

Competition and Markets Authority
25 Cabot Square
London
E14 4QZ

Call for Evidence

Which? response to the CMA's call for evidence on action to address app steering restrictions imposed by Apple and Google

Submission date: 20/04/2026

Which? welcomes the opportunity to share views on the CMA's approach to designing an intervention that addresses the steering restrictions that Apple and Google impose on in-app payment transactions.

We strongly support the CMA introducing a conduct requirement that allows developers to freely steer their customers away from native mobile in-app payment methods. This has the potential to directly lower prices for consumers, immediately improve app experiences and give developers an opportunity to improve the quality of their products.

Our recommended approach to the different aspects of a potential steering intervention are considered in turn below.

Ability to steer consumers outside of native mobile ecosystems

We strongly support the right for developers to be able to direct their consumers away from native mobile app payment methods. So long as developers are unable to effectively steer users off an app, as is currently the case, Apple and Google are free to exert their substantial and entrenched market power to dictate the terms on which developers engage with their customers.

We acknowledge that Google does technically permit a form of alternative payment method for app transactions, in contrast to Apple's blanket prohibition of steering consumers to make transactions using alternative methods, but the restrictions that form part of this (e.g. not allowing developers to direct users away from an app to complete purchases) preclude it being an effective option for many developers.

Apple and Google may have different policies about steering, but they both use their market power to charge excessive commission fees of 30% on in app payments. The Competition

Appeal Tribunal (CAT) ruled in its *Dr Rachel Kent vs. Apple Inc 2025* judgement that Apple's 30% in-app payment commission was excessive and unfair, and a result of Apple abusing its dominant position.¹

Without an effective mechanism for steering, developers have no choice but to swallow these unfair fees. This is causing significant harm to both developers and consumers.

International developments, including in Europe, the US and Japan, create a clear precedent for requiring Apple and Google to allow developers to steer users to make app payments elsewhere. The CMA has correctly identified in their call for evidence that steering will provide developers with greater flexibility in their business models and the potential to lower the cost of transactions which could lead to lower prices and greater choice for consumers.

We acknowledge that allowing steering has the potential to compromise the security of user data and increase the prevalence of fraud, and the protection of consumer data must be a priority for any intervention that permits steering. While we are unaware of any evidence linking steering to decreased security or increased fraud, we support the CMA examining how this has played out in other jurisdictions.

Presentation of steering links

The design of how any steering link or notification is presented to consumers will have an important bearing on the extent to which consumers are able to make use of the opportunity to transact their payments outside of Apple and Google's native app ecosystems.

We support a requirement that enables developers to be able to present this choice to consumers freely, flexibly and fairly. To give consumers a fair choice to transact payments off an app the presentation of any steering link should minimise as much transactional friction as possible.

There is considerable variation in the way steering links are presented on Apple and Google mobiles following interventions in other jurisdictions. While we do not think there is any single example of a truly frictionless policy for either Apple and Google in any given jurisdiction, the spectrum of approaches gives strong precedent for a range of different design choices to be used.

One of the advantages the CMA has in taking action after international counterparts is that it can learn from the experience of previous interventions. Which? encourages the CMA to use the opportunity presented by their second mover advantage to pick and choose the design aspects that can most effectively result in steering being presented to consumers freely, flexibly and fairly to ensure that the potential benefits of steering can be realised to their maximum extent.

¹<https://www.catribunal.org.uk/judgments/14037721-dr-rachael-kent-v-apple-inc-and-apple-distributi-on-international-ltd-judgment-0>

Developers themselves will be best placed to comment on the effectiveness of specific design choices made in other jurisdictions and the extent to which certain design choices still place friction on the ability to steer customers outside of native mobile ecosystems.

Depending on the feedback the CMA receives, design choices to reduce the friction of steering links might include, but are not limited to:

- not specifying that Apple or Google's payment links must be presented alongside a steering link, and not specifying a requirement for the prominence of any alternative links;
- enabling links to be opened in in-app web views;
- ensuring that interstitial disclosure screens use neutral language and can be dismissible by the user for future transactions to avoid them being used as 'scare screens';
- allowing personal data to be passed with the link.

Steering transaction fees

As the CMA sets out in its call for evidence document, Apple and Google have adopted a range of policies for steered transaction fees globally. Many of these policies have been disputed by authorities. For example, the complex fee structure introduced by Apple in Europe in response to the European Commission's non-compliance notice remains under scrutiny and in the US an appeals court has ruled that Apple may charge a fee for steered transactions but questions around the level of the fee remain.

Given the moving regulatory and legal landscape, there is not yet any agreed recognition of what a fair and reasonable rate for steered transactions is, or a steady state that steering rates have converged around. Using international precedent alone to determine an appropriate position is therefore not possible.

The CMA must consider the full extent of evidence about how fees for steered transactions have been determined across international jurisdictions. It must use this analysis to consider whether it is appropriate to allow Apple and Google to charge a commission fee for steered transactions and, if so, what a fair fee is based on the role that they play in acquiring custom for developers and necessary costs for coordinating external links.

Without a comprehensive analysis of these considerations, Which? does not have a pre-determined view on what the fee for steered transactions should be. However, we encourage the CMA to adopt the following principles when considering what would be a fair rate:

1. Any steering fee should be lower than the fee for payments made in the native mobile ecosystem. When payments are made outside of the native mobile ecosystem, Apple and Google do not perform the same level of service to process the payment therefore should not charge as high a fee for the transaction. When using a steered transaction link, the developer would incur card fees and financial risk, and becomes responsible for billing enquiries, customer support and tax compliance. It would naturally follow that when Apple and Google are absolved of

these responsibilities and incur fewer costs that they should not be charging as high a fee for a steered transaction.

2. The reference point for any steering fee should be the competitive market rate as determined by the Competition Arbitration Tribunal in the Dr Rachel Kent vs. Apple Inc 2025 judgement. To determine the extent of damages as part of the collective proceedings against Apple in 2025, the Tribunal calculated a counterfactual commission rate for in-app payments made in a competitive market should be 10%. This competitive market-equivalent rate was calculated in a judicial setting, independent of regulators and the parties in question, and specific to a UK context to illustrate the extent to which Apple is currently over-charging through its in-app payment commissions.

As per the first principle set out above, we call for the CMA to use this 10% rate as the 'ceiling' from which to consider any potential steering fee. Although it was calculated specifically in response to the class action case against Apple, we see no reason why it would not be an appropriate benchmark to use for both Apple and Google, especially considering they currently charge the same 30% for in-app payments.

3. Any steering fee policy should prioritise simplicity. Many of the fee structures for steered transactions adopted in other jurisdictions are too complex. As the CMA sets out in its call for evidence, Apple and Google use different types of fee (flat fees and variable rates), charge different fee levels on different types of transactions (eg recurring vs. non-recurring), charge different fee levels for different size developers, and set temporal conditions which change the fee level depending on when transactions are completed.

These complex fee structures reduce transparency and obfuscate from developers the actual rate they will be charged for in-app payments (this also supports the notion that the same steering rate be used across both Apple and Google). They can also create perverse incentives with cliff edges that punish developers for earning revenue just above a transaction fee threshold. While it may be appropriate to have more than a single rate depending on the nature of the transaction, we encourage the CMA to prioritise implementing a simple policy that maximises transparency and ease of understanding and avoids perverse incentives for developers.

Adhering to these principles should support the CMA to determine a fair rate of commission for steered transactions. We acknowledge that where this rate sits between 0-10% (our proposed ceiling, per the second principle above) will depend on a range of factors which the CMA must consider from a comprehensive analysis of how steering charges have been determined in other jurisdictions and any intentions to reduce the rate for in-app transactions within the native mobile ecosystem, see below.

In-app transaction fees

As referenced above, the Kent vs. Apple case provides a compelling precedent for what a competitive-market commission for native ecosystem transaction fees should be: 10%. This is significantly lower than the current rates charged by both Apple and Google for in-app payments made within their mobile ecosystems. The CMA says that increased competitive pressure between in-app payments made on and off Apple and Google's app stores could place downward pressure on the 30% commission rates. We are concerned that downward pressure alone will not be sufficient to reduce these commission rates quickly and sufficiently.

If Apple's appeal of the Tribunal's decision upholds the original judgement, Apple must reduce their excessive fees accordingly, and Google should follow suit. If this does not happen quickly, and to the full extent implied by the competitive-market rates used in the CAT judgement, the CMA must make use of its flexible enforcement powers to take action. It must not rely on downward pressure alone to ensure that Apple and Google reduce their in-app payment rates to reflect a fair rate.

UK courts have ruled that a monopolistic mobile app ecosystem is facilitating excessive fees. These fees are being passed on to consumers and denying developers the opportunity to reinvest and innovate their services, and the CMA must ensure that this damaging and illegal practice is corrected.

About Which?

Which? is the UK's consumer champion, here to make life simpler, fairer and safer for everyone. Our research gets to the heart of consumer issues, our advice is impartial, and our rigorous product tests lead to expert recommendations. We're the independent consumer voice that works with politicians and lawmakers, investigates, holds businesses to account and makes change happen. As an organisation we're not for profit and all for making consumers more powerful.

For more information contact:

Angus Gibson, Senior Economist
angus.gibson@which.co.uk

April 2026