

EASPD public consultation contribution

Draft for a new General Block Exemption Regulation



EASPD contribution to the public consultation on the draft for a new General Block Exemption Regulation (GBER)

Introduction

The European Association of Service providers for Persons with Disabilities (EASPD) is the leading voice of disability services across Europe. Representing over 20,000 services in 50 different countries, we promote human rights and equal opportunities for people with disabilities through effective and high-quality support. Our work focuses on key areas essential to quality support provision. This includes Employment, Vocational Education and Training, Workforce Development and Human Resources, Inclusive Living, Education, Early Childhood Intervention, Person-Centred Technology, Arts, Culture & Sport, and Policy Impact. As noted in the European Commission’s [Study on alternative employment models for persons with disabilities](#), EASPD is the most representative European umbrella organisation for “alternative employment” models, covering the full range of relevant sub-sectors, including sheltered and supported employment, and other forms of employment support.

EASPD welcomes the opportunity to contribute to the European Commission’s consultation on the draft revision of the General Block Exemption Regulation (GBER). We welcome improvements that strengthen support measures for persons with disabilities, including the recognition of social economy entities (despite the imperfect definition), the preservation and reinforcement of Section 6 with higher aid intensities for workers with disabilities and disadvantaged workers, the explicit inclusion of reasonable accommodation, and additional support measures for training as well as for affordable and social housing.

Despite these efforts, the employment situation of persons with disabilities in the EU has shown limited progress over the past decade, since the revised GBER Regulation was adopted in 2014. While the employment rate of persons with disabilities increased from 45% in 2012 to approximately 54% in 2023, indicating some positive developments in recent years and suggesting that policy tools such as the GBER played a role in maintaining employment levels despite major economic shocks, such as the one caused by the COVID-19 crisis, the overall gap remains significant.¹ Only around half of persons with disabilities are employed, compared to approximately 3/4 of persons without disabilities, leaving a persistent disability employment gap of 24 percentage points.² This situation stands in contrast with the European Union’s commitments under the United Nations Convention on the Rights of Persons with

¹Eurostat, *Employment rate of persons with disabilities*, available at:
https://ec.europa.eu/eurostat/databrowser/view/HLTH_DLM200/default/table?lang=en

² Ibid.

Disabilities (UNCRPD) and European Pillar of Social Rights goals, which set goals and requirements to promote inclusive labour markets and employment opportunities for persons with disabilities.

To address this structural gap, the EU and its Member States (MS) must mobilise all available policy tools. State aid instruments, including the GBER, play an important role in enabling public authorities to support the employment of persons with disabilities. Evidence shows that these instruments offer significant potential to support it, yet they remain underused and, in some areas, insufficiently adapted to the realities on the ground in the MS and to the nature of social services provision. In practice, the use of these instruments varies significantly across Member States, and in some countries, their potential remains largely untapped.

State aid rules are designed to avoid distorting competition on the market. In practice, for our members, GBER is about enabling a level playing field for employers of persons with disabilities who face additional costs related to support measures, workplace adaptations or supported employment models. Therefore, we believe that properly designed state aid does not create an unfair advantage but rather compensates these additional costs, allowing such employers to compete on equal terms.

While the draft GBER takes positive steps, which we recognise, further adjustments are needed. In particular, in this paper, **EASPD focuses on three key areas where the draft GBER could better support the employment and training of persons with disabilities:**

- 1) Clarifying employment models, namely sheltered and supported employment, to align them with the existing practices and international standards and to avoid further legal uncertainty and an overly “conservative” use of these rules;
- 2) Ensuring adequate aid intensities that reflect the real costs and specific economic nature of entities employing persons with disabilities;
- 3) Adjusting notification thresholds as a minimum to reflect the inflation rate, but also so that organisations employing persons with disabilities are not discouraged from expanding employment opportunities because of their size alone.

EASPD also proposes amendments in other relevant areas in GBER, especially with regard to “non-profit entities” which are particularly relevant for disability care services; and for whom SGEI de minimis tends to either not be used or generally underused.

Proposed Amendments to the Draft GBER to better support the employment of persons with disabilities

1. Definition of “sheltered employment”

EASPD welcomes the European Commission’s efforts in the draft GBER to clarify definitions related to employment models supporting persons with disabilities. Legally robust and internationally compliant

definitions are essential to ensure that State aid instruments effectively contribute to inclusive labour markets to maintain a level playing field for employers of workers with disabilities, while respecting the EU obligations under the UN CRPD and the European Pillar of Social Rights. In this context, EASPD believes that the proposed definition of sheltered employment should be further revised to provide more legal certainty, reflect current EU disability policies, and ensure coherence with other EU legal frameworks.

EASPD therefore calls for **reinstating the 30% threshold of workers with disabilities** in the definition of sheltered employment (as per the previous GBER definition) to:

- Maintain **legal certainty**; to avoid undertakings that take advantage of less clear rules. There is an existing risk that undertakings could formally qualify as sheltered employment despite employing only a limited proportion of workers with disabilities or with very limited working hours. For example, an entity employing persons with disabilities representing X% of staff but working only minimal hours, while the rest of the workforce is employed full-time. In such cases, the undertaking could still benefit from state aid for infrastructure support, even if the aid would not primarily benefit workers with disabilities. Removing the 30% threshold only adds to that risk. In this case, legal certainty is therefore necessary.
- Ensure **coherence with other EU and national legislation**: removing 30% is inconsistent with EU Directive 2014/24/EU on public procurement, and specifically the condition of reserved contracts, which also stipulates that at least 30% of employees in such entities must be disabled or disadvantaged;
- **Reflect the situation in different MS**: “environment that engages predominantly with workers with disabilities” could be interpreted as requiring that a majority of workers are persons with disabilities, potentially implying a threshold of at least 50%. Such an interpretation could inadvertently exclude certain national models of sheltered employment where the applicable legal framework sets a lower proportion of workers with disabilities or disadvantaged workers (for example, in Italy), thereby limiting their access to the measure.

Removing “open labour market” is a way to recognise the continuum of employment support services, including training, paid sheltered employment and its broad range of services, apprenticeship, individual placement, job carving, and supported employment, as part of a single labour market, rather than framing them as separate from or opposed to mainstream employment, as per UN CRPD.³ At the same time, **removing the word “protection”** avoids reinforcing a paternalistic approach to persons with disabilities. This term reflects an older model of disability policy, where persons with disabilities were

³ European Commission (2025), *Study on alternative employment models for persons with disabilities: Set-up, working conditions and pathways to the open labour market in inclusive enterprises and sheltered workshops – Final report*, Publications Office of the European Union. Access: <https://op.europa.eu/en/publication-detail/-/publication/1cc9efd9-1b5d-11f0-b1a3-01aa75ed71a1/language-en>

seen primarily as passive recipients of care rather than workers with equal labour rights. The current EU disability policy has shifted toward rights-based, person-centred approaches, which implies equal participation in the labour market, among others.

It is also important to add more provisions to ensure quality employment – within sheltered employments and relevant transitions – are encouraged by state aid:

- State aid has to support quality employment conditions for workers with disabilities by ensuring **compliance with applicable law** (such as fair pay);
- State aid should encourage the provision of **tailored support** and skills development that enable workers with disabilities to progress in their careers;
- Including reference to **transition pathways to regular employment** recognises that different employment models, including sheltered employment, can form part of a continuum of opportunities supporting persons with disabilities to participate fully in the labour market, while aligning with the UN CRPD objective of enabling access to employment in the open labour market where possible and desired.

Proposed amendments:

Article 2

Definitions

For the purposes of this Regulation the following definitions shall apply:

(...)

Definitions of terms that first appear in Section 5 of Chapter III

(108) ‘sheltered employment’ means employment in an undertaking **where at least 30% of workers are workers with disabilities, and** where the work arrangements are designed specifically for workers with disabilities, in an environment that engages **predominantly significantly** with workers with disabilities and that has as its primary objective to offer employment, ~~protection~~ and support to such workers, which are typically not available to them in **other types of undertakings the open labour market. State aid for sheltered employment should ensure compliance with applicable laws, including labour law, provide individualised support, and transition pathways to regular employment;**

2. Inclusion of “supported employment”

EASPD welcomes the strengthening of Section 6 of the GBER and recognises the important role that State aid can play in supporting the employment of persons with disabilities and disadvantaged workers. To further enhance the effectiveness of these measures and ensure coherence with the EU’s

commitments under the UN Convention on the Rights of Persons with Disabilities, the Regulation should explicitly **recognise supported employment** as a key employment support model.

Supported employment provides individualised support via job coaching, workplace adaptation, and employer guidance, which enables persons with disabilities to obtain and sustain paid work in the labour market on an equal basis with others. Evidence also shows that GBER offers significant opportunities to support such measures, for example, through wage subsidies and the compensation of additional costs linked to reasonable accommodation or job coaching. However, in practice, these possibilities remain underused, as public authorities often rely on more restrictive instruments such as de minimis aid or adopt a cautious approach to State aid implementation, focusing explicitly on sheltered employment. As a result, the full potential of the GBER to support supported employment and the socio-professional inclusion of persons with disabilities has not yet been fully realised. Thus, a clear mention of supported employment would send a clear signal as to the possibility of more ambitious use of GBER.⁴

Integrating supported employment within the scope of the GBER would provide a clear and legally certain framework for Member States, further supporting employment into the open labour market. By recognising supported employment as an eligible form of aid, the GBER would further enable the financing of job coaching, workplace adaptations, and other tailored supports necessary for sustainable labour market participation. This would not only strengthen compliance with Article 27 of the UN CRPD and the principles of the European Pillar of Social Rights, but also ensure that disadvantaged workers and workers with disabilities can access employment on an equal basis, while safeguarding employers against disproportionate costs.

Proposed amendments:

Article 2

Definitions

For the purposes of this Regulation the following definitions shall apply:

(...)

Definitions of terms that first appear in Section 5 of Chapter III

(110 new) 'supported employment' means support to persons with disabilities or other disadvantaged groups to secure and maintain paid employment in the open labour market. The term comprises all approaches that contain some or all of the following: provision of tailored support in the form of professional and personal guidance, information, strengthening of job search skills, medical and psychological profiling of working possibilities, job identification and placement in cooperation with committed employers, ongoing support which is individualised and provided as needed for both the employee and the employer. Also included is customised

⁴ EASPD (2023). *Impact of State Aid on the Development of the Social Economy and on Service Providers for Persons with Disabilities*. Brussels. Available at: <https://easpd.eu/resources-detail/impact-of-state-aid-on-the-development-of-the-social-economy-and-on-service-providers-for-persons-with-disabilities/>

employment, which typically involves job carving. All types of supported employment require the role of a job coach or an equivalent position. For some forms of supported employment, such as Individual Placement and Support (IPS) targeting persons with serious mental health issues, strict guidelines exist which need to be adhered to for benefitting from existing evidence for its effectiveness. Supported self-employment refers to programs that provide budding entrepreneurs with disabilities or other disadvantaged groups with upfront and continuous support. They seek to promote self-employment as a realistic option for them;

Article 46

Aid for compensating the costs of assistance provided to disadvantaged workers

3. The eligible costs shall be the costs of:

a. employing staff solely for time spent on the assistance of the disadvantaged workers over a maximum period of 12 months following recruitment of a disadvantaged worker or over a maximum period of 24 months following recruitment of a severely disadvantaged worker, *including, where appropriate, the cost of job coaches in supported employment;*

Article 48

Aid for compensating the additional costs of employing workers with disabilities

3. The eligible costs shall be limited to the costs arising in relation to the worker with disabilities and shall be the following:

[...]

b. costs of employing staff solely for time spent on the assistance of the workers with disabilities and of training such staff to assist workers with disabilities, *including, where appropriate, the cost of job coaches in supported employment;*

3. Increase of notification thresholds for wages and aid for the employment of workers with disabilities

EASPD welcomes the Commission's recognition of the need to increase the notification thresholds for employment aid under the GBER, recognising that these adjustments are necessary to maintain the effectiveness of State aid instruments in supporting employment for disadvantaged and workers with disabilities. However, in order to fully reflect economic developments and maximise the impact of these, further adjustments are a necessity.

Therefore, EASPD notes that the proposed increase from EUR 10 million to EUR 11 million remains insufficient and does not reflect the inflation rate since 2014 and does not recognise the social impact of the work done by entities employing persons with disabilities. EASPD therefore urges that the **threshold**

for aid granted under Articles 47 and 48 be increased to EUR 15 million per undertaking per year. This recommendation is based on several considerations:

It is unclear why the threshold has been set specifically at EUR 11 million compared to the EUR 10 million in the original legislation, and whether this figure is supported by evidence on the operational realities of enterprises employing persons with disabilities. Given the social objective of these measures, such as promoting labour market participation of persons with disabilities, the thresholds should be designed to facilitate, rather than constrain, the expansion of inclusive employment opportunities.

The current thresholds no longer reflect economic realities, as the current legislation was concluded in 2013. According to the [Harmonised Index of Consumer Prices \(HICP\)](#), cumulative inflation since 2013 is approximately 25%, significantly reducing the real value of the thresholds established in the current regulation. This means that increasing the threshold to EUR 11 million effectively reduces the real value of the aid ceiling in comparison to 2013. Adjusting the threshold to EUR 15 million would more appropriately reflect inflationary developments and preserve the original policy intention of the regulation, also considering the factors laid down below.

The amendment also proposes increasing aid intensities for wages of persons with disabilities (from 75% to 85%). While this is a positive development, it also means that the maximum aid thresholds could be reached more quickly, particularly for organisations employing larger numbers of workers with disabilities. Without a corresponding increase in the notification threshold, the practical impact of the higher aid intensity may therefore be more limited. This issue is further compounded by developments in the sector over the past decade, where many organisations that employ persons with disabilities have merged in order to remain competitive and sustainable in the market, but also to provide better quality services and working conditions. As a result, larger organisational structures have become more common, meaning that existing notification thresholds can become a constraint even more quickly. Although improvements to the undertaking definition for social economy entities will help, it will not help in all situations; thus, the need for increased and more realistic notification thresholds.

The proposed increases for employment aid for persons with disabilities and disadvantaged workers are significantly lower than some of the increases proposed in other areas of the regulation. For example, aid for training projects increases from EUR 2 million to EUR 3 million, representing a 50% increase, while the increase for employment aid for persons with disabilities is only 10% (from EUR 10 million to EUR 11 million). Given the EU's commitment to improving labour market participation of persons with disabilities, this amount should be adjusted.

Last but not least, the notification requirements create significant administrative burdens for both public authorities and beneficiaries. The need to notify aid exceeding the threshold to the European Commission more often than not discourages public authorities from granting such support due to the

complexity, legal uncertainty, and time required for notification procedures.⁵ As a result, organisations employing large numbers of persons with disabilities may be disincentivised from continuing their activities and implementing their role, or from creating additional employment opportunities. This outcome would be contrary to the objectives of the GBER as set out in the draft proposal.

For the reasons laid down above and considering the current threshold levels, large employers of persons with disabilities may be effectively penalised for creating and sustaining employment opportunities for thousands of workers who face barriers to the labour market, and for whom there are few employment solutions elsewhere. Since the goal of state aid tools is to level the playing field for different economic actors, the notification thresholds should not create disincentives for employers that actively contribute to inclusive labour markets.

Proposed amendments:

Article 47

Aid for the employment of workers with disabilities in the form of wage subsidies

2. This Article shall not apply to aid which exceeds **EUR 11-15** million per undertaking, per year.

Article 48

Aid for compensating the additional costs of employing workers with disabilities

2. This Article shall not apply to aid which exceeds **EUR 11-15** million per undertaking, per year.

4. Definition of a “social economy entity”

EASPD welcomes the recognition of the distinctive role of the social economy in the draft GBER. As highlighted in the introduction, social economy organisations play a key role in providing employment opportunities for persons with disabilities and delivering social care services across the EU. To ensure that State aid rules effectively support these organisations while maintaining a level playing field in the internal market, it is important that the definition of “social economy entity” is **coherent with existing EU policy frameworks** and reflects the diversity of legal forms across Member States.

For the purposes of this Regulation, ‘social economy’ should be understood in line with the definition set out in the [Council Recommendation of 27 November 2023 on developing social economy](#)

⁵ Ibid.

framework conditions, while taking into account the existing legal frameworks of the Member States. This Recommendation states that ‘social economy’ means a set of private law entities providing goods and services to their members or to society, encompassing organisational forms such as cooperatives, mutual societies, associations (including charities), foundations or social enterprises, as well as other legal forms, that operate in accordance with the following key principles and features:

- (i) the primacy of people as well as social or environmental purpose over profit;
- (ii) the reinvestment of all or most of the profits and surpluses to further pursue their social or environmental purposes and carry out activities in the interest of their members/users (‘collective interest’) or society at large (‘general interest’); and
- (iii) democratic or participatory governance.

EASPD considers this definition to be a clearer and more operational definition of social economy. It would also **simplify** the regulatory framework, **avoid fragmentation** of concepts and reduce the need for multiple or overlapping definitions.

Proposed amendments:

Article 2

Definitions

For the purposes of this Regulation the following definitions shall apply:

(...)

Definitions of terms that first appear in Section 3 of Chapter III

(...)

(92) [**While taking into account the existing legal frameworks of the Member States**], ‘**social economy entity**’ means an undertaking which, regardless of its legal form, in accordance with its articles of association, statutes or any other legal document that may result in liability under the rules of the Member State where a social enterprise is located: **(i)** has the achievement of measurable positive **social or environmental objectives** as its primary objective **by providing goods and services in the market in accordance with the principles and features of the social economy as set out in Annex I**, **(ii)** **reinvests all or [most]** of its profits **or surpluses** to achieve its primary social objective **(iii)** **is managed in an entrepreneurial, participatory, responsible and transparent manner, in particular by involving its employees or members, customers and stakeholders affected by its economic activities, and (iv)** has predefined procedures and rules **to (a) protect and lock-in its primary purpose and assets long term and (b)** ensure that **where the procedures and rules permit** the distribution of profits, **this** does not undermine the primary social **or environmental** objectives;

5. Definition of a “non-profit entity”

Non-profit entities within the meaning of Article 2(1) (h) of the SGEI de minimis Regulation differ fundamentally from both traditional commercial enterprises and for-profit social enterprises, as defined in Article 2 (92) of the draft GBER. The key characteristic of non-profit social service providers is the full reinvestment of their profits in line with their objectives and missions.

Non-profit entities and for-profit social enterprises can be seen as lying on a spectrum of organisations with an increasing degree of social character, with for-profit social enterprises combining strong social objectives with market-based activities and limited profit distribution, while non-profit entities represent the fully non-commercial, entirely mission-driven end.

In this respect, the inclusion of “social enterprises” in the Draft GBER is positive but not sufficient to cover this reality because for-profit social enterprises have an economic model that is very different from that of non-profit entities. Compared to social enterprises, non-profit entities are generally not able to rely on private sources of funding or many forms of risk financing. Due to their specific legal constitution and the restrictions on building up financial reserves or raising investment capital, non-profit entities require higher aid intensities under the GBER. This is particularly the case given the new elements under the draft proposal to support risk-financing for social enterprises.

On top of the aforementioned challenges in accessing financing for non-profits, this new proposal to better support risk-financing seriously **risks hindering the level playing field between such organisations**. Furthermore, to ensure consistency with the SGEI instruments, the **definition of a "non-profit entity" contained in Article 2 (1) (h) of the SGEI de minimis Regulation must be included in the GBER.**

Proposed amendments:

Article 2

Definitions

For the purposes of this Regulation the following definitions shall apply:

(...)

Definitions of terms that first appear in Section 5 of Chapter III

(109 new) ‘non-profit entity’ means an entity irrespective of its legal status (organised under public or private law) or way of financing, whose primary purpose is to undertake social tasks, which reinvests any profits gained and which predominantly engages in non-commercial activities. Where such an entity also pursues commercial activities, it must ensure accounting separation for the financing, the costs and the revenues of those commercial activities from the non-commercial activities;

6. Exception for non-profit entities in the definition of a “single undertaking”

Ensuring that State aid instruments effectively support organisations delivering social services undoubtedly requires regulatory clarity. Many disability service providers operate within umbrella structures typical of the social economy. In this context, it is important that the definition of a “single undertaking” in the GBER reflects the organisational realities of non-profit entities and avoids creating unnecessary administrative barriers.

The **exception for non-profit entities that applies in the SGEI De-minimis Regulation and the SGEI Decision must also be included in the GBER**, in order to reduce bureaucracy and increase legal certainty. Structural links that may exist between non-profit entities and other economically active legal entities are not sufficient to consider them as a single undertaking. This is due to the fact that there is no sufficient degree of control and that their economic strength does not increase in a way that would be typical of a single undertaking. Hence, non-profit entities can neither be part of nor a link in the formation of a single undertaking, which flows directly from the concept of a single undertaking.

For instance, separate organisations delivering social services (e.g., healthcare, elderly care, and employment) under the same umbrella of a non-profit entity, but with independent power of decision, should not be considered as part of the same single undertaking. Since the Commission is clarifying that controlling shareholding is insufficient to be characterised as a “single undertaking”, it should also explicitly clarify that the exception for non-profit entities in the “single undertaking” definition also applies in the GBER. The reasoning for why the exception applies (independent power of decision) holds true irrespective of whether non-profit entities provide SGEI or other social services that are not formally entrusted as SGEIs.

A coherent understanding of a “single undertaking”, which includes the exception for non-profit entities, is particularly important so that the aid recipient can be identified and correctly reported in the transparency register. If different transparency registers rely on different concepts of a “single undertaking”, frequent errors occur that consequently create very high bureaucratic administrative burdens for authorities and aid recipients alike.

Finally, such an understanding of a “single undertaking” is also important for the correct calculation of the proposed top-ups “per undertaking”, as for example foreseen in Art. 56 (11) (c) Draft GBER. By explicitly incorporating the exception for non-profit entities, funding authorities and funding recipients will gain legal certainty and prevent complicated, lengthy and overly bureaucratic assessments of the often umbrella-like structures of non-profit entities, which in practice leads to delays and blockage of funds. Lastly, such an addition would require the inclusion of the definition of “non-profit entity” as under the SGEI rules (see previous amendment).

Proposed amendments:

Article 2

Definitions

For the purposes of this Regulation the following definitions shall apply:

Definitions of terms that first appear in Chapter I

(...)

(3) 'undertaking' or 'single undertaking' means any entity engaged in an economic activity. Several separate legal entities may be considered to form one economic unit, and therefore one undertaking, because of controlling shares and other functional, economic and organic links. The mere fact of holding shares, even controlling shareholdings, is insufficient to characterise such a link. ***Enterprises that have no relationship with each other, except for the fact that each of them has a direct link to the same public body or bodies, or to the same non-profit entity or entities, shall not be treated as a single undertaking;***

7. Necessary increases in aid intensities for non-profit entities

While the draft GBER introduces positive provisions for social enterprises, these measures do not sufficiently reflect the specific constraints faced by non-profit entities. Therefore, EASPD is calling for the following changes in several areas of the Regulation.

Increased training aid densities for non-profit entities. According to their definition under Article 2 No. 92 of the Draft GBER, social enterprises only have to reinvest half of their profits and are able to distribute the remaining half to their shareholders. Non-profit entities are economically disadvantaged, since they must reinvest all their profits and do not distribute any profits to shareholders. Accordingly, they should receive double the increase in aid intensity that is envisaged for social enterprises, i.e. a supplement of 20%.

Proposed amendments:

Article 44

Training aid

5. The aid intensity shall not exceed 50% of the eligible costs.

(a) It may be increased, up to a maximum aid intensity of 100 % of the eligible costs, as follows:

- (...)

by 20 percentage points if the aid is granted to a non-profit entity

Increased aid for energy efficiency measures other than in buildings for non-profit entities. Non-building-related energy efficiency measures play an important role in the organisation and provision of disability services. However, the aid intensities currently envisaged remain insufficient for non-profit entities, whose specific legal constitution and limited ability to accumulate financial reserves or access investment capital restrict their capacity to finance such measures. Therefore, higher densities need to be envisaged for such entities.

Proposed amendments:

Article 55

Investment aid for energy efficiency measures other than in buildings

8. The aid intensity shall not exceed:
 - (a) (...)
 - (b) (...)
 - (c) The aid intensities under points (a) and (b) may be increased by:
 - (i) 5 percentage points for aid granted to medium-sized undertakings **and**, 10 percentage points for aid granted to small undertakings **and 50 percentage points for non-profit entities** or, alternatively, 10 percentage points where the total aid amount does not exceed EUR 1.5 million per undertaking, per project, for aid to any undertaking, regardless of its size;

Increased aid for energy performance measures in buildings for non-profits. The investment gap for climate protection and climate resilience-related renovation of buildings that are used for the organisation and provision of social services for persons with disabilities is significant. Disability service providers need to be able to continue to use them in the future and to ensure the uninterrupted provision of essential support and care services for persons with disabilities across the EU.

However, the aid intensities currently provided for in the Draft GBER are far too low for non-profit entities. According to their definition under Article 2 No. 92 of the Draft GBER, social enterprises only have to reinvest half of their profits and are able to distribute the remaining half to their shareholders. Non-profit entities are economically disadvantaged, since they must reinvest all their profits and do not distribute any profits to shareholders. Accordingly, they should receive double the increase in aid intensity that is envisaged for social enterprises, i.e. a supplement of 40%.

Proposed amendments:

Article 56

Investment aid for energy performance measures in buildings

(c) The aid intensities in points (a) and (b) may be increased by the following percentage points up to a maximum of 90 % of the eligible costs:

(i) - (iv) (...)

(v) by 40 percentage points for aid granted to non-profit entities

Taken together, these adjustments would better reflect the structural financing constraints faced by non-profits and contribute to maintaining a level playing field while enabling these organisations to continue fulfilling their public interest missions across the EU.



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