

(English version)

**Question for written answer E-001854/26
to the Commission
Anouk Van Brug (Renew)
(6 May 2026)**

Subject: GBER and the definition of an undertaking in difficulty

The EU needs innovative businesses in order to achieve many of its goals and boost its autonomy. Successful innovative start-ups become scale-ups. However, this does not mean that they have finished developing their product. A business still needs to carry out a lot of research and development (R&D) to become profitable. In this regard, the definition of an undertaking in difficulty within the General Block Exemption Regulation (GBER) ⁽¹⁾ poses a major obstacle to innovative start-ups and scale-ups achieving success and realising their potential, as public aid will often still be needed for implementing innovative techniques and bringing them to the market.

1. How will the Commission accommodate innovative scale-ups in the draft revision of the GBER, specifically in the definition of an undertaking in difficulty?
2. What considerations did the Commission take into account in the revision of the GBER to ensure that innovative businesses are exempted from the definition of an undertaking in difficulty?
3. Why has the Commission not yet made any adjustments to the definition of ‘own funds’?

Submitted: 6.5.2026

**Answer given by Executive Vice-President Ribera on behalf of the European Commission
(10 July 2026)**

As a general rule, the General Block Exemption Regulation (GBER) ⁽¹⁾ excludes from its scope aid to undertakings in difficulty (UiD).

This is because such aid keeps inefficient companies on the market and is particularly distortive of competition. However, there are exceptions to this rule.

For example, small and medium-sized enterprises (SMEs) up to 3 years may receive all types of aid. In addition, start-ups up to 5 years and unlisted SMEs up to 10 years may respectively receive start-up aid (Article 22 GBER) and risk finance aid (Article 21 GBER).

The Commission is currently reviewing the GBER with the aim to simplify it. The Commission is aware of the specific growth model of innovative companies and has carefully assessed feedback from the public consultation on this topic.

The Commission intends to enable innovative start-ups to receive all types of aid available under the GBER during their early growth phase, including environmental aid and aid with social objectives.

The Commission will also clarify the notion of equity, so as to take into account financial instruments absorbing losses on a going concern basis, such as preferred shares, silent participations and convertible bonds.

The Commission aims at adopting the revised GBER in December 2026.

¹ Commission Regulation (EU) No 651/2014 of 17 June 2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty (OJ L 187 26.6.2014, p. 1, <http://data.europa.eu/eli/reg/2014/651/2023-07-01>).

⁽¹⁾ https://competition-policy.ec.europa.eu/state-aid/legislation/regulations_en.