Legislation - China

China

Legislative Acts

The Law of the People's Republic of China on the Construction of Barrier-Free Environments came into effect on 1st September 2023, and it states that the public and private sector must provide accessible information. The technical standard is the GB/T 37668-2019 (Information Accessibility—Design Rules for Software Accessibility) which is based on WCAG 2.0. There are some regional differences that may mean different versions of WCAG are required.

Interpretation of whether these acts apply to small publishers

Yes, the legislation applies to all sectors that provide services to the public.

This does not constitute legal advice.

More information about legislation:

Bureau of Internet Accessibility - China Digital Accessibility Laws: An Overview

Standards referenced in these acts and how they are audited

The Chinese standard GB/T 37668-2019 aligns with:

Web Content Accessibility Guidelines (WCAG) 2.0 AA

In the public sector, specific industry regulators manage compliance with legislation, and in the private sector, The Ministry of Industry and Information Technology (MIIT) will check highly used

basic public services, otherwise the system depends on individual complaints.

Accessibility Statements

Accessibility statements are only mandatory for government websites, but some of the legislation’s requirements for all organisations can be addressed through a public accessibility statement. These include the mandate to be able to demonstrate conformance, communicate how to raise a complaint and provide contact details.

Exemptions

There is a ‘Gradual Improvement’ principle in Chinese law, whereby a longer time to comply is given to smaller, non-essential organisations. Undue or disproportionate burden is called ‘Reasonable Accommodation’ in Chinese legislation, and states that when something can’t be made accessible immediately, you do need to provide ‘manual assistance’ until you can. There is no requirement to be able to financially prove this is the case, in China the focus is more on more scrutiny of the most well used and essential public services.

Copyright Legislation

Copyright in China is covered by the Copyright Law of the People's Republic of China. Exceptions to copyright are required under international legislation covered by the Marrakesh Treaty for print disabled/visually impaired people.

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