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Accessibility of mobile banking apps in Poland – a legal analysis of recent developments

Dostępność aplikacji mobilnych banków w Polsce – analiza prawna najnowszych zmian

Abstract

The rapid expansion of digital services in the financial sector has elevated the importance of accessibility, particularly for mobile banking applications. Despite the significant global advancements in digital accessibility, including the adoption of the UN Convention on the Rights of Persons with Disabilities (UNCRPD) and the European Accessibility Act, there remains a notable gap in the accessibility of mobile banking applications, especially for individuals with disabilities. This study investigates the current state of mobile banking application accessibility in Poland, examining how international and national legislative frameworks influence accessibility standards and practices within the Polish banking sector. A comprehensive review of the literature highlights the persistent challenges and advancements in the accessibility of mobile banking applications across different regions. Additionally, this article presents the results of a survey conducted among 28 commercial banks in Poland, assessing the compliance of their mobile banking applications with WCAG 2.1 and WCAG 2.2 guidelines. The survey findings indicate substantial gaps in accessibility compliance, with many banks failing to meet the basic accessibility criteria. These findings underscore the critical need for Polish banks to enhance the accessibility of their mobile banking applications to ensure equitable access for all users, including those with disabilities.

Keywords: accessibility, accessible banking, mobile apps, banking law, financial inclusion

Streszczenie

Szybki rozwój usług cyfrowych w sektorze finansowym podniósł znaczenie dostępności, szczególnie w przypadku mobilnych aplikacji bankowych. Pomimo znacznych globalnych postępów w zakresie dostępności cyfrowej, w tym przyjęcia Konwencji ONZ o prawach osób niepełnosprawnych (UNCRPD) oraz Europejskiego Aktu o Dostępności, wciąż istnieje zauważalna luka w dostępności mobilnych aplikacji bankowych, zwłaszcza dla osób z niepełnosprawnościami. Niniejsze badanie analizuje obecny stan dostępności mobilnych aplikacji bankowych w Polsce, badając, w jaki sposób międzynarodowe i krajowe ramy prawne wpływają na standardy i praktyki dostępności w polskim sektorze bankowym. Kompleksowy przegląd literatury podkreśla trwałe wyzwania i postępy w zakresie dostępności mobilnych aplikacji bankowych w różnych regionach. Ponadto artykuł przedstawia wyniki ankiety przeprowadzonej w grupie 28 komercyjnych banków w Polsce, oceniającej zgodność ich mobilnych aplikacji bankowych z wytycznymi WCAG 2.1 i WCAG 2.2. Wyniki ankiety wskazują na znaczne luki w zgodności z wytycznymi dotyczącymi dostępności, przy czym wiele banków nie spełnia podstawowych kryteriów dostępności. Te wyniki podkreślają istotną potrzebę poprawy dostępności mobilnych aplikacji bankowych polskich banków, aby zapewnić równy dostęp dla wszystkich użytkowników, w tym osób z niepełnosprawnościami.

Słowa kluczowe: dostępność, dostępna bankowość, aplikacje mobilne, prawo bankowe, inkluzja finansowa

JEL: G21, G28, K20, J14

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Introduction

In recent years, global efforts have increasingly focused on enhancing accessibility rights for individuals with disabilities, reflecting a commitment to inclusivity across various sectors. The adoption of key international frameworks such as the UN Convention on the Rights of Persons with Disabilities (UNCRPD) in 2006 and the European Accessibility Act in 2019 underscores this global trend towards ensuring equitable access to digital services. Concurrently, national initiatives in Poland, including the ratification of the UNCRPD in 2012 and the formulation of the Strategy for Persons with Disabilities 2021–2030, highlight ongoing efforts to integrate accessibility principles into policy and practice.

Despite these advancements, a notable disparity persists in the literature regarding the accessibility of mobile banking applications compared to research on bank website accessibility. The literature dedicated to the accessibility of mobile banking applications (Alayed, 2023; Borowska-Beszta et al., 2023; Wentz et al., 2017) remains sparse, primarily due to the absence of specialized tools for effectively measuring the accessibility of these applications.

This article aims to address this gap by examining the current landscape of mobile banking application accessibility in Poland. It explores how international and national legislative frameworks, alongside strategic initiatives, influence the accessibility standards and practices within the Polish banking sector. Additionally, the article discusses the implications of these frameworks on enhancing digital accessibility for individuals with disabilities, with a specific focus on the challenges and opportunities faced by banks in meeting these evolving standards.

By analysing these facets, this study seeks to provide insights into the intersection of regulatory compliance, technological innovation, and inclusive design principles within the realm of mobile banking applications.

Mobile banking apps: literature review

Mobile banking applications have become essential tools in the financial sector, allowing users to conduct transactions and access banking services through smartphones and tablets. However, the accessibility of these applications for users with disabilities, particularly for blind users, remains a critical area of study. The following literature review summarizes three key studies on this topic (Alayed, 2023; Borowska-Beszta et al., 2023; Wentz et al., 2017), highlighting the challenges and advancements in the accessibility of mobile banking applications in different regions.

Wentz and colleagues conducted a survey-based study between December 2015 and February 2016, involving 162 blind users. The study assessed the accessibility of 10 websites and applications offered by banks and financial institutions, as well as finance-related applications developed by third parties. Despite efforts by many large banks and financial institutions in the U.S. to make their services accessible, the study found that significant challenges remain. Blind users have reported difficulties with access methods, security, and privacy issues, indicating that there is still much work to be done to achieve full accessibility. This study suggests that while there have been advancements, there is a persistent need for further improvements to ensure that financial services are truly accessible to all users.

Alayed's study (2023) examined the accessibility of three mobile banking applications in Saudi Arabia: AlRajhi, SNB, and Riyad Bank. The study involved both manual inspections and usability testing with 12 blind Arabic-speaking users aged between 21 and 30. Variables such as age, gender, educational level, mobile phone used, experience, and assistive technology (VoiceOver, TalkBack) were considered. The results indicated that none of the applications fully complied with WCAG 2.1 guidelines, reflecting a low level of accessibility. Among the tested applications, AlRajhi's app had the fewest violations of success criteria and performed best in terms of effectiveness, efficiency, and user satisfaction. The most frequently violated principle across all applications was "operable," accounting for about 37% of total violations, followed by "perceivable," "robust," and "understandable." This study underscores the need for significant improvements in the accessibility of Saudi banking applications to better serve users with disabilities.

Borowska-Beszta and colleagues (2023) conducted a six-month descriptive case study from February 2022 to July 2022, examining four mobile banking applications in Poland. The study utilized analytical induction and observation methods to assess the applications' compliance with accessibility guidelines. The findings revealed that the adaptation of these mobile banking applications to the needs of people with disabilities was only partial. While some functionalities, such as voice assistants and sign language services, were available, there were areas for improvement. Minor changes to the graphical interface, such as adjustable colours and font sizes, could significantly enhance the accessibility of these applications. This study highlights the progress made in Poland but also emphasizes the ongoing need for enhancements to fully meet the needs of users with disabilities.

The reviewed studies collectively highlight that while there have been strides in improving the accessibility of mobile banking applications, significant gaps remain. The studies from Saudi Arabia, Poland, and the USA reveal common issues such as non-compliance with WCAG 2.1 guidelines and challenges related to operability and usability. To enhance the accessibility of mobile banking applications, it is crucial for developers to implement comprehensive accessibility features and for institutions to prioritize compliance with established guidelines. Continued research and development in this field are essential to ensure that mobile banking services are inclusive and accessible to all users, regardless of their abilities.

Methods

This article presents a legal analysis of regulations concerning mobile applications under Directive 2019/882, the Accessibility Act, and the implementing legislation in Poland. Additionally, it showcases the results of a survey-based study on the accessibility of mobile banking applications. The survey was conducted by a team of researchers, including the authors, from the University of Szczecin, working in collaboration with the Financial Ombudsman. A questionnaire titled "Survey on Accessibility" was made available on the Financial Ombudsman's website: Survey on Accessibility – Financial Ombudsman (rf.gov.pl). The survey was conducted in the first quarter of 2024. A total of 28 commercial banks in Poland participated in the survey.

The legal analysis involved a detailed review of the relevant legislative documents, including Directive 2019/882, the Accessibility Act, and the Polish implementing legislation. This review focused on the statutory definitions and requirements for mobile application accessibility, emphasizing features such as perceivability, operability, understandability, and robustness. The analysis also examined how these legal requirements are designed to ensure that mobile applications are accessible to individuals with disabilities, aligning with the Web Content Accessibility Guidelines (WCAG) 2.2 standards.

Mobile banking apps in Poland

By the end of 2023, the number of active users of mobile banking applications in Poland reached 21.7 million individual customers, indicating the immense popularity of these solutions (NetB@nk, 2023). Mobile banking apps, now offered by nearly every commercial bank in Poland, allow comprehensive account management via smartphones. Users can not only check balances and transaction history or execute transfers but also use modern payment methods such as BLIK, Apple Pay, and Google Pay. These functionalities reflect the banks' commitment to providing convenient and efficient banking solutions tailored to the digital age.

Among the highest-rated banking apps by users on Google Play and the App Store are those from Bank Millennium, PKO BP, mBank, Pekao SA, and BNP Paribas. Users appreciate these apps for their intuitive interfaces, high-security standards, and a wide range of banking services, which translate into positive experiences and high customer satisfaction. The apps' success is a testament to the banks' efforts in integrating advanced security features and user-friendly designs, ensuring that customers can conduct their banking activities with ease and confidence. Consequently, the Polish mobile banking sector stands out for its dynamic development and innovative solutions that meet the growing needs of users, continually evolving to incorporate the latest technological advancements.

In Poland, several dozen commercial banks operate, both domestic and foreign. At the end of 2023, there were 29 commercial banks in Poland, 13 of which were predominantly owned by domestic capital, with 9 controlled by the State Treasury. These commercial banks accounted for 90% of the entire banking sector's assets. The largest banks in Poland by assets include PKO BP, Pekao SA, Santander Bank Polska, ING, and mBank (KNF, 2024). These major banks lead the sector not only in terms of assets but also in the adoption and promotion of mobile banking technologies, playing a crucial role in the sector's digital transformation.

Besides commercial banks, there is also a well-developed sector of cooperative banks and specialized banks, such as Bank Gospodarstwa Krajowego (BGK). Cooperative banks, often focused on local and regional markets, contribute to the financial inclusivity of rural and smaller urban areas, while specialized banks like BGK support specific economic sectors and government initiatives. Despite the diversity in banking institutions, the market for mobile banking applications in Poland is predominantly dominated by commercial banks. These institutions have been at the forefront of integrating advanced mobile banking solutions, driven by competition and customer demand for more accessible and efficient banking services.

This focus on mobile banking by commercial banks is evident in the extensive range of services they offer through their apps, including real-time transaction monitoring, instant transfers, investment management, and personalized financial advice. The rapid growth in mobile banking usage highlights the shifting preferences of consumers towards digital banking channels, which offer greater convenience and flexibility compared to traditional banking methods.

Regulatory framework for mobile banking applications in Poland

In the literature, it is emphasized that mobile applications have long been a standard in Polish banking. The development of the Internet has led banks to gradually implement technology-based solutions in their interactions with customers. It is also worth noting that the Internet has facilitated faster information exchange (Sołek-Borowska & Mazurek, 2015, pp. 265, 267).

The use of mobile applications is closely linked to the capabilities offered by online banking solutions implemented by banks. These applications enable users, among other things, to check account balances, review payment histories, and initiate payment orders (Ratalewska, 2017, p. 270). The starting point for understanding mobile applications used in cashless transactions is the analysis of the conceptual scope of "electronic banking." According to J. Adamiec (2009, p. 174), electronic banking encompasses services provided through any electronic channel for banking product distribution. This includes online and mobile platforms, requiring appropriate software and operating information systems. B. Bajor (2011, p. 128) further defines electronic banking as a set of electronic channels that distribute banking services and facilitate the creation of new banking products.

The main types of electronic banking identified include Internet banking, mobile banking, telephone banking, and terminal banking (Zalewska-Bochenko, 2021, p. 23). Mobile applications provided by banks to their account holders, as part of mobile banking services, fulfil basic conditions stipulated in bank account agreements. Under the Civil Code Act of 23 April 1964[1], banks undertake to store account holders' funds and execute financial settlements on their behalf if specified in the agreement. Account holders are guaranteed free disposal of their accumulated funds (Kowalewska & Pisarewicz, 2017, p. 31).

Analysing the current legislation regarding the legal regulations pertaining to the practical operation of mobile banking applications is not a straightforward task. The term "mobile application" is defined in the Act of 4 April 2019 on the digital accessibility of websites and mobile applications of public entities and means publicly accessible software with a touch interface designed for use on portable electronic devices, excluding applications intended for use on portable personal computers. It should be noted that this is a very general definition created to ensure the broad digital accessibility of public entities. Considering the subjective scope outlined in this Act, it should be stated that it does not apply to entrepreneurs such as banks.

Therefore, the legal framework defining the principles of using mobile applications should be sought in the general legal regulations related to the conduct of banking activities. These primarily include: the Banking Law Act of 29 August 1997[2], the Payment Services Act of 19 August 2011[3], and the Act on Providing Services by Electronic Means of 18 July 2002[4]. It should be clearly emphasized that none of these legal acts explicitly mentions the term "mobile application." However, the scope of performing specific activities, including banking operations and financial settlements (as specified in banking law), allows for determining which regulations of the mentioned Acts will apply to services performed via mobile applications.

Mobile applications of individual banks may differ due to the adopted technological solutions, but they are similar in terms of access to offered services. Thus, three basic possibilities for using the mobile applications provided by banks can be identified:

a) checking the balance,
b) reviewing the history of banking transactions,
c) making transfers.

Regarding the regulations of the Banking Law, attention should be drawn to Articles 63–68, which concern banking financial settlements. The legislator did not define this term but specified the methods of their execution (Chudzik, 2008, p. 49). These provisions distinguish two forms of settlements: cash and cashless. In the context of mobile applications, the methods of executing financial settlements concerning cashless transactions deserve attention. Therefore, cashless settlements should be understood as operations involving changes in the state of funds on bank accounts by debiting the debtor's account with the appropriate amount and crediting the creditor's account with that amount. This results from the appropriate instructions given to the bank by the debtor or creditor (Socha, 2000, p. 65). The bank executes the debtor's instruction in the manner provided in the bank account agreement. The legislator indicates that cashless settlements are conducted by transfer orders, payment orders, settlement checks, and payment cards. In mobile applications, the settlement involving a transfer order will be applied. Executing this settlement in a mobile application occurs after the user logs into their electronic banking profile, selects the appropriate available form, and provides the relevant instruction. The procedure for executing such an order is influenced by the electronic solutions used by the bank, and the declaration of intent is received by the recipient's server and recorded on appropriate data carriers (currently mainly in blockchain technology).

Similarly, in the Payment Services Act, attention should be paid to the regulation concerning transfer orders. It is defined as "a payment service involving the crediting of the recipient's payment account, in which the payment transaction from the payer's payment account is carried out by the payment service provider managing the payer's payment account based on the payer's instruction." The cited Act mentions "payment accounts" and "payment services," which are not directly regulated by banking law. Literature indicates that the most important criterion for recognizing a given account as a payment account is the repeatability of payment transactions and the user's freedom to perform them (Ofiarski, 2017, p. 237). The status of a payment account is not unequivocal. It can be assumed that it is a broader category than a bank account. However, it should be noted that a bank account can be a payment account, in which case it will also be subject to the regulations resulting from the Payment Services Act, which should also be reflected in the functionalities available within mobile applications.

The Act on Providing Services by Electronic Means defines two important concepts from the perspective of the discussed topic: "providing services by electronic means" and "electronic communication means." The first means performing a service provided without the simultaneous presence of the parties (remotely), through the transmission of data at the individual request of the service recipient, transmitted and received using electronic processing devices, including digital compression and data storage, which is entirely sent, received, or transmitted via a telecommunications network (within the meaning of the Telecommunications Law Act of 16 July 2004). Electronic communication means are technical solutions, including ICT devices and the software tools collaborating with them, enabling individual remote communication using data transmission between ICT systems. This is electronic mail. The above regulation allows for providing services using modern remote communication solutions, but in relation to mobile banking services, it does not constitute key solutions.

Conducting a comprehensive analysis of legal regulations related to mobile applications also requires attention to the regulations adopted by banks, which regulate the principles of using mobile applications. The conducted studies allow for distinguishing the following definition of a mobile application. It is "software provided by the bank for mobile banking, installed on a trusted mobile device of the user, enabling the use of banking services, including the submission of payment orders." Since the regulations mention payment orders, it should be noted that these are defined in the Payment Services Act as a statement by the payer or recipient directed to their provider containing an instruction to execute a payment transaction. However, it can be assumed that a payment order is one of the many possible actions the user can undertake using the application.

Obligations regarding the accessibility of mobile banking applications in Poland considering the implementing legislation for Directive 2019/882

The provisions of the Act on the Accessibility of Products and Services (u.d.p.u.) apply to services offered or provided to consumers via mobile devices, including mobile applications. Article 12 of the u.d.p.u. requires banks to ensure the uniformity of mobile applications (as well as websites) by ensuring their perceivability, operability, understandability, and robustness. Additionally, Article 16 of the u.d.p.u. specifies further accessibility requirements, mentioned in Article 12, in retail banking services, including:

1. Perceivability, functionality, understandability, and compatibility of methods for consumer identification, electronic signatures, security, and payment services.
2. The transmission of information in Polish or – with the consumer's consent – in another language at a B2 proficiency level according to the Common European Framework of Reference for Languages (CEFR) of the Council of Europe.

Given the above, it is necessary to clarify the important concept of "retail banking services" from the perspective of ongoing research. In this aspect, it should be noted that there is no definition of the term "retail banking" in national legislation. Reference can only be made to the Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and investment firms, amending Regulation (EU) No 648/2012[5], which mentions so-called bank business lines and the division into "retail banking" and "corporate banking." The EU legislator defines retail banking as the servicing of individuals or small and medium-sized enterprises (SMEs) classified as retail exposures under the standardized approach to credit risk capital requirements. This banking sector includes accepting deposits and other repayable funds, granting loans, financial leasing, and providing guarantees and commitments.

In Article 5, point 30 of the u.d.p.u., the legislator introduced the scope of retail banking services. These include banking and financial services offered and provided to consumers, which encompass:

- consumer and mortgage loan agreements,
- services involving brokerage activities,
- services related to electronic money and payment services.

Analysing the scope of retail banking services as defined requires familiarity with various legal acts related to specific banking activities, such as the bank's activity as a brokerage house based on the Act of 29 July 2005 on Trading in Financial Instruments[6], as a creditor based on the Act of 12 May 2011 on Consumer Credit[7], or the Act of 23 March 2017 on Mortgage Credit and Supervision over Mortgage Credit Intermediaries and Agents[8].

Regarding the obligations that banks will need to fulfil in the context of services provided through mobile applications, attention should be paid to the terms used by the legislator in the context of ensuring the uniformity of mobile applications, such as perceivability, operability, understandability, and robustness. For the purposes of the u.d.p.u., the legislator has defined these features. The definitions are presented below in Table 1.

It should be emphasized that the survey questions directed to banks, regarding the functionality of mobile applications, were based on WCAG principles precisely because these guidelines pertain to designing mobile applications to meet the features. The aim is to enable their use by people with special needs (i.e., individuals with various disabilities, such as visual, hearing, mobility impairments, or cognitive difficulties). The primary goal of applying these principles is to create a mobile application that is accessible to the widest possible group of users – consumers – with special needs.

It is noted that many difficulties arise when using mobile applications; however, these difficulties can be overcome by implementing appropriate procedures. Adapting the content within banks' mobile applications to all potential needs is not 100% possible due to technological challenges, but increasing accessibility even according to the mentioned WCAG principles raises the likelihood of increasing the total number of users, which is a desirable outcome. The most important aspect is creating equal access opportunities to the features offered by mobile applications in cashless transactions, which enhances the financial independence of many consumers and creates equal opportunities for every user (bank customer).

It is also worth highlighting that WCAG 2.2 was developed as universal guidelines with a cross-border character. Their development was driven by the goal of creating a common accessibility standard that meets the needs of individuals (consumers), business entities (banks), and the entire state, additionally in a transnational context.

Table 1
Statutory definitions (legal definitions) of the features that accessible mobile applications should meet

Features required for an "accessible" mobile application	Definition
Perceivability	The property of a service or part of it, or information about the service, that allows it to be perceived by the user through the senses: hearing, sight, or touch
Operability	The property of a service or part of it that allows the user to use all the functions it offers
Understandability	The property of a service or part of it, or information about the service, that enables the user to understand the content and information related to using the service according to its purpose
Robustness	The property of a service or part of it that allows uninterrupted interaction with other services, including those to which the provisions of the u.d.p.u. do not apply, or systems, including assistive tools intended for using the service

Source: own elaboration based on Article 5 of the u.d.p.u.

Results of Polish banks survey

The Web Content Accessibility Guidelines (WCAG) are a set of internationally recognized standards developed by the World Wide Web Consortium (W3C) to ensure digital content is accessible to all users, including those with disabilities. WCAG 2.1, published in June 2018, builds upon WCAG 2.0 by adding 17 new success criteria aimed at improving accessibility for users with cognitive and learning disabilities, low vision, and users of mobile devices. WCAG 2.2, which extends WCAG 2.1, includes additional criteria to further enhance accessibility for a broader range of disabilities, such as blindness, low vision, deafness, hearing loss, limited movement, speech disabilities, photosensitivity, learning disabilities, and cognitive limitations. These guidelines address the accessibility of web content on desktops, laptops, tablets, and mobile devices.

WCAG 2.2 success criteria are written as testable statements that are not technology specific. Guidance on satisfying these criteria in specific technologies, as well as general information about interpreting the success criteria, is provided in separate documents. The content that conforms to WCAG 2.2 also conforms to WCAG 2.0 and WCAG 2.1, providing a comprehensive framework for web accessibility. The W3C advises using WCAG 2.2 to maximize the future applicability of accessibility efforts, though WCAG 2.0 and WCAG 2.1 remain valid recommendations.

The survey conducted in the first quarter of 2024 assessed the compliance of mobile banking applications with WCAG 2.1 and WCAG 2.2 guidelines among 28 commercial banks in Poland. The results for two specific questions are shown in Figure 1 and Figure 2.

The survey results reveal that a significant proportion of banks' mobile applications are not compliant with WCAG 2.1 and WCAG 2.2 guidelines. Specifically, 32% of banks reported zero compliance with WCAG 2.1, while an even higher percentage, 36%, reported zero compliance with WCAG 2.2. Most banks fall into the lower compliance brackets (1–60%) for both sets of guidelines. Notably, no bank reported compliance above 80% for either set of guidelines.

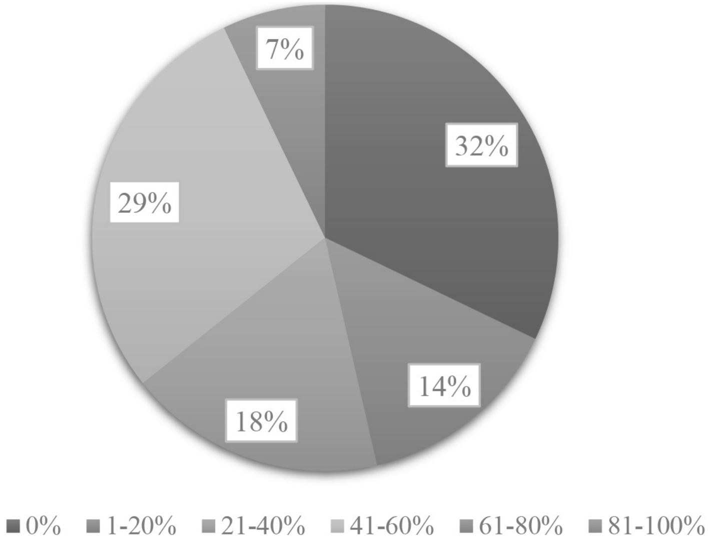
These findings highlight the substantial gaps in accessibility compliance among Polish banks' mobile applications, underscoring the need for targeted efforts to improve accessibility features. Enhancing compliance with WCAG standards is crucial for ensuring that all users, including those with disabilities, have equitable access to banking services.

Conclusions

The legal analysis demonstrates that the lack of a precise definition of "mobile applications" in Polish legislation introduces some interpretative ambiguities. The main legal frameworks for electronic banking are found in the Payment Services Act and the Act on Providing Services by Electronic Means, although they do not directly refer to the term "mobile application." Implementing Directive 2019/882 and the Act on Accessibility of Products and Services imposes obligations to ensure the perceptibility, operability, understandability, and robustness of mobile applications, which are not always fully realized in practice.

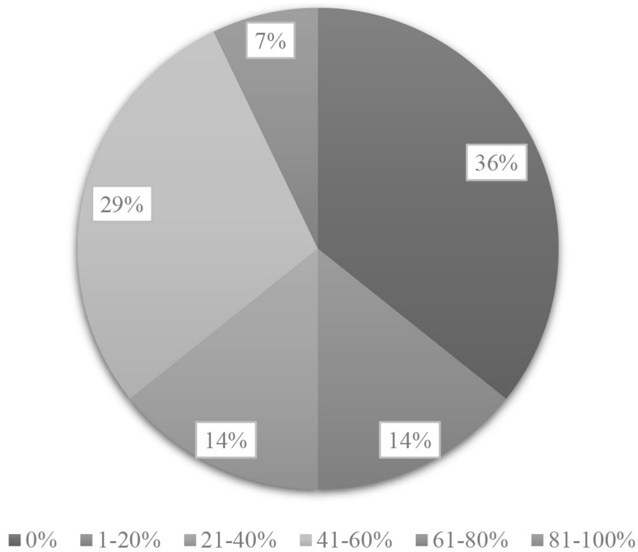
The use of the Web Content Accessibility Guidelines (WCAG) 2.1 and 2.2 is a crucial benchmark in assessing the compliance of mobile applications. Despite their existence, many banking applications do not meet these standards, necessitating intensified corrective actions and technological advancements.

Figure 1
To what extent are the mobile applications offered to retail customers by your bank compliant with WCAG 2.1 guidelines?



Source: own elaboration.

Figure 2
To what extent are the mobile applications offered to retail customers by your bank compliant with WCAG 2.2. guidelines?



Source: own elaboration.

To enhance the accessibility of mobile banking applications, further educational, technological, and legislative actions are necessary. Rapid technological advancements, such as the integration of artificial intelligence (AI) and machine learning (ML), hold significant potential for improving the accessibility and usability of mobile applications. For instance, AI-driven predictive text can assist users with motor disabilities by reducing the effort needed for typing, while advanced voice recognition systems powered by ML can enhance navigation for visually impaired users. These technologies not only improve user experience but also facilitate compliance with accessibility standards. Additionally, the globalization of the financial sector underscores the need for harmonized accessibility standards that address the requirements of a cross-border digital market.

The process of adapting mobile applications to accessibility guidelines presents notable challenges for the financial sector. Ensuring compliance is a time-consuming, complex, and costly endeavour, particularly due to the need for collaboration with a limited group of users with special needs who can test the applications effectively. However, applications that invest in accessibility early could gain a competitive advantage by becoming universal solutions compliant with European standards, as dictated by Directive 2019/882. Such compliance not only aligns with regulatory expectations but also enhances inclusivity, reputation, and market reach.

For BLIK, a leading Polish mobile payment application, this presents a significant opportunity for growth. By prioritizing accessibility, BLIK could strengthen its position on the domestic market and expand its services to a broader European audience. This investment could enable BLIK to set a benchmark in accessibility and inclusivity, turning compliance into a strategic advantage and fostering innovation within the mobile payments sector.

The inclusion in Polish regulations of only the general four characteristics of accessibility for mobile applications – perceptibility, operability, understandability, and robustness – without direct reference to detailed WCAG guidelines introduces significant interpretative difficulties. While these characteristics provide general guidance, they lack measurable criteria, leading to subjective assessments and varied interpretations by both application developers and supervisory authorities. This hinders the practical evaluation of application compliance with accessibility requirements and increases legal risks for developers. Simultaneously, the absence of references to standards such as WCAG limits the effectiveness of regulatory enforcement and may discourage investments in advanced accessibility solutions. Therefore, incorporating direct references to WCAG as a universal technical standard in Polish regulations is crucial to ensure consistency, clarity, and effectiveness in implementing accessibility requirements in practice. However, potential challenges to adopting WCAG standards in Poland should be acknowledged. These may include resistance from developers and financial institutions due to the perceived complexity and costs of implementation, as well as a lack of sufficient technical expertise or resources. Addressing these challenges will require targeted support measures, such as government-funded training programs, tax incentives, or phased implementation plans to facilitate compliance.

Notes/Przypisy

[1] Consolidated text: Dziennik Ustaw RP/Journal of Laws of the Republic of Poland 2023, item 1610, as amended.
[2] Consolidated text: Dziennik Ustaw RP/Journal of Laws of the Republic of Poland 2023, item 2488.
[3] Consolidated text: Dziennik Ustaw RP/Journal of Laws of the Republic of Poland 2024, item 30, as amended.
[4] Consolidated text: Dziennik Ustaw RP/Journal of Laws of the Republic of Poland 2020, item 344.
[5] Official Journal of the EU L 176/1 of 27.06.2013.
[6] Dziennik Ustaw RP/Journal of Laws of the Republic of Poland 2023, item 646, as amended.
[7] Dziennik Ustaw RP/Journal of Laws of the Republic of Poland 2023, item 1028, as amended.
[8] Dziennik Ustaw RP/Journal of Laws of the Republic of Poland 2022, item 2245, as amended.

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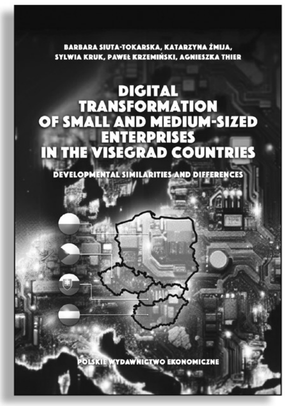
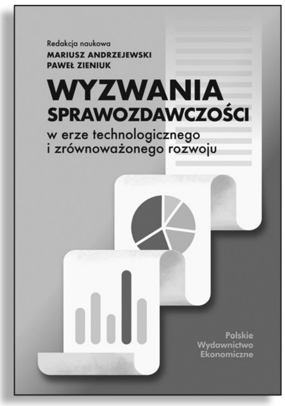
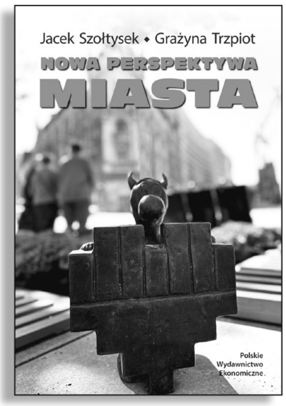
POLSKIE WYDAWNICTWO EKONOMICZNE







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