Annex I

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COMMISSION

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COMMUNICATION FROM THE COMMISSION

concerning the withdrawal of Communication 2009/C 188/02 and of Communication 2009/C 188/01

(1) The Communication from the Commission — Criteria for the analysis of the compatibility of State aid for the employment of disadvantaged and disabled workers subject to individual notification (2009/C 188/02, 'the Employment aid Communication'), was published in 2009 and concerns State aid measures for the employment of disadvantaged workers and workers with disabilities.

(2) The Communication from the Commission — Criteria for the analysis of the compatibility of State aid for training subject to individual notification (2009/C 188/01, 'the Training Aid Communication') was published in 2009 concerns State aid measures for training.

(3) The Employment Aid Communication and the Training Aid Communication lay down the criteria to be applied by the Commission to assess the compatibility of State aid measures in the respective fields with the internal market based on Article 107(3)(c) of the Treaty on the Functioning of the European Union (TFEU). In particular, these two Communications lay down compatibility criteria to assess whether State aid measures for employment of disadvantaged workers and workers with disabilities and for training facilitate the development of an economic activity and do not adversely affect trading conditions to an extent contrary to the common interest.

(4) The compatibility criteria included in the Employment Aid Communication and in the Training Aid Communication were designed to align closely with Regulation (EC) No 800/2008 ([1]), which was in force in 2009, but was subsequently repealed and replaced by Regulation (EC) No 651/2014 ([2]) ('the General Block Exemption Regulation'). Aid measures which are implemented by Member States under the General Block Exemption Regulation are exempted from the notification requirement laid down in Article 108(3) TFEU.

(5) Since 2014, the General Block Exemption Regulation includes provisions on: (i) the employment of disadvantaged workers and workers with disabilities; and (ii) training aid. On 14 July 2025, the Commission published a call for evidence on a revision of the General Block Exemption Regulation planned for adoption in 2026. That revision aims to simplify and streamline the rules and follows up on the actions announced in the Commission Communication 'Building an economy that works for people: an action plan for the social economy' ([3]) and in the Commission Communication 'The Union of Skills' ([4]). When developing operational exemption criteria that do not create a risk of undue distortion of competition in the internal market in the context of the revision of the General Block Exemption Regulation, the Commission takes into account the experience gained with the State aid

([1]) Commission Regulation (EC) No 800/2008 of 6 August 2008 declaring certain categories of aid compatible with the common market in application of Articles 87 and 88 of the Treaty (General block exemption Regulation), OJ L 214, 9.8.2008, pp. 3-47.

([2]) 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, pp. 1-78.

([3]) COM(2021) 778 final, 9.12.2021.

([4]) COM(2025) 90 final, 5.3.2025.

measures in the fields of employment and training that have been notified under the Employment Aid Communication and the Training Aid Communication.

(6) The Employment Aid Communication and the Training Aid Communication do not contain a specific end date for their application.

(7) Because of the possibilities available to Member States to adopt aid measures for the employment of disadvantaged workers and workers with disabilities in compliance with the General Block Exemption Regulation, only a limited number of such measures in these fields has been notified for prior approval of the Commission. Where aid measures have been notified, the Commission has observed that the Employment Aid Communication is outdated and no longer in line with contemporary economic and social reality and, in recent State aid decisions, it has therefore decided to assess the aid measures directly under Article 107(3)(c) TFEU ([5]). For this reason, the Commission announced that it may initiate the process to withdraw that Communication ([6]).

(8) The assessment criteria set out in the Training Aid Communication apply to training aid the gross grant equivalent of which exceeds the threshold set in the General Block Exemption Regulation (currently EUR 3 million per training project). While the Training Aid Communication provides guidance in the event of a training aid measure exceeding the notification threshold laid down in the General Block Exemption Regulation, in the Commission's case practice the Training Aid Communication has been applied very rarely because most training aid cases turned out to be covered by the General Block Exemption Regulation. This shows that the Training Aid Communication is a largely redundant legal basis.

(9) In light of the above, the Commission considers it appropriate to withdraw both the Employment Aid Communication and the Training Aid Communication, as the criteria included in the first are no longer relevant to assess the compatibility of State aid measures for the employment of disadvantaged workers and workers with disabilities and the criteria set out in the second have shown to be redundant for State aid measures related to training.

(10) Member States will continue to have the possibility to design and implement State aid measures for the employment of disadvantaged workers and workers with disabilities as well as for training in line with applicable State aid rules, including under the General Block Exemption Regulation. In relation to State aid measures not covered by a notification exemption, they will be assessed directly under Article 107(3)(c) TFEU.

([5]) See decisions in SA.100209 – Sweden – Entry Jobs, C(2022) 3102 final, published on 16.5.2022, recitals (113) and (114); SA.114799 – Italy – Aid scheme supporting employment of specific workers in Italy and in Southern Italy (Mezzogiorno), C(2025) 649 final, published on 31.1.2025, recitals (75) and (82); SA.118844 – Italy – Wage support for the recruitment of specific workers in the Region of Calabria, C(2026) 67 final, published on 13.1.2026, recitals (75) and (84).

([6]) *Ibid*.

(11) The withdrawal of the two Communications takes effect on 1 January 2027 and is to coincide with the entry into force of the revised General Block Exemption Regulation.