



NEWS REPORT

Date:	2 December 2014
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Title:	Legislation by Executive order to postpone implementation of accessibility for disabled persons
Country:	France
<u>Context</u>	Delays to implement accessibility of the built environment for disabled persons by way of executive order
Ground of discrimination:	Disability
Source:	Legislation
Field:	employment, access to goods and services, education, housing, other
Legislative provisions:	The Law on Disability no 2005-102 of 11 February, 2005; the Law no 2014-789 of 10 July, 2014 Habilitating Government to Adopt Legislative Measures by Way of Executive Order for the Implementation of Accessibility of Public Places; Executive order no 2014-1090 of 26 September, 2014; Decree 2014-1320 of 5 November 2014; Decree 2014-1321 of 6 November 2014; Decree 2014-1326 of 6 November 2014; Decree 2014-1327 of 5 November 2014.

Content

Legislative development: The Law on Disability no 2005-102 of 11 February 2005 provides, beyond accessibility of new constructions, for the obligation to proceed to the necessary works in order to ensure accessibility of “buildings receiving the public” (*établissements recevant du public*) and of existing public transports, within a maximum delay of 10 years (i.e. 1st January and 13 February 2015).

Due to delays in implementing the law and the impossibility to abide by the planned schedule, the Prime Minister announced on 25 September 2013 at the Inter-ministerial Committee on Disability, the opening of a consultation of stakeholders in order to redefine the conditions of implementation of the “Accessibility” program of the law of 2005. Further to this consultation, the Prime Minister confirmed on 26 February, 2014, the postponement of the 2015 deadline for “buildings receiving the public” and public transporters. This delay postpones the prosecution and issuing of sanctions provided by the law of 2005 beyond 1st January 2015. In exchange, operators of public places and transporters (i.e. private and public managers, mayors, public transporters) formally undertook to abide by a specific calendar for each type of works, providing for a delay between three months and 9 years according to the type of works, this calendar providing for detailed deadlines for preparing and programming the works, taking the form of “agendas of programmed accessibility” (*agendas d’accessibilité programmée – Ad’AP*).



The Law no 2014-789 of 10 July 2014 Habilitating Government to Adopt Legislative Measures by Way of Executive Order for the Implementation of Accessibility of Public Places authorized Government to adopt, by way of executive order, legislative measures in order to determine the conditions and the schedule of implementation of accessibility to disabled persons of “buildings receiving the public”, public transports, housing buildings and roads.

The Government then adopted Executive Order No 2014-1090 of 26 September 2014, providing the possibility to adopt decrees to specify schedules for each type of works (buildings, roads and public transports) and to proceed by undertakings taking the form of Ad’AP.

Three decrees were adopted to specify the conditions of implementation of these agendas, one for each type of works. Decrees n°2014-1320 and 2014-1321 relate to public transports, and decree 2014- 1327 to public buildings and public places open to the public. In addition decree 2014-1326 was adopted to review standards of adaptation works relating to accessibility of existing buildings.

Internet link source and additional information:

Law no 2014-789 of 10 July 2014:

[http://www.legifrance.gouv.fr/affichTexte.do?
cidTexte=JORFTEXT000029217888&categorieLien=id](http://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000029217888&categorieLien=id)

Executive order no 230014-1090 of 26 September 2014:

[http://www.legifrance.gouv.fr/affichTexte.do?
cidTexte=JORFTEXT000029503268&categorieLien=id](http://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000029503268&categorieLien=id)

Decree 2014-1320:

[http://www.legifrance.gouv.fr/affichTexte.do?
cidTexte=JORFTEXT000029701835&categorieLien=id](http://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000029701835&categorieLien=id)

Decree 2014-1321

[http://www.legifrance.gouv.fr/affichTexte.do?
cidTexte=JORFTEXT000029707519&categorieLien=id](http://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000029707519&categorieLien=id)

Decree 2014-1326:

[http://www.legifrance.gouv.fr/affichTexte.do?
cidTexte=JORFTEXT000029708064&dateTexte=&categorieLien=id](http://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000029708064&dateTexte=&categorieLien=id)

Decree 2014-1327:

[http://www.legifrance.gouv.fr/affichTexte.do?
cidTexte=JORFTEXT000029708128&dateTexte=&categorieLien=id](http://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000029708128&dateTexte=&categorieLien=id)