

**Trilogue on the Commission proposal on the accessibility of public sector bodies' websites**

**Position Paper of Pearle\* - Live Performance Europe**

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The European Commission has launched its proposal on the accessibility of public sector bodies' websites on 3 December 2012. The scope of the text was broadened by European Parliament with its report adopted on 26 February 2014; consequently, the rules would apply to public bodies in the live performance sector. In this paper Pearle\* would like to highlight relevant specificities of this sector which should be taken into account in the decision making process by the European Parliament and the Council.

Pearle\* - Live Performance Europe represents through its members the interests of about 7,000 public and private organisations in the performing arts and music sector, such as theatres, orchestras, music ensembles and groups, concert halls, opera houses, ballet ensembles, variété, etc. It is recognised by the European Commission as a European sectoral social partner for employers in the live performance.

**1. General comment**

As a general principle, Pearle\* supports the Commission proposals in the field of web accessibility. Live performance organisations endeavour to provide access to cultural content for all citizens, including elderly people and those with disabilities. We believe that participation in cultural activities is an essential tool for individuals and communities to communicate, to define and develop their own identity, to distinguish themselves from others. It also allows isolated or marginalised people to acquire skills, self-confidence and self-esteem.

However, for reasons outlined hereafter, a **specific regime for cultural services** is needed in the context of the accessibility of public sector bodies' websites.

**2. The impact of public funding of live performance organisations**

As cultural budget are fixed in advance for a certain amount of years, the financial crisis has affected theatres, orchestras and other organisations in the live performance sector with a delay. In the majority of European countries, the sector hasn't fully recovered yet and cultural

budgets remain constrained. Pearle\* therefore welcomes the Council amendment of the proposal on web accessibility which states that the new measures should not impose “**a disproportionate or undue burden, financially or organisationally**” on bodies which fall under the scope of the text (Article 3.1). In addition, we suggest **extending the implementation deadline for websites held by cultural organisations** in order to leave them more time to adapt to the new requirements (i.e. according to Article 10.1a.ii).

As the adaptation of audio and audiovisual material to the new requirements of the proposed text would be highly cost-intensive, **Pearle\* welcomes the exclusion from the scope of live time-based media and heritage collection items**; as we understand this would also apply to the live performance sector.

**Future pre-recorded time-based media on websites of cultural organisations should be entirely excluded as well, as the translation of audio and audiovisual material according to web-availability requirements would prove time and cost intensive.**

Proposal for amendments:

Art. 1.5.bb. **Pre-recorded time-based media published on websites held by cultural organisations**

### 3. Specific software for buying tickets online

Live performance organisations sell tickets online for their shows, concerts and other events. The software used for this service is highly specific. Automated and cost-friendly solutions that would easily transform the content into text compatible with the web accessibility requirements might be unavailable.

We therefore advocate for a case-by-case approach in each Member State and would add to the exclusions in Article 1:

Proposal for amendments:

Art.1.5.j: **Online ticketing services on websites held by cultural organisations**