APPROVED BY

Order of the Antimonopoly

Committee of Ukraine

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ANNUAL REPORT

on the granting of State aid to undertakings in Ukraine for 2025

Contents

Introduction

The annual report on the granting of State aid to undertakings has been prepared by the Antimonopoly Committee of Ukraine (hereinafter – the Committee), which is the Authorised Body for State Aid (hereinafter – the Authorised Body) in accordance with part one of Article 8 of the Law of Ukraine "On State Aid to Undertakings" (hereinafter – the Law).

One of Ukraine's commitments under Article 263 of the Association Agreement between Ukraine, of the one part, and the European Union, the European Atomic Energy Community and their Member States, of the other part (hereinafter – the Association Agreement), is to ensure transparency in the field of State aid. To this end, each Party to the Association Agreement shall annually send the other Party a report on the total amount, types and sectoral distribution of State aid which may affect trade between the Parties.

In fulfilment of this commitment, the Committee annually reflects the relevant information in its reports[1] on the granting of State aid. The reports for 2017–2024 were sent to the European Commission through the contact point of the Ukrainian side for the exchange of information.

Despite the suspension of certain provisions of the Law in connection with the introduction of martial law in Ukraine, in 2025 the Committee implemented the planned priority measures relating to State aid monitoring, improvement of the regulatory framework, advocacy of the State aid system and fulfilment of Ukraine's international commitments in the field of State aid.

Section 1 of this report sets out the legal framework for the Committee's activities as the Authorised Body and the functioning of the system for monitoring and control of State aid under martial law.

Section 2 of this report addresses the Committee's activities aimed at improving legislation in the field of State aid, in particular as regards draft legislation work and the approval of drafted relevant regulatory acts.

Section 3 of this report contains information on the activities of the Authorised Body in the context of disseminating knowledge in the field of State aid, and in particular provides information on the measures taken by the Committee during 2025 to raise awareness in the field of State aid.

[1]In accordance with part seven of Article 16 of the Law of Ukraine "On State Aid to Under’takings", the Authorised Body shall, annually by 1 September of the following year, draw up an annual report on the granting of State aid in Ukraine for the previous financial year and submit it to the Cabinet of Ministers of Ukraine.

Section 4 of this report covers the Committee's international cooperation activities in the field of State aid, in particular the meetings and study visits held, as well as cooperation with the international technical assistance project "Competition and State Aid Rules and Practices Alignment with the EU Acquis" (COMPASA).

1. The system for monitoring and control of State aid to undertakings under martial law

The Law of Ukraine "On State Aid to Undertakings" establishes the legal framework for monitoring State aid to undertakings and for exercising control over the compatibility of such aid with competition; it is aimed at ensuring the protection and development of competition, increasing the transparency of the functioning of the State aid system and complying with Ukraine's international commitments in the field of State aid.

According to the definition set out in paragraph 1 of part one of Article 1 of the Law, State aid to undertakings (hereinafter – State aid) means support in any form to undertakings from State or local resources which distorts or threatens to distort economic competition by creating advantages for the production of certain types of goods or the pursuit of certain types of economic activity.

Accordingly, support constitutes State aid where the following conditions are met cumulatively:

the support is granted to an undertaking;

the State support is financed from State or local resources;

the support creates advantages for the production of certain types of goods or the pursuit of certain types of economic activity;

the support distorts or threatens to distort economic competition.

In implementation of the Law and in order to ensure the effective exercise of the powers vested in the Committee as the Authorised Body for the fulfilment of Ukraine's international commitments set out in the Association Agreement, in July 2017 a structural unit was established within the Committee – the Department for Monitoring and Control of State Aid (hereinafter – the Department).

At the end of 2025, the Department's staffing level was 27 positions. The Department operated as five divisions with a distributed sectoral specialisation, which ensure the exercise of the Committee's powers as the Authorised Body in accordance with the requirements of the Law.

In accordance with paragraph 5^2 of Section 9 "Final and Transitional Provisions" of the Law (pursuant to the Law of Ukraine No. 2134-IX of 15.03.2022, as amended by the Law of Ukraine No. 2175-IX of 01.04.2022, taking into account the Law of Ukraine No.

4585-IX of 21.08.2025), in particular, during the period of martial law the provisions of Articles 6, 7, 9–16 of this Law and other provisions of legislation arising from the said Articles of this Law shall not apply.

State aid granted during the period of martial law is compatible.

State aid providers have been relieved of the obligation:

to notify new State aid and proposals to amend the conditions of existing State aid, where such aid is granted during the period of martial law and within one year after its termination or cancellation;

to submit to the Committee information on existing State aid granted during the period of martial law and within one year after its termination or cancellation.

In view of the above, the Committee currently does not receive State aid notifications and does not determine whether support measures constitute State aid or assess their compatibility with competition.

At the same time, during 2025 the Committee actively worked on restoring the effect of certain provisions of the Law and harmonising it with the EU acquis.

In addition, in 2025 the Committee continued its work under the Action Plan for improving the mechanism of State aid to undertakings, approved by Order of the Cabinet of Ministers of Ukraine No. 476-r of 14.06.2022 (hereinafter – the Plan).

Under the Plan, the responsible implementing entities are to ensure the implementation of the Plan's measures and to send the Committee, annually by 1 February, information on the status of implementation of the action plan for consolidation and submission to the Cabinet of Ministers of Ukraine (hereinafter – the CMU, the Government) by 1 March.

The Plan provides, in particular, for:

designating the Committee as responsible for drafting and submitting to the Government draft CMU resolutions on the criteria for assessing the compatibility of particular categories of State aid;

the development and implementation by State aid providers of measures to provide support from State and local budget funds or any other support from State or local resources to undertakings, taking into account the requirements of the Law;

ensuring the preparation of an annual report on the granting of State aid to undertakings for the previous financial year, and the submission of the report on the granting of State aid to undertakings to the CMU for publication in the newspaper "Uriadovyi Kurier" and posting on the Government website.

The Committee reported to the CMU on the implementation of the Plan by letter No. 500-29.1/01-2130e of 19.02.2026.

Among other things, in 2025 the Committee continued to monitor support measures for undertakings pursuant to the instruction of the Vice Prime Minister for European and Euro-Atlantic Integration of Ukraine No. 23872/2/1-24 of 07.08.2024.

In accordance with the said instruction, the heads of central executive authorities and the heads of military administrations must provide the Committee on a quarterly basis with information on the support measures for undertakings implemented during the period of martial law. The information is provided by State aid providers in the relevant format and is consolidated by the Committee for the purposes of the relevant monitoring.

During the reporting year, the Committee received more than 160 reports from central executive authorities, other State authorities and local self-government bodies. Around 60 reports were received at the national level and around 100 reports from local authorities. In total, providers informed the Committee of the implementation of around 1,400 support measures, of which more than 160 were implemented by State authorities at the national level and around 1,200 by local authorities. The approximate amount of support is around UAH 8 billion.

At both the national and local levels, the most common forms of support were guarantees, grants, subsidies, and customs and tax privileges.

A preliminary analysis of these support measures established that the key areas of support at the national level included, in particular:

restoration of energy infrastructure in order to ensure the balance and integrity of Ukraine's power system and to enhance the energy security of the State and the economy as a whole;

stimulating an increase in electricity generation from alternative energy sources;

financing the critical liquidity and resilience needs of Joint Stock Company "Ukrzaliznytsia" in order to ensure stable and uninterrupted freight and passenger rail transport, as well as the provision of evacuation services in Ukraine.

The key areas of support at the local level were:

support for combatants and persons with disabilities resulting from the war, and assistance to these categories of persons in setting up and developing their own businesses;

partial compensation for damage caused to the immovable property of business entities as a result of hostilities, where such immovable property was destroyed or damaged;

encouraging small business entities to create new jobs and to increase employment among the unemployed;

support for local producers and promotion of the production of high-quality and competitive locally produced goods (products);

ensuring measures to restore housing stock facilities damaged as a result of the armed aggression.

In addition, it was established that support schemes which existed on the date of entry into force of the Law continued to operate; these are described in detail in the Report on the inventory of schemes of support to undertakings from State or local resourceswhich existed on the date of entry into force of the Law of Ukraine "On State Aid to Undertakings"[2], approved by Order of the Committee No. 22-rp of 28.11.2024).

It should be noted that the classification of the notified support measures for undertakings as State aid and the assessment of the compatibility of State aid in the manner prescribed by the Law may be carried out by the Committee only after the effect of certain provisions of the Law has been restored.

Despite the suspension of certain provisions of the Law, monitoring of support measures for undertakings granted during the period of martial law remained one of the key areas of the Authorised Body's activities in 2025.

In addition, given the relevance of monitoring support measures for undertakings granted during the period of martial law, which is directly linked to the negotiation process on Ukraine's accession to the European Union, including the fulfilment of the closing benchmarks under negotiating Chapter 8 "Competition Policy", in 2026 the Committee plans to carry out an in-depth analysis of such support measures and to provide State aid providers with practical recommendations on bringing these measures into line with State aid legislation.

2. Law-making activities of the Antimonopoly Committee of Ukraine in the field of State aid

In 2025, the key focus of the Committee's activities as the Authorised Body remained the improvement of the regulatory framework in the field of State aid with a view to fulfilling Ukraine's international commitments regarding the harmonisation of national State aid legislation with European Union standards.

During the reporting period, the CMU adopted **3 resolutions** approving criteria for assessing the compatibility of State aid, for which the Committee was the lead drafter. The Committee also approved **one order** on procedural rules in the field of State aid.

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[2]In implementation of the arrangements reached during the 10th meeting of the EU-Ukraine Association Committee in Trade Configuration, the report was updated in June 2026. The Vice Prime Minister for European and Euro-Atlantic Integration of Ukraine issued an instruction for State aid providers to take measures to bring existing State aid schemes into line with State aid legislation, taking into account the information set out in the updated report.

In addition, the Committee approved **7** drafted **regulatory acts** in the field of State aid in accordance with the requirements of the CMU Rules of Procedure, approved by CMU Resolution No. 950 of 18.07.2007 (as set out in CMU Resolution No. 1156 of 09.11.2011) (as amended).

2.1. Draft legislation work

During the reporting period restoring the effect of the Law was one of the priority areas of draft legislation work, as it is one of the conditions for Ukraine's further preparation for European Union membership and is also necessary for compliance with Ukraine's international commitments and the implementation of strategic plans, in particular:

reform 4 of Chapter 6 of the Ukraine Plan, approved by CMU Order No. 244-r of 18.03.2024 (as amended), which provides for the entry into force of updated State aid legislation, including provisions on services of general economic interest, with the full restoration of State aid control by the Committee;

paragraph 96 of the Action Plan for implementing the recommendations of the European Commission set out in the Report on Ukraine's progress under the 2024 European Union Enlargement Package, approved by CMU Order No. 300-r of 28.03.2025, which provides for the drafting and submission to the Government of a draft law repealing the suspension of the Law;

the recommendations of the European Commission set out in the European Commission Report of 04.11.2025 on Ukraine's progress under the 2025 European Union Enlargement Package, which consist in the need to repeal the suspension of the application of State aid control;

subparagraph 4 of paragraph 249 of the Government's Priority Action Plan for 2025, approved by CMU Order No. 1003-r of 10.09.2025, which provides for the drafting and submission to the CMU of a draft law on restoring State aid control;

paragraph 34 of the Draft Legislation Work Plan of the Verkhovna Rada of Ukraine for 2025, approved by Resolution of the Verkhovna Rada of Ukraine No. 4228-IX of 11.02.2025, which sets out the deadlines for the submission and consideration by the Verkhovna Rada of Ukraine of the draft Law repealing the suspension of the Law of Ukraine "On State Aid to Undertakings".

Thus, during 2025 the Committee drafted, and the CMU submitted to the Verkhovna Rada of Ukraine, the draft Law of Ukraine "On Amendments to the Law of Ukraine 'On State Aid to Undertakings' concerning the restoration of the effect of certain of its provisions, the specific features of their application during the legal regime of martial law and the improvement of the monitoring of State aid to undertakings", registered with the

Verkhovna Rada of Ukraine on 30.12.2025 under No. 14345 (hereinafter – Draft Law No. 14345 of 30.12.2025).

Draft Law No. 14345 of 30.12.2025[3] proposes, in particular, the following amendments to the Law:

1) restoring the effect of the provisions of the Law which are currently not applied, except in the territories of Ukraine where active hostilities are taking place or which are temporarily occupied by the Russian Federation and for which no dates for the end of hostilities or temporary occupation have been determined, as well as within one year from the date of the end of hostilities or temporary occupation;

2) a new definition of "de minimis aid" (such aid must meet the conditions for classifying support from State or local resources as de minimis aid) and an increase in the de minimis thresholds from EUR 200,000 to EUR 300,000, and to EUR 750,000 for services of general economic interest (hereinafter – SGEI). Where the relevant conditions are met, notifications of de minimis aid are not submitted;

3) setting out the conditions under which State aid to make good the damage caused by emergencies (including the armed aggression of the russian federation) is compatible;

4) the determination by the Authorised Body of the conditions under which an activity is not considered an economic activity, and of other conditions under which support measures for undertakings do not constitute State aid and do not require the submission to the Authorised Body of a notification of new State aid;

5) improving the provisions on SGEI. In particular, a new definition is envisaged, namely services which State authorities or local self-government bodies define in regulatory and/or administrative acts and/or other documents as being important for citizens and meeting the public interest, and which are not provided or cannot be provided by undertakings without State support because of conditions relating, in particular, to the price, quality, continuity and accessibility of such services (at present, the list of SGEI is established by the Government);

6) with a view to improving State aid monitoring, amendments are envisaged concerning the State aid register, in particular its digitalisation and the information submitted to the register, including on de minimis aid, taking into account the requirements of the EU acquis.

In addition, during 2025 the Committee took part in the consideration by the Verkhovna Rada of Ukraine of the draft Law of Ukraine "On Amendments to the Law of Ukraine 'On State Aid to Undertakings' concerning the submission of information on State aid to undertakings and liability for breaches of the requirements of legislation on State

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[3]According to the draft law's registrationcard, the draft law has been withdrawn from consideration.

aid to undertakings", registered with the Verkhovna Rada of Ukraine on 05.11.2024 under No. 12181 (hereinafter – Draft Law No. 12181), which was drafted in implementation of the State Anti-Corruption Programme for 2023–2025, approved by CMU Resolution No. 220 of 4 March 2023 (as amended) (hereinafter – the Programme), in particular by participating in the meeting of the Committee of the Verkhovna Rada of Ukraine on Ukraine's Integration into the European Union held on 19 June 2025.

Draft Law No. 12181 provided for amendments to the Law under which, in particular:

a breach by the heads or other officials of State aid providers of the legislation on State aid to undertakings entails the liability established by law;

the dates of commission and detection of the relevant offences were defined, in the form of:

failure by State aid providers to submit to the Authorised Body a notification of new State aid and of amendments to the conditions of existing State aid, which resulted in the granting of unlawful State aid, other than State aid incompatible with competition;

the granting of State aid incompatible with competition;

failure by State aid providers to submit information, submission of incomplete information to the Authorised Body within the time limits established by regulatory acts or by the Authorised Body, and submission of inaccurate information to the Authorised Body.

In accordance with Article 105 of the Rules of Procedure of the Verkhovna Rada of Ukraine, approved by the Law of Ukraine No. 1861-VI of 10 February 2010 (as amended), Draft Law No. 12181 was withdrawn following the resignation of the Government in July 2025.

Given the extension of the deadline for implementing the Programme, and the fact that Draft Law No. 14345 provides for a number of provisions contained in Draft Law No. 12181, in particular as regards the corresponding amendments to Articles 8 and 16 of the Law, the Committee revised the draft Law of Ukraine "On Amendments to the Law of Ukraine 'On State Aid to Undertakings' concerning liability for breaches of the requirements of legislation on State aid to undertakings"[4].

In addition, during the reporting period, as part of its cooperation with the Verkhovna Rada of Ukraine, representatives of the Committee as the Authorised Body took part in 14 meetings of committees of the Verkhovna Rada of Ukraine on the consideration of draft laws in accordance with their agendas, namely:

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[4]The draft law was approved at the Committee's meeting on 29.01.2026 and registered with the Verkhovna Rada of Ukraine on 08.06.2026 under No. 15304. According to the registrationcard of draft law No. 15304, the draft law has been withdrawn from consideration.

13.01.2025 meeting of the Committee on Ukraine's Integration into the European Union;

20.03.2025 meeting of the Subcommittee on Road Transport, Urban Electric Transport and Metros of the Committee on Transport and Infrastructure;

24.03.2025 meeting of the Committee on Transport and Infrastructure;

14.04.2025 meeting of the Committee on Ukraine's Integration into the European Union;

29.04.2025 meeting of the Committee on Transport and Infrastructure;

02.05.2025 meeting of the Committee on Economic Development;

12.05.2025 meeting of the Committee on Ukraine's Integration into the European Union;

23.07.2025 meeting of the Committee on Economic Development;

24.09.2025 meeting of the Committee on Economic Development;

01.10.2025 meeting of the Committee on Ukraine's Integration into the European Union;

29.10.2025 meeting of the Committee on Ukraine's Integration into the European Union;

18.11.2025 meeting of the Committee on Ukraine's Integration into the European Union;

21.11.2025 meeting of the Committee on Ukraine's Integration into the European Union;

27.11.2025 meeting of the Committee on Energy and Housing and Communal Services.

2.2. Adopted secondary legislation in the field of State aid

During the reporting period, **3 CMU resolutions** were adopted approving criteria for assessing the compatibility of particular categories of State aid, drafted by the Committee, namely:

1. CMU Resolution No. 462 of 18.04.2025 "On Amendments to the Resolution of the Cabinet of Ministers of Ukraine No. 348 of 18 April 2023".

The Resolution was drafted with a view to updating certain provisions of the Criteria for assessing the compatibility of State aid to undertakings for regional development and the Criteria for assessing the compatibility of State aid to undertakings for the support of small and medium-sized enterprises, approved by CMU Resolution No. 348 of 18 April 2023, in connection with the amendments to Commission Regulation (EU) No. 651/2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty on the Functioning of the European Union, and with a view to ensuring the conformity of national legislation in the field of State aid to undertakings with the EU acquis.

The Resolution amended:

1) the Criteria for assessing the compatibility of State aid to undertakings for regional development, approved by CMU Resolution No. 348 of 18 April 2023, in particular as regards:

the addition of the terms "completion of the investment", "the same or similar economic activity", "intangible assets" and "tangible assets";

clarification of the areas of activity of undertakings to which these criteria do not apply;

the addition of provisions on the exclusion of value added tax from the amount of eligible costs where it is recoverable;

setting out the rules on the cumulation of State aid for regional development with any other State aid;

setting out the deadlines for the publication of information by the State aid provider;

clarification of the amount of eligible costs which may be covered by State aid for small and medium-sized enterprises;

clarification of the calculation of the maximum amount of State aid for the implementation of an investment project, in particular as regards the increase in the thresholds for eligible costs in respect of which the State aid provider may apply the calculation of the maximum amount of State aid;

clarification of the investments considered to form part of a single investment project;

the obligation on the State aid beneficiary as regards clarification of the period for relocation of activity;

2) the Criteria for assessing the compatibility of State aid to undertakings for the support of small and medium-sized enterprises, approved by CMU Resolution No. 348 of 18 April 2023, in particular as regards:

the addition of the term "start-up";

the forms in which State aid for the support of start-ups is granted, namely in the form of tax measures and in the form of the transfer (assignment) of rights to an item of intellectual property or the granting of permission (a licence) to use an item of intellectual property free of charge or at below-market value;

an increase in the maximum amounts of State aid for the support of start-ups;

setting out the deadlines for the publication of information by the State aid provider;

the addition of provisions on the exclusion of value added tax from the amount of eligible costs where it is recoverable;

setting out the rules on the cumulation of State aid for the support of small and medium-sized enterprises with any other State aid.

2. CMU Resolution No. 673 of 11 June 2025 "On Approval of the Criteria for Assessing the Compatibility of State Aid to Undertakings for the Vocational Training of Employees".

The Resolution was drafted with a view to updating the existing legal framework for State aid to undertakings for the vocational training of employees, taking into account the amendments to Commission Regulation (EU) No. 651/2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty on the Functioning of the European Union, as well as the need to implement the Communication from the European Commission "Criteria for the analysis of the compatibility of State aid for training subject to individual notification" (2009/C 188/01).

The Criteria provide, in particular, as follows.

These criteria apply to the assessment of the compatibility of State aid granted with a view to encouraging employers to raise the professional level of their employees.

These criteria do not apply to the assessment of the compatibility of State aid, in particular:

granted for the purpose of mandatory training, retraining or upskilling of employees in accordance with the requirements of legislation;

granted to coal-mining undertakings to cover costs arising from their liquidation and used by such undertakings to carry out vocational training measures for employees with a view to enabling those employees to find new employment outside the coal-mining industry.

The category of State aid beneficiaries comprises undertakings carrying out economic activity in any sector.

State aid must have an incentive effect, the existence of which is confirmed on the basis of the requirements set out in these criteria (separate requirements for confirming the existence of an incentive effect are laid down for State aid in the form of tax measures).

The maximum amount of State aid is up to 50 per cent of the total amount of eligible costs, and may also be increased to 70 per cent of the total amount of eligible costs:

1) where vocational training measures are carried out for employees who are persons with disabilities and/or disadvantaged persons and/or internally displaced persons and/or combatants falling within one of the categories set out in paragraphs 19 and 20 of part one of Article 6 of the Law of Ukraine "On the Status of War Veterans and Guarantees of Their Social Protection" – by up to 10 percentage points;

2) where aid is granted to medium-sized enterprises – by up to 10 percentage points, and where aid is granted to small enterprises – by up to 20 percentage points.

Where State aid is granted for the vocational training of employees working in the maritime transport sector, the maximum amount of State aid may be increased to 100 per cent of the total amount of eligible costs, provided that the employees undergoing vocational training are not members of the ship's crew but are supernumerary employees of the ship, and the vocational training is carried out on board a ship registered in accordance with the Merchant Shipping Code of Ukraine.

State aid is used to reimburse undertakings for eligible costs relating to:

the remuneration of teaching staff and of employees for the time during which they undergo vocational training; travel; accommodation; the acquisition of training materials, tools and equipment directly related to the vocational training of employees, and their depreciation to the extent necessary for the vocational training of employees;

advisory services related to the vocational training of employees;

administrative and overhead costs and rental costs for the time during which employees undergo vocational training.

Where the total amount of State aid exceeds EUR 3 million at the official exchange rate of the National Bank set on the date on which it is granted, per State aid beneficiary, such State aid is compatible provided that the additional conditions set out in these criteria are met.

3. CMU Resolution No. 805 of 7 July 2025 "On Approval of the Criteria for Assessing the Compatibility of Particular Categories of State Aid to Undertakings Granted to Facilitate Certain Economic Activities or Certain Economic Areas".

The Resolution was drafted with a view to implementing the provisions of Articles 262–267 of the Association Agreement and the general principles for assessing the compatibility of State aid pursuing the objectives of Article 107(3)(c) of the Treaty on the Functioning of the EU.

The Criteria provide, in particular, as follows.

These criteria apply to the assessment of the compatibility of State aid granted to facilitate certain economic activities or certain economic areas.

These criteria apply where the State aid measure is not covered by the approved criteria for assessing the compatibility of particular categories of State aid, and taking into account the requirements of Article 264 of the Association Agreement.

These criteria do not apply to the assessment of the compatibility of State aid to undertakings having the status of a bank or financial institution.

The categories of State aid beneficiaries comprise undertakings which cumulatively meet the following characteristics:

they carry out economic activity in certain economic activities or certain economic areas;

they are undertakings which are not in difficulty.

State aid is used to reimburse undertakings for eligible costs, namely costs which are necessary to achieve the objective of the State aid and directly related to the project implemented with the support of State aid or to the activity for which the State aid is granted.

State aid is compatible where the conditions laid down in these criteria are met, namely:

1) the State aid facilitates the development of certain economic activities or certain economic areas;

2) the State aid does not give rise to excessive negative effects on competition or to a restriction of competition.

State aid which facilitates the development of certain economic activities or certain economic areas must meet the following conditions:

it facilitates the development of a clearly defined economic activity or of defined economic areas and achieves a positive effect of such State aid for economic and public interests as compared with the negative effects on competition;

it has an incentive effect;

the receipt of State aid does not result in a breach of the requirements of Ukrainian legislation and/or the Association Agreement.

State aid which does not give rise to excessive negative effects on competition or to a restriction of competition must cumulatively meet the following conditions:

the State aid measures help to remedy the market situation where the market is unable on its own to ensure the effective development of certain economic activities or certain economic areas;

the State aid provider has identified the market failures which prevent the development of a particular economic activity or of certain economic areas in the absence of State aid;

there are no other measures (instruments) for achieving the objective of granting State aid to facilitate the development of a particular economic activity or of certain economic areas which would give rise to fewer negative effects on competition;

the State aid provider has substantiated the need for undertakings to receive State aid in order to achieve its objective and to address the problems at which such State aid is directed; the choice of the form of State aid, and has demonstrated that the form of State aid it has chosen is the form which will have the least negative effect on competition;

the maximum amount of State aid must be limited to the minimum, namely it must correspond to the amount of the net additional costs necessary to achieve the objective of the State aid;

where State aid is granted for the construction and/or modernisation of an infrastructure facility and that infrastructure facility is accessible to users other than the State aid beneficiary (beneficiaries), the conditions of access of such users to that infrastructure facility must be non-discriminatory and generally available.

In determining the negative effects of State aid on competition, the Authorised Body takes into account the main types of distortion of competition caused by the granting of State aid.

Order of the Committee No. 5-rp of 29.05.2025 "On Amendments to the Orders of the Antimonopoly Committee of Ukraine No. 43-rp of 28 December 2015 and No. 2-rp of 04 March 2016" (registered with the Ministry of Justice of Ukraine on 07 July 2025 under No. 1033/44439)

The Order was drafted with a view to improving digitalisation processes in the field of State aid and ensuring the conformity of the Procedure for maintaining and accessing the register of State aid to undertakings with the requirements of legislation, in particular the Law of Ukraine "On Public Electronic Registers".

That Order introduced a number of amendments to the regulatory acts governing the organisation and exercise of control over the granting of State aid to undertakings, namely:

the Procedure for maintaining and accessing the register of State aid to undertakings;

the Procedure, forms and requirements for submitting to the Committee information on existing State aid to undertakings;

the Procedure for monitoring State aid to undertakings;

the notification forms set out in Annexes 1 and 2 to the Procedure for submitting and completing notifications of new State aid and of amendments to the conditions of existing State aid.

The amendments introduced by this Order provide for the regulation of procedures for submitting reporting to the State aid register, the updating and streamlining of information submission forms, and the harmonisation of the provisions of the existing procedures.

In addition, in order to ensure a uniform approach to the preparation and submission of information and to simplify the processing and analysis thereof, the Order revised the list of State aid categories contained in the forms for notifying such aid. In particular, Annexes 1 and 2 to the Procedure for submitting and completing notifications of new State aid and of amendments to the conditions of existing State aid clarify the relevant categories.

With a view to implementing these legislative changes, in particular to the Procedure for maintaining and accessing the register of State aid to undertakings, active work was carried out during 2025 to modernise the State aid register.

Under tripartite agreement No. 1 of 24 November 2025, services for the development of the "State Aid Register" software were provided to the Committee using funds from international donors[5].

2.3. Approval of drafted secondary legislation in the field of State aid

With a view to transposing the relevant provisions of European Union law (the EU acquis) into national legislation, creating legal mechanisms for implementing the provisions of the Law, and providing a regulatory framework for assessing the compatibility of State aid to undertakings, during the reporting period the Committee approved **7 draft** regulatory acts in the field of State aid drawn up in accordance with the requirements of the CMU Rules of Procedure, 2 of which were adopted by the Government in 2026.

1. Draft CMU Resolution "On Approval of the Criteria for Assessing the Compatibility of State Aid to Undertakings for the Provision of Passenger Transport Services which are Services of General Economic Interest, and on Amendments to Resolution of the Cabinet of Ministers of Ukraine No. 420 of 23 May 2018"[6].

The draft act is aimed at transposing into national legislation the provisions of Regulation (EC) No. 1370/2007 of the European Parliament and of the Council of 23 October 2007 on public passenger transport services by rail and by road and repealing Council Regulations (EEC) No. 1191/69 and No. 1107/70.

The draft criteria propose to provide, in particular, as follows.

These criteria will apply to the assessment of the compatibility of State aid granted to facilitate certain economic activities, namely the provision of passenger transport services by urban electric, road, rail and inland waterway transport which are services of general economic interest, with the exception of transport carried out for tourism purposes.

These criteria will not apply to the assessment of the compatibility of State aid:

granted in the course of a concession;

for the provision of freight transport services.

The categories of State aid beneficiaries will comprise undertakings or groups of undertakings providing services of general economic interest.

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[5]By Order of the Chairman of the Committee No. 47-OD of 18.05.2026 the "State Aid Register" software was put into trialoperation.

[6]The Cabinet of Ministers of Ukraine adopted Resolution No. 161 of 5 February 2026 «On Approval of the Criteria for Assessing the Compatibility of State Aid to Undertakings for the Provision of Passenger Transport Services which are Services of General Economic Interest».

The special obligation to provide SGEI will be entrusted to an undertaking under a contract or, by way of exception, under a regulatory act laying down a general rule.

The contract must contain, in particular, a clear statement of the special obligations, the mechanism for calculating and monitoring compensation, and the prevention and recovery of overcompensation.

Where a competent authority concludes with an undertaking which is an internal operator a contract entrusting that undertaking with a special obligation to provide SGEI, such contract must, in addition to the general conditions, contain a prohibition on the internal operator providing services of general economic interest, including as a subcontractor, outside the territory covered by the powers of the local self-government body or outside the territory in respect of which the contract was concluded, where the State aid provider is an executive authority.

The maximum duration of a contract entrusting a special obligation is: 10 years for road, trolleybus and inland waterway transport, and 15 years for tram, metro and rail transport.

The maximum amount of State aid which may be granted to an undertaking for the provision of SGEI must not exceed the amount of compensation, taking into account the total amount of State aid.

The costs which may be reimbursed to the State aid beneficiary are only those costs related to the provision of SGEI, which include, in particular, staff payments, infrastructure and operating materials costs, the acquisition and repair of vehicles, fixed overhead costs, a reasonable profit and other costs related to the provision of SGEI.

The undertaking (State aid beneficiary) is required to maintain separate accounts (of revenues and costs) for SGEI and for other services.

2. Draft CMU Resolution "On Approval of the Criteria for Assessing the Compatibility of State Aid to Undertakings for Environmental Protection" (replacing CMU Resolution No. 1060 of 11 October 2021).

The draft act is aimed at transposing into national legislation the provisions of Regulation (EU) No. 651/2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty on the Functioning of the European Union, and of the Communication from the European Commission 2022/C 80/01 "Guidelines on State aid for climate, environmental protection and energy".

The draft criteria propose to provide, in particular, as follows.

These criteria will apply to the assessment of the compatibility of State aid granted for environmental protection.

These criteria will not apply to the assessment of the compatibility of State aid, in particular:

granted for the development and production of environmentally friendly products, machinery, equipment or vehicles designed to operate using fewer natural resources, and for the implementation of measures to improve safety or hygiene at the workplace;

granted to undertakings operating in the nuclear energy sector.

The general conditions for the compatibility of State aid for environmental protection are:

the maximum duration of the State aid must not exceed 10 years;

State aid beneficiaries may be undertakings carrying out activity in any sector;

the State aid must have an incentive effect, the existence of which is confirmed on the basis of the requirements set out in these criteria (separate requirements for confirming the existence of an incentive effect are laid down for State aid in the form of tax measures);

the maximum amount of State aid which may be granted to a State aid beneficiary is determined taking into account the total amount of State aid and may not exceed 100 per cent of the amount of eligible costs;

the receipt of State aid must not result in a breach of Ukrainian legislation and/or the Association Agreement.

The conditions of compatibility have been set out for 18 types of State aid, in particular:

for the deployment of recharging or refuelling infrastructure;

for the acquisition and leasing of clean or zero-emission vehicles, and for the retrofitting of such vehicles;

for facilitating the conclusion of energy performance contracts;

for the implementation of measures which improve energy efficiency in buildings and which are implemented by the energy efficiency fund or other financial intermediaries;

for promoting the production and use of energy from renewable sources, renewable hydrogen and high-efficiency cogeneration;

for carrying out measures to construct or modernise energy infrastructure facilities, and so on.

For each type of State aid for environmental protection separately, the objective of the State aid, the costs which may be reimbursed to State aid beneficiaries, the maximum amount of State aid which may be granted, and the conditions of compatibility of such State aid where its total amount exceeds the established maximum amount have been specified.

3. Draft CMU Resolution "On Approval of the Criteria for Assessing the Compatibility of State Aid to Undertakings Granted to Address Social and Economic Problems of a Nationwide Nature Caused by the Full-Scale Military Aggression of the russian federation against Ukraine".

The draft act is aimed at transposing into national legislation the provisions of the Communication from the European Commission No. 2023/C 101/03 "Temporary Crisis and Transition Framework for State Aid measures to support the economy following the aggression against Ukraine by Russia".

The draft criteria propose to provide, in particular, as follows.

These criteria will apply to the assessment of the compatibility of State aid granted with a view to addressing social and economic problems of a nationwide nature caused by the full-scale military aggression of the russian federation against Ukraine.

These criteria will not apply to the assessment of the compatibility of State aid, in particular:

to undertakings subject to special economic and other restrictive measures adopted by the European Union and/or Ukraine;

to undertakings owned or controlled by persons, entities or bodies subject to sanctions adopted by the European Union and/or Ukraine;

to undertakings operating in industries covered by sanctions adopted by the European Union and/or Ukraine;

for the relocation of an undertaking's activity between a European Union Member State and Ukraine.

The categories of State aid beneficiaries will comprise undertakings which have experienced financial difficulties related to the full-scale military aggression of the russian federation against Ukraine and which require support that cannot be provided from their own sources.

State aid will be granted by type, namely State aid:

for the implementation of State aid schemes with a defined budget (State aid of limited amount);

for liquidity support (for financing working capital and for making investments related to the pursuit of economic activity by undertakings) in the form of guarantees;

for liquidity support (for financing working capital and for making investments related to the pursuit of economic activity by undertakings) in the form of subsidised loans;

to cover the additional costs of undertakings resulting from a significant increase in the prices of natural gas, electricity and thermal energy;

of an investment nature, to accelerate the roll-out of renewable energy sources and energy storage;

of an operating nature, to accelerate the roll-out of renewable energy sources and energy storage;

for the decarbonisation of industrial production processes through electrification and/or the use of renewable energy sources and electricity-based hydrogen, and for energy efficiency measures;

for the additional reduction of electricity consumption;

for accelerated investment in sectors strategic for the transition to a net-zero economy.

For each type of State aid for addressing social and economic problems of a nationwide nature caused by the full-scale military aggression of the russian federation against Ukraine separately, the objective of the State aid, the costs which may be reimbursed to State aid beneficiaries, the maximum amount of State aid which may be granted, and the conditions of compatibility of such State aid will be specified.

The maximum amount of State aid which may be granted to a State aid beneficiary will be determined taking into account the total amount of State aid and may not exceed 100 per cent of the amount of eligible costs.

4. Draft CMU Resolution "On Approval of the Criteria for Assessing the Compatibility of State Aid to Undertakings for the Roll-out of Electronic Communications Networks and/or the Provision of Universal Electronic Communications Services, and on Amendments to Certain CMU Resolutions"[7].

The draft act is aimed at transposing into national legislation the provisions of Commission Regulation (EU) No. 651/2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty on the Functioning of the European Union, the Communication from the European Commission on Guidelines on State aid for broadband networks 2023/C 36/01, Commission Decision 2012/21/EU of 20.12.2011 on the application of Article 106(2) of the Treaty on the Functioning of the European Union to State aid in the form of public service compensation granted to certain undertakings entrusted with the operation of services of general economic interest[8], and the European Commission Framework for State aid in the form of public service compensation (2011) 2012/C 8/03.

The draft criteria propose to provide, in particular, as follows.

[7]Following the approval process, the title of the draft CMU resolution was changed to: "On Approval of the Criteria for Assessing the Compatibility of State Aid to Undertakings Operating in the Electronic Communications Sector, and on Amendments to Certain CMU Resolutions».

[8]Commission Decision (EU) 2012/21/EU of 20.12.2011 ceased to have effect following the adoption of Commission Decision (EU) 2025/2630 of 16 December 2025 on the application of Article 106(2) of the Treaty on the Functioning of the European Union to State aid in the form of public service compensation granted to certain undertakings entrusted with the operation of services of general economic interest.

These criteria will apply to the assessment of the compatibility of State aid granted to undertakings operating in the electronic communications sector with a view to facilitating the specific economic activities defined by these criteria.

These criteria will not apply to the assessment of the compatibility of State aid:

granted for export activity;

where its granting is conditional on compliance by the State aid beneficiary – a foreign undertaking – with a mandatory requirement to have its head office in the territory of Ukraine;

where its granting is conditional on an undertaking by the State aid beneficiary to use domestically produced goods (works, services).

The categories of State aid beneficiaries under these criteria will comprise:

undertakings carrying out economic activity in the electronic communications sector;

undertakings which are not in difficulty.

State aid is compatible for:

the roll-out of electronic communications access networks (fixed access and fourth- and fifth-generation mobile access) and aggregation networks;

the provision of electronic communications services;

the provision of targeted social assistance for obtaining universal electronic communications services;

ensuring access to universal electronic communications services, which constitute a service of general economic interest.

State aid must have an incentive effect, the existence of which is confirmed on the basis of the requirements set out in these criteria (separate requirements for confirming the existence of an incentive effect are laid down for State aid in the form of tax reliefs).

The maximum amount of State aid which may be granted to a State aid beneficiary will be determined taking into account the total amount of State aid.

The draft criteria also propose to specify:

the general conditions for granting State aid for the roll-out of electronic communications networks;

the special conditions for granting State aid for the roll-out of fixed access networks;

the special conditions for granting State aid for the roll-out of fourth- and fifth-generation mobile access networks;

the special conditions for granting State aid for the roll-out of aggregation networks;

the conditions for granting State aid for the provision of electronic communications services;

the additional conditions for granting State aid for the roll-out of electronic communications networks and/or the provision of electronic communications services;

the conditions for granting targeted social assistance for obtaining universal electronic communications services;

the conditions for granting State aid for ensuring access to universal electronic communications services, which constitute a service of general economic interest.

In addition to approving the criteria, the draft Resolution provides for amendments to existing government acts. In particular, it is proposed to clarify the concept of "electronic communications network infrastructure" in the criteria for the compatibility of State aid for local infrastructure (CMU Resolution No. 1087 of 13.10.2023), and to expand the list of services of general economic interest in the electronic communications sector (CMU Resolution No. 420 of 23.05.2018).

5. Draft CMU Resolution "On Approval of the Criteria for Assessing the Compatibility of State Aid to Undertakings for Research, Technical Development and Innovation Activity" (replacing CMU Resolution No. 118 of 7 February 2018)[9].

The draft act was prepared with a view to updating the existing legal framework for State aid to undertakings for research, technical development and innovation activity, taking into account the changes in European Union legislation, in particular Commission Regulation (EU) No. 651/2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty on the Functioning of the European Union and the Communication from the European Commission "Framework for State aid for research and development and innovation" (2022/C 414/01).

The draft criteria propose to provide, in particular, as follows.

These criteria will apply to the assessment of the compatibility of State aid granted with a view to facilitating economic activity in the field of research, technical development and innovation activity.

These criteria will not apply to the assessment of the compatibility of State aid, in particular, where its granting restricts the ability of the State aid beneficiary to use the results of research, technical development and innovation activity in the territory of European Union Member States.

The categories of State aid beneficiaries will comprise undertakings carrying out economic activity in any sector.

State aid is compatible for:

a scientific (scientific and technical) project;

research infrastructure;

[9] The Cabinet of Ministers of Ukraine adopted Resolution No. 216 of 18 February 2026.

testing and experimentation infrastructure;
an innovation cluster;
support for the innovation activity of small and medium-sized enterprises;
process and organisational innovation.

State aid must have an incentive effect, the existence of which is confirmed on the basis of the requirements set out in these criteria (separate requirements for confirming the existence of an incentive effect are laid down for State aid in the form of tax measures).

The maximum amount of State aid which may be granted to a State aid beneficiary will be determined taking into account the total amount of State aid.

State aid is granted for the implementation of a scientific (scientific and technical) project falling within one or more of the following categories:
fundamental research;
applied research;
scientific and technical (experimental) development;
feasibility study.
For each category, a maximum amount of State aid of between 25 and 100 per cent of the total amount of eligible costs has been established, depending on the category.

The maximum amount of State aid for:
research infrastructure must not exceed 50 per cent of the total amount of eligible costs;
testing and experimentation infrastructure must not exceed: 25 per cent of the total amount of eligible costs for large enterprises; 35 per cent for medium-sized enterprises; 45 per cent for small enterprises;
an innovation cluster must not exceed: 65 per cent of the total amount of eligible costs for investment State aid; 50 per cent of the total amount of eligible costs for operating State aid over the period during which the State aid is granted; - support for the innovation activity of small and medium-sized enterprises must not exceed 50 per cent of the total amount of eligible costs;
for process and organisational innovation must not exceed: 15 per cent of the total amount of eligible costs for large enterprises, provided that they engage in mutually beneficial cooperation with small and medium-sized enterprises whose costs account for at least 30 per cent of the total amount of eligible costs; 50 per cent of the total amount of eligible costs for small and medium-sized enterprises.
In certain cases, an increase in the maximum amount of State aid is envisaged where additional conditions are met.

6. Draft CMU Resolution "On Approval of the Criteria for Assessing the Compatibility of State Aid to Undertakings for Audiovisual Works".

The draft act is aimed at transposing into national legislation the provisions of the Communication from the European Commission on State aid for films and other audiovisual works of 15.11.2013 (2013/C 332/01) and certain provisions of Commission Regulation (EU) No. 651/2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty on the Functioning of the European Union.

The draft criteria propose to provide, in particular, as follows.

These criteria will apply to the assessment of the compatibility of State aid granted with a view to supporting culture and heritage conservation for the production and distribution of audiovisual works.

These criteria will not apply to the assessment of the compatibility of State aid:

the granting of which is conditional on compliance by the State aid beneficiary – a foreign undertaking – with a mandatory requirement to have its head office in the territory of Ukraine (it is permitted to have a branch and/or representative office in the territory of Ukraine as at the date on which the State aid is placed at its disposal);

the granting of which is conditional on an undertaking by the State aid beneficiary to use domestically produced goods.

The categories of State aid beneficiaries will comprise undertakings which cumulatively:

are not in difficulty;

carry out the production and/or distribution of audiovisual works.

State aid must have an incentive effect, the existence of which is confirmed on the basis of the requirements set out in these criteria (separate requirements for confirming the existence of an incentive effect are laid down for State aid in the form of tax measures).

The maximum amount of State aid which may be granted to a State aid beneficiary will be determined taking into account the total amount of State aid.

State aid is granted where such aid supports a cultural product, that is to say where the audiovisual work meets the selection criteria, in particular those of a competitive selection, or has passed the cultural test, the conditions of which are set out in the Law of Ukraine "On State Support of Cinematography in Ukraine".

State aid for the development of film projects for audiovisual works (including for scriptwriting), the development of the shooting script and the pre-production period of audiovisual works is granted where the synopsis shows that the storyline / script / central theme of the audiovisual script is of cultural and/or historical significance and/or reflects Ukrainian and/or European cultural values.

State aid is granted as:

aid for pre-production;
aid for production;
aid for distribution.

The maximum amount of State aid for production must not exceed 50 per cent of eligible costs. This figure may be increased:

to 60 per cent of eligible production costs – for cross-border productions financed by Ukraine and at least one EU Member State and involving developers of audiovisual works from Ukraine and from at least one EU Member State;

to 100 per cent of eligible production costs – for difficult audiovisual works and co-productions involving countries on the List of Official Development Assistance Recipients of the Development Assistance Committee of the Organisation for Economic Co-operation and Development, published on the official website of the Organisation for Economic Co-operation and Development.

The maximum amount of State aid for pre-production must not exceed 100 per cent of eligible costs; the maximum amount of State aid for distribution will be determined as a percentage of the eligible costs of that process equal to the percentage by which the percentage of eligible costs of production aid is determined, and must not exceed 50 per cent of the eligible costs of distributing audiovisual works.

7. Draft CMU Resolution "On Approval of the Criteria for Assessing the Compatibility of State Aid to Undertakings Carrying Out Banking Activity".

The draft act is aimed at transposing into national legislation the provisions of the Communication from the Commission on the application, from 1 August 2013, of State aid rules to support measures in favour of banks in the context of the financial crisis.

The draft criteria propose to provide, in particular, as follows.

These criteria will apply to the assessment of the compatibility of State aid granted to ensure financial stability, minimise the distortion of competition between banks and promote the stability of the banking system in Ukraine.

The State aid beneficiaries under these criteria are banks within the meaning of the Law of Ukraine "On Banks and Banking Activity".

State aid is compatible where it is granted for the purpose of:
recapitalisation and impaired asset management;
liquidity support;
the liquidation of a bank.

State aid measures relating to recapitalisation and the management of non-performing assets are taken to cover a capital shortfall established as a result of stress testing by the National Bank of Ukraine.

State aid for recapitalisation and the management of non-performing assets may be found compatible only where the State aid provider confirms that the beneficiary has taken all possible measures to reduce the amount of State aid.

To this end, the State aid provider must submit to the Authorised Body a separate bank capitalisation programme before submitting a restructuring plan or as part of it.

On the basis of the capitalisation programme, which includes an asset quality review of the bank and a forward-looking assessment of capital adequacy, the amount of the bank's residual capital shortfall which may be covered by State aid is determined. In order to cover the residual capital shortfall by means of State aid, a restructuring plan is submitted to the Authorised Body.

A bank receiving State aid for recapitalisation and the management of non-performing assets must introduce a policy limiting the remuneration of staff, including members of the management board and the supervisory board of the bank.

State aid for liquidity support in the form of loans and guarantees for the performance of obligations is granted to banks with a view to the short-term stabilisation of their financial position and may be granted immediately and without the prior preparation and approval of a restructuring plan. Such support is used for a rapid response to crisis situations and to ensure the stability of the banking system.

State aid for liquidity support in the form of loans and guarantees for the performance of obligations may be found compatible where it is granted for a period of up to six months.

State aid for liquidity support in the form of loans and guarantees for the performance of obligations may be granted to banks which do not have a capital shortfall.

The amount of the fee for the provision of State guarantees will be calculated using the formula set out in these draft criteria.

State aid for the liquidation of a bank is granted where:

the bank has been declared insolvent in the manner prescribed by Ukrainian legislation and is unable to return to long-term financial viability;

the liquidation of the bank is not possible under the special procedure provided for by the Law of Ukraine "On the Household Deposit Guarantee System".

Together with the notification of State aid granted for the liquidation of a bank, the State aid provider submits a resolution plan (a decision of the Deposit Guarantee Fund determining the method, economic justification, time limits and conditions for withdrawing the insolvent bank from the market).

An annex to the draft criteria proposes to set out a model restructuring plan.

Summarising the law-making activities during the reporting period, it should be noted that improving the regulatory framework in the field of State aid and harmonising it with the EU acquis remain one of the priorities of the Committee's activities as the Authorised Body, since this is an integral part of the negotiation process on Ukraine's accession to the EU.

In addition, with a view to fulfilling Ukraine's commitments under the European Union negotiating framework, which was formulated, in particular, on the basis of the results of the official screening of the compliance of Ukrainian legislation with EU law, at the end of 2025 the Government drafted the National Programme for the Adaptation of Ukrainian Legislation to European Union Law (the EU acquis)[10] (hereinafter – the National Programme).

That programme expanded the range of the Committee's tasks relating to the improvement of the regulatory framework in the field of State aid. At the same time, some of the tasks under the National Programme have already been completed or are being carried out by the Committee during the reporting period.

In view of the above, the further adaptation of Ukrainian legislation in the field of State aid, in particular as part of the implementation of the National Programme, will remain a key area of the Committee's activities in 2026 as well.

3. Raising awareness in the field of State aid

With a view to the further development of an effective State aid system, one of the priority areas of the Committee's work, as in previous years, remains the dissemination of knowledge on the application of legislation in the field of State aid.

During 2025, the following were held:

✓ 17 round tables and other public events;

✓ 31 presentations on State aid matters at conferences, seminars and meetings.

In 2025, in response to written requests from providers, beneficiaries and other interested parties, the Committee issued more than 30 written individual clarifications on the application of legislation in the field of State aid.

In addition, a separate area of the Committee's activities during the reporting period was explanatory work following the monitoring of State aid measures in various fields.

By Minuted Decision of the Committee No. 2 of 16.01.2025, the Plan for monitoring State aid to undertakings for 2025 (hereinafter – the Plan) was approved.

[10] Approved by Resolution of the Cabinet of Ministers of Ukraine No. 438 of 1 April 2026.

Pursuant to the Plan, monitoring of State support was carried out in certain fields, namely: energy, aircraft manufacturing, investment projects with significant investment, concessions, forestry, and the financial instruments of the Entrepreneurship Development Fund (hereinafter – the Fund)[11]. As part of the monitoring, a comprehensive analysis was carried out of the relevant national legislation forming the basis for granting such support and of the actual conditions of its granting, and the relevant provisions of EU legal acts were taken into account.

Based on the results of the monitoring, the Committee issued, as part of the implementation of the Plan, **6 clarifications** on the application of legislation in the field of State aid, in particular as regards the presence of the features of State aid and the conditions of its compatibility:

- in the context of entrusting undertakings with special obligations to ensure the availability of electricity for household consumers pursuant to the resolution of the CMU № 483 (clarification No. 1-rr/dd of 26.06.2025);
- concerning State support for undertakings operating in the aircraft manufacturing industry (clarification No. 2-rr/dd of 14.08.2025[12]);
- in the context of the implementation of investment projects with significant investment (clarification No. 3-rr/dd of 25.09.2025);
- concerning State support for undertakings whose activities relate to the forestry sector (clarification No. 4-rr/dd of 09.10.2025);
- during the implementation of public-private partnerships and the performance of concession agreements (clarification No. 5-rr/dd of 16.10.2025);
- concerning support provided through the Fund (letter of the Committee No. 500-29.1/02-13729e of 23.12.2025 sent to the Ministry of Economy, Environment and Agriculture of Ukraine[13] and the Ministry of Finance of Ukraine).

The Committee also issued a clarification on the application of State aid legislation in the context of entrusting special obligations to safeguard the general public interest in the functioning of the natural gas market (clarification No. 6-rr/dd of 11.12.2025).

As part of the monitoring and with a view to issuing these clarifications, the Committee analysed more than 40 regulatory acts forming the basis for granting support/aid in the relevant fields, as well as the provisions of European Union legal acts,

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[11]Pursuant to the Law of Ukraine "On the National Development Institution", the name of the Entrepreneurship Development Fund was changed to the National Development Institution.

[12]The clarifications were not published on the Committee's website, as they contain restricted information.

[13]Pursuant to CMU Resolution No. 963 of 17.07.2026, the Ministry of Economy, Environment and Agriculture of Ukraine was renamed the Ministry of Economy and Environment of Ukraine.

and consolidated the Committee's practice regarding the application of State aid legislation.

1. Clarification on entrusting undertakings with special obligations in the electricity market

The monitoring established that the legal basis for granting State support consists of 2 regulatory acts:

the Law of Ukraine "On the Electricity Market";

resolution of the CMU No. 483 of 05.06.2019 (as set out in resolution of the CMU No. 859 of 11.08.2021) "On Approval of the Regulation on Entrusting Special Obligations to Electricity Market Participants to Safeguard the General Public Interest in the Functioning of the Electricity Market".

It was established that, under national legislation, services ensuring the availability of electricity for household consumers (hereinafter – the Services) fall within the category of services of general economic interest.

The assessment of the compatibility of State aid to undertakings for the provision of SGEI is carried out on the basis of the Criteria for assessing the compatibility of State aid to undertakings for the provision of services of general economic interest, approved by resolution of the CMU No. 12 of 05.01.2024 (hereinafter – the SGEI Criteria).

The clarifications state:

1. Support from State or local resources to an undertaking providing the said Services does not constitute State aid within the meaning of the Law if the conditions under which the conferral of an advantage on undertakings for the pursuit of certain economic activities is excluded are cumulatively met. Those conditions are set out in paragraph 4 of the SGEI Criteria.

2. If, following the examination of a State aid notification, it is established that the conditions excluding the conferral of an advantage for the pursuit of certain economic activities are not met, the support concerned may be classified as State aid within the meaning of the Law.

In order to ensure the compatibility of such State aid with competition, the conditions for granting it must comply with the provisions of the SGEI Criteria.

3. On the need to establish obligations requiring the undertaking to maintain separate accounting for each type of activity in such a way as to ensure the proper allocation of the undertaking's revenues and costs from providing the service ensuring the availability of electricity for household consumers and from other economic activity, including that carried out in the performance of other special obligations entrusted to it.

2. Clarification on support in the aircraft manufacturing industry

The monitoring established that the legal basis for granting State support consists of 6 regulatory acts, in particular:

the Law of Ukraine "On the Development of the Aircraft Manufacturing Industry";
the Customs Code of Ukraine;
the Tax Code of Ukraine;
secondary legislation arising from the said Law and Codes.

It was established that, as part of the implementation of State policy to support the aircraft manufacturing industry, financial support has been granted in recent years to undertakings operating in the aircraft manufacturing industry, in particular in the form of tax and customs privileges.

By a number of decisions, the Committee determined that the support granted constituted State aid and found it to be existing State aid displaying features of incompatibility with competition, and that, if such State aid were granted after 02.08.2022, it would be compatible with competition under Article 6 of the Law provided that the State aid provider amended the conditions for granting it and complied with the obligations. The Committee also issued recommendations with a view to bringing State aid to aircraft manufacturers into line with the requirements of the Law and the Association Agreement.

The assessment of the compatibility of the State aid was carried out on the basis of the Criteria for assessing the compatibility of State aid to undertakings for regional development and for the support of small and medium-sized enterprises, approved by resolution of the CMU No. 57 of 7 February 2018 (repealed pursuant to paragraph 2 of resolution of the CMU No. 348 of 18.04.2023).

It was also established that the State aid measures for aircraft manufacturers expired on 1 January 2025. At the same time, there are a number of legislative initiatives to extend such measures.

The clarifications state, in particular:

1. The extension of State aid measures under the State aid scheme for the development of the aircraft manufacturing industry beyond 01.01.2025, and the drafting of a regulatory act laying down the conditions for granting such State aid, must be carried out taking into account the Criteria for assessing the compatibility of State aid to undertakings for regional development, approved by CMU Resolution No. 348 of 18.04.2023.

2. Where substantial amendments are made to the State aid scheme for the development of the aircraft manufacturing industry or where a new scheme is introduced, such a measure will require the submission of a notification to the Committee once the effect of certain provisions of the Law has been restored, in the manner prescribed by Ukrainian legislation.

3. Clarification on the implementation of investment projects with significant investment

The monitoring established:

that the legal basis for granting State support consists of 11 regulatory acts, in particular:

the Law of Ukraine "On State Support of Investment Projects with Significant Investment in Ukraine";

secondary legislation arising from the said Law.

It was established that a number of investment projects with significant investment are being implemented in Ukraine. The Law of Ukraine "On State Support of Investment Projects with Significant Investment in Ukraine" and a number of secondary regulatory acts arising from that Law constitute a State support scheme.

At the same time, the State support granted to investors with significant investment in the course of implementing investment projects with significant investment, in particular on the basis of the said regulatory acts, may display the features of State aid.

The assessment of the compatibility of State aid to undertakings for the implementation of investment projects with significant investment may be carried out on the basis of the Criteria for assessing the compatibility of State aid to undertakings for regional development, approved by CMU Resolution No. 348 of 18.04.2023, taking into account the provisions limiting the scope of those criteria.

It was also established that the Law of Ukraine "On State Support of Investment Projects with Significant Investment in Ukraine" and the secondary regulatory acts arising from that Law have been amended since their adoption, in particular as regards expanding the list of forms of State support, clarifying the procedures for submitting applications and concluding special investment agreements, and expanding the areas in which such projects may be implemented.

In addition, at the end of 2021 the Committee opened a case concerning State aid granted, in particular, on the basis of the Law of Ukraine "On State Support of Investment Projects with Significant Investment in Ukraine" to investors with significant investment in the form of tax incentives and the construction of related infrastructure facilities financed from the State budget, local budgets and other sources not prohibited by law; that case was suspended in connection with the introduction of martial law.

The clarifications state:

1. In connection with the legislative amendments to the regulatory acts forming the basis for granting State support to undertakings implementing investment projects with significant investment, and in the event of new legislative initiatives concerning the conditions for granting State support, the State aid provider must submit information on such amendments to the Committee once the effect of certain provisions of the Law has been restored, with a view to updating the information submitted in the course of the examination of the State aid case.

2. If, following an analysis of the information provided by the State aid provider, the Committee determines that the State support constitutes State aid and establishes that the aid falls within the category of aid for regional development, the conditions for granting

such State aid must comply with the provisions of the Criteria for assessing the compatibility of State aid to undertakings for regional development, approved by CMU Resolution No. 348 of 18.04.2023.

3. If it is established that the State aid falls within another category of State aid, in order to ensure its compatibility with competition the conditions for granting such State aid must, depending on the objective and category of State aid identified, comply with:

- the criteria for assessing the compatibility of State aid to undertakings established by the CMU; or

- the conditions for granting State aid laid down in the relevant acts of the European Union acquis, where no criteria exist for particular categories of State aid at the level of national legislation, taking into account the provisions of Article 264 of the Association Agreement.

4. Clarification on support measures in the forestry sector

The monitoring establishedthat the legal basis for granting State support consists of 5 regulatory acts:

the Forestry Code of Ukraine;

the Budget Code of Ukraine;

the Tax Code of Ukraine;

the Land Code of Ukraine;

the Procedure for the use of funds provided for in the State budget to finance measures for forestry and hunting management, the protection and conservation of forests within the forest fund, and the creation of protective forest plantations and field-protective forest belts, approved by CMU Resolution No. 1016 of 20 December 2017[14].

Nine local forestry support and development schemes were also examined.

It was established that, under the Forestry Code of Ukraine, expenditure on increasing forest productivity, improving forest quality composition, and forest regeneration and protection is financed, in particular, from the State and local budgets. Separate budget programmes are provided for the support of forestry, in particular for forestry and hunting management, the protection and conservation of forests, and the creation of protective plantations.

During 2018–2024, measures in the forestry and hunting sector were financed from the general and special funds of the State Budget of Ukraine. Financing was provided exclusively to State institutions and organisations falling within the sphere of management of the State Forest Resources Agency.

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[14]CMU Resolution No. 1016 of 20 December 2017 ceased to have effect pursuant to paragraph 2 of CMU Resolution No. 730 of 04.06.2026 "On Approval of the Procedure for the Use of Funds Provided for in the State Budget to Finance Measures for Forestry and Hunting Management and the Protection and Conservation of Forests within the Forest Fund".

In addition, under the Tax Code of Ukraine, a temporary support measure was introduced in the form of an exemption from the payment of rent for the special use of forest resources.

It was also established that, during 2023–2024, the structural units (branches) of the State enterprise "Forests of Ukraine" were financed from local resources (local budgets) under 9 schemes.

The said measures of State support to undertakings operating in the forestry sector from State and/or local resources may display the features of State aid.

Taking into account the provisions of Article 264 of the Association Agreement, where no criteria exist for particular categories of State aid at the level of national legislation, the assessment of the compatibility of State aid to undertakings operating in the forestry sector may be carried out on the basis of the relevant acts of the European Union acquis.

The clarifications state:

1. Support from State or local resources to undertakings whose activities relate to the forestry sector does not constitute State aid within the meaning of the Law where it is granted for the pursuit of non-economic activity. In such cases, it is mandatory to ensure the separation of economic and non-economic activity and to maintain separate accounting for each type of activity.

2. Where the four cumulative conditions of the concept of State aid are met, support granted from State or local resources to undertakings whose activities relate to the forestry sector may display the features of State aid and will require the submission of a notification to the Committee once the effect of certain provisions of the Law has been restored, in the manner prescribed by Ukrainian legislation.

3. Where such State support is classified as State aid, the assessment of its compatibility is carried out in accordance with the criteria approved by the CMU or, in the absence thereof, in accordance with the relevant acts of the acquis of the European Union, depending on the objective for which the State aid is granted.

5. Clarification concerning State support in the course of public-private partnerships and the performance of concession agreements

The monitoring established that the legal basis for granting State support consists of 3 regulatory acts:

the Law of Ukraine "On State-Private Partnership";

the Law of Ukraine "On Concessions";

the Law of Ukraine "On Public-Private Partnership".

It was established that, as at 2025, 22 public-private partnership agreements are being implemented in Ukraine, of which 9 are concession agreements, relating in particular to the construction of a park and recreation complex; the construction of a waste sorting complex; the restoration of a complex of buildings for the provision of hotel and restaurant services; and the modernisation/reconstruction of heat supply, centralised water supply and wastewater networks.

On 19.06.2025, the Law of Ukraine "On Public-Private Partnership" was adopted; it entered into force on 31.10.2025 and repealed the Law of Ukraine "On State-Private Partnership". In addition, that law amended the Law, with the result that the Law does not apply to public-private partnerships or concessions.

At the same time, the Association Agreement contains no provisions excluding the application of State aid legislation to support for public-private partnerships and concessions.

According to the practice of the European Commission, in order for support in the field of public-private partnerships and concessions to be classified as "not constituting State aid", it is necessary to ensure that tenders for the selection of the private partner/concessionaire are conducted in compliance with the principles laid down in the European Union acquis for a competitive, transparent, non-discriminatory and unconditional procedure, as well as with appropriate criteria for selecting the concessionaire or private partner, in particular the Commission Notice on the notion of State aid as referred to in Article 107(1) of the Treaty on the Functioning of the European Union (hereinafter – the TFEU) C/2016/2946 (hereinafter – the EU Commission Notice).

The clarifications state:

1. Support from State or local resources to an undertaking for the performance of concession agreements or for the implementation of a public-private partnership does not constitute State aid within the meaning of the Law where the conditions laid down in Article 35 of the Law of Ukraine "On Concessions" or Article 18 of the Law of Ukraine "On State-Private Partnership" are cumulatively (simultaneously) met, and where the tender for the selection of the concessionaire complies with the principles of a competitive, transparent, non-discriminatory and unconditional selection procedure laid down in paragraphs 90–96 of the EU Commission Notice.

2. Where the conditions laid down in the Law of Ukraine "On Concessions" or the Law of Ukraine "On State-Private Partnership" are not met, and where the tender for the selection of the concessionaire/State partner does not comply with the principles laid down in the EU Commission Notice, support from State or local resources to an undertaking for the performance of concession agreements or for the implementation of a public-private partnership may display the features of State aid within the meaning of the Law and will require the submission of a notification to the Committee, once the effect of certain provisions of the Law has been restored, in the manner prescribed by the legislation in force.

6 Clarification on support provided through the Entrepreneurship Development Fund

The monitoring establishedthat the legal basis for granting State support consists of 3 regulatory acts, in particular:

the Law of Ukraine "On the Development and State Support of Small and Medium-Sized Enterprises in Ukraine";

the Procedure for the use of State budget funds allocated for the operation of the Entrepreneurship Development Fund (as amended), approved by resolution of the CMU No. 29 of 24 January 2020 (hereinafter – Resolution No. 29);

resolution of the CMU No. 28 of 24 January 2020 "On the Provision of State Financial Support" (hereinafter – Resolution No. 28), which approved:

the Procedure for the provision of State financial support to undertakings;

the Procedure for the provision of State financial support to undertakings under financial leasing agreements;

the Procedure for the provision of State financial support to undertakings under factoring agreements.

It was established that the Law of Ukraine "On the Development and State Support of Small and Medium-Sized Enterprises in Ukraine" sets out the main directions of State policy in the field of small and medium-sized enterprise development in Ukraine, one of which is to provide State financial support to small and medium-sized enterprises by introducing State lending programmes, providing guarantees for obtaining loans, partially compensating interest rates on loans, and so on.

State financial support is provided, in particular, by the specially authorised body in the field of small and medium-sized enterprise development and by other executive authorities. State financial support is provided from the State and local budgets.

Resolution No. 29 sets out the mechanism for using the funds allocated in the State budget to the Ministry of Economy under the programme "Ensuring the operation of the Entrepreneurship Development Fund".

The purpose of using the budget funds is to provide State financial support to undertakings in Ukraine, aimed in particular at developing entrepreneurship, increasing production volumes, exports and import substitution, and developing high-technology production, energy efficiency and the introduction of innovation.

Under Resolution No. 29, budget funds are allocated to the Fund for the provision of State financial support in accordance with the procedures approved by Resolution No. 28.

Under Resolution No. 29, the budget funds received by the Fund are used to cover the Fund's costs of administering and providing State financial support.

Accordingly, the support provided in accordance with the Procedure for the use of funds allocated for the operation of the Fund and the procedures approved by Resolution No. 28 is provided both at the level of undertakings and at the level of the Fund.

It was established that support to undertakings granted from State resources in accordance with the procedures approved by Resolution No. 28 may result in the conferral of an advantage on them and, accordingly, may display the features of State aid.

The clarifications state:

In order to ensure the compatibility of State aid under the Law and the Association Agreement:

the objectives for granting State support laid down in the procedures approved by Resolution No. 28 must correspond to the objectives set out in Articles 5 and 6 of the Law;

the conditions for granting the support must comply with the criteria for assessing the compatibility of State aid in relation to those objectives.

7 Clarification on entrusting undertakings with special obligations in the natural gas market

The monitoring establishedthat the legal basis for granting State support consists of 4 regulatory acts:

the Law of Ukraine "On the Natural Gas Market";

resolution of the CMU No. 222 of 06.03.2022 "On Approval of the Regulation on Entrusting Special Obligations to Natural Gas Market Participants to Safeguard the General Public Interest in the Functioning of the Natural Gas Market";

resolution of the CMU No. 812 of 19.07.2022 "On Approval of the Regulation on Entrusting Special Obligations to Natural Gas Market Participants to Safeguard the General Public Interest in the Functioning of the Natural Gas Market as regards the Specific Features of Natural Gas Supply to Heat Producers and Budget-Funded Institutions";

resolution of the CMU No. 1194 of 03.12.2020 (as set out in resolution of the CMU No. 628 of 24.06.2023) "On Approval of the Procedure for Determining the Compensation Granted to Natural Gas Market Participants Entrusted with Special Obligations".

It was established that, under national legislation, the recipient of compensation for the economically justified costs incurred by a natural gas market participant in the performance of the special obligations entrusted to it is NJSC "Naftogaz of Ukraine".

In performing its special obligations in the natural gas market, NJSC "Naftogaz of Ukraine" provides services which may be classified as SGEI.

The assessment of the compatibility of State aid to undertakings for the provision of SGEI is carried out on the basis of the SGEI Criteria.

The clarifications state:

1. Support from State or local resources to NJSC "Naftogaz of Ukraine" as an undertaking providing SGEI does not constitute State aid within the meaning of the Law if the conditions under which the conferral of an advantage on the undertaking for the pursuit of certain economic activities is excluded are cumulatively met. Those conditions are set out in paragraph 4 of the SGEI Criteria.

2. Where the conditions excluding the conferral of an advantage for the pursuit of certain economic activities are not met, the support concerned to NJSC "Naftogaz of Ukraine" may be classified as State aid within the meaning of the Law.

3. On the need to establish at the legislative level an obligation requiring the undertaking to maintain separate accounting for each type of activity in such a way as to ensure the proper allocation of the undertaking's revenues and costs from providing services in the performance of the special obligations entrusted to it in order to safeguard the general public interest in the functioning of the natural gas market and from pursuing other economic activity, in particular that carried out in the performance of other special obligations entrusted to it.

Given the importance of further disseminating knowledge on the application of legislation in the field of State aid, and the relevance of bringing State aid schemes into line with State aid legislation, which is directly linked to the fulfilment of the closing benchmarks under negotiating Chapter 8 "Competition Policy", in 2026 the Committee plans to monitor State aid in certain fields/sectors and to continue its explanatory work.

4. International cooperation in the field of State aid

The main area of the Committee's international cooperation in the field of State aid during the reporting period was engagement with the European Side in connection with the implementation of Ukraine's international commitments regarding the restoration of the effect of certain provisions of the Law.

Thus, in close cooperation with representatives of the European Commission, the Committee drafted the draft Law of Ukraine "On Amendments to the Law of Ukraine 'On State Aid to Undertakings' concerning the restoration of the effect of certain of its provisions, the specific features of their application during the legal regime of martial law and the improvement of the monitoring of State aid to undertakings".

During the interdepartmental approval of that draft Law of Ukraine, a number of meetings and consultations were held with representatives of the European Side, in the course of which advisory assistance and recommendations were provided on individual provisions of the draft law with a view to fully harmonising the Law with the EU acquis.

As a result of that cooperation, the draft Law of Ukraine "On Amendments to the Law of Ukraine 'On State Aid to Undertakings' concerning the restoration of the effect of certain of its provisions, the specific features of their application during the legal regime of martial law and the improvement of the monitoring of State aid to undertakings", submitted by the Committee to the CMU for consideration, takes into account the position of the European Side and has been agreed with the representatives of the European

Commission overseeing the implementation of the Ukraine Facility, as well as with the Directorate-General for Competition.

4.1. Bilateral meeting between the European Commission and Ukraine within the framework of the official screening of the compliance of Ukrainian legislation with EU law under negotiating Chapter 8 "Competition Policy"

An important event of the reporting period as regards the Committee's international cooperation was the participation of Committee representatives in the bilateral screening meeting between the European Commission and Ukraine within the framework of the official screening of the compliance of Ukrainian legislation with EU law under negotiating Chapter 8 "Competition Policy" (hereinafter – the Bilateral Meeting), in which the Committee acted as the lead responsible authority. That meeting took place from 27 to 29 January 2025 in Brussels (Kingdom of Belgium).

During the Bilateral Meeting, the delegation of the Ukrainian Side presented information on the state of Ukraine's preparations for European Union membership in the context of the adaptation of the EU acquis, the current state of alignment of State aid legislation with European Union law, and the planned measures for transposing EU legislation into national law.

During the Bilateral Meeting, the delegation of the Ukrainian Side presented (8 presentations), in particular:

a general overview of the legal framework of the State aid control system in Ukraine, the concept of "State aid", the main provisions of the Law, de minimis aid issues, and the institutional structure of State aid control. The presentation concluded with Ukraine's plans for improving State aid control;

the procedural provisions of the Law and of other secondary legislation and the practice of their application. The main statistical indicators of the application of State aid legislation in Ukraine were presented;

the legal framework, a general overview of the State aid rules and examples of enforcement concerning services of general economic interest, block exemptions and regional aid;

a general overview of the State aid rules for research, technical development and innovation activity, for the vocational training of employees, for the employment of certain categories of employees and the creation of new jobs, for facilitating risk finance investment, and for facilitating the implementation of important projects of common European interest, as well as the concept of small and medium-sized enterprises;

a general overview of the State aid rules on aid in the form of guarantees and in the form of tax measures, aid for export credit insurance, reference, discount and recovery rates, and the transparency and evaluation of State aid;

a general overview of the State aid rules on environmental protection and in the energy sector, in the coal sector, on rescue and restructuring aid, and in the steel sector and as regards postal services;

a general overview of the State aid rules: on aid to undertakings for audiovisual works; for the provision of media services of general economic interest; for the roll-out of electronic communications networks and/or the provision of universal electronic communications services; for the provision of passenger transport services of general economic interest; and in the rail, maritime and air transport sectors;

a general overview of the transposition and application in Ukraine of the Temporary Crisis Frameworks in the banking sector, on addressing the consequences of COVID-19 and of russia's aggression against Ukraine.

In total, around 80 European Union legal acts in the field of State aid were analysed for compliance with the EU acquis and their state of transposition into Ukrainian national legislation was presented.

Following the official screening, the European Commission drew up a report stating, in particular, that the legal framework on State aid is broadly aligned with EU rules. Thus, the definition of State aid generally corresponds to Article 107 of the Treaty on the Functioning of the European Union, whereas the secondary legislation on horizontal aid, sectoral aid and special aid instruments is partially aligned with the relevant EU acquis.

The European Commission noted that Ukraine needs to complete the alignment of its legislation with the EU acquis.

The participation of representatives of the Ukrainian Side in the Bilateral Meeting made it possible to continue the joint dialogue with the European Side within the framework of negotiating Chapter 8 "Competition Policy".

4.2. Study visits by Committee representatives to EU Member States and the Committee's cooperation with the international technical assistance project "Competition and State Aid Rules and Practices Alignment with the EU Acquis" (COMPASA)

In May 2025, at the invitation of the "COMPASA" project Committee representatives took part in a training event held in Riga (Latvia).

During the event, Committee representatives took part in specialised training on competition and State aid matters in accordance with the Work Plan of the "COMPASA" project, namely Activity 3.2 "Study visits to other EU competition authorities / EU Member States".

During the training event, Committee representatives became familiar, in particular, with the State aid practices of the relevant authorities of the Republic of Latvia, including the Ministry of Finance, with the activities of the financial institution ALTUM – the Latvian development institution – and with the experience of the Republic of Latvia in the European Union accession negotiations in the field of State aid.

Committee representatives also took part in discussions on, in particular, key issues relating to the inventory of State aid and the State aid rules for facilitating investment.

In addition, participants in the training event heard presentations on:

State aid schemes in the field of electricity generation from alternative energy sources;

the granting of State aid to the banking sector;

State aid in the form of tax measures.

As a result of the training event, working contacts were established between the Committee's delegation and representatives of the Ministry of Finance of the Republic of Latvia and of the financial institution ALTUM.

In October 2025, Committee representatives took part in a training course on EU competition and State aid legislation and on the practice of handling relevant cases, held in Brussels (Kingdom of Belgium).

The training course programme comprised lecture blocks, panel discussions and practical workshops on the following topics:

- "General overview of the notion of State aid (fundamentals of assessment and procedures, developments)";
- "Guidelines on regional State aid";
- "State aid for the energy transition";
- "State aid in the postal sector".

The training course focused on the new State aid regulatory framework accompanying the Clean Industrial Deal with a view to supporting the development of clean energy, decarbonisation and clean technologies, namely the Clean Industrial Deal State Aid Framework (CISAF), which was introduced by the European Commission on 25 June 2025 to replace the Temporary Crisis and Transition Framework (TCTF).

In addition, the course provided an overview of the most recent case-law, using the examples of cases concerning State aid for the construction of a nuclear power plant and State aid in the form of tax measures.

As a result of their participation in the training course, Committee representatives obtained the most up-to-date information on the latest changes in State aid regulation in the EU.

Participation in these study visits contributed to the Committee's active engagement in international cooperation and the exchange of experience on State aid matters, and gave

Committee staff the opportunity to familiarise themselves with the latest trends and developments in the field of State aid control.

The knowledge acquired will be applied in carrying out the Committee's current tasks, in particular in improving the regulatory framework in various fields (transport, broadband, research, technical development and innovation, and so on).

Separate areas of the Committee's cooperation with the "COMPASA" project are the review and improvement of the regulatory framework in the field of State aid in Ukraine in accordance with EU legislation and practice, and raising the awareness of Committee staff of European State aid legislation. These areas involve advising the Committee in the preparation of new legislative proposals and providing expert opinions on State aid matters, as well as holding seminars and webinars on improving enforcement methodology in line with the Committee's needs.

Thus, during 2025 the Committee received from the experts of the "COMPASA" project around 40 expert opinions and consultations at the Committee's request concerning the drafting of regulatory acts and specific issues relating to the application of legislation in the field of State aid.

The experts of the "COMPASA" project also prepared a Report on the calculation of the grant equivalent of aid.

With a view to raising the awareness of Committee staff of European State aid legislation, the experts of the "COMPASA" project held 19 training webinars.

Conclusions and directions for the Committee's further work in 2026

Conclusions

Despite the suspension of certain provisions of the Law in connection with the introduction of martial law in Ukraine, in 2025 the Committee implemented the planned priority measures relating to State aid monitoring, improvement of the regulatory framework, advocacy of the State aid system and fulfilment of Ukraine's international commitments in the field of State aid.

1. With a view to fulfilling international commitments, in particular reform 4 of Chapter 6 of the Ukraine Plan, approved by CMU Order No. 244-r of 18.03.2024 (as amended), the Committee drafted, and the CMU submitted to the Verkhovna Rada of Ukraine, the draft Law of Ukraine "On Amendments to the Law of Ukraine 'On State Aid to Undertakings' concerning the restoration of the effect of certain of its provisions, the specific features of their application during the legal regime of martial law and the improvement of the monitoring of State aid to undertakings", registered with the Verkhovna Rada of Ukraine on 30.12.2025 under No. 14345.

2. Another priority remained the reform and improvement of the system for monitoring and control of State aid, in particular through the improvement of the regulatory framework. Bringing national legislation in the field of State aid into line with current EU law and ensuring its effective implementation and application is an important component of the negotiation process for Ukraine's accession to the EU.

Thus, in 2025 the Government adopted 3 resolutions approving criteria for assessing the compatibility of particular categories of State aid, drafted by the Committee.

The Committee drafted and approved one order improving procedural rules and carried out work to modernise the State aid register.

Also, during the reporting period the Committee approved 7 draft CMU resolutions approving criteria for assessing the compatibility of State aid.

3. With a view to the further development of an effective State aid system, one of the priority areas of the Committee's work remains the dissemination of knowledge about State aid and advocacy of the State aid system.

The Committee has issued and continues to issue both individual clarifications on the application of legislation in the field of State aid (at the request of interested parties) and consolidated clarifications in the most topical areas, drawn up on the basis of the results of the State aid monitoring carried out in 2025.

The Committee also held relevant advocacy events (meetings, round tables, and so on).

4. In the context of the international cooperation of the Committee as the Authorised Body for State Aid with the European Side, joint work continued within the framework of negotiating Chapter 8 "Competition Policy" through the participation of Committee representatives in the official screening of the compliance of Ukrainian legislation with EU law and through cooperation with the "COMPASA" project.

Directions

Taking into account the analysis carried out and the Committee's practical work during 2025, the following priority directions for the Committee's further work in 2026 may be identified:

ensuring the functioning of the State aid control system, in particular by taking measures aimed at restoring the effect of certain provisions of the Law;

improving the regulatory framework in the field of State aid and harmonising it with EU legal acts;

monitoring support measures for undertakings, including those implemented during the period of martial law;

issuing clarifications on the application of legislation in the field of State aid to undertakings;

advocacy of the State aid system as regards the development by providers of State aid schemes and the bringing of those schemes into line with the State aid rules;

further improving the functioning of the State aid register;

updating the current version of the inventory of schemes of support to undertakings from State or local resources which existed on the date of entry into force of the Law;

ensuring that the European Commission is informed of the granting of State aid in Ukraine in accordance with the requirements of the Association Agreement.