

I'm writing with comments on the proposed commitments from Apple.

I am a developer, and I have been developing apps for Apple and Google platforms for approximately 20 years.

I'm an independent developer. I run a software company, Hobby Software Limited, which is based in the UK.

I'm honestly shocked by how the CMA seems to have accepted [REDACTED] commitments from Apple.

The only changes I see here are commitments to open up a couple of feedback channels, but zero commitment to actually do anything with material that comes in through those feedback channels.

The App Store seems to contain absolutely zero commitment to change, and the commitment from Apple that they will not preference their own apps on a competitive basis is going to hang heavily on that competitive qualifier.

The reality is that Apple apps are allowed to do things which other apps are not. The question you should raise to Apple regarding this is what entitlements their apps get that are not available to other developers or are heavily restricted for other developers. I have had personal experience over the years of trying to develop apps which would add value and which have been denied because they go against Apple's views of what they want to happen on the platform even if not explicitly breaking any rules. Several of these have later effectively been created by the Apple operating system.

It's normal for the operating system to evolve, but the problem here is that independent apps are not given space to innovate and to offer new functionality outside of relatively narrow bounds defined by Apple. A classic scenario here is the level to which apps are allowed to run anything in the background. Apple apps have permissions to run in the background. Third-party apps can only run very limited tasks in the background under very limited cases, which are typically limited to specific industries as well. This is one small example that creates a significant barrier to innovation.

If the goal is to allow third-party apps to have the same access to the system as Apple, then that could be easily stated. Specifically, the CMA could seek commitments that:

1. Third-party apps would be allowed to use any entitlements which are used by Apple apps
2. The operating system would not preference any Apple apps

Just to give a tiny example of deliberate app preferencing, you can look at the icon for the Apple Clock app. The home screen literally checks if the app is Apple's clock app - and renders it differently - providing functionality that a third party clock cannot replicate

[https://youtu.be/NdJ\\_y1c\\_j\\_I?si=RH0nrf8Z0aWgM1uS&t=50](https://youtu.be/NdJ_y1c_j_I?si=RH0nrf8Z0aWgM1uS&t=50)

Apple would not agree to this without a fight, but they would probably agree to more than they have agreed here. At the very least, agree to similar commitments that have been given in the EU where interoperability requests actually have to follow a process, and it seems in a very limited way are being granted.

The commitments given to the CMA are nothing more than a commitment that they will take suggestions, and they will simply ignore them.

The more insidious, larger point, which is completely unaddressed here, is the fact that apps have to go through the App Store install process at all. Europe has an admittedly very limited bypass to this rule. The UK should do a proper one. Simply say, "You can install apps. The computer (phone) belongs to the customer, and the customer gets to choose what apps run on it."

This would have a tremendous effect on the UK economy because we would remove a stranglehold on the types of apps that are allowed to run and the types of business models that are plausible within the confines of Apple's billing system.

I would love to talk more about this. As I said, I have twenty years of experience here. I have been writing apps for Apple. I have generated millions in revenue and paid taxes in the UK, and I would have been able to do a lot more had I not been frustrated again and again by the limitations Apple puts on which require apps to work in very limited ways.

Please, at the very least, look to the sideloading requirements that have been demanded by Europe and create something similar.

Ideally, the Apple billing mechanism should be made independent from the App Store.

Apple should absolutely be able to charge apps whatever they want to be on the App Store, but that pricing should be independent of the business model of the app. If they charge per download or per size of app, that would be totally fine. Of course, the reality is they will allow apps to host for free because Apple benefits when apps are loaded onto their store and made available to their customers. (Customers would not buy phones if they couldn't get apps!)

Separately, they can run their billing system, and, of course, it has a massive advantage of being the primary and default billing system. So they will still make a huge amount of money, but there will be a necessary safety valve where, in abusive cases, developers can choose to use their own system. That's how markets should work. Apple should compete on the merits of their individual systems and developers. Most people choose them because it will be a good system, but there will be the check and balance of competition being possible.