 8 BGG)
 - right to use sign language and other communication aids (Section 9 BGG)
 - provisions for the design of notices and forms (Section 10 BGG)
 - comprehensibility and plain language (Section 11 BGG)
 - provisions for accessible information technology (§ 12 BGG)
- BGG amended significant acts in the field of local public transport, rail and air transport:

- the Act on Federal Government Financial Aid to Improve Transport at the Local Authority Level,
 - the Carriage of Passengers Act,
 - the Construction and Operation of Railways Regulations,
 - the Civil Aviation Act,
 - and the Federal Trunk Roads Act
- all these Acts now include different rules that aim at ensuring the greatest accessibility possible, thus strengthening participation rights of disabled persons

Federal Participation Act ([Bundesteilhabegesetz](#) – BTHG) (Available in German only)

- First phase of reforms entered into force on 1 January 2017. Other parts entered into force on 1 January 2018 and 1 January 2020; last parts will come into effect at the beginning 2023.
- Aims to improve the living situation of persons with disabilities, to pursue the implementation of an inclusive society, and to enable more participation and self-determination for people with disabilities.
- In addition, the law on severely disabled persons is being further developed.
- Implements the UNCRDP in different spheres
- Takes integration assistance out of the general social security framework, thereby allowing for an increase in income and cash allowance:
 - In 2017, the income allowance is increased by an additional €262 per month to a total of €1,470.
 - Starting in 2020, for gross income earned over €2,529 per month, a disabled person has to make a monthly contribution towards the federal benefits of 2% of the amount exceeding the €2,529 → gross income limit is to be adjusted annually.
 - The cash allowance was raised to a total of up to approximately €50,000 in 2020.
 - As of 2020, a partner's income and assets was no longer taken into account in calculating the disabled person's income and assets.
- Until the implementation of the BTHG, people with disabilities who needed services from different providers were faced with long delays, jurisdictional disputes over which agency was in charge, and unnecessary repeat evaluations. According to this Act, only one application is necessary to apply for a range of services, and a uniform procedure and cooperation among the different service providers is mandated.
- The Act establishes counseling centres that are funded by the federal government with €58 million per year but run by independent providers → the centres advise people with disabilities on their rights and on entering the labour market and emphasise the provision of peer counseling by people with disabilities.

German Social Code ([Sozialgesetzbuch IX](#)) (Available in German only)

- Entered into force in 2001; a completely new version of SGB IX came into force on 1 January 2018.
- Protects severely disabled persons or disabled persons statutorily treated as such

- Defines disabled persons as “individuals whose bodily functions, mental abilities or mental health are highly likely to deviate for more than six months from the state which is typical for their age and whose participation in society is therefore impaired”.
- Severely disabled persons are those with a disability of grade (Grad der Behinderung) 50 or more. Disabled persons with a disability of grade 30 to 50 may be statutorily treated as severely disabled by a decision of the competent authority if, otherwise, they cannot obtain or keep a suitable job.
- Employees of this kind have in particular the following special rights and protection:
 - Employers offering more than 20 positions have to employ a certain number of disabled employees in order to avoid a statutory compensation payment (Ausgleichsabgabe) to the Integration Office.
 - Disabled employees are entitled to an additional five days of holidays per year.
 - Disabled employees can only be dismissed with the prior consent of the appropriate authority.
 - Disabled employees are entitled to an accessible workplace.
 - Disabled employees are entitled to work part-time, if this is necessary due to their individual handicap
 - Where more than five disabled employees are employed, a representative of the disabled employees must be elected who, has for example to be notified and be given the opportunity to comment regarding all matters concerning a disabled person.

Ordinance on the Creation of Barrier-Free Information Technology ([Barrierefreie Informationstechnik-Verordnung](#) – BITV) (Link to the current version, available in German only)

- Issued by Federal Ministry of the Interior, along with the Federal Ministry of Labor and Social Affairs, on 17 July 17 2002 in accordance with the Act on Equal Opportunities for Disabled Persons.
- Aim = to ensure that people with disabilities can have access to all Internet content and services provided by German federal institutions → all federal government agencies and departments must ensure that all websites, web applications and software applications are built in an accessible fashion.
- Applies only to German federal government web sites, but the government encourages state and local agencies and commercial providers to build websites and services in a manner that is accessible as well.
- BITV 2.0 entered into force on 25 May 2019 → References to obsolete technologies have been deleted or revised and formulated in a technology-independent way. Requirements of deaf and hearing-impaired people as well as people with learning difficulties have been taken into account more in the current BITV 2.0 version than both in the previous version of the ordinance and in comparison with WCAG 2.0.

Greece

[Hellenic Constitution \(revised version of 2001\)](#)

- Art. 1 states that all Greeks are equal before the law.
- Art. 5A, Sec. I stipulates that “everyone has the right to participation in [the] Information Society” → Facilitating the access to electronic information, as well as the production, exchange and dissemination of this information, is an obligation of the State for public Web sites.
- Art. 21 Sec 3 states that the State shall care for the health of citizens and shall adopt special measures for the protection of youth, old age, disability and for the relief of the needy.

In 2005, the principle of equal treatment was finally legally entrenched in Greece (according to the European Directive 2000/43/EK and the Directive 2000/78/EK):

[Equality Law 3304/2005: "Equal treatment irrespective of racial or nationality origin, religion, disability, age or sexual orientation" \(Available in Greek only\)](#)

- Adjusts the general frame that concerns the anti-discrimination, as follows: “The Law 3304 forbids any direct or indirect discrimination due to: a) racial or nationality origin, providing protection in the field of employment, vocational training, social insurance, education, sanitary care, as well as access to goods and services, and b) religion, disability, age or sexual orientation, providing protection in the field of employment and vocational training.”
- The offense and every other insulting action, as well as the assignment of a discriminating action, are also considered as discriminations. T
- Also foresees reasonable adjustments at the workplace in order to accommodate accessibility requirements of disabled employees.

[Law 4591/2019 \(Available in Greek only\)](#)

- Transposes into Greek law:
 - Directive (EU) 2016/2102 of the European Parliament and of the Council of the 26th October 2016 for the accessibility of websites and applications for mobile devices for the public sector organizations
 - Article 1 of Council Directive (EU) 2017/2455 of the 5th of December 2017. ” incorporating in the national legal order the Directive (EU) 2016/2012.

[Law 3699/2008, concerning the special care and education of persons with disabilities or special educational needs \(Available in Greek only\)](#)

- Recognises disability as ‘a complex social and political phenomenon’.
- Stipulates that the state undertakes to ensure equal participation in society, independent living and economic autonomy for people with disability and special educational needs, as well as full consolidation of their rights to education and social and professional inclusion.

- Sets out the structure for the education of persons with special needs, employment of personnel, qualifications etc.
- Stipulates that accessibility provisions for learners with disabilities across the entire education system and the implementation of Universal Design for all in education are mandatory. Therefore, priority areas for actions within the Greek educational system include issues of accessibility to:
 - the physical environment;
 - transportation;
 - information and communication;
 - curriculum;
 - educational material;
 - assessment;
 - support services.
- Provides for the organisation and aims of the Special Care and Education (EAE).
- Obliges the state to provide special educational provision to all children who are recognised as eligible for additional support, at all levels of the education system. Specifically, the law aims for:
 - full and harmonious development of pupils' personality;
 - the development of their potential and skills so that they can be educated or re-educated in mainstream school settings;
 - improvement of their social acceptance and tolerance to ensure their full accessibility in all infrastructures (building, educational material, ICT) and the services they provide.

Law 3794/2009: Arrangements on issues of universities and technological higher education sector and other regulations ([Νόμος 3794/2009 : Ρύθμιση θεμάτων του πανεπιστημιακού και τεχνολογικού τομέα της ανώτατης εκπαίδευσης και άλλες διατάξεις](#)) (Available in Greek only)

- Art. 35 contains special provisions regarding university entrance → Learners with severe medical conditions may enter universities up to 5% over the allocated number of newly enrolled learners, provided that they have successfully graduated from an upper-secondary school at home or abroad.

[Law 4368/2016](#) (Available in Greek only)

- Article 82 redefines the objectives of inclusion classes to avoid learners being discriminated against by being pulled out of mainstream classes to attend inclusion classes.
- Stresses that the main aim of the inclusion classes is full inclusion of children with special education needs and/or disabilities in the class environment:
 - Teachers of inclusive classes support the pupils within the mainstream classroom, in co-operation with the class teachers. They differentiate activities and educational practices and adapt the educational material and the educational environment. Support is only exceptionally provided on a one-to-one basis, in a separate inclusion classroom. In this case, the main

target of the teaching intervention is future full inclusion of the pupil in the mainstream class.

[Law 4452/2017 “Regulation of issues regarding the State Certificate of Foreign Language Proficiency, the National Library of Greece and other provisions”](#)
(Available in Greek only)

- Stipulates a special provision regarding the examination mark of the second foreign language taught: For learners with disabilities and/or SEN who attend primary and secondary general and vocational education schools, the examination mark of the second foreign language taught is not counted in the final grade calculation → is available at the parents’ request.

[Law 4547/2018 "Re-organisation of support structures of primary and secondary Education and other regulations"](#) (Available in Greek only)

- Art. 7 provides for special arrangements regarding examination procedures → allows written exams to be replaced by oral or other forms of exams for some categories of disability during primary and secondary, post-secondary, tertiary (university entering national A level exams) and National Foreign Language Exam System exams;

[Presidential Decree 79/2017 "Organisation and operation of Pre-primary and Primary Education Schools"](#) (Available in Greek only)

- Provides for the transition from special to mainstream primary education
- Art. 9 stipulates that learners from special schools may enroll in mainstream classes if their parents wish and KESY recommends that the learner is enrolled in mainstream school.
- Art. 14, par. 3, provides for co-operation between kindergarten and primary school to ensure the smooth transition of pupils from one grade to another.

[Law 4067/2012: “New Urban Planning Regulations”](#) (Available in Greek only)

- Art. 26 requires that all new buildings must comply with the Design Guidelines for the Autonomous Movement and Living of People with Disabilities → these guidelines cover in great technical detail specifications for horizontal and vertical access, accessible indoor and outdoor facilities.
- Art. 26, para. 4 states that buildings dating before 2012 which host public sector services, local authority services, public spaces for culture, sports, leisure and entertainment, temporary accommodation, education, health and social welfare, justice services as well as banks, industry, trade and offices are required to ensure accessibility according to standards by 2020

Hungary

The Fundamental Law of Hungary

- Art. 15 declares: “By means of separate measures, Hungary shall promote the achievement of equality of opportunity and social inclusion”.

Act CXXV of 2003 on Equal Treatment and Promotion of Equal Opportunities (Equal Treatment Act – ETA)

- Preamble refers to every person’s right to live as a person of equal dignity & declares that the promotion of equal opportunities is principally duty of the State.
- Goal = to provide effective legal aid to those suffering from negative discrimination
- ETA stipulates that plaintiffs whose rights have been infringed enjoy appropriate legal remedies provided by administrative law against those violating their rights.
- = general anti-discrimination act → forbids the violation of equal treatment based on various grounds. The list of more than 25 items (protected characteristics, circumstances and situations) includes discrimination based on disability as well. T
- Deals with discrimination in the fields of
 - employment
 - social security and health care
 - education
 - housing
 - sale of goods and use of services.
- Describes the personal scope, those who have to observe the principle of equal treatment:
 - institutions which provide public task in a broad sense, like the Hungarian State
 - local and minority governments
 - armed forces
 - public foundations
 - elementary educational institutions
 - private pension funds, etc.

Act XXVI of 1998 on the Rights and Ensuring the Equal Opportunities of People with Disabilities (Disabled Persons Act) (Available in Hungarian only)

- At the time of its adoption, this act was a unique piece of legislation → was one of the principal reasons why the UN honoured Hungary with the Roosevelt International Disability Award in 2000
- Primary objective = to guarantee the rights of persons with disabilities, and thus to promote their equal opportunities, independent living and active involvement in social life.
- Provides for equal opportunities for disabled people in health care services, education, employment, as well as in cultural and sporting activities.
- Makes provision relating to the right to rehabilitation and to financial aid.
- Establishes a National Council and a National Programme for Disabled Affairs.

- Prescribes the obligation of accessibility for maintainers of governmental and self-governmental services.
- Provides for specific rights of people with disabilities, such as the rights to rehabilitation, to aid, to assistance services, to early development, to have integrated or protected access to the labour market.
- Principal cash benefit (social benefit) = the disability allowance:
 - Those severely disabled people are entitled to this monthly cash benefit who are not capable of independent living or need permanent assistance.
 - Allowance aims to provide financial contribution to the mitigation of the social disadvantages resulting from severe disabilities.
 - Is provided regardless of the income of the person with severe disability
- Created a basis for the organisation of disability policies as it stipulates that the Parliament is invited to approved a long-term strategy, a National Disability Programme

Government Decree No 102/2011 of 29 June 2011 on transport benefits for people with severely reduced mobility (Available in Hungarian only)

- Provides for car purchase and adaptation allowances → are also financed from taxes, not dependent on payment of contributions, in order to facilitate the social integration and participation of people with disabilities.
- Eligible persons are persons with severely reduced mobility or other disabilities (reduced mental capacity, autism, impaired vision, impaired hearing).
- Simplified the procedure of applying for and granting the support

Act CLIV of 1997 on Health Care (Act on Health Care)

- First entry into force on 1 July 1997, last consolidated version entered into force on 30 January 2015
- Amongst others, its purpose is
 - to foster the improvement of health of the individual, and thereby, of the population
 - to contribute to ensuring equal access to health care services for all members of society
 - create the conditions whereby all patients may preserve their human dignity and identity, and their right of self-determination and all other rights may remain unimpaired
- Section 7 stipulates that
 - “Each patient shall have a right, within the frameworks provided for by law, to appropriate and continuously accessible health care justified by his health condition, without any discrimination.”
 - “Healthcare shall be considered free from discrimination if, in the course of delivering healthcare services, patients are not discriminated against on grounds of their social status, political views, origin, nationality, religion, gender, sexual preferences, age, marital status, physical or mental disability, qualification or on any other grounds not related to their state of health.”
- Section 106 states that “Healthcare services include services provided by medical experts within the framework of preventive-curative services, and in relation to claims of benefits under the social insurance scheme, particularly the rendering of decisions or opinions of health with regard to

- a) whether or not a person's health renders him fit to perform a particular job or to work in a particular occupation,
- b) ability to pursue gainful activity,
- c) the level of a disability, and the level and quality of the remaining ability to work and/or the conditions under which a person may continue to work.

Act LXXX of 1997 on the Eligibility for Social Security Benefits and Private Pensions and the Funding of These Services

Regulates social insurance legal relations in line with the requirements of individual responsibility and self-support and the principle of social responsibilities; the employers' and the insured persons' insurance responsibilities; the mandatory participation of the insured in the social security system; and the contribution payment obligations of the employers and the insured, as well as the fulfilment of these obligations. Specifies the scope of social security benefits and services provided in the private pension system linked to the social security system. Includes eight chapters and 60 articles. Repeals numerous Acts, decrees and articles.

Act XCIII of 1993 on Work Safety (Work Safety Act)

Section 19 (4) stipulates that “with respect to the construction or creation of workplaces where disabled or physically handicapped persons are employed, the physical environment shall be designed to accommodate such disabilities.”

Act IV of 1991 on Job Assistance and Unemployment Benefits

- Section 2 stipulates that “with respect to job assistance and support provided to job-seekers, the principle of equal treatment must be strictly observed. This provision shall not preclude the granting of privileges in the labour market to disadvantaged persons.”
- According to Section 4 “All persons eligible for employment and all employers shall have the right to use the services of the government employment agency free of charge.”
- Job-seekers' benefits shall be granted to a person who
 - is in search of a job
 - has spent at least three hundred and sixty-five days in employment over the four-year period prior to becoming a job-seeker
 - is not eligible for invalidity or accident-related disability pensions and is not receiving sick-pay;
 - wishes to find employment, but his efforts to find a job have not succeeded and the competent government employment agency is unable to offer suitable employment.
- The four-year period shall be extended by the following period, amongst several others, if no employment relationship was established during this period:
 - period of payment of rehabilitation benefit, invalidity and accident-related disability pension, regular social allowance, temporary allowance and payment of occupational hazard allowance of miners

Act CXXV of 2009 on Hungarian Sign Language and the use of Hungarian Sign Language (Available in Hungarian only)

- Was adopted unanimously
- Introduced a regulation on sign language whose content may be regarded as outstanding even at the international level
- Recognises sign language as an independent, natural language and people with hearing disabilities as a language minority community.
- Specifies that it is the obligation of the state to operate a national network of sign language interpretation services & guarantees free sign language interpretation services for people with hearing disabilities and for the deaf blind
- Also makes the opportunity of bilingual primary education available (the main language of instruction being sign language) as of 2017,
- Makes it obligatory for television channels to provide subtitles for their programmes.

Act LXXXIV of 1998 on the Support of Families

- Pursuant to this Art. 8, families of children with disabilities receive an increased amount of family allowance.
- Art 13 states that “for the purpose of establishing the amount of family allowance, parents and guardians should be considered single (b) whose themselves, or their marital partner or common-law partner is
 - bb) regularly receiving the personal benefit for blind people or disability support, or
 - bc) is a disability pensioner, disability pensioner because of an accident, and the amount of the pension is lower than the lowest disability pension established for disability categories, and has no other income

Act LXXXI of 1997 on the Provision of Social Insurance Pension (Available in Hungarian only)

- To be eligible for an invalidity pension, a person must have at last two years of employment before age 22, and four years employment before age 24; and they must have altered working capacity.
- However, students with intellectual disabilities generally attend school until age 24, and are therefore unable to meet these eligibility criteria.

Act LXXXIII of 1997 on the Obligatory Health Insurance Scheme (Available in Hungarian only)

- Stipulates that the assessment for determining an individual’s level of altered working capacity and degree of disabilities is carried out by medical committees at OOSZI (National Medical Expert Institute). → Committees examine approximately 350,000 people every year & assign a percentage of altered working capacity according to established guidelines.
- However, advantages in terms of increased social benefits are generally available only for people with an altered working capacity of at least 40 per cent – that is, a remaining working capacity of 60 per cent.

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- People with an altered working capacity of at least 40 per cent are entitled to work in sheltered workplaces.
 - In practice, the OOSZI medical committees determine an altered working capacity of under 40 per cent primarily in cases of accidents. An altered working capacity above 40 per cent is usually awarded to people with permanent disabilities.

Act III. of 1993 on Social Administration and Social Services

Ireland

[Employment Equality Acts 1998-2015](#)

- The Acts include:
 - [Employment Equality Act 1998](#)
 - [Equality Act 2004](#)
 - [Civil Law \(Miscellaneous Provisions\) Act 2011](#)
 - [Equality \(Miscellaneous Provisions\) Act 2015](#)
- Aim to:
 - promote equality
 - ban discrimination across nine grounds
 - ban sexual and other harassment
 - ban victimisation
 - make sure suitable facilities for people with disabilities are available in relation to access to employment, advancing in employment and taking part in training
 - allow positive action to ensure everyone gets full equality across the nine grounds.
- Outlaw discrimination in a wide range of employment and employment-related areas, including
 - access to employment
 - promotion or re-grading
 - equal pay
 - terms and conditions of employment
 - vocational training or work experience
 - dismissal
 - advertising
 - collective agreements
 - classification of posts
 - harassment including sexual harassment
- Define discrimination as treating one person in a less favourable way than another person.
- There are 9 grounds for discrimination, including
 - Family status: this refers to the parent of a person under 18 years or the resident primary carer or parent of a person with a disability
 - Disability: includes people with physical, intellectual, learning, cognitive or emotional disabilities and a range of medical conditions
- State that an employer is not obliged to recruit or retain a person who is not fully competent or capable of undertaking the duties attached to a job.
- Require employers to take reasonable steps to accommodate the needs of current and prospective employees with disabilities.
- Apply to:
 - full-time, part-time and temporary employees
 - public and private sector employment
 - vocational training bodies

- employment agencies
- trade unions, professional and trade bodies.
- In certain circumstances Acts are also extended to self-employed people, partners in partnerships, and State and local authority office-holders.

Safety, Health and Welfare at Work Act 2005

- Employers must ensure the safety, health and welfare of all employees in their workplace.
- Special mention is made of employees with disabilities: Employers must take their needs into account. Some specific adjustments include doors, passageways, staircases, showers, washbasins, lavatories and workstations.

Disability Act 2005

- Places an obligation on public bodies to consider and respond to the needs of people with disabilities and to provide access to services and facilities for people with disabilities.
- All buildings of public service providers must be accessible to people with disabilities and be in compliance with part M of the Building Regulations by 31st December 2015.
- Under this Act, people with disabilities are entitled to:
 - Have their health and educational needs assessed.
 - Have individual service statements drawn up, setting out what services they should get.
 - Access independent complaints and appeals procedures.
 - Access public buildings and public service employment.
- Also provides for restrictions on genetic testing.
- States that 3% of jobs in public service bodies (local authorities, civil service, the Health Service Executive and so on) are reserved for people with disabilities and that the level of compliance with these targets must be monitored.

Assisted Decision Making (Capacity) Act 2015

- Signed into law on the 30th December 2015
- Applies to everyone and is relevant to all health and social care services
- Aims at supporting decision-making and maximising a person's capacity to make decisions
- Has significant implications for health and social care providers in the provision of safe person-centred care, based on respecting the individual rights of each person
- It provides for the individual's right of autonomy and self-determination to be respected through an Enduring Power of Attorney and an Advance Healthcare Directive – made when a person has capacity to come into effect when they may lack decision-making capacity.
- It provides for legally recognised decision-makers to support a person maximise their decision making powers.

- It places a legal requirement on service providers to comprehensively enable a person make a decision through the provision of a range of supports and information appropriate to their condition.

[Irish Sign Language Act 2017](#)

- Signed into law on 24th December 2017 and commenced on 15 December 2020
- Recognises Irish Sign Language as an official language of Ireland
- Sets out Deaf peoples entitlement to interpreting to access information and services provided by public bodies.
- Outlines the requirement for courts and public bodies to use interpreters whose qualifications are verified by the Register of Irish Sign Language Interpreters (RISLI).

[Education for Persons with Special Educational Needs Act 2004](#)

- Provides that children are to be educated in an inclusive setting unless this would not be in the best interests of the child or the effective provision of education for other children in mainstream education.
- Establishes that people with special educational needs have the same right to avail of and benefit from education as children who do not have those needs
- Provides for the greater involvement of parents in the education of their children and decision making
- Establishes the National Council for Special Education (NCSE) on a statutory basis
- Gives statutory functions to the Health Service Executive with regard to the education of people with special educational needs
- Establishes an independent appeals system – the Special Education Appeals Board – where decisions made about the education of people with special educational needs can be appealed
- Sets out a range of services to be provided to people with special educational needs (including assessments, personal education plans and other support services)
- Focuses on children’s education but there are references to further and adult education

[Education Act 1998](#)

- Deals with education generally but emphasises the rights of children with disabilities and with other special educational needs
- Is in effect and provides that every person concerned with the implementation of the legislation must have regard to a number of objectives including:
 - To give practical effect to the constitutional rights of children including children who have a disability or who have other special educational needs, as they relate to education
 - To provide that, as far as is practicable and having regard to the resources available, a level and quality of education appropriate to the needs and abilities of the people of the country

- Minister for Education is obliged, among other things, to ensure that everyone living in Ireland (including people with disabilities and people who have other special educational needs) has available support services and a level and quality of education appropriate to his/her needs and abilities.
 - Support services include
 - assessment of students
 - guidance and counselling services
 - technical aids and equipment, including means of access to schools, adaptations to buildings to facilitate access and transport for students with special needs and their families
 - provision for students learning through Irish sign language or other sign language, including interpreting services
 - speech therapy services
 - provision for early childhood, primary, post-primary, adult or continuing education to students with special needs otherwise than in schools or centres for education
- Minister for Education receives certain functions in respect of funding, including the funding of support services for students with disabilities.
- Schools must use their available resources to ensure that the educational needs of all students, including those with disabilities, are identified and provided for.
- Boards of Management are required to use the State resources provided to the school to make reasonable provisions and accommodation for students with disabilities or other special education needs, including, where necessary, alteration of buildings and the provision of appropriate equipment.

[Education \(Admission to Schools\) Act 2018](#)

- Aims to make the rules around admissions to schools more structured, fair and transparent.
- Some of the provisions commenced in 2018 and others came into operation in 2021.
- Stipulates, amongst others, that, in general, schools must accept all students who apply to them unless they receive more applications than there are places (that is, if the school is over-subscribed).
- All schools must have an admissions policy outlining the criteria that will be applied if the school is over-subscribed.
- In their selection criteria, schools must not prioritise one student over another on any of the following grounds:
 - Gender
 - Civil status
 - Family status
 - Sexual orientation
 - Religion
 - Disability
 - Race
 - Membership of the Traveller community
 - Special educational needs

Equal Status Act 2000-2011

- Outlaw discrimination in areas of life – mainly the provision of services
- Apply to educational services, including private schools and pre-school facilities.
- Contain certain specific provisions in relation to education and some of these deal with people with disabilities or people who have special needs.
- Outlaw direct and indirect discrimination on a number of grounds including gender, religion, disability, race and membership of the Traveller community.

Citizens Information Act 2007

- Amended the Comhairle Act 2000 which established the Citizens Information Board as a statutory body → Citizens Information Act changed the name of the organisation to the Citizens Information Board
- Sets out the development of the advocacy service for people with a disability and how the Board decides the terms and conditions under which information, advice and advocacy services are provided by Citizens Information Services and other voluntary bodies.
- In 2008 the [Social Welfare \(Miscellaneous Provisions\) Act 2008](#) extended the existing acts to give the Citizens Information Board responsibility for the Money Advice and Budgeting Service.

European Union (Accessibility of Websites and Mobile Applications of Public Sector Bodies) Regulations 2020

- Came into force on 23 September 2020
- Give effect to the EU “Directive (EU) 2016/2102
- Stipulate that public bodies in Ireland must ensure their websites and mobile apps are accessible to all people, including persons with disabilities.
- Build on existing obligations to make websites and services offered to the public under the Disability Act 2005 and the Code of Practice on Accessibility of Public Services and Information provided by Public Bodies.

Criminal Law (Sexual Offences) Act 2017

- Refers to people with mental or intellectual disabilities and defines them as “protected persons”:
- Art. 21, para. 7 a “protected person” is “a person who lacks the capacity to consent to a sexual act if he or she is, by reason of a mental or intellectual disability or a mental illness, incapable of (a) understanding the nature, or the reasonably foreseeable consequences, of that act, (b) evaluating relevant information for the purposes of deciding whether or not to engage in that act, or (c) communicating his or her consent to that act by speech, sign language or otherwise.
- Art. 21, para. 1 states that “a person who engages in a sexual act with a protected person knowing that that person is a protected person or being reckless as to whether that person is a protected person shall be guilty of an offence”.

National Disability Strategy 2017-2021

- First National Disability Strategy was launched in 2004
- NDS aims to underpin the participation of people with disabilities in Irish society
- Is designed as a whole of government approach to promoting equality and inclusion of people with disabilities, with three main elements
 - Disability legislation
 - Statutory Sectoral Plans on disability for six Government Departments, covering employment, environment and housing, health and disability services, social welfare, transport and communications
 - A multi-annual investment programme

Italy

Constitution of the Italian Republic

- Stipulates several key principles:
 - inviolable rights of the person
 - social dignity and equality before the law
 - the duty and right of parents to support, raise, and educate their children
 - health as a fundamental right of the individual and as a collective interest
 - the rights of citizens unable to work and of persons with disabilities to welfare support

Law 946/1967 (Available in Italian only)

- States that visually impaired teachers are entitled to specific benefits, including priority access to positions in blind schools and institutes and facilitated access to positions in mainstream schools.

Law 118/1971 (Available in Italian only)

- Gives all children, including children with disabilities, the right to be educated in classrooms with children without disabilities.
- According to national standards, municipalities have the responsibility to make school buildings accessible for all students.
- Amended in 1988 → registered disability was defined as those who are affected by inherited or acquired disability, even disabilities of a progressive nature, including mental disability, mental insufficiency, or enduring difficulties to carry out daily tasks and activities.
- To be eligible for socio-sanitary assistance and an attendance allowance, people with disabilities who are over the age of 65 must have permanent problems carrying out the duties and responsibilities of their age.

Law 113/1985 (Available in Italian only)

- Regulated the employment of visually impaired switchboard operators and comprehensively addresses vocational training, job placement, contracting and retirement schemes.
- All public offices and private companies with a switchboard of at least 5 telephone lines must hire one visually impaired telephone switchboard operator.
- Public offices with switchboards comprising more than one operator position must reserve no less than 51% of all positions to visually impaired people.

Ministerial Decree: Law 236/1989 (Available in Italian only)

- Discusses accessibility, visitability, and adaptation in private building and subsidised and facilitated public facilities.

- Accessibility refers to the ability for people with limited sensory or motor capacity to be able to access buildings and their need to be able to make use of the space and equipment in a safe and autonomous way.
- Visitability refers to individuals with reduced or limited sensory or motor capacity and ensures access to communal spaces and at least one toilet.
- Adaptation refers to the possibility that the building space can be adapted at an affordable cost.
- Uses a performative approach that is flexible and adapts to local conditions.

Law 120/1991 (Available in Italian only)

- Stipulates that all visually impaired workers who are currently employed shall receive a bonus amounting to 4 monthly pension payments in addition to their wage for each working year.

Law 104/1992 (Available in Italian only)

- Art. 3 provides the following definition of the disabled person : “person with physical, psychological or sensory impairment, whether stable or developing, causing problems with learning, relationships or occupational integration likely to bring about a disadvantageous and marginalizing process”.
- Guarantees respect for human dignity for people with disabilities, as well as their rights to independence and autonomy, thus facilitating their incorporation into communities, schools, jobs, and society.
- Aims to prevent and eliminate negative factors that stifle human growth, including the highest possible level of autonomy and social participation.
- Ensuring appropriate resources, prevention, treatment, and recovery strategies for people with physical and sensory impairments = necessity to achieve functional and social rehabilitation.
- Also aims to remove obstacles (architectural or sensory)
- Introduces resources to assist people with disabilities in education and training.
- States that technical and didactic equipment should be adjusted to the needs of students with physical or sensory impairments. In addition, schools may form partnerships with centres that specialise in pedagogical consulting, as well as the development or adaptation of specific didactic materials.
- Classes with students with disabilities normally have a maximum of 20 students, assuming that the inclusion process is implemented by class teachers, support teachers, and school personnel. → Support teachers work alongside regular teachers and are involved in all activities, preparation, and evaluation.

Law 29/1994 (Available in Italian only)

- Governs the employment of visually impaired rehabilitation therapists.
- Private nursing homes and public hospitals must hire at least one and up to 5% of visually impaired therapists.

The standard recruitment process in the Italian public sector is a competitive entry examination although certain positions are also opened to direct hire procedures. In some cases, a certain percentage of posts are reserved for disabled candidates or applicants:

- Under Law 270/1982, 2% of the teaching posts made available in the context of each examination are reserved for visually impaired candidates. They are also entitled to priority in choosing the localisation of their teaching post and to a reduction in the quantity of required service.

Decree of the President of the Republic: Law 503/1996 (Available in Italian only)

- Aims to eliminate architectural barriers in buildings, building spaces, and public services. → Architectural barriers are defined as a source of discomfort for mobility, including obstacles that limit the safe or comfortable use of space, equipment, or components or the lack of precautions or signals that could endanger anyone and in particular, people with visual or hearing impairments.
- Articles in this decree include accessibility in
 - building areas
 - pedestrian spaces
 - sidewalks
 - pedestrian crossings
 - stairs and ramps
 - public toilets
 - urban furniture
 - parking lots
 - parking of vehicles of people with disabilities
 - and more such accommodations

Law 68/1999 (Available in Italian only)

- Main legislation governing the employment of disabled workers in Italy
- Pertains to people with disabilities and job placement
- Obligations, sanctions, and incentives for companies to hire people with disabilities were put into place.
- Based on the size of their workforce, both private and public sector employers are required to hire a certain percentage of disabled workers:
 - Employers with more than 50 employees must meet a 7% disability employment quota;
 - At least 2 disabled workers must be hired in workplaces of 36 to 50 employees;
 - Workplaces of 15 to 35 employees must hire at least 1 disabled worker if they operate new intake
 - Disabled workers hired on temporary contracts for a period of less than 9 months cannot be included in the percentage, i.e. employers must hire disabled workers for longer periods to meet the legal requirement.
- Law offers a bonus on social security tax fees and a funding scheme to adapt the premises and working conditions to the disabled worker.

- This scheme is set depending on the employee's disability level and it is financed by a National Fund for the Right to Work of People with Disabilities.
- A training scheme is also made available to both disabled workers and job seekers → known as “targeted employment” because it aims to allow disabled people to compete on the job market:
 - An individual plan is designed and if it includes training the regional government will mandate the company that employs the disabled person or a disability specific organisation to carry out the relevant training.

[Law 9/2004 on the Provisions to support the access to information technologies for the disabled](#) (Available in Italian only)

- Addresses accessibility considerations in Italy
- Commonly known as “Stanca Act” after Lucio Stanca, who served as the Minister for Innovation and Technologies at the time of the act’s passage.
- States that the government protects each person’s right to access all sources of information and services independent of disability.
- Clarifies and extends the rights of disabled to access public services via the Internet in line with the principles of equality established in Art. 3 of the Italian Constitution.
- Applies to public sector organisations, regional municipal companies, public assistance and rehabilitation agencies and ICT services contractors working with public agencies.
- Provisions of the law do not apply to private sector organisations, except those in the transport or telecom sector that have partial government ownership.
- At the national level, the implementation of the law is monitored by the Department for Innovation and Technology; at the regional, provincial and municipality levels, each organisation is responsible for overseeing their own implementation.
- Last update in 2020 aligns the law with the w3C WCAG 2.1 standards to define the level of accessibility required for public facing web sites, software applications, operating system and self-service machines.

[Law 112/2016, “Provisions on Assistance Benefitting Persons with Serious Disabilities Who Are Deprived of Family Support “](#)

- Provides for the assistance, care, and protection of persons with serious disabilities, whether caused by natural aging or medical conditions, and who are deprived of family support because they are either missing both parents or their parents are not able to provide adequate support
- Aim = to promote the well-being, full social inclusion, and autonomy of persons with disabilities through the implementation of certain key principles set forth in the Italian Constitution
- Also aims at implementing related provisions of the European Union Charter of Fundamental Rights and of the UNCRPD
- Requires that government at all levels ensure basic health services and social care as needed by persons with serious disabilities, based on available resources and according to applicable legislation. This duty may be carried out through collaboration between municipalities.

- Creates mechanisms to facilitate its financial goals, including through contributions by private individuals, insurance policies, trusts and other special funds, and contracts for the custody and administration of a beneficiary's assets by another person or a non-profit organization.
- Creates a Fund for the Assistance of Persons with Serious Disabilities Who Are Deprived of Family Support within the Ministry of Labor and Social Policies.
- Raises the insurance premiums for insurance plans that cover the risk of death of persons with serious disabilities → appropriates government funds to offset the loss of revenue to insurers resulting from these new provisions. (Id.)
- Requires a comprehensive information campaign to create awareness of the provisions of the new law and other forms of public support for persons with serious disabilities, so that such persons may take advantage of the new mechanisms and instruments & to make the general public aware of the benefits of social inclusion of persons with serious disabilities.

Law 227/2021 (Available in Italian only)

- Enabling law on disabilities, i.e. the Disability Framework Act provided for in the Finance Act 2022 and the PNRR (National Plan for Recovery and Resilience)
- Promulgated in the Official Gazette on 31 December 2021
- The government is delegated to adopt, within 20 months from the date of entry into force of the present law, one or more legislative decrees for the revision and reorganisation of the existing provisions on disability, in implementation of Articles 2, 3, 31 and 38 of the Constitution and in accordance with the provisions of the UNCRPD pursuant to Law No 18/2009. → Government may be assisted by the National Observatory on the Situation of Persons with Disabilities.
- In addition, further decrees for amendments and corrections may be published within 24 months of the entry into force of the legislative decrees.
- Subject to available funds (including the PNRR), legislative decrees are to be promulgated in the following areas:
 - Definition of disability and revision, reorganisation and simplification of sectoral legislation, assessment of the disability status and review of the basic assessment procedures (with the transfer of exclusive medico-legal competence for the assessment procedures to a single public body);
 - Multidimensional assessment of disability, implementation of the individual, personalised and participatory life project;
 - Computerisation of assessment and archiving processes;
 - Redesigning public services for inclusion and accessibility;
 - Establishment of a national commissioner for disability
 - Strengthening the Office for Policies in Favour of Persons with Disabilities established at the Presidency of the Council of Ministers.

Latvia

Constitution of Latvia 1922 (as amended to 2018)

- Art. 91 states that “All human beings in Latvia shall be equal before the law and the courts. Human rights shall be realised without discrimination of any kind.” → Forbids discrimination, but does not specify the grounds on which discrimination is prohibited.
- Art 109 stipulates that Everyone has the right to social security in old age, for work disability, for unemployment and in other cases as provided by law.
- Guarantees the right to education.

Disability Law

- Adopted in 2010 in accordance with the UNCRPD that Latvia ratified the same year
- Main purpose = to provide a regulation to prevent or reduce the risk of disability for persons with a predictable disability and reduce the consequences of a disability for persons with a disability.
- Repeals the previous Law on the Medicinal and Social Protection of the Disabled of 1992
- Prescribes the procedure by which a predictable disability and disability expert examination shall be performed, as well as the aid measures necessary to reduce the risk of a disability and the consequences of a disability.
- Provides for 3 groups of persons with disabilities:
 - Group I disability, if the loss of ability to work is in the amount of 80-100%, - very severe disability,
 - Group II disability, if the loss of ability to work is in the amount of 60-79% - severe disability,
 - Group III disability, if the loss of ability to work is in the amount of 25-59% - moderately expressed disability;
- Shall be implemented based on:
 - the involvement of a person with a predictable disability and a person with a disability in the aid measures, in order to reduce the risk of a disability (in the case of a predictable disability) and the consequences of a disability within the scope of participation prescribed in the Law On Social Security
 - involving society in the solving of matters related to the disability, as well as the cooperation of State and self-government institutions with the National Council of Disability Affairs, associations and foundations which represent persons with a predictable disability or persons with a disability, and also with professional rehabilitation organisations
 - a unified rehabilitation process for the persons with a predictable disability or persons with a disability ensured by the State and self-governments.

Law on State Social Allowances

- Passed on 31 October 2002

- Replaces the earlier Cabinet of Ministers regulations systematising state allowances
- States that persons with serious functional disabilities and who require care are entitled to a disability benefit.

Law on the Protection of the Children's Rights

- Came into force in 2005, last amended in November 2021
- Determines equal rights and the possibilities for all children to acquire education according to their personal abilities
- Includes amongst others, the following:
 - Section 10 provides for the right of every child to such living conditions and benevolent social environment as will ensure his or her full physical and intellectual development as well as for the right of every child with physical or mental disabilities to everything that is necessary for the satisfaction of his or her special needs.
 - Section 26 (1) stipulates that “the family is the natural environment for the development and growth of a child and every child has the inalienable right to grow up in a family. The State and local government shall support the family, particularly a large family and a family which cares for a child with disability, and provide assistance to it.”
 - States that “a child with special needs has the same right to an active life, the right to develop and acquire a general and professional education corresponding to the physical and mental abilities and desires of the child, and the right to take part in social life, as any other child.”

Education Law

Adopted in 1999, last amended April 2021

- Identifies special education as general and professional education adapted for persons with special needs and health problems.
- Stipulates that everyone has the right to qualitative and inclusive education.
- Aims to ensure that every resident of Latvia has the opportunity to develop his or her mental and physical potential in order to become an independent and a fully developed individual, a member of the democratic State and society of Latvia.
- State should thus provide opportunities to acquire general education and vocational training for persons with special needs, taking into account their health conditions and their levels of physical and mental development.
- According to the age and needs of an educatee, he or she shall be ensured an opportunity to:
 - acquire knowledge and skills in the field of humanities, social, natural, and technical sciences;
 - acquire knowledge, skills, and experience in relationships in order to participate in the life of the State and society;
 - have moral, aesthetic, intellectual, and physical development, by promoting the development of a knowledgeable, skillful, and socialised individual.

- Goals of the curriculum of special compulsory basic education are the same as for mainstream compulsory basic education. The task of special education is:
 - to perform control, treatment, corrective measures and rehabilitation of pupils at education institutions,
 - to encourage the development of individual abilities, thus compensating for mental and physical development problems so that persons themselves may continue education and acquire professional working skills according to their abilities, and work and participate in social life
- In educational institutions implementing special education programmes for educatees with hearing impairments, and also in other educational institutions in which learning environment suitable for the acquisition of education in the Latvian sign language is ensured, education may also be acquired in the Latvian sign language.

Law on General Education

- Defines the types of education implemented in Latvia.
- States that special education is a part of general education. → Special education is general education adapted for persons with special needs, health and developmental impairments. Special education provides additional support for pupils by adapting the curriculum and school environment, by using special technical devices and materials to ensure educational opportunities appropriate for pupils' health conditions, abilities and their level of development.
- Chapter 8 of this law defines the implementation of educational programmes of special education.
- Special education in Latvia refers only to children with functional or developmental disabilities.
- The special and mainstream schools mainly follow the same curriculum.
- Provision of educational services for children with special needs and the procedures for identification of special needs are defined in the Regulations of the Cabinet of Ministers. T

Law on public transport

- Defines that it must be available to every member of the society.
- Standards have been developed which must be fully implemented by 2022 and 2024 for the regional and city lines, respectively.

Construction Law

- States that a structure shall be designed and constructed so as to ensure the accessibility of the environment – a possibility for people with movement, visual or hearing impairments to move in the environment in conformity with the planned function of a structure [...].
- Regarding residential houses there are separate Latvian construction standard LBN 211-08 Multi-story residential buildings”(www.likumi.lv/doc.php?id=187528&from=off) and standard LBN 209-09 “Low-rise residential buildings” (www.likumi.lv/doc.php?id=197624&from=off).

- Standard LBN 211-08 p.101 states that entrance of the building and other common areas in the building (e.g., corridors, utility rooms)
 - must be designed without thresholds or steps, the annex sloping down
 - must be with a width of 1.2 meters, but the slope – not greater than 1:20,
 - shared corridors are at least 1.8 meters wide,
 - width for kitchen should be 2.2 meters,
 - width for the toilet should be 1.4 meters, if a washing table (sink) is provided
 - room minimum dimensions should be 1.6 x 2.2 meters;
 - for bathroom – 2.2 meters,
 - if a coupled WC is provided, room minimum dimensions should be 2.2 x 2.2 meters
 - for open space – balconies, loggias, terraces – room minimum dimensions should be 1.4 meters till barrier constructions.

Regulation LV 2018/611 (Available in Latvian only)

- Latvian implementation of Directive EU 2016/2102.
- Very similar to the European legislation, but it furthermore does not apply to the following content types:
 - Live streaming services of public service broadcasters.
 - Online maps and mapping services intended for navigation, if and only if essential information is provided in an accessible digital manner.
 - Reproductions of cultural heritage items where accessibility requirements are incompatible with the preservation of authenticity or where automated and cost-effective solutions are not readily available.
- Throughout all of Latvia, the authority in charge of implementing this regulation is the Latvian Ministry of Environmental Protection and Regional Development.
- [Website and mobile app accessibility](#) (in Latvian) by the Latvian Ministry of Environmental Protection and Regional Development

Lithuania

Constitution of the Republic of Lithuania

- Adopted in 1992
- Stipulates that “All persons shall be equal before the law, the court, and other State institutions and officials. The rights of the human being may not be restricted, nor may he be granted any privileges on the ground of gender, race, nationality, language, origin, social status, belief, convictions, or views.” → disability is not mentioned
- Stipulates that the “State shall guarantee its citizens the right to receive old age and disability pensions as well as social assistance in the event of unemployment, sickness, widowhood, loss of the breadwinner, and in other cases provided for by law.”

Law on the Social Integration of the Disabled & its amendments (Unofficial translation)

- Adopted on 28 November, 1991, → applicable today: update of 2004
- Regulates the establishment of disability, medical, vocational and social rehabilitation for disabled persons, the adjustment of conditions for the disabled, as well as the development and education of the disabled, and shall establish legal, economic and organisational guarantees for the occupational, vocational and social rehabilitation of the disabled.
- The law contains the following principles:
 - In the Republic of Lithuania, the disabled, regardless of the cause, character and degree of the manifestation of their disability, shall be entitled to the same rights as other residents of the Republic of Lithuania. The state shall provide additional assistance and guarantees to disabled persons who cannot exercise their rights independently.
 - Public and State structures shall be open to the disabled. Disabled persons shall participate in deliberation of all questions connected with their life and activities.
 - Disabled persons shall be protected from all types of exploitation, discrimination and abusive or scornful behaviour.
 - Disabled persons shall live in families or in environments which compensate them, and may not be put into special medical institutions or institutions of care and welfare without their consent or without the consent of their parents or guardians.
 - Disabled persons shall receive medical, functional, psychological and pedagogical assistance in their place of residence, with the exception of cases, which necessitate the provision of assistance in special institutions.
 - Disabled persons shall be developed and educated; they shall gain a profession, shall work and engage in useful activities according to their ability, interests and opportunities.
 - During the preparation of Governmental and other national programmes, specific needs of the disabled shall be taken into consideration.

- The disabled, their parents and guardians, as well as public organisations of disabled persons shall be provided with information and skilled consultation concerning their rights and legitimate interests.
- Disabled persons shall perform their duties according to their ability, skills and knowledge. Disability does not exempt an individual from liability for his or her actions, with the exception of cases provided for in laws.
- The Republic of Lithuania shall develop and promote international co-operation for the solution of disability problems.
- According to Art. 11, the requirements regarding accessibility of physical environment for the disabled in all relevant environmental aspects of life are implemented in adjusting to the needs of the disabled spatial planning, designing of buildings and public facilities, housing and the immediate environment, public transport facilities and their infrastructure, and information environment. Municipal authorities, owners and users of the above facilities are responsible for their adjustment to special needs of persons with disabilities. The Ministry of Environment is in charge of the regulatory construction documentation regarding the adjustment of the environment to the special needs of the disabled.

Law on Construction

- Art. 6(3) states that the design, construction, reconstruction or overhaul of buildings (with the exception of renovation (modernisation) of apartment houses) and civil engineering works must be carried out in such a way that they will accommodate the specific needs of the disabled in compliance with the Law on Social Integration of the Disabled.

Technical Requirements STR 2.03.01:2001 Buildings and territories. Requirements related to the needs of persons with disabilities

- Approved by Order No 317 of the Minister of Environment of 14 June 2001 in accordance with the provision of the Law on Social Integration of the Disabled
- Regulation lays down mandatory requirements for cities, towns and rural areas, individual sites and components of their equipment, public, residential and other buildings, elements of the interior and the equipment, in terms of accessibility to the disabled.
- Regulation is binding for all participants in the construction, legal and natural persons as well as companies with no status of a legal entity, whose activities are subject to the Law on Construction, as well as for national and municipal authorities involved in state regulation of construction.

2008 Law on Equal Treatment & 2004 Law on Social Integration of the Disabled

- Both Acts prohibit direct and indirect disability-based discriminations
- Any such act can be brought before the courts of justice.
- Law on Equal Treatment provides that to ensure equal treatment the employer shall take reasonable accommodation to enable the disabled to have access to, participate in, or advance in employment, or to undergo training, including adaptation of

premises, unless such measures would impose a disproportionate burden on the employer.

- Does not specify the „disproportionate burden on the employer“.

Education Reform Act of 25 June 1991 (Available in Lithuanian only)

- Consolidated the democratic principles of education in Lithuania.
- Children with severe and profound disabilities became ‘educable’.

Act of Special Educational Provision for Children with Special Educational Needs in Mainstream Educational Institutions (1993)

- Founding legislation for the inclusive education of children with SEN.
- Based on the context of the situation of special education in Lithuania and the accumulated experience of other countries in managing special education.
- States that learners with SEN in mainstream institutions may be educated:
- in mainstream groups or classes, following the mainstream curriculum, but with special methods applied or following a modified mainstream curriculum or an alternative curriculum or individual education plan
- partly in mainstream groups or classes and partly in special groups or classes;
- in special groups or classes.
- Started to legitimise the inclusive education of learners with SEN in mainstream settings.
- Mandates parents’ formal right to choose which educational institution their children will attend.
- Increases state responsibility for providing free and appropriate education for all children and young people with SEN (aged 0–21) in the least restrictive environment, providing all the necessary supplementary aids and services.
- Regulates the provision of educational assistive technology and training devices.

Procedure for Assessment of Pupils with Special Educational Needs and Assignment of their Special Education (2011, and its amendment in 2013) **(Available in Lithuanian only)**

- Describes the procedure for determining groups of learners with SEN and allocating their SEN into levels.
- Regulates the identification of disabilities, disorders and learning difficulties that constitute SEN and the criteria for categorising them into levels.

Law on Education of the Republic of Lithuania (2011, and its amendments)

- Determines the accessibility of education for learners with special needs. → is ensured by adapting the school’s environment, by providing psychological, special pedagogical, special and social-pedagogical assistance, and by supplying schools with technical aids and special teaching aids.
- Aims to improve the legal framework.
- State that every child should be given the opportunity to study at the school closest to their place of residence, etc.

National Education Strategy 2013–2022

- Describes Lithuanian education policy priorities, long-term education goals and changes of direction in education content and funding priorities.
- Aims to ‘develop and strengthen non-formal education for children and young people to ensure that pupils, students and young people have the best opportunities to fulfil their true potential’.
- Main target effect is higher quality of education → quality of education is largely assessed by international comparative studies and data, partly by national ones. The education policy focuses on seeking an EU average for learning achievements.
- Also aims to:
 - improve the quality of teacher education at higher education institutions, especially the readiness to work with learners with SEN;
 - improve the system of funding and accountability for special needs education and enable teachers to provide effective education assistance in consultation with specialists;
 - ensure access to education and equal opportunities;
 - maximise the development of children and youth in education enrolment;
 - provide learners and young people with the most favourable opportunities to develop individual capacity, meeting their special educational and learning needs, and providing effective pedagogical and psychological assistance to learners with learning difficulties;
- Goal is to include learners with SEN in mainstream education to the maximum possible extent. However, there are also special educational institutions for learners with major or severe SEN.

17th Government Programme 2017–2020 and Government’s Implementation Plan 2017

- Provided measures for strengthening and developing inclusive education until the end of 2020.
- One of the goals was to create equal conditions for early and general education, including non-formal education, to seek the diversity of educational institutions, taking into account the specific needs of the local community and learners. It aimed for educational programmes to:
 - meet different educational needs;
 - ensure equal opportunities and accessibility for different social groups (bilingual people, people with disabilities or special needs);
 - apply flexible measures, such as mobile laboratories and groups of learning advisers.
- Key priority directions from the Government’s Implementation Plan to ensure inclusive education are:
 - to strengthen the system for providing education assistance
 - to develop a system for co-ordinated provision of education assistance, health and social services to children and their families at municipal level;
 - to improve education financing for learners with major and severe SEN;
 - to consider the financing of schools based on the number of class sets (class basket);

- to develop the competence of teachers and other specialists participating in the education process to enable them to work with different groups of learners with SEN;
- to develop and implement the ‘all-day school’ concept;
- to improve education, culture, social security and employment systems for people with special needs;
- to provide additional learning time for learners with learning difficulties and methodological materials for individual learning needs;
- to ensure the provision of complex health, social, education assistance and education services in the remaining special schools using joint finances;
- to integrate foreigners into the Lithuanian education system;
- to create and implement a school autonomy model;
- to ensure inclusive education while providing education and education assistance services close to a learner’s area of residence (Source: [FPIES – Lithuania Country Report, pp. 47–49](#)).

Law on Fundamentals of Protection of the Rights of the Child

- Amended in October 2015
- Aims to implement the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (“the Lanzarote Convention”), as a first step to protect children, especially those with disabilities.
- This law bans any form of violence against children.

2006 Employment Support Law

- One of the main legislative items to support employers who hire disabled workers in Lithuania.
- Private and public sector employers are supported under Article 26, which offers wage subsidy schemes based on the amount of hours of work in relation to the Lithuanian hourly minimum wage.
- If the disabled worker has a working capacity rated between 45 and 55%, the employer is eligible to a fixed-term subsidy for a period of up to 12 months and a bonus on their social insurance contribution fee. The amount of the subsidy may not exceed that of the Lithuanian monthly minimum wage. Employers who hire disabled workers on the basis of a temporary work contract are only eligible to wage subsidies and bonuses for up to 3 months.
- Employers who hire disabled workers on the basis of permanent work contracts are entitled to further bonuses. The Lithuanian government offers one bonus for the creation of each new position to encourage new openings. Employers may also apply for funding to cover the cost of adapting the premises, providing they pay for at least 35% of the total adaptation cost and retain the disabled employee for at least 36 months. In total this scheme will not exceed the equivalent of 22 average monthly wages (as published nationally).

2004 Law on Social Enterprises

- One of the main legislative items to support employers who hire disabled workers in Lithuania.
- Supports social enterprises employers
- Government runs six funding schemes, all of which can be cumulated by social enterprises with a disabled workforce:
 - Wage subsidy and bonuses on social insurance fee contributions;
 - Bonus for each position opening, and funding towards the adaptation of the premises or acquiring specific equipment
 - Funding scheme to assist with employee's training
 - Funding to adapt the work place, acquire equipment and create rest rooms
 - Subsidy to cover additional administrative costs and transport expenses;
 - Funding scheme to hire a disability assistant, interpreter or guide.

Disability workers are supported by Article 26 of the 2006 Employment Support Law, Article 129 of the 2002 Law on Labour and Article 20 of the 2002 Individual Income Tax Act. These are the main legislations governing this aspect in Lithuania. → Workers with disabilities are entitled to adjustments and arrangements in their working hours, shifts and resting time. The permanent work contract of a disabled worker may only be terminated if the employer demonstrates that retaining the employee would outweigh the company's resources. In case of redundancy, the notice period concerning a disabled worker is set at four months (instead of two). Disabled workers are also entitled to five weeks paid annual leave (instead of four) and they receive a bonus on their income tax payments.

Luxembourg

[Constitution of the Grand-Duchy of Luxembourg \(1868, amended 2009\)](#)

- Last amended in 2016
- Contains amongst others the following provisions:
 - Luxembourgers are equal before the law.
 - They are admissible to all public, civil and military employment; the law determines the admissibility of non-Luxembourgers for such employment.
 - The State guarantees the natural rights of the human person and of the family.
 - The law guarantees the right to work and the State sees to [the] assurance to each citizen [of] the exercise of this right.
 - The law regulates as to their principles[:] social security, the protection of health, the rights of workers, [and] the struggle against poverty and social integration of citizens affected by a handicap
 - The freedom of commerce and industry, the exercise of liberal professions and of agricultural labor are guaranteed, save for the restrictions established by the law.
 - The State sees to the organisation of primary education, which will be obligatory and free and to which access must be guaranteed to every person inhabiting the Grand Duchy. Medical and social assistance is regulated by the law.
 - It creates establishments of free secondary instruction and the necessary courses of higher education.
 - Determines the means of supporting public instruction as well as the conditions of supervision by the Government and the communes
 - Regulates additionally all [matters] concerning education and provides, according to the criteria that it determines, a system of financial aid in favor of pupils and students.
 - Anyone is free to study in the Grand Duchy or abroad and to attend the universities of his choice, subject to the provisions of the law on the conditions of admission to employment [in], and to the exercise of[,] certain professions

[Law of 28 November 2006 on Equal Treatment \(Available in French only\)](#)

- Transposed into Luxembourg law two EU directives (Directive 2000/43/EC and 2000/78/EC)
- Amended Luxembourg's Labour Code and introduced into book II of the Code, a new title (V) relating to equal treatment in employment and occupation
- Condemns discrimination
- Applies to all public or private, natural or legal persons, including public bodies.
- Strictly prohibits any form of direct or indirect discrimination based on religion or beliefs, disability, age, sexual orientation, membership or non-membership, actual or supposed, of a race or ethnic group.

- The scope of application of the law also includes workplaces and living places, schools and the public space in general.

[Law of 28 May 2019 on the Accessibility of Websites and Mobile Applications of Public Sector Bodies \(Available in French only\)](#)

- Transposes Directive (EU) 2016/2102 on the accessibility of websites and mobile applications of public sector bodies, as well as the Renow framework for the standardisation of the Government of the Grand Duchy of Luxembourg's websites.

Luxembourg operates an equal opportunity policy applying EC directives 2000/43/EC and 2000/78/EC. It is a penal offence to refuse to hire or make a worker redundant on the basis of a disability.

By law, private companies with 25 to 49 full-time workers must integrate at least one employee with a disability on a full-time basis. For larger companies, the full-time workforce must be made up of between 2% (in case of 50-299 full-time workers) and 4% (if the number of full-time employees is equal to or greater than 300) of handicapped employees. For state and all public companies, at least five percent of the workforce must be classed as disabled.

If an employer hires more disabled employees than they are obliged to, they will be exempted from the employer's share of social security charges.

If a private employer refuses to hire the mandatory quota of disabled employees, they will have to pay the public treasury a compensation tax equivalent to 50% of the minimum social wage for each disabled employee not hired for as long as the refusal to hire lasts.

Legal references:

- [Labour Law](#) – Book V, Section VI (Available in French only)
- [Law of 12 September 2003 on persons with disabilities and amendments thereto](#) (Available in French only)
- [Grand-Ducal Regulation of 7 October 2004 implementing the law of 12 September 2003 on the disabled.](#) (Available in French only)

[Law of 1 August 2019 supplementing the Labour Code by introducing assistance activity for employment inclusion for disabled employees and employees in external reclassification \(Available in French only\)](#)

- Came into force on 1 February 2020
- Introduces assistance activity for inclusion in employment to supervise and promote the integration of disabled employees into the labour market through support adapted to their needs.
- Also covers employees who are in 'external reclassification', meaning that they have been declared unfit for their previous working role for health reasons.
- Assistance activity is carried out by an inclusion assistant, either as a self-employed person or as an employee of an assistance service. An approval issued by the Minister responsible for Policy on Individuals with Disabilities is required to exercise assistance activity.

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- Applies to employees recognised as disabled workers or those in external reclassification who are engaged under employment contract by an employer, and who are beneficiaries of an ADEM (the Luxembourg national employment agency) measure with a private sector employer.
 - Request for assistance must be addressed jointly by the employee, the employer and the assistant or assistance service to the ADEM Director using a form drawn up by ADEM.
 - The assistant or assistance service must be chosen jointly by the employee and the employer from a list published in the Official Journal of the Grand Duchy of Luxembourg.
 - The Director of ADEM has one month from receipt of the request to notify the employee, the employer and the assistant or assistance service in writing of his agreement or refusal.
 - An agreement from the ADEM Director entitles the Employment Fund (Fonds pour l'Emploi) to cover the cost of the assistant's or assistance service's services for the number of hours and duration provided for in the Project.

Act on Language adopted 2018

- Luxembourg legislation explicitly requires the provision of 100 hours of sign language training to families of deaf children.

Malta

Equal Opportunities (Persons With Disability) Act

- Adopted in 2000, last amendment in 2018
- Chapter 413 of the Laws of Malta
- Prohibits discrimination on the grounds of disability in
 - employment
 - education
 - access to public facilities
 - the provision of goods, services, and facilities.
- Disability discrimination is defined as unfavourable treatment because of a person's disability, because of non-compliance with a requirement or condition which is unreasonable in the circumstances of the case, or because of a person's use of auxiliary aids or assistance.
- In employment, discrimination includes procedures relative to applications for employment; the hiring, promotion or dismissal of employees; employees' compensation; job training; and any other terms, conditions and privileges related to the employment of persons with disability (the failure to provide reasonable accommodation for workers with disabilities)
- Part IV sets forth a test of reasonableness for determining whether the accommodation of disabled persons would cause an unjustifiable hardship.
- Part V establishes a National Commission Persons with Disability which shall, inter alia, carry out research and devise policy on disability. The Commission may investigate and enforce the law in case of violation of this Act.

Persons with Disability (Employment) Act

- Regulates the employment of persons with disabilities (along the Equal Opportunities (Persons with Disability) Act)
- Chapter 210 of the Laws of Malta
- Also known as Quota Act
- Introduced in 1969 → was first effort to enforce the principles of equal opportunities in work for persons with disabilities
- Included:
 - the creation of a register for persons with disabilities, Registered Disabled Persons (RDPs),
 - the quota system of 2 percent for companies that employed twenty or more employees.
 - → For a disabled person to be part of the quota he/she had to be listed on the register.
- With the creation of the Quota Act, reserved jobs were created for persons with disabilities.
- The public employment service provider in Malta, Jobsplus, holds this register.

- According to Article 20 of this act, employers are also required to keep a record of disabled employees in their workforce, together with other information, compliant with this Act.
- Act had little effect with regards to the employment of persons with disabilities in the private sector. The main reason for this gap was that the act was not enforced until the national budget of 2015 (Minister of Finance, 2014).
- As an encouragement, employers who do not respect the said quota were now required to make an annual contribution of €2,400 for each person with disability that should be in their employment, which contribution is capped at a maximum of €10,000 for any person/company who so fails to respect the said quota.

[Employment and Training Services Act](#)

- Adopted in August 1990
- Chapter 343 (1990) of the Laws of Malta
- Established the Employment and Training Corporation (ETC) – now Jobsplus
- Provides for the regulation of employment and training services, and for matters connected therewith or ancillary to.
- Gives the National Employment Authority the power to make rules, which offer allowances for special consideration in cases where the job seeker is a person with disability who requires special assistance. Such services are also open to any job seeker with dependents who are disabled.

[Employment and Industrial Relations Act](#)

- Chapter 452 (2002) of the Laws of Malta
- Does not provide a clear-cut definition of who should be considered as a “person with disability”.
- Despite this, the Act clearly sets out that any form of discrimination against persons with disability is prohibited.
- Is now in line with the EU Framework Directive for Equal Treatment in Employment and Occupation, through the enforcement of the Equal Treatment in Employment Regulations that came in force in 2004. The main purpose of this set of regulations is:
- ‘... to put into effect the principle of equal treatment in relation to employment by laying down minimum requirements to combat discriminatory treatment on the grounds of religion or religious belief, disability, age, sexual orientation, and racial or ethnic origin...’
- Regulations extended to employees in the public sector, through the Extension of Applicability to Service of the Government (Equal Treatment in Employment) Regulations.

[2021-2030 National Strategy on the Rights of Disabled Persons](#)

- Key aim = to provide a roadmap for the Maltese disability sector over the next years, leading up to 2030, the target year for achievement of the UN's SDGs

- One principal element = the requirement that disabled persons be the key drivers behind this strategy, in line with the UNCRPD mantra of 'Nothing About Us, Without Us', while delivering on the promise of Agenda 2030
- Covers all of the fields addressed by the 2014 National Policy on the Rights of Persons with Disability, and subscribes to the same cross-cutting ethos, that all disabled persons, no matter who they are or what their background is, should be treated equally.
- It also factors in major developments in disability rights, happening both locally and internationally, since the release of the Policy.

Accessibility Standards for all in a Built Environment Regulations 2019

- Standards used to be a Maltese National Standard adopted by the Malta Competition and Consumer Affairs Authority which came into effect upon publication of a notice on the 10 April 2015 → now standards are directly transposed into Maltese law.

Parking Concessions For Persons with Disability Act

- Chapter 560 of the Laws of Malta
- Provides for a scheme whereby persons with disability who qualify for such scheme are given a Blue Badge which allows a vehicle to be parked in designated parking spaces.
- Aim of the scheme = to facilitate the social integration and mobility of persons with disability by increasing accessibility and reducing the hardship experienced by a holder by granting a concession to reduce the distance between the parked vehicle used for the transportation of the holder and the destination of the holder.
- Commissioner for the Rights of Persons with Disability is responsible for the scheme and for authorising the issuance of Blue Badges.

Other Blue Badge and Reserved Parking Laws of Malta:

S.L. 65.05 – [Traffic Signs and Carriageway Markings Regulations](#)

S.L. 65.11 – [Motor Vehicles Regulations](#)

S.L. 65.27 – [Mdina \(Restriction of Access and Transit of Vehicles\) Regulations](#)

S.L. 65.31 – [Vehicle Access Zones \(Control\) Regulations](#)

S.L. 363.80 – [Controlled Parking Schemes \(Residents and Commercial\) Regulations](#)

[Malta Communications Authority Act](#)

- Chapter 418 Laws of Malta
- Amends various laws relating to the communications sectors enforced by the Malta Communications Authority, namely the Malta Communications Authority Act and the Electronic Commerce Act
- Provides for the Accessibility of the Websites and Mobile Applications of Public Sector Bodies Regulations, 2019 → regulations implement the provisions of Directive
- (EU) 2016/2102 on the accessibility of the websites and mobile applications of public sector bodies.

Mental Health Act

- Chapter 525 of the Laws of Malta
- Aims to regulate the provision of mental health services, care and rehabilitation whilst promoting and upholding the rights of people suffering from mental disorders

Netherlands

Constitution of the Kingdom of the Netherlands 2018

- Art. 1 contains that in the Netherlands in situations involving equal circumstances all people have to be treated the same way and it is forbidden to discriminate.
- In total, the following grounds of discrimination are specified:
 - race;
 - sex;
 - hetero- or homosexual orientation;
 - political opinion;
 - religion;
 - belief;
 - disability or chronic illness;
 - civil status;
 - age;
 - nationality;
 - working hours (full time or part time);
 - type of contract (temporary or permanent).

Participation and Quota Act

- Aims to guarantee everybody's right to access to work, to make sure that work-disabled people also can find a job.
- The [jobs agreement](#) (available in Dutch only) is part of the Participation Act. According to this jobs agreement, employers in the market sector must supply 100,000 jobs for work-disabled people by 2026.
- Stipulates that people with a disability are entitled to resources (e.g., a modified workplace, wheelchair-friendly spaces, special agencies and talent development training or a sign interpreter at meetings) in order to be able to do their job as well as possible.
- Guarantees a minimum income for everyone who is living legally in the Netherlands and who has insufficient means to maintain themselves

Equal Treatment (Disability and Chronic Illness) Act

- Adopted on 3 April 2003
- Prohibits discrimination in
 - offering a job and the treatment in filling a vacancy
 - entering into and terminating an employment relationship

- the appointment as a civil servant and the termination of employment as a civil servant
- assistance with finding work
- terms of employment
- allowing people to attend education and training during and prior to an employment relationship
- promotion
- working conditions.
- Discrimination is prohibited with regard to the conditions for and access to the professions and for the performance of and development within the professions.

Young Disabled Persons Act (Available in Dutch only)

- Provides for a benefit scheme available for a young individual who suffers from a disability or long-term disease and turned 18 years old.
- Eligibility criteria:
 - as you turn 18 you are completely incapable of working because of severe, long-term disease or disability
 - between 18 and 30 you are completely incapable of working because of severe, long-term disease or disability and within 1 year before falling ill you participated in a course/training.
- As of 2015 the amount of WAJONG benefit is 75% of minimum wage in a certain age group.
- Employers of workers who receive this benefit, in some cases may pay them less than the minimum wage. They are eligible for this temporary wage dispensation if the employee's occupational disability means his productivity is lower than other employees. Employers may use this wage dispensation facility for 6 months to 5 years.

Exceptional Medical Expenses Act (Available in Dutch only)

- Is a social insurance for the entire population against the risk of exceptional medical expenses. These are major risks not insured under normal health insurance. They also include preventative health care.
- → Provides entitlement to expensive long-term health care
- Majority of care facilities and services for the disabled are funded through public health insurance through this Act
- Care, support and treatment are provided to people with mental disability, psychological problems, epilepsy and those with non-congenital brain damage.
- Domiciliary Care Institutions (there are about 142 of these in the Netherlands) are able to provide additional care and assistance to people with a physical or mental disability who are living independently or with their parents or carers.

Act on Facilities for the Disabled (Available in Dutch only)

- Allows the disabled to apply for various adaptations to their houses or means of transportation.

Disablement Benefits Act & Self-Employed Persons Disablement Benefits Act **(Available in Dutch only)**

- Both provide special benefits to employees and self-employed people who become disabled.

Disability Reintegration Act (Available in Dutch only)

- Provides for disabled people needing help to re-enter the job market.

Digital Government Law

- Adopted in June 2018
- Transposes EU Directive 2016/2102 into Dutch law

Poland

Constitution of the Republic of Poland

- Contains a general prohibition against discrimination.
- Art. 32 states that 'All persons shall be equal before the law. All persons shall have the right to equal treatment by public authorities. No one shall be discriminated against in political, social or economic life for any reason whatsoever'.
- Guarantees the right to social security for people with disabilities, and the obligation of public authorities to ensure their medical care.
- Art. 69 states that "Public authorities shall provide, in accordance with the statute, aid to disabled persons to ensure their subsistence, adaptation to work and social communication.
- Provides that work shall be protected and that the State shall exercise supervision over the conditions of work; and that everyone has the freedom to choose and pursue an occupation and to choose their place of work, with exceptions specified by statute.

Charter of Rights of Persons with Disabilities (Available in Polish only)

- Approved by the Parliament on 1 August 1997
- Also prohibits discrimination
- Acknowledges that people with disabilities have the right to an independent, active life, free from discrimination.
- However, the Charter was approved in the form of a resolution, so it is not binding, but rather represents the will of the Parliament.
- Legislation adopted after 1 August 1997 cannot contradict the terms of the Charter.
- Also imposes an obligation on the Polish Government to provide information concerning implementation of the rights of persons with disabilities. Specific laws counteracting discrimination are, however, mainly limited to the employment field.
- States that people with disabilities have the right to work in the open labour market according to their qualifications, education and possibilities, as well as the right to vocational counselling. → If their disabilities and health require it, they also have the right to work in conditions adapted to their needs.

Act on the Implementation of Certain Provisions of the European Union in the Field of Equal Treatment (Available in Polish only)

- Entered into force on 1 January 2011
- Specifies areas and methods of counteracting violations of equal treatment rule due to sex, race, ethnic origin, nationality, religion, denomination, beliefs, disability, age or sexual orientation, and competent authorities with respect thereto.

- Is applicable in the scope of:
 - professional education, including continuation of education, improvement, change of profession and professional practices;
 - conditions for taking and conducting business or professional activity, including, but not limited to the employment relationship or work under a civil-law contract;
 - joining and acting in trade unions, employers' organizations and professional selfgoverning associations, and also exercising rights to which members of these organisations are entitled;
 - access to and use of:
 - labour market instruments and labour market services specified in the act of 20th April 2004 on the promotion of employment and labour market institutions, offered by labour market institutions and labour market instruments and labour market services offered by other entities acting for the employment, development of human resources and prevention of unemployment,
 - social security,
 - health care,
 - education and higher education,
 - services, including residential services, objects and procurement of rights and energy, provided they are publicly offered.
- Designated the existing Ombudsperson Office (Commissioner for Civil Rights Protection) as an equality body

[Act on Amending the Labour Code and Some Other Acts](#) (Available in Polish only)

- Entered into force on 1 January 2004
- Fully transposed the provisions of the EU Employment Directive into national legislation.
- Amends inter alia provisions in respect of equal treatment in employment, employment relationship, employment contracts (establishment, execution and termination and wording), conditions of employment for employees seconded to work in Poland, wages and other benefits connected with work, and deductions from wages.
- Amends also provisions with regard to recruitment, employer's duty to prevent mobbing, working time (definition of working time, rest periods, arrangement of working time, night work, work on Sundays and during public holidays), female employee's rights regarding pregnancy and breastfeeding and child care leave, occupational safety and health, consultations with trade unions on wages and collective agreements).

[Labour Code](#)

- One of the most relevant pieces of legislation to the employment situation of people with intellectual disabilities in Poland
- Describes the rights and duties of employers and employees and provides compulsory rules to protect the employees' interests.

- Sets out provisions for employment in Poland.
- Amended in 2019 with respect to discrimination and mobbing (workplace bullying), as well as parental rights, deadlines concerning work certificate rectification and rules regarding limitation of claims within employment related litigation.
- Disability is one of the criteria on the basis of which discrimination in employment is prohibited.

[Act on Promotion of Employment and Institutions of the Labour Market](#) (Excerpts of the English translation available [here](#))

- Specifies the State's obligations to promote employment, mitigate unemployment, and focus on vocational integration
- Shall be realized by the labour market institutions in order to:
 - ensure full and productive employment,
 - develop human resources,
 - attain a high quality of work,
 - reinforce social integration and solidarity.

[Act on Old Age Pensions and Other Benefits from the Social Insurance Fund](#) (Available in Polish only)

- Sets out the conditions for obtaining funds from pensions and retirement insurance and contains regulations on evaluating inability to work and the conditions for receiving pensions due to inability to work.

[Act on the Social Pension](#) (Available in Polish only)

- Sets out the rules for obtaining this pension.

[Act on Social Employment](#) (Excerpts of the English translation available [here](#))

- Applies to people who are socially excluded, in particular, the homeless, those addicted to alcohol or drugs, people with mental illnesses, the unemployed, persons released from prisons, and refugees.

Act on Social Welfare

- Provides general regulations concerning social welfare.

[Act on Social and Vocational Rehabilitation and Employment of Persons with Disabilities](#) (Available in Polish only)

- Regulates the vocational and social rehabilitation of people with disabilities
- Sets out employers' rights and obligations regarding employment of disabled persons.
- Establishes a National Fund for Employment of Disabled Persons and defines its mission, powers and structure.

- Also establishes the Office of the Secretary of State for Disabled Persons.
- Obliges employers to prepare adaptation of the workplace to the needs of a person with disability.
- Failure to make necessary reasonable accommodation is an infringement of the principle of equal treatment in employment according to the Labour Code.

Act on Digitalisation of Entities Performing Public Tasks (Available in Polish only)

- Adopted on 17 February 2005 and came into force on 21 July 2005
- Was subsequently amended in 2010, 2014, 2016 and 2018
- Together with an issued Government order of 12 April 2012 on *National Interoperability framework, minimal requirements for public registers and information exchange in the electronic form, and minimal requirements for IT systems* this act ensures that websites, in particular government, public service or other sites providing widespread services of general use (such as hiring services, travel, telephony, energy, education, employment, leisure...) are accessible.
- These acts impose on entities fulfilling tasks that their IT systems for presenting information comply with the WCAG 2.0 with regard to the AA level criteria.

Construction Law Act 1994 & Ordinance of the Minister of Spatial Management and Construction 1994 (Available in Polish only)

- Required public buildings to be designed so that at least some of their spaces would be adapted to the needs of persons with disabilities
- Also applied to buildings being extended and/or modernised.
- However, the law, while not defining the notion of disability, was confined to the introduction of provisions pertaining to the needs of wheelchair users, for instance by introducing the obligation to implement ramps and lifts, defining the minimum width of doors and requirements concerning sanitary spaces, and so on.

Although Poland has been a EU Member since 2004, it was not until 2018 that the regulations for applicable EU provisions (Resolution on the introduction of the principles of universal design into the curricula of all occupations working on the built environment, adopted by the Committee of Ministers on 15 February 2001. ResAP/2001/1 and the Council of Europe Disability Strategy 2017–2023) were adopted. The new amendment obliged architects, planners, and designers to provide public buildings and public spaces with technical solutions, systems, and installations that facilitate the mobility of persons with various forms of impairment (Notice of the Speaker of the Polish Parliament of 7 June 2018 on the announcement of the uniform text of the Act - Construction Law, Dz.U.2018.1202).

Act on Providing Accessibility to Persons with Special Needs

- Adopted in 2019
- Defined basic terms, including those of barriers, accessibility, universal design, and so on.
- Addressed both physical and non-physical aspects of accessibility.

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- Current standards consist of eliminating all forms of architectural barriers, enabling access for assistance dogs, providing building layout information for users with various impairments, and providing evacuation routes for all users.
 - Apart from architectural accessibility, the Act referred to digital accessibility and obliged public entities to provide accessible websites and mobile applications.
 - Communicative accessibility was made mandatory both in situ and online; public entities should communicate using means that do not exclude any group of users.
 - Unlike the 1994 Construction Law Act, this Act applied to all existing public buildings instead of those being designed, extended, or modernised.
 - Introduced the definition of ‘persons with special needs’ = ‘persons who, due to their external or internal characteristics, or due to the circumstances they have found themselves in, must exert additional efforts or use additional means to overcome barriers, to participate in various fields of life as equal’ (Article 1). → notion of disability has been extended to persons with impairments other than mobility-related ones.
 - Stipulates that, all generally accessible spaces must now be made available to everyone instead of merely the parts selected by the developer or designer.
 - Such a change was possible due to the combined efforts of lawmakers, non-governmental organisations, activists, and scientists.

Portugal

Constitution of the Portuguese Republic

- Stipulates that “Every citizen shall enjoy the rights and be subject to the duties enshrined in this Constitution.”
- Art. 13 states that “Every citizen shall possess the same social dignity and shall be equal before the
- Law” and that “No one shall be privileged, favoured, prejudiced, deprived of any right or exempted from any duty on the basis of ancestry, sex, race, language, place of origin, religion, political or ideological beliefs, education, economic situation, social circumstances or sexual orientation
- Establishes in Art. 65 that every person and irrespective family has the right to decent housing that preserves personal intimacy and family privacy- → The State must have a housing policy and, promote with other local and regional authorities, the building of economic and social housing.

Framework Act 38/2004 of 18 August – General Basis of the Legal System for Prevention, Habilitation, Rehabilitation and Participation of Persons with Disabilities (Law nº38/2004) (Available in Portuguese only)

- Defines the legal arrangements for the prevention, enabling, rehabilitation and participation of the person with disability
- Art, 6 establishes the principle of non-discrimination
- Art. 7 provides for the principle of autonomy
- Art. 9 establishes the principle of participation
- Art. 32 also establishes the right of housing for persons with disabilities → State must adopt a national plan for accessibility in accordance with principles of universal design. The State with local authorities should ensure the right of housing for persons with disabilities.

Disability Act – Law nº46/2006 (Available in Portuguese only)

- Prohibits and punishes direct and indirect discrimination on ground of disability and aggravated health risk
- Promotes the full participation in society of persons with disabilities
- Sanctions the activities, which infringe fundamental rights or that imply the refusal or limitation of economic, social and cultural rights by public and private entities.
- Enumerates the following examples of discriminatory acts:
 - refusal of provision of goods or services
 - refusal or limitation of access or normal exercise of an economic activity
 - refusal or limitation of a sale or rent agreement as well as house credit access
 - refusal or limitation of insurance contracts
 - refusal or limitation of using gestual language
 - refusal or limitation of access to public places or places open to the public

- refusal or limitation of access to public transport, refusal or limitation to health-care facilities, public or private
- refusal or limitation of access to teaching facilities, public or private and
- measures that would limit access to new technologies.

Law n°63/2014 (Available in Portuguese only)

- Establishes the conditions applicable to loans for the acquisition or construction of housing for Armed Forces Persons with Disabilities and amends Decree-Law n°230/80 of July 16th, and also the Law n°64/2014, of August 26th, which approved the system of granting subsidised loans to persons with disabilities.

Resolution of the Council of Ministers No. 155/2007 (Available in Portuguese only)

- Established that the sites of the Central Public Administration were required to implement the WCAG 1.0, whereby the informative sites had to conform to level A and sites providing transactional services had to conform to level AA.

Law No. 36/2011 of 21 June led to the creation of Resolution of the Council of Ministers No. 91/2012 (Available in Portuguese only)

- known as the National Digital Interoperability Regulation – RNID
- Specifies that the version that has to be used of the WCAG is 2.0.
- The access levels "A" for informative websites and "AA" for transactional websites are again referenced.
- Additionally, the access levels "AA" are recommended for informative sites and "AAA" for transactional sites (without any kind of obligation).

Decree Law No. 83/2018 – Accessibility of websites and mobile applications

- Sets accessibility requirements for the websites and mobile applications of public sector bodies
- Transposes Directive (EU) 2016/2102 into national law

Romania

[Constitution of Romania of 1991 with amendments through 2003](#)

- Art. 15 states that “All citizens enjoy the rights and freedoms granted to them by the Constitution and other laws and have the duties stipulated by them.
- Art. 16 stipulates that “Citizens are equal before the law and before public authorities, with no privileges and with no discrimination.”
- Art. 50 cites that “Disabled persons shall enjoy special protection. The State shall provide the accomplishment of a national policy of equal opportunities, disability prevention and treatment, so that disabled persons can effectively participate in community life, while observing the rights and duties of their parents or legal guardians.”

[Law on protection and promotion of the rights of people with disabilities – Law 448/2006](#)

- Protects and promotes the rights of persons with disabilities to
 - health protection – prevention, treatment and recovery;
 - professional education and training;
 - occupation and adaptation of the workplace, professional orientation and reconversion;
 - social assistance, i.e. social services and social performances;
 - dwelling, arrangement of the surrounding personal life environment, transport, access to the physical, informational and communicational environment;
 - spending of free time, access to culture, sport, tourism;
 - legal assistance;
 - fiscal facilities;
 - evaluation and reevaluation by the domicile examination of immobilized persons by the members of the evaluation commission, at a time interval of 2 years.
- In force since 6 January 2008
- Ensures the right of people with disabilities to work in a non-discriminatory environment.
- Cites that all institutions, private or public, with a minimum of 50 employees, must respect and fill a quota of 4% in terms of employing individuals with a disability.
- If this percentage is not met, employers are mandated to pay the government a sum equal to 50% of the minimum wage for each of these assigned positions that are considered vacant.

[Law no 145/2020 \(Available in Romanian only\)](#)

- Amends and supplements Law No. 448/2006 on the protection and promotion of the rights of persons with disabilities
- Employees with a disability now have stronger workplace legal protections

- Employers are required to make reasonable adjustments — including adapting workplaces, work schedules and tasks — to accommodate employees with a disability.
- Employers that do not adapt their workplaces could be fined between RON 10,000 and RON 25,000.
- Under this law, public authorities and institutions and legal entities, public or private, which do not employ persons with disabilities may opt for one of the following obligations:
 - To pay monthly to the state budget an amount representing the minimum gross basic salary in the country guaranteed in payment multiplied by the number of jobs in which no disabled persons have been employed;
 - To pay monthly to the state budget an amount representing the equivalent of at least 50% of the minimum gross basic salary in the country guaranteed in payment multiplied by the number of jobs in which they did not employ people with disabilities, and with the amount representing the difference up to at the level of the amount provided in letter a) to purchase, on the basis of partnership, products or services realized through the own activity of the disabled persons employed in authorized protected units.
- Basically, the value of the contribution that employers owe monthly to the disability fund does not change, but employers will have the possibility that 50% of the amount due will be used to purchase products and services.
- Employers have the obligation to declare monthly the contribution to the disability fund, until the 25th of the month following the reporting period.

[Law on Social Assistance](#) (Available in Romanian only) (Unofficial English translation available [here](#))

- Adopted in 2011, amended in 2015
- Art. 13 provides for benefits of social assistance to support people with special needs, which shall be given both to ensure the basic needs of life and to promote and guarantee the exercise of fundamental rights and freedoms and full participation in society.
- The main categories of social assistance benefits for the support of persons with special needs are as follows:
 - allowances for persons with disabilities;
 - care allowances;
 - facilities, under the law.

[Law no. 272/2004 On the protection and promotion of the rights of the child](#)

- Previous legislation, written in 2004, protected children up to the age of two from placement into institutional care. However, the amendment to Article 64 of Law no. 272/2004 extends the age to three.
- Is a significant step in the protection of children in Romania, bringing legislation in line with the UN Guidelines on Alternative Care. However, the law still fails to recognise

the equal rights of children with severe disabilities → any child under the age of three years with a severe disability could still be institutionalised.

→ Means that children with disabilities do not have the same rights in Romania. Romanian authorities must acknowledge the fundamental rights of all children and extend the prohibition of institutional care to protect those children with disabilities.

- Contains a special legal provision concerning children with disabilities (Article 46) which states that children with disabilities need special care, adapted to their needs. The provision further continues to list the main rights of children with disabilities:
 - the right to education;
 - the right to rehabilitation;
 - the right to compensation;
 - the right to integration;
 - the prohibition of non-discrimination.
- Also contains a general provision requiring central and local specialised authorities to initiate programmes in this area and to facilitate social integration of children with disabilities.

[Emergency Ordinance No 112/2018 on the accessibility of websites and mobile applications of public sector bodies](#) (Available in Romanian only)

- Transposes Directive (EU) 2016/2102 into national law

Slovakia

[Constitution of the Slovak Republic](#)

- “People are free and equal in dignity and rights.” (Art. 12)
- Art. 12 further states that “Basic rights and freedoms on the territory of the Slovak Republic are guaranteed to everyone regardless of sex, race, color of skin, language, faith and religion, political, or other thoughts, national or social origin, affiliation to a nation, or ethnic group, property, descent, or any other status. No one may be harmed, preferred, or discriminated against on these grounds.” → Disability is not explicitly mentioned.
- “Citizens have the right to adequate material provision in old age, in the event of work disability, as well as after losing their provider” (Art. 38)
- “Everybody has right to education. School attending is compulsory. Citizens have right for free of charge education in elementary and secondary schools, according to the individual’s abilities and society’s possibilities at high schools, as well”. (Art. 42)
 - → details are stipulated in special regulations
- Besides general access to education, the Constitution guarantees in Article No.38 for youth and persons with disabilities “the right for extraordinary protection in labour relationships and for assistance by vocational education”.

[Act No. 365/2004 Coll. on Equal treatment in Certain Areas and on Protection against Discrimination, and amending and supplementing certain acts, as amended \(Anti-Discrimination Act\)](#)

- Was adopted in May 2004, immediately after Slovakia joined the EU
- Creates a common legal basis for maintaining the principle of equal treatment throughout the legal system of the Slovak Republic.
- Defines direct and indirect discrimination (section 2).
- Prohibits discrimination on grounds of sex, religion or belief, race, nationality or ethnic origin, disability, age, sexual orientation, marital or family status, colour, language, political affiliation or other conviction, national or social origin, property, lineage or any other status or on grounds of reporting of crime or any other wrongdoing.
- Prohibits discrimination in access to education, goods and services, social security, healthcare, employment, etc.
- Also amends Act No. 308/1993 to provide for changes in the status of the Slovak National Centre for Human Rights which ensures the legal protection to victims of discrimination.
- Amends numerous other acts.
- Art. 2 section 1 and Art. 2a section 11 letter d) explicitly prohibits discrimination on grounds of disability, previous disability or attributed disability (or disability by perception), and at several places stresses necessity to adopt specific, targeted measures.
- Employers must take appropriate measures to enable a person with a disability to have access to employment, to the work of certain type, to promotion or access to vocational

training; except if the adoption of such measures would impose a disproportionate burden on the employer (Art. 7)

Decree No. 532/2002 Coll. (Available in Slovak only)

- Lays down details on general technical requirements for construction and general technical requirements for Buildings used by persons with limited mobility and orientation
- Obliges building authorities in the permitting proceedings pursuant to Act No. 50/1976 on Land-Use Planning and Building Order (the Building Act) as amended, to monitor the observance of conditions for barrier-free access and use of public buildings or buildings where the employment of persons with disabilities is expected.

National Program on Development of Living Conditions of Persons with Disabilities for the years 2014-2020

- Generally follows the principles of the UN Convention as well as the corresponding EU strategies
- Consists of specific chapters and action plans in the areas of:
 - awareness-raising
 - adequate standard of living and social protection
 - accessibility (of the environment, buildings, public transportation, goods and services)
 - equal treatment
 - access to justice and protection against discrimination
 - independent lifestyle
 - social inclusion and mobility
 - respect for family and home
 - education
 - health-care and rehabilitation
 - employment
 - political, social and cultural participation
 - sports and recreation
 - women with disabilities
 - children with disabilities
 - risk and humanitarian situations,
 - coordination and monitoring
 - statistics and research
 - international cooperation
 - monitoring
 - publicity and evaluation of the program implementation

Act 176/2015 on the Commissioner for Children and the Commissioner for Persons with Disabilities and amending and supplementing certain Acts

- Establishes a Commissioner for Persons with disabilities

- The Commissioner for People with Disabilities is involved in protection of rights of people with disabilities by supporting and enforcement of rights assigned to a person with disabilities under international treaties by which the Slovak Republic is bound.
- Commissioner maybe contacted by everyone regarding infringement of rights of a person with disabilities or a threat thereof
- Competence of the Commissioner covers
 - public administration authorities (governmental agencies, local government, legal entities and natural persons, which under a special regulation intervene in rights and obligations of natural persons and legal entities in the area of public administration
 - legal entities and sole traders other than those under above

[Act No. 245/2008 on education and training \(Education Law\) and on amendments and additions to certain acts \(Available in Slovak only\)](#)

- (as amended by subsequent provisions (Act of the National Council of the SR) : 245/2008, Collection of Law No.96/2008)
- Status is based on recognition of a child's or pupil's special educational needs, which means that a child or pupil requires in education a special accommodation of conditions, content, forms, methods and approaches due to his/her "disability".
- A child's or pupil's special educational needs are assessed by a special authority—the facility for educational counseling and prevention.
- According to §144 "a child/pupil with special educational needs has a right for education by utilising of some specific forms and methods corresponding to his/her needs and for creating of necessary conditions which are needed for the education... he/she has right to utilise by education special textbooks and special didactic and compensation aids..." (e.g. sign language, Braille writing, substitute means of communication).

[Act No. 131/2002 Coll. on higher educational institutions and on amendments and additions to certain acts \(Available in Slovak only\)](#)

- Stipulates that everybody has the right to study in higher education institutions a study programme for their choice, provided she/he fulfils
 - the basic conditions for admission to higher education study
 - the other conditions set out by the higher education institution providing the selected study programme
- Rights outlined by this act are equally guaranteed to all applicants and students in agreement with the principle of equal treatment in education.

[Act No. 95/2019 Coll. on information technology in public administration and relevant implementing rules \(Available in Slovak only\)](#)

- Adopted in March 2019
- Transposes Directive (EU) 2016/2102 into national law

Slovenia

Constitution of the Republic of Slovenia

- Art. 14 states that “In Slovenia everyone shall be guaranteed equal human rights and fundamental freedoms irrespective of national origin, race, sex, language, religion, political, or other conviction, material standing, birth, education, social status, disability, or any other personal circumstance. All are equal before the law.”
- Art. 50 provides for the right to social security, including the right to a pension, under conditions provided by law and for the state to regulate compulsory health, pension, disability, and other social insurance, and shall ensure its proper functioning.

Vocational Rehabilitation and Employment of Persons with Disabilities Act (Available in Slovenian only)

- Adopted in 2007
- Explicitly forbids direct and indirect discrimination in employment of people with disabilities, or in the duration of employment → no difference should be made between a person with disability or without one in the process of recruitment or when concerning access to training.
- Nobody can be made redundant on the basis of disability.
- Provides for rights to vocational rehabilitation for the disabled, measures for their employment and financing sources.
- Aims at increasing employment of the disabled and non-discrimination in the labour market.
- Contains provisions on the conditions to acquire the status of disabled, measures for vocational rehabilitation, programmes of social integration, employment of disabled persons, quota systems and subventions.
- Stipulates that employees with disabilities have the right to necessary equipment, adaptation of premises, training, counselling, adjustments and arrangements in their working hours and shifts.
- Also, they are entitled to early retirement with a status of worker with disability.
- Entitles employers to different financial support:
 - wage subsidies for people with disabilities
 - up to 70% compensation of adapting jobs including adaptation of premises, purchasing equipment and providing a specific training
 - compensation of services in supported employment
 - exemption from payment of contributions for pension and disability insurance of employees with disabilities
 - bonuses for exceeding the quota and annual awards to employers for good practices.
- Stipulates that companies (except embassies and some companies with shelter employment) with a work force of more than 20 employees must hire between 2% and 6 % of employees with disabilities, depending on the line of business. E

- Employers who fail to meet the quota criteria are obliged to make monthly payments to a special fund of 70% of the minimal wage for each person with disabilities that should be employed by the company. On the other hand, the fund provides financial support, bonus and awards to employers, who exceeds the quota.

Equalisation of Opportunities for Persons with Disabilities Act (Available in Slovenian only)

- Adopted in 2010
- Supports non-discrimination in all aspects of life on grounds of disability
 - Prohibition of discrimination in front of holders of public offices;
 - Equal cooperation of blind people in the procedures, access to services and adaption of buildings which are in public domain;
 - Prohibition of writing and highlighting discriminatory messages and symbols
 - Access to inclusive education, health, means of residence, information, cultural assets and public transport.
- Apart from non-discrimination, the Act also covers the following areas:
 - Measures to equalise opportunities for persons with disabilities, setting grounds for their responsibilities and obligations
 - Right to financing tools for overcoming communication barriers that disabled people with sensory impairments (blind, partly sighted, deaf and disabled persons with speaking disorders) need as support for social integration.
 - Payment of the costs of vehicle adaption for mobility impaired disabled persons, who can only manage a vehicle by adjusting it. → Adjusting the vehicle will also be possible for a disabled person, who does not operate the vehicle by him/her self, but needs adaptations to access the vehicle. Disabled persons will be entitled to the adoption of the vehicle every six years (in exceptional cases this term can be shorted).
 - Establishment of a call centre for deaf and persons with hearing impairments. Through this centre the hearing-impaired persons can acquire the information from public institutions.
 - Procedures in disputing cases of discrimination based on disability;
 - Database management and data protection;
 - Penal provisions.

Placement of Children with Special Needs Act 2007

- Calls for inclusive education of students with special needs in settings as close to their homes as possible
- Puts children with special needs into the following groups:
 - mentally disordered children
 - children with a mild mental disorder
 - children with a moderate mental disorder
 - children with a serious mental disorder
 - children with a heavy mental disorder.
 - blind and visually impaired children,
 - deaf and hearing- impaired children,

- speech and language impaired children,
- physically impaired children,
- children with a long-term disease,
- children with learning disabilities in certain areas,
- children with autistic disorder and
- children with behavioural and personality disorders
- Specifies the types of programmes that educate children with special needs:
 - a programme for preschool children with certain adjustments regarding its implementation and additional professional help,
 - modified programme for preschool children,
 - education programme with modified implementation and additional professional help,
 - modified education programme with educational standards at an equal level,
 - modified education programme with educational standards at a lower level,
 - special education programme,
 - tutoring programme.
- On the first level, The National Education Institute of the Republic of Slovenia is the one that directs children with special needs into one of the types of programmes.
- The school or institution is obliged to make an individualised education programme for every child with special needs but not later than 30 days after the child's inclusion.
- A special education programme consists of several levels
 - Obligatory part, which lasts for 9 years
 - Advanced part (not obligatory, which lasts no more than 3 years)
 - Training for life and work (lasts no more than 5 years)
 - Aim = to encourage a child's development in cognitive, physical, emotional, mental, linguistic and social areas and to get the pupils take care of their health and independent life, to gain basic knowledge and skills and to get them accustomed to active, partly individual inclusion into the environment.

Action Programme for Persons with Disabilities 2007-2013 (Available in Slovenian only)

- Objective 3 includes some provisions on web and ICT accessibility.
- Measures, defined in the document are:
 - ensuring equal access to information and public administration services on the internet for all
 - preparing a manual for public procurement with recommendations for better internet access and implementation of EU Regulation No. 1083/2006 on partnership, non-discrimination and accessibility of structural funds
 - encouraging the use of information and communication technology for better inclusion and communication of persons with disabilities and functionally impaired persons as regards accessibility of e-government, including the use of internet, software and hardware.

Accessibility of Websites and Mobile Applications Act (Available in Slovenian only)

- Transposed Directive EU 2016/2102 into national law
- Regulates measures to ensure the accessibility of the public bodies' websites and mobile applications to all users

Spain

Spanish Constitution

- Art. 9.2 states that it is incumbent upon the public authorities to promote conditions which ensure that the freedom and equality of individuals and of the groups to which they belong may be real and effective, to remove the obstacles which prevent or hinder their full enjoyment, and to facilitate the participation of all citizens in political, economic, cultural and social life.
- Art. 10 states that
 - (1.) the human dignity, the inviolable and inherent rights, the free development of the personality, the respect for the law and for the rights of others are the foundation of political order and social peace
 - (2.) the principles relating to the fundamental rights and liberties recognised by the Constitution shall be interpreted in conformity with the Universal Declaration of Human Rights and the international treaties and agreements thereon ratified by Spain
- Art. 14 states that “Spanish people are equal before the law without any discrimination on grounds of birth, race, sex, religion, or any other condition or personal or social circumstance”
- Art 49 states that the public authorities shall carry out a policy of preventive care, treatment, rehabilitation and integration of the physically, sensorially and mentally handicapped who shall be given the specialised care that they require, and be afforded them special protection in order that they may enjoy the rights conferred by this Title upon all citizens.

Law 13/1982 on Social Integration of Persons with Disabilities (LISMI) ([Ley 13/1982, de 7 de abril, de Integración Social de los Minusválidos](#)) (Available in Spanish only)

- Adopted on 7 April 1982
- One of the main pieces of legislation regarding measures to support employers
- Obliges companies with more than 50 employees to hire 2% of disabled workers and, failing that, the application of alternative measures that involve the purchase of goods or services to a special employment center or donation to a foundation that aims to teach individuals with disabilities for job placement
- A number of companies did not comply with this legal obligation → a series of measures of an exceptional nature were established for the LISMI that are contained in Royal Decree 27/2000 of 14 January 2000 and with the aim of facilitating compliance with the law. Five years later, a new Royal Decree (Royal Decree 364/2005 of April 8) repealed the previous one in order to simplify its application.
- LISMI also establishes social and economic benefits for persons with disabilities in the fields of social benefits, social security, education, work and housing.
- Stipulates 2 types of pensions for disabled people:
 - Contributory pension → relates to the pensioner’s wages and number of years worked.

- Non-Contributory pension → is for disabled (or retired) people who have not worked; it ensures medical care and social services.
- Eligibility criteria:
 - Being over 18 and below 65 years old
 - Being a Spanish resident or having lived in Spain for the last five years
 - Having an average of disability over 65%
 - There is an income criterion so that those living in rented flat and lacking economic means are eligible for extra help of 525 euros per year.

[Law 51/2003 of equal opportunities, non-discrimination and universal accessibility of people with disability \(LIONDAU\) \(Ley 51/2003, de 2 de diciembre, de igualdad de oportunidades, no discriminación y accesibilidad universal de las personas con discapacidad\)](#)

- Adopted on 2 December 2003
- Provided a renewed impetus to the policies of people with disabilities
- Purpose is to establish measures to guarantee and make effective disabled people's right to equal opportunities
- Was inspired by the principles of an independent life, normalisation, universal accessibility, design for all, civil dialogue and the multi-disciplinary nature of policies regarding disability
- Focused on two intervention strategies: the fight against discrimination and universal accessibility.
- Shall be applicable to the following realms:
 - Telecommunications and the information society
 - Urbanised public spaces, infrastructures and buildings
 - Transportation
 - Goods and services available to the public
 - Relations with the bodies of the Public Administration
- To guarantee the right to equal opportunities of people with disabilities, the public powers shall establish measures to fight discrimination, as well as positive action measures

[Law 49/2007 of 26 December \(Ley 49/2007, de 26 de diciembre, por la que se establece el régimen de infracciones y sanciones en materia de igualdad de oportunidades, no discriminación y accesibilidad universal de las personas con discapacidad\)](#) (Available in Spanish only)

- Defines the regime of offences and sanctions in the field of equal opportunities, non-discrimination and universal accessibility for people with disabilities.
- Infractions are classified as minor, serious and very serious and the sanctions imposed are linked to the category of default committed. The more severe the infraction is, the more onerous the sanction becomes. Sanctions will range from 301,- € to 1.000.000,- €. (for minor offences, sanctions will never exceed 30.000,- €; not exceeding 90.000,- € for serious offences).
- These sanctions are imposed, for instance, for websites which fail to comply with accessibility regulations

Royal Decree 1494/2007 of November 12 ([Real Decreto 1494/2007, de 12 de noviembre, por el que se aprueba el Reglamento sobre las condiciones básicas para el acceso de las personas con discapacidad a las tecnologías, productos y servicios relacionados con la sociedad de la información y medios de comunicación social](#)) (Available in Spanish only)

- Approves the Regulations on the basic requirements to ensure that people with disabilities have access to technologies, goods and services related to the information society and social communication media
- Sets out principles for accessibility that apply to Internet websites of government authorities and publicly funded sites → all existing sites were expected to gradually adapt to a minimum obligatory level of accessibility that fulfils priority 1 and 2 of Standard UNE 139803:2004, as of December 31st 2008.
- Also provides the basis accessibility specifications for all computing devices and software applications, which are expected to allow access to elderly and disabled people.
- Stipulates that accessibility standards for websites as well as the basis requirements for accessibility to computer equipment and software programs shall also be applicable to all electronic signature services and devices.

Law 56/2007, of December 28, on Measures to Promote the Information Society ([Ley 56/2007, de 28 de diciembre, de Medidas de Impulso de la Sociedad de la Información](#)) (Available in Spanish only)

- Modifies the provision of several existing laws:
 - Law 24/2002, of July 11, on Information Society Services and E-Commerce (Preamble, Art. 4.2 and 4.20)
 - Law 32/2003, of November 3, on Telecommunications (Art. 7.1)
- Also contains an additional eleventh provision to ensure access to Information Society technologies for people with disabilities.
- Websites of agencies and companies that provide services for the general public, particularly those of “special economic importance”, must fulfil the medium obligatory level of accessibility standards from December 31st 2008 on.
- States that it is an obligation for all companies that provide services to the general public of “special economic importance” if they have more than 100 employees and a turnover of more than 6 million Euros every year, as long as they also provide electronic communications services or financial services to their customers that include financial services (credit and debit), investment services, private insurance companies and mediation activities, pension plans, and utility companies (such as gas, water and electricity). → Such companies must ensure that their customers can have electronic access to their own data.
- Before this Law was approved, this obligation was only applicable to Internet websites of public authorities. Now, such regulations must also be met by large service companies.

Law 26/2011, of 1 August, of Normative Adaptation to the Convention on the Rights of Persons with Disabilities ([Ley 26/2011, de 1 de agosto, de adaptación normativa a la Convención Internacional sobre los Derechos de las Personas con Discapacidad](#)) (Available in Spanish only)

- Adapts the Spanish legislation to the International Convention on the Rights of Persons with Disabilities
- Main aim = to definitively achieve a full compliance with the Convention by modifying all the legal and administrative texts that had been found not to match its requirements.
- Affects Law 51/2003 of 2 December 2003 on equal opportunities, nondiscrimination, and universal accessibility for persons with disabilities
- Emphasises the modification of the Horizontal Property Law → amends paragraph 2 of Art. 10 of the Law 49/1960, of 21 July, on Horizontal Property, which is drawn up in the following way: "2. Likewise, the community, at the request of the owners whose housing live, work or pay their altruistic services or volunteer people with disabilities, or over seventy years of age, shall be bound to perform the actions and works of accessibility which are necessary for a proper usage of the common elements, or for installation of mechanical and electronic devices that facilitate their communication with the outside' whose total amount does not exceed twelve ordinary monthly payments of common costs."

Law 34/2002 on E-Commerce and Information Society Services (ECISSA) ([Ley 34/2002, de 11 de julio, de servicios de la sociedad de la información y de comercio electrónico](#)) (Available in Spanish only)

- **Fifth additional provision** stipulates barrier-free access to the information provided by electronic services for the elderly and people with disabilities
- Obligated public administrations to adopt the necessary measures to ensure that the information available on their respective websites is accessible to the elderly and the disabled in accordance with generally recognised WCAG criteria, before 31 December 2005.
- Also establishes that the public administrations must promote the adoption of accessibility standards by service providers and hardware and software manufacturers to facilitate access to digital content for the elderly and the disabled.
- Internet websites that support social networking services online, developed by companies with a turnover of more than 6.101.121,04 € every year, shall deliver accessible contents in conformance, at least, to the medium level of priority.
- Exceptionally, this legal obligation is not applicable when there is not a technological solution available to allow accessibility.

Royal Decree 1276/2011, of 16 September, on legislative adaptation to the Convention on the Rights of Persons with Disabilities ([Real Decreto 1276/2011, de 16 de septiembre, de adaptación normativa a la Convención Internacional sobre los derechos de las personas con discapacidad](#)) (Available in Spanish only)

- Modified all the necessary legal and administrative instruments, affecting areas such as transport, the information society and civil protection.

Legislative Royal Decree 1/2013, of November 29, 2013 approving the Revised General Law on rights of persons with disabilities and their social inclusion ([Real Decreto Legislativo 1/2013, de 29 de noviembre, por el que se aprueba el Texto Refundido de la Ley General de derechos de las personas con discapacidad y de su inclusión social](#)) (Available in Spanish only).

- Has revised and rolled into one piece of legislation Law 13/1982 on social integration of people with disabilities, Law 51/2003 on equal opportunities and Law 49/2007 establishing the infringements and penalties regime regarding equal opportunities, non-discrimination and accessibility for people with disabilities,
- The three laws mentioned have been repealed & any provisions in legislation at the same or a lower level that are at variance with the provisions in this new legislation have also been repealed.
- Is based on the premise that universal accessibility helps guarantee equal opportunities and treatment for people with disabilities
- Has two basic purposes:
 - Guarantee the right to equal opportunities and treatment, and the actual and effective ability to exercise their rights for people with disabilities in the same conditions as other citizens, by promoting personal independence, universal accessibility, access to employment, inclusion in the community and living independently and the elimination of all forms of discrimination, in accordance with articles 9.2, 10, 14 and 49 of the Spanish Constitution, with the International Convention on the Rights of Persons with Disabilities, and with the international treaties and agreements ratified by Spain.
 - Establish an infringements and penalties regime that will guarantee the basic conditions concerning equal opportunities, non-discrimination and universal accessibility for persons with disabilities.
- Amongst others, it made homeowner associations responsible for ensuring their buildings are accessible to all people, and set December 2017 as the deadline to eliminate architectural barriers

Sweden

Diskrimineringslagen (Discrimination Act): https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/diskrimineringslag-2008567_sfs-2008-567 (general information in English: <https://www.government.se/information-material/2015/09/discrimination-act-2008567/>)

- Covers general discrimination in terms of gender, gender presentation, age, ethnicity, religion, beliefs, sexual orientation and disability.
- Prescribes companies, public entities and other bodies to document and investigate all actions which conflict with the contents of the law.
- In terms of disability discrimination, this can only occur within the bounds of reasonability (of accommodations and otherwise) and an ongoing, long-term customer or other relationship between the person discriminated against and the discriminating entity.
- Much leeway is given for interpretation concerning definitions.

Lag om tillgänglighet till digital offentlig service (Law on the Digital Accessibility of Public Sector Services): https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/lag-20181937-om-tillganglighet-till-digital_sfs-2018-1937

- The Swedish law corresponding to the European Web Accessibility Directive.

Lag om stöd och service till vissa funktionshindrade (The Act on Assistance and Services for Certain Persons with Disabilities): https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/lag-1993387-om-stod-och-service-till-vissa_sfs-1993-387

- Brief description in English: <https://www.independentliving.org/docs1/razzka1998lass.html> (note: not from parliament)
- Defines the framework for personal assistance to certain persons with physical or mental disabilities, the responsibilities and eligibility criteria for such as well as the distribution of costs with much of the responsibility falling on the municipal level.

Lag om färdtjänst (Travel Assistance Act): https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/lag-1997736-om-fardtjanst_sfs-1997-736

- Defines the frameworks governing travel assistance for certain persons with disabilities or long-term illnesses within Sweden's borders, consigning responsibility mainly to municipal governments.

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