



Consultation on a Fair Ranking Conduct Requirement for Google – Skyscanner’s response

25 February 2026

About Skyscanner

- Skyscanner is a UK-founded and -headquartered travel metasearch service that helps consumers to find and compare flight, hotel, car rental, package travel, and rail offers from over 1,200 partners.
- We search over 100 billion prices every day on behalf of our users, with the transparency and competition we provide leading to lower prices for British families and higher overall demand for travel.
- Established in Edinburgh in 2003, we were one of the first flight metasearch services in the world. We now have over 160 million monthly users in at least 35 countries and employ almost 1,000 people in high skilled, well-paid jobs across offices in Edinburgh, Glasgow and London.

Introduction

- Google Search is a vital means for Skyscanner, like all online businesses, to access users. Indeed, for the first 10 years of our existence Google Search was a key driver of our growth, providing a channel for acquiring new users at low cost. Organic results were prominent, with ranking determined by objective criteria such as relevance, quality and user utility.
- It was possible for start-ups to grow without spending vast sums on sponsored results, making it easier for new ideas to take off.
- This is no longer the case. In recent years, Google Search has made repeated changes to the search engine results page (SERP) that have reduced the visibility of organic results. While a limited number of sponsored results always appeared at the top, these have been joined by an ever-expanding list of search features including integrated links to Google’s specialised search services (such as Google Flights) and, more recently, AI Overviews. These features are almost always fixed at the top of the SERP, regardless of relevance or quality.
- The Google Flights widget (or integrated link) is ranked above the top organic result for 61% of the 7,656 flights-related queries we track in the UK, a position that has remained remarkably stable for many years. This share increases to 67% if we consider search volumes, with the Google Flights widget appearing above the organic results for 9.9 million searches per month, out of a total tracked volume of 14.7 million.

- Meanwhile, in December 2025 AI Overviews appeared in response to 25% of the transactional flights keywords we monitor, up sharply from around 5% in August of that year.¹
- As a result, the most visible results on the SERP in an increasing number of sectors are sponsored links and Google-owned search features. This will be compounded further as Google rolls out sponsored results in AI Overviews.
- For Skyscanner, Google Search has become a less effective and much more expensive gateway for us to reach consumers and grow our business. Despite regularly ranking first for flights-related queries in the UK (for around 63% of the keywords we track, our average organic click through rate (CTR) in the UK has fallen by [✂] in the past year. This follows a fall of [✂] the previous year.
- In short, the most relevant and highest quality results – according to Google’s own ranking criteria, policies and procedures - are becoming ever less visible to consumers.
- As the ranking of organic results relative to other search features continues to be dictated by Google’s own commercial interests, harm to competition, innovation and investment grows, as does consumer harm.
- Businesses like Skyscanner that prioritised organic performance by focussing on creating high quality, relevant content are now having to spend ever larger sums on search advertising to remain visible. Since there is no alternative to Google Search (and the effectiveness of AI assistants for customer acquisition strategies remains uncertain), we face substantially higher costs as we continue to invest in SEO while increasing our spending on SEM.
- Having to spend more money to acquire new users (or to retain new ones) means we have less resource to invest in innovative new product features and services. At a time of rapid AI-based innovation, when our biggest competitor in our core business is also one of the leading AI developers that operates at every level of the AI tech stack, the changes to the SERP outlined above make it even harder for us to compete.
- For our users, they are harmed indirectly as we divert resource away from developing new features in order to maintain visibility on the SERP.
- Meanwhile, all consumers face higher search costs when visibility on the SERP is not determined by relevance and quality, as it takes longer for them to find the best result and they have reduced confidence in Google’s results.
- Consumers may also be harmed financially. Google’s placement of an integrated link to Google Flights above the top organic results, irrespective of relevance and quality, means

¹ A transactional keyword is one that expresses an intent to search for a specific itinerary

that our offers are less visible. This is despite the fact that, in January 2026, prices on Skyscanner beat those on Google Flights 74% of the time (and met them an additional 9% of the time). The average saving was £40.30 per ticket, which adds up to a significant amount for a family.

- As organic results have become less visible relative to Google's own search features, Google has also moved to improve the visibility of its own services within the organic results themselves. This risks further eroding trust in the ranking of results.
- Since around 2023, Google has launched organic SEO landing pages for its travel search products. These organic landing pages have gained significant visibility at an unprecedented rate. For example, they now rank second organically for one of the most competitive flights keywords in the UK ('flights to X'). This top-two organic position is in addition to the integrated link to Google Flights that sits above the organic results, meaning Google's own flights service has significantly greater visibility on the SERP for one of the most high-volume keywords.
- For most businesses – even well-established ones- it takes many years for new SEO landing pages to appear towards the top of the organic results. There is no obvious explanation for why Google's new SEO flights pages would be able to perform so well, so quickly.
- Meanwhile, the organic ranking algorithm is regularly updated by Google, with these frequent changes often leading to significant and unexplained changes in the ranking of different types of businesses relative to others. This requires us to dedicate significant resource to understanding and reacting to these changes, which typically occur once a quarter.
- The impact of the above developments on businesses' faith in Google's rankings is being compounded by the introduction of Google's search generative AI features, specifically AI Overviews and AI Mode.
- These features are increasingly prevalent. As we noted above, AI Overviews appear in response to ever more transactional queries, in addition to more informational queries where they are already ubiquitous. Meanwhile, it is clear that Google intends for AI Mode to become the main way through which users engage with Google Search in future. For example, the Google Search shortcut on Chrome leads directly to AI Mode.
- Yet the ranking and presentation of results in these search generative AI features is even less transparent for businesses. Google does not provide data on how often our content appears in AI Overviews or AI Mode, but from what we can gather through third-party tooling and manual checks the approach to ranking differs from the approach used on the main SERP. The top organic results are often not the most visible ones in AI Overviews or AI Mode.

- For example, Skyscanner is referenced in about 85% of the AI Overviews that are triggered in response to the transactional keywords we track. There are queries, such as ‘flights from Exeter’, where we rank second organically yet do not appear in the AI Overview at all (which, instead, recommends users check Google Flights “for the most up-to-date, specific dates and competitive [prices]”).

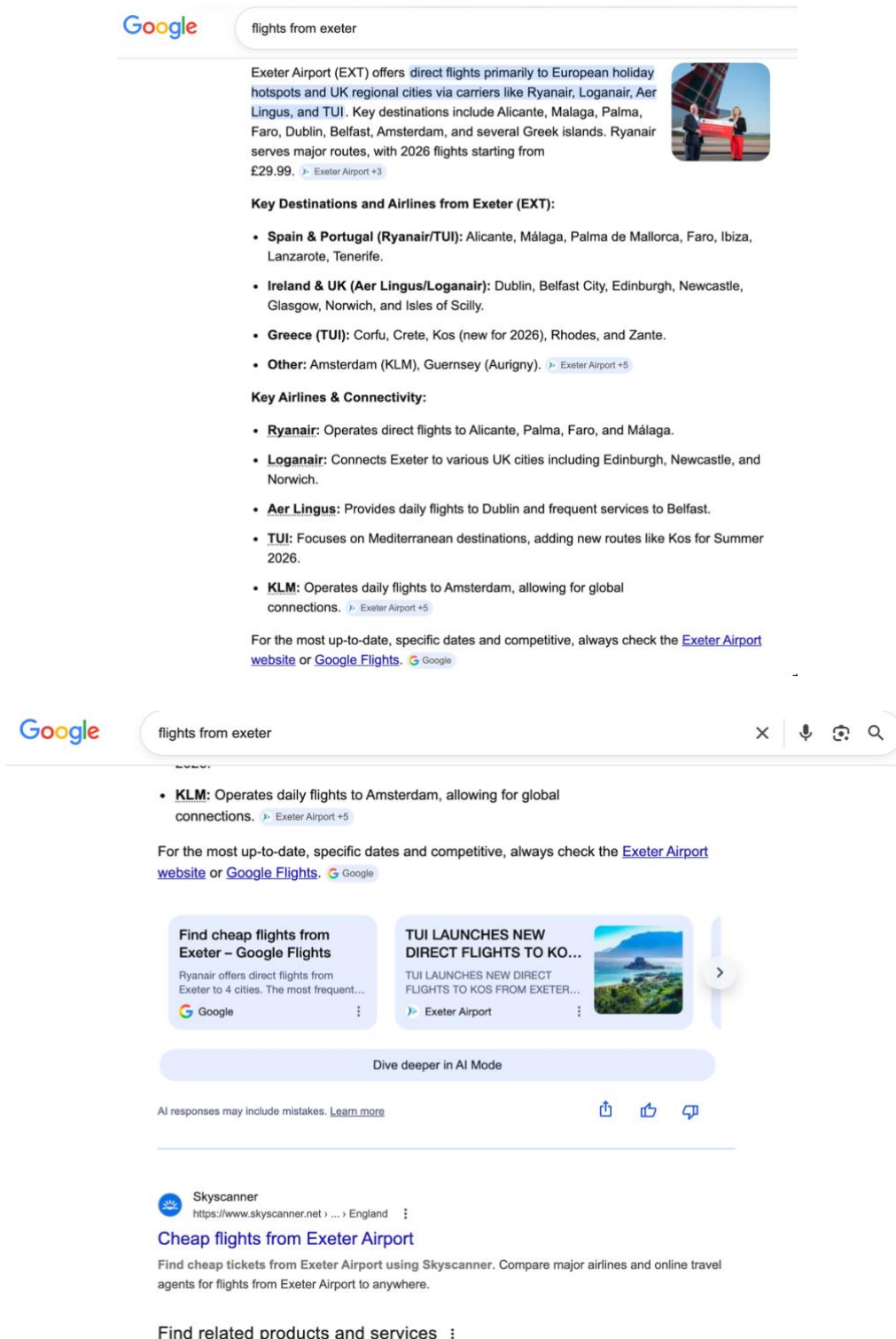



Fig. 1: example of divergent ranking between AI Overviews and organic results on the SERP.

- While it may be possible to gain some understanding of how often we are featured in AI Overviews, there is no means for us to qualitatively assess the quality of these references at scale, for example how we are presented and how visible we are within the AI Overview. We have significant reason to believe, from manual checks, that qualitatively we are much less visible in AI Overviews compared to our visibility in organic results on the SERP.
- The discrepancy on AI Mode is much starker. Skyscanner is featured in [] of responses to flight-related prompts (capturing both advice and agentic queries). This is not only fundamentally different to our visibility on the rest of Google Search but also compared to rival conversational AI agents.²
- Taken together, Skyscanner has little confidence in the fairness of Google’s rankings and, as Google shifts more users to AI Mode, we are concerned that our visibility will get worse as Google’s competing services are prioritised. Considering we have the cheapest prices and a more comprehensive inventory, this is unjustified on any objective criteria.
- Our investment decisions are increasingly shaped by the evolving search landscape, with Google’s rankings limiting our capacity to invest in new products and features at pace as we dedicate more resource to protecting our visibility and ensuring consumers can find our unique prices.
- As we mentioned above, it is also becoming harder for consumers to identify the best response to their query, leading them to potentially miss cheaper or higher quality alternatives to those services prioritised by Google.
- We therefore welcome the CMA’s proposed decision to introduce a Conduct Requirement on Google relating to fair ranking. We believe this will support growth, investment and innovation, leading to important benefits for UK businesses and consumers, as we set out below.


General

1. Do you agree with the proposed scope of the Fair Ranking CR?

- We broadly agree with the scope, but there are certain areas where we believe that it should be expanded to maximise effectiveness.

Advantages of proposed scope

- We welcome that, under the proposals, the following will be in scope:

² Skyscanner is featured in over [] of responses to flight-related prompts on ChatGPT and Perplexity.

- The ranking and presentation of organic results;
 - The ranking and presentation of organic results within search generative AI features including AI Overviews and AI Mode;
 - The ranking of organic search results relative to other search features.
- This will allow the CMA to address several issues that are central to improving trust in Google's rankings.
 - Both the ordering of individual results and how they are displayed are relevant to questions of fairness. This is particularly the case in conversational formats such as AI Mode, where the concept of 'ranking' is less relevant and instead the presentation of results is much more important in determining visibility.
 - For example, in the below, in the first paragraph three airlines are mentioned, with hyperlinks to two of them. However, the citations or source links for that same paragraph link to intermediaries. In this instance, five companies are arguably 'ranked' equally, but are presented very differently.
 - This is made even clearer by the result underneath. The 'Flight Price Overview' is simply a Google Flights result, with the two included source links directing users to Google Flights. Unlike the integrated link to Google Flights on the SERP, users cannot interact with the box. It is a static feature.
 - However, despite 'ranking' lower than five other companies, the presentation of the Google Flights result is significantly more visible than the others and will likely result in higher levels of user click through rates.

Flight prices from London to Barcelona are currently at their lowest for the year in February and March 2026. Budget carriers such as [Ryanair](#), [easyJet](#), and [Vueling](#) provide the most affordable direct connections, with return fares starting as low as £26.

Flight Price Overview

The following charts and tables represent current pricing for 4-day trips departing from London to Barcelona (BCN) in February and March 2026.





Prices for: London-Barcelona · Thu 26 Feb – Mon 2 Mar · Economy · return · 1 person

 Ryanair	2 h 30 m	Non-stop	from £38
 easyJet	2 h 10 m	Non-stop	from £55

Ask anything

+

Cheap Flights to Barcelona from £26 Return | Skyscanner
Frequently asked questions * How long is the flight to Barcelona? The...


Cheap Flights from London (LOND) to Barcelona (BCN)
Finding cheap flights from London to Barcelona: Frequently asked questions. How much are return...



£15 CHEAP FLIGHTS to Barcelona in 2026 | KAYAK
LGW. BCN. 2h 05mdirect. £24Vueling. LTN. BCN. 2h 15mdirect. £24easyJet...


Fig. 2: example of Google's more favourable presentation of its own results in AI Mode

- Since Google's search generative AI features are likely to become the default mode for user engagement with Google Search, and given the clearly divergent approaches to the ranking and presentation of organic results compared to the traditional SERP, it is absolutely essential for any Fair Ranking CR to cover these features if it is to be effective.
- As we outlined in the introduction, there is a clear and unexplained discrepancy between how our content is ranked organically on the traditional SERP compared to AI Overviews and AI Mode. While we are [100%] of responses to all flight-related prompts in AI Mode, this drops to [10%] of agentic prompts ('find me flights to...'), compared to [100%] for similar prompts on ChatGPT.
- Google has indicated that, for travel queries, it intends to pursue an agentic future for AI Mode, with consumers able to carry out their search right through to booking completion without leaving AI Mode. Ensuring that the ranking and presentation of organic results on Google's search generative AI features is objective and non-discriminatory is therefore critical to protecting competition and giving us the confidence to invest in new content and integrations for these generative AI search features.
- It is also particularly welcome that the ranking of organic search results relative to other search features, including AI Overviews and Google's integrated links to its specialised search services, is in scope. The appearance of multiple Google-owned search features that consistently appear at the top of the SERP, regardless of relevance and quality, has impacted all businesses' organic CTRs, as we outlined above.
- This is raising our search advertising costs and our spending on external and internal resourcing in order to understand the impact of AI Overviews and AI Mode on our

organic performance. It is also introducing significant uncertainty regarding the expected return on continued investment in quality organic content.

- Ensuring the most relevant and highest quality organic results can appear above AI Overviews would, in addition to strengthening the incentive to continue investing in new content, would also give publishers greater confidence to exercise their proposed right to opt-out of their content appearing in AI Overviews, since their organic result could now appear above the AI Overview anyway.
- For Skyscanner, the ability for our organic results (which often rank first due to our focus on creating highly relevant and useful content) to appear above the integrated link to Google Flights will go some way to addressing our current concerns with Google's self-preferencing.

Areas where scope should be expanded

- We believe that the scope needs to be expanded in important areas, however, to further boost the effectiveness of the CR.


Ranking of sponsored content relative to organic results

- First, we believe that the ranking of organic search results relative to other search features should extend to sponsored results too.
- The ranking of sponsored results relative to organic content has a significant impact on whether the ranking of search results is objective and non-discriminatory. Many paid-for ads are less relevant to a user's query than the top organic results. For example, the first result returned in response to a UK user's query 'flights to New York' may be a seaplane service in New York.

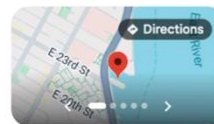
Sponsored results

BLADE Aqua Lounge - New York City :

5.0 ★★★★★ (1) · Seaplane base · **Closed** · Opens 5 am
 2430 FDR Drive-Main Terminal, New York City, NY 10010
 Phone +1 844-359-2523 · Corporate office

 Your Car Is The Problem - Running late? Use our app to book
 Blade up to 30 minutes before takeoff. Fly us today.

[Website](#) [Directions](#) [Call us](#)



 British Airways
<https://www.britishairways.com>

Flights To New York

Book Direct, No Hidden Charges — The BA experience; from our signature warm welcome to arriving safely at your destination. Experience a seamless journey and world class service with our polite and friendly crew. BA Official Site. Award Winning Service. 24-hour Helpline. World Class Service. Club World. Online Check-in.

[Fly From London To New York](#) · [Last-Minute Flight Deals](#) · [British Airways Official Site](#)

Fig. 3: the top sponsored result in response to a UK user query for 'flights to new york' on 25 February 2026

- We believe that it is highly likely that a user in this scenario is looking for flights from the UK to New York. Yet in this case the fixed position of the sponsored results means the most relevant results are pushed further down the page.
- Furthermore, the ranking and presentation of paid-for content compared to organic content will be especially important in AI Overviews and AI Mode. Google has already made many changes to the presentation of sponsored results on the 'traditional' SERP that mean they now closely resemble organic listings.
- Yet in a conversational and agentic search experience as envisaged for AI Mode, it will be vital to consumer and business trust that the ranking and presentation of sponsored content relative to organic content is objective and non-discriminatory. If users are to remain in the Google funnel when searching for and booking travel, then consumers need to have confidence that the most visible results they are being offered for selection are the most relevant, regardless of whether they are sponsored or not, and that they are not simply seeing a curated list of options from Google's partners who have paid to be there.
- Similarly, as mentioned previously we are more likely to make the investment in the new content and potential API integrations needed to take part in AI Mode if we have confidence that sponsored content will be ranked fairly relative to organic content.
- We believe the importance of displaying sponsored results responsibly in conversational search experiences is clear. Several companies developing AI assistants have decided against introducing sponsored content on the basis that it is corrosive to user trust.³ If one of the underlying objectives of this CR is to increase trust in Google's ranking of

³ ['Claude is a space to think'](#), Anthropic 4 February 2026



content, we believe that it would be extremely beneficial to require Google to make decisions about the relative prominence of sponsored content on the same basis as for the rest of the SERP.

- Google has already taken some steps towards doing this already, with the introduction of a secondary 'sponsored' ads section interspersed with organic results on the SERP. We therefore do not judge that extending the scope in the way that we propose would be difficult for Google to implement but it would increase consumer and business confidence when interacting with Google's new search generative AI features. It could also lead to lower advertising costs for businesses, who may no longer need to spend on advertising for keywords where they are confident they are the most relevant result already.

Gemini model

- Gemini is quickly taking market share in the AI assistants market, reaching over 30% globally as of February 2026, according to similarweb data. The total number of visits to Gemini rose by 19.2% in January 2026 compared to the month before, faster than any of its competitors.
- Given this, Gemini's more closed operating environment, and the fact that the Gemini model is used to help generate responses in AI Mode, it is important for businesses to have a greater understanding of the linkages between Gemini and AI Mode and how they are influencing rankings in AI Mode.
- We are concerned that decisions on ranking taken by Google for Gemini, which is not in scope of the SMS designation, are influencing ranking in AI Mode in a way that could undermine the effectiveness of this proposed CR.
- For example, Gemini now only searches Google Flights in response to transactional queries, locking out equivalent services. This happens even when the user specifically requests Gemini to search on other websites, including Skyscanner. It claims that Google Flights has the same prices and coverage of flight offers as other websites like Skyscanner, which is factually incorrect.

Find me the best flights to Nashville this week leaving London Wednesday returning Monday

◆ Google Flights ^ 🔊

✓ Query successful

The best flight options for your trip from London to Nashville, departing this Wednesday, February 25, and returning next Monday, March 2, are:

Best Overall (Non-stop)

- Airlines: British Airways
- Price: £981
- Departure: Wed, Feb 25 at 12:40 PM from London Heathrow (LHR)
- Arrival: Wed, Feb 25 at 4:15 PM in Nashville (BNA)
- Duration: 9h 35m (Non-stop)
- Return: Mon, Marc ↓

Ask Gemini

+ ☰

Fast



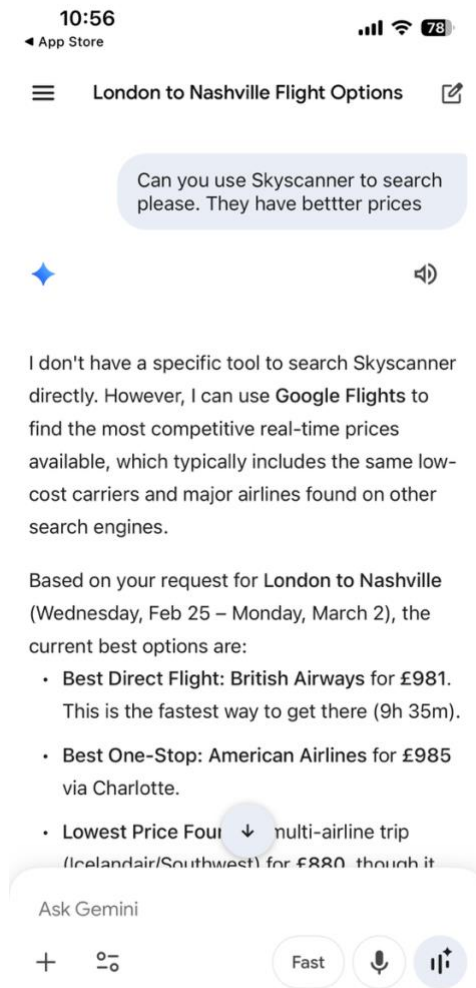


Fig. 4: an example of Gemini only searching Google Flights

- Even where Gemini seeks to provide a link to Skyscanner, that link is often broken.

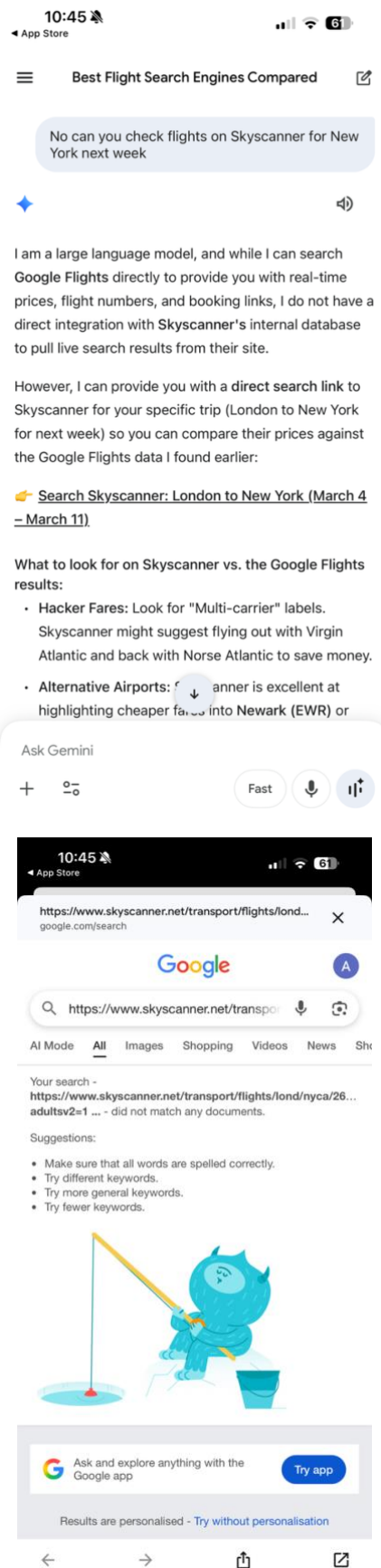





Fig. 5: further example of Gemini's blatant self-preferencing

- Gemini has always heavily favoured Google Flights and has a clear bias. For example, it argues that Google Flights is considered the best place to search for flights when prompted, and gives the incorrect impression that it is not possible to book directly with airlines via Skyscanner – unlike Google Flights.
- In line with our visibility on AI Mode, we are referenced in [] of responses to flight-related queries on Gemini (the vast majority of these are advice queries rather than agentic ones, for which we are featured []). When we are featured, our average ranking position in Gemini [] , significantly lower than on Google Search.
- Google appears to be taking a highly selective approach to integrating businesses into Gemini. It has, for example, launched an integration with Spotify. Should Google continue to exclude businesses with which it competes in a given vertical from Gemini integrations, we are concerned that this will directly impact our visibility in AI Mode even when we are one of the most relevant results.
- The fact that our visibility for flights-related prompts (including agentic ones) is the same in Gemini and AI Mode, and significantly lower than our organic visibility on Google Search or in AI Overviews, is a clear indication that there is a link between the two. If decisions taken by Google for Gemini influence ranking on AI Mode, then this must be accounted for as part of the CR.
- In particular, Google should be required to provide businesses with clear and detailed information on how the Gemini model influences the ranking and presentation of results in AI Mode. If decisions to exclude businesses from agentic queries on Gemini impact fair ranking on general search's AI Mode, then Google must be prohibited from doing this.
- Given AI Mode is part of general search, ranking in AI Mode must rely on the signals, ranking criteria, policies and procedures of Google Search rather than Gemini. If not, Gemini should be brought more directly into scope of the SMS designation.

Google's self-preferencing in specialised search must be addressed by the CMA

- While the CMA's proposed CR is likely to have substantial benefits for UK businesses and consumers, we remain of the view that it is an important first step only. The CMA must address Google's treatment of specialised search services more fully if ranking is to be fair for all users.
- We acknowledge the CMA's decision to address this issue under a potential Category 2 intervention. However, it is important to recognise that for as long as Google is able to present its own services in a richer way on the SERP they are likely to retain an advantage in ranking too, even if Google is obliged to apply the same objective and non-discriminatory ranking criteria to its own services as equivalent ones of third-parties.
- That is because, for as long as Google's travel search services enjoy richer features and a more prominent display on the SERP relative to the organic results of competitors, they

are likely to remain more appealing to users and therefore receive more engagement and traffic than similar organic results.

- This will, inevitably, influence its ranking, as greater user engagement will signal that users perceive Google's services to be more relevant and of greater utility.
- Without action on this point through the swift imposition of a Category 2 intervention, the effectiveness of this proposed CR for a significant number of Google's business users in verticals where Google is a competitor will be more limited than it needs to be.
- Specifically, it is vital that a Category 2 CR on specialised search services addresses the presentation of Google's own specialised search services and requires Google to provide equal opportunities for the results of equivalent services to be presented in the same way.
- Rather than depriving users of existing SERP features, this approach will increase the utility of these features for consumers by allowing more of the most relevant services to participate.
- Finally, given the importance of presentation to each result's visibility in the context of conversational AI Mode, Google's ability to present Google Flights in a richer format will be particularly damaging in that feature. We believe that, for this reason, 'organic content' in AI Mode should be understood to mean all content that is not sponsored content, and that the presentation of all results should be subject to the same objective and non-discriminatory criteria. That would apply to the presentation of the Google Flights result as shown in Fig. 2, which does not act in the same way as the integrated link to Google Flights on the SERP.

2. Do you have any views or evidence on the benefits or costs of the Fair Ranking CR?

Benefits

- We believe that the proposed CR could have some important benefits for Skyscanner.
- First, the proposals to require Google to provide sufficient notice and information in advance of any material changes to the key ranking criteria, policies and procedures of Google Search could save us a meaningful amount of resource. We currently estimate that one of our employees spends 5 days per update, which typically occur once a quarter, understanding and responding to Google Search algorithm updates. This involves trying to analyse 18 markets across three verticals with limited notice and information. This amounts to one of our employees spending 20 days a year trying to understand the impact of updates and respond to these. We also currently spend over £300,000 per year on external tooling to understand the impact of Google updates. With greater notice of changes and more detailed information regarding the expected impact of those changes, including how and why certain types of publishers will be affected, would save us substantial time and resource.

- Meanwhile, we would expect the ability for our organic results to appear above AI Overviews and Google's integrated links to its specialised search services to improve our visibility on the SERP. This could lead to higher traffic (and potentially higher revenues), greater return on investment in content, and lower search advertising costs.
- The biggest benefit for Skyscanner, however, is likely to be from greater transparency regarding ranking decisions in AI Mode and how objective and non-discriminatory ranking criteria are applied. A greater understanding of why we appear much less frequently in response to flight queries in that particular search generative AI feature compared to elsewhere on Google Search would enable us to better optimise our content and to understand the value of investing in new, conversational content formats.
- Indeed, Skyscanner has traditionally invested significant resource into SEO performance. However, given the unprecedented declines in organic CTRs that we, like all businesses, are experiencing, our SEO performance is now one of the biggest unknowns for our business this year. This makes business planning and strategic decisions more difficult.
- Restoring fairness to Google's ranking and presentation of organic results would provide a clearer incentive for us to continue investing heavily in high quality organic content, including in new formats, to the benefit of consumers.
- For consumers, under the proposed CR the most visible results they see will be more relevant. If all content (including the relative ranking of sponsored content compared to other search features) is ranked according to the same objective and non-discriminatory criteria, this will make it easier for consumers to quickly identify the most suitable response to their query, reducing their search costs. It could also lead to reduced financial costs, as this proposed CR would make it more likely that the services with the most comprehensive or cheapest offers would be the most prominent.
- Consumers will also benefit indirectly. As business confidence in Google's organic rankings increases and there is greater investment in organic content, consumers will benefit from more choice and higher quality services compared to a future without CMA intervention, in which the visibility of organic results continues to decline irrespective of relevance.

Importance of implementation and compliance monitoring

- The benefits we envisage arising from the proposed Fair Ranking CR will only materialise if the CMA plays an active oversight role in monitoring compliance.
- First, we believe that a six-month implementation period is too long. Many of the obligations, including providing greater transparency on Google's ranking criteria, policies and procedures, should not require much time.

- Similarly, even in areas that would require changes to how ranking works at present, such as the potential for organic results to appear above other search features, we have already observed a (very limited) number of examples of Google doing this. As we noted, they have even started introducing new 'sponsored' result units that are interspersed with organic results.
- Google is constantly experimenting with the SERP layout, and so we do not believe Google requires six months to comply with what the CMA is proposing here.
- Businesses and consumers have waited years for Google to create a fairer search environment. As we have outlined, search is becoming even less fair at an accelerating rate. This justifies a quicker implementation period, especially when considering that the CMA is waiting to address more complex issues (such as the treatment of specialised search services).
- We believe a three-month implementation period is sufficient. Google must be required to test its proposed solutions with market participants during this time, with the CMA monitoring the results and seeking feedback from market participants. This will ensure that businesses can better understand the potential impact of any changes on their business and highlight any compliance concerns with the CMA rapidly.
- We believe this approach will lead to even quicker benefits for businesses and consumers at little additional cost for Google.
- Once the CR is in place, it is essential that the CMA play a proactive role in monitoring compliance. As the CMA has rightly identified, businesses across the economy do not trust Google to treat them fairly. That mistrust is based on observed conduct, such as the fact that we are now locked out from transactional queries on Gemini and that we are referenced far less frequently in response to flights related prompts on AI Mode despite our high organic rankings.
- Businesses will not have greater trust in Google's rankings if they are merely required to publish more detail on their ranking policies and then submit six-monthly compliance reports. Google being allowed to mark its own homework will not give us greater confidence in Google's conduct.
- We note that to date the CMA has not analysed Google's algorithms to identify whether rankings are unfair. Once a CR is in place, the CMA must do so, regularly testing whether the CR is being complied with, including in particular how ranking criteria, policies and procedures are applied to Google's own results compared to those of third-parties.
- We agree with the CMA that it is essential for a third-party responsible person to undertake the baseline compliance audit. This audit must cover all aspects of Google's compliance with the CR.

- A baseline audit carried out by Google will not be trusted by third-parties, since Google already claims its rankings are fair despite significant evidence to the contrary.
- Once the baseline audit has been completed the CMA, or a suitable independent third-party, should verify Google's compliance at reasonably suitable intervals, rather than simply relying on Google's compliance reports.
- While this will lead to Google incurring additional costs compared to the CMA's proposed approach to implementation, they are justified by the fact that no less costly alternative will increase trust in Google's treatment of its business users. Only third-party oversight will do this.

Costs

- We do not envisage any material costs for this Fair Ranking CR. Costs will be reduced for consumers and businesses compared to now, while for Google the costs are proportionate to the aims of the CR.

Non-discriminatory and objective

3) Do you have any views on the non-discrimination part of the Fair Ranking CR? In particular:

- a) Are the requirements sufficiently comprehensive?
 - b) Are there other factors which should be included in paragraph 4?
- The requirements on non-discrimination are welcome, but should be more comprehensive to further increase the effectiveness of the CR.
 - In particular, we believe that the CMA should better define what is meant by 'objective and non-discriminatory'. While the requirements broadly capture how Google should avoid discrimination, there is no indication in the CR itself of what is considered objective.
 - The reference to relevance and quality in the interpretive notes should be included in the text of the CR, to emphasise that ranking must be based on these metrics. Google should then be required to explain the ways in which it assesses relevance and quality. In particular, where Google relies on claims of 'user preference' for why certain publishers, or categories of publishers, are more visible than others, it must be required to explain how such user preferences are inferred and assessed. Objective, measurable criteria (such as price, size of inventory, etc) should always be prioritised over more subjective considerations.
 - Regarding non-discrimination, it is important that Google be prevented from taking into account whether a publisher has raised concerns about its conduct with relevant authorities, in addition to instances where a business may have exercised contractual or

statutory rights. This would give businesses greater confidence to highlight future compliance concerns to the CMA without fear of retaliation by Google.

- Finally, we believe that Google should be required to address any unfair advantages its own products or services may receive when being ranked. Simply applying the same criteria will not sufficiently address instances where, for example, those working on SEO landing pages for Google's own products and services have a greater understanding of the proxy signals used by the ranking algorithm to determine visibility ranking scores.
- Similarly, while Google remains able to present the integrated links to its own specialised search services in a more appealing and useful way to consumers, Google should be required to account for any advantage this may give to these links when applying the ranking criteria.