

Publisher Conduct Requirement

Google's general search services

3 June 2026

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The Competition and Markets Authority has excluded from this published version of the decision information which the CMA considers should be excluded having regard to the three considerations set out in section 244 of the Enterprise Act 2002 (specified information: considerations relevant to disclosure). The omissions are indicated by [✂].

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1. Introduction and summary

- 1.1 Where a firm has strategic market status (**SMS**) in a digital activity linked to the UK, the CMA can impose proportionate requirements as to how that firm must conduct itself in relation to that digital activity (conduct requirements or **CRs**).
- 1.2 On 10 October 2025, we designated Google as having SMS in general search services. On 28 January 2026, we published for consultation our proposal to impose a CR on Google to address concerns about its use of the content publishers¹ make discoverable to Google's Search crawler in its generative AI.²
- 1.3 The key concerns that informed our proposal were that publishers faced:
 - (a) insufficient **choice** over the use of their content, provided for general search (**Search Content**), in Google's generative AI;³
 - (b) lack of **transparency** about the use of their Search Content in Google's generative AI; and
 - (c) ineffective **attribution** of their Search Content when used in Google's generative AI.
- 1.4 Following the launch of our consultation, Google announced that it was developing updates to its controls to let publishers specifically opt out of generative AI features in Search.⁴ We have engaged with Google on its plans for developing these controls, as well as third parties through roundtables and other routes, in parallel with considering the responses to our consultation.
- 1.5 This document explains how that process has informed our decision to impose the CR in its final form (the **Publisher CR**). It should be read in conjunction with our [consultation document](#).⁵ The text of the Publisher CR is set out in the Publisher **CR Notice** and is supplemented by the Publisher CR **Interpretative Notes** (the **INs**) which explain the CMA's interpretation of the

¹ We use the term publisher to refer to all parties that make content available on the web.

² [Google's general search services: proposed conduct requirements, responses to the consultation](#).

³ This covers both search generative AI features (ie generative AI-dependent features offered within Google's general search, such as AI Overviews and AI Mode) and broader generative AI services (ie generative AI-dependent products and services outside of general search, such as Gemini AI assistant and the Vertex AI API).

⁴ Google, [Google's response to the CMA's consultation on potential requirements for Search](#), 18 March 2026.

⁵ [CMA consultation on proposed publisher CR](#).

Publisher CR. The Publisher CR [Compliance Reporting Notice](#) sets out how Google must report to the CMA on its compliance with the Publisher CR.⁶

- 1.6 The sections of this document follow the steps set out in our guidance, reflecting the requirements of the Digital Markets, Competition and Consumers Act 2024 (the **Act**), which states that when imposing CRs we will: (i) identify what the CR is intended to achieve (the aim); (ii) consider whether the CR would be effective in achieving the aim; and (iii) consider the proportionality of the CR.⁷
- 1.7 In summary, the Publisher CR has three elements:
 - (a) To address publishers' lack of sufficient **choice** over how their content is used by Google in its generative AI, it requires Google to provide publishers with effective controls to withhold their Search Content from such use. In response to stakeholder feedback on our consultation, we have adjusted the drafting of the Publisher CR and INs to ensure that the controls will cover training (including fine-tuning) and grounding within and outside general search. We have also clarified that Google is required to ensure that these controls enable publishers effectively and efficiently to withhold Search Content from grounding in general search at both directory and page level.
 - (b) To address publishers' lack of **transparency** over how their Search Content is used by Google in its generative AI, it requires Google to publish information explaining this that is clear, comprehensible and user-friendly and to provide publishers with clear and detailed metrics on user engagement with their Search Content in search generative AI features.
 - (c) To ensure that publishers' Search Content in Google's search generative AI feature responses is effectively **attributed** so as to allow end users to test its veracity and publishers to sustain brand value, it requires Google to take reasonable steps to ensure that Search Content is attributed clearly and accurately in general search, and that end users have a clear means to access that Search Content; and to publish clear, comprehensible and user-friendly information explaining its approach to attribution.

⁶ The CR Notice, INs and Compliance Reporting Notice are available on the [Publisher CR page](#) and can also be accessed via the [case page](#).

⁷ [Digital markets competition regime guidance](#) (CMA194), paragraph 3.20.

- 1.8 Taken together, we consider that these elements mean the Publisher CR will effectively and proportionately achieve our aim of ensuring that publishers have sufficient control, transparency and trust over Google’s use of their Search Content to enable them to make properly informed and meaningful decisions about whether and how they interact with Google in respect of its general search services.
- 1.9 We have not, at this stage, seen a convincing case that other elements proposed by stakeholders in response to our consultation – such as more granular controls or data metrics, or a bespoke complaints mechanism relating to attribution – are needed to make the Publisher CR effective. However, our compliance monitoring must be robust. We will continue to engage with Google and have direct oversight of its development and implementation of measures to comply with the Publisher CR during the implementation period. The periodic compliance reports Google is required to provide to us, and our ongoing ability to gather evidence using formal powers if necessary, will allow us to act quickly if we identify any concerns with Google’s approach to compliance.
- 1.10 We also have a statutory duty to keep under review the effectiveness of CRs and the extent to which Google is complying with them, as well as whether to impose, vary or revoke any CR.⁸ We will engage closely with Google, publishers and other industry stakeholders to assess whether our Publisher CR is effective in achieving our aim and facilitating expected benefits such as supporting:
- (a) the viability of web publishers’ business models, including by improving the bargaining position of publishers to negotiate deals with Google, and allowing publishers to maintain the web traffic needed to monetise content;
 - (b) consumers’ ability to identify sources and verify information when consuming web content; and
 - (c) the contestability of general search and adjacent activities, by levelling the playing field on access to publisher content.
- 1.11 On 19 May 2026, Google announced a number of changes to Search, prominently featuring updates to search generative AI features and further integration of AI technologies (such as AI agents) into Search.⁹ We will

⁸ Section 25 of the Act.

⁹ Google, [Google Search’s I/O 2026 updates: AI agents and more](#), 19 May 2026 (accessed on 1 June 2026).

actively monitor the implementation of these and any other changes, noting the obligation summarised above to keep the Publisher CR under review. If needed, the CMA will bring forward work on further measures to ensure a fair exchange of value between Google and publishers.

2. The aim of the Publisher CR

- 2.1 As set out in our consultation document,¹⁰ the aim of the Publisher CR is to ensure that publishers have sufficient:
- (a) controls over Google’s use of their Search Content in its generative AI services and features;
 - (b) transparency over Google’s use of their Search Content in its generative AI services and features and user engagement with their Search Content in search generative AI features; and
 - (c) trust that where Google uses Search Content in its search generative AI features, that content is sufficiently and accurately attributed,
- to enable them to make properly informed and meaningful decisions about whether and how they interact with Google in respect of general search services.
- 2.2 Any conduct requirement must pursue one or more of three statutory objectives and fall within an exhaustive list of ‘permitted types’ set out in the Act. The Publisher CR pursues the statutory objectives of fair dealing and trust and transparency.¹¹ Its components fall under the permitted types in:
- (a) section 20(3)(d) of the Act: preventing Google from requiring or incentivising publishers to use its generative AI services and features alongside its traditional search engine (Google Search);
 - (b) section 20(2)(c) of the Act: obliging Google to provide clear, relevant, accurate and accessible information to publishers about general search services: in particular, how their content, collected for the purpose of general search, is used, attributed and engaged with; and
 - (c) section 20(2)(e) of the Act: obliging Google to present to publishers any options or default settings in relation to general search services in a way that allows publishers to make informed and effective decisions in their own best interests about those options or settings.

¹⁰ CMA consultation on [proposed publisher CR](#), page 11.

¹¹ In sections 19(6) and 19(8) of the Act respectively.

- 2.3 Before imposing a conduct requirement, the CMA must have regard in particular to the benefits for consumers that it considers would likely result (directly or indirectly) from the conduct requirement.¹² As explained in greater detail in our consultation document, we consider that the Publisher CR is likely to lead to consumer benefits in several ways:
- (a) we expect consumers will benefit from the support the Publisher CR will provide to publishers facing challenges created by the inclusion of search generative AI features in general search through improved quality and availability of web content;
 - (b) we expect consumers will have greater ability to assess and trust content they read on the web, as the Publisher CR will ensure Google meaningfully attributes content in its AI-generated responses; and
 - (c) we expect consumers will benefit through improved generative AI service offerings, as the Publisher CR will facilitate a more level playing field between Google and its competitors.

¹² Section 19(10) of the Act.

3. Effectiveness of the Publisher CR

- 3.1 Our assessment is that the Publisher CR will be effective in achieving the aim set out above. It will:
- (a) provide publishers with the tools to exercise sufficient control over how Google uses their Search Content in its generative AI services and features;
 - (b) provide sufficient transparency to support the effective use of these tools, so that publishers can understand (i) how Google is using their Search Content and (ii) how users are engaging with their Search Content through Google’s search generative AI features; and
 - (c) improve publishers’ understanding of, and trust in, the approaches Google is taking to attribute their Search Content when it is used in its search generative AI features.
- 3.2 Taking these elements together, the Publisher CR will enable publishers to make properly informed and meaningful decisions about whether and how they interact with Google in respect of its general search services.
- 3.3 Below we identify the key issues that were raised in consultation responses on the effectiveness of the Publisher CR and provide our response to them.

Controls

- 3.4 The Publisher CR requires Google to make available controls that enable publishers to withhold their Search Content from use in Google’s search generative AI features, as well as Google’s broader generative AI services. Operation of the controls by publishers must not be undermined by Google introducing ranking signals or otherwise presenting or displaying Search Content differently in general search results outside of search generative AI features, when the controls are used.

Granularity of, and use cases covered by, the controls

- 3.5 In our consultation document, we proposed that the controls should allow publishers to opt Search Content out of being used by Google for training and grounding outside of general search and for grounding within general search. We also proposed that the controls should allow publishers to opt out at

directory-level and page-level (ie the ability to opt out on a page-by-page basis) within general search.¹³

Summary of responses

- 3.6 Stakeholders submitted that the effectiveness of the controls over Google's use of Search Content depended on the scope and/or granularity of those controls. In particular:
- (a) Several stakeholders told the CMA that the proposed inclusion of **page-level controls** would support the effectiveness of the intervention for a range of reasons,¹⁴ including publishers' ability to negotiate appropriate terms for the supply of content;¹⁵ and the importance of enabling publishers to express more precisely their preferences.¹⁶ Several stakeholders highlighted benefit cases that depend on exactly how controls are implemented, such as whether they are automatable, interoperable, fast-acting and/or implementable through a simple tool.¹⁷ Several stakeholders said there would be benefits of even more granular or content-based controls.¹⁸ Two publishers told us implementing page-level controls was technically feasible and could be done by adding a tag-based mechanism similar to the one Google currently provides in other contexts, which may suggest the cost would be proportionate.¹⁹
 - (b) Many stakeholders suggested the controls should be expanded to cover **fine-tuning of search generative AI features**. Submissions included that the exclusion of fine-tuning represented a circumvention risk, where Google could rely on fine-tuning instead of grounding if publishers opted

¹³ CMA consultation on proposed publisher CR, pages 25-26 and 28-29.

¹⁴ Further stakeholders also supported page-level controls for Google-Extended; because these views covered similar rationales as publishers commenting directly on controls covering search generative AI products, their views may generalise. Responses to the CMA's consultation on proposed Publisher CR: OpenAttribution.Org, page 2; Siinda, page 2.

¹⁵ Responses to the CMA's consultation on proposed Publisher CR: Cloudflare, pages 1-2; Financial Times, page 2; News Media Association, page 1; Trainline, page 12.

¹⁶ Responses to the CMA's consultation on proposed Publisher CR: Anonymous 6, page 4; Consumer Choice Centre, page 6; Financial Times, page 2; Shaping Competition in a Digital Age, page 7.

¹⁷ Responses to the CMA's consultation on proposed Publisher CR: Anonymous 5, pages 4-6; News Media Alliance, pages 8-9; News Media Europe, page 2; BBC, pages 2-3; EPC, pages 1, 4 and 10; News Media Association, pages 1 and 7-8; DMG Media, pages 3 and 8; Guardian Media Group, pages 3-4.

¹⁸ Responses to the CMA's consultation on proposed Publisher CR: Movement for an Open Web, page 16 (views covering control beyond search); Music Publishers Association, pages 4-5; Guardian Media Group, page 4.

¹⁹ Responses to the CMA's consultation on proposed Publisher CR: Guardian Media Group, page 4; News Media Association, pages 7-8.

Search Content out of grounding;²⁰ that the inclusion of fine-tuning was necessary to support publishers' bargaining position, given the value of Search Content for this purpose;²¹ and that Google's suggestion that it was not feasible to maintain a division between the underlying model used for search generative AI features and the model used in the rest of general search.²²

- (c) Many stakeholders argued that publishers ought to have **separate controls for training, grounding and fine-tuning**, given the different purposes behind each use, which may lead publishers to want to make different choices over their Search Content,²³ and the importance of such separation to support publishers' ability to bargain over Google's use of Search Content.²⁴
- (d) Several stakeholders also suggested the need for separate **per-feature controls** (ie separating use of Search Content in AI Overviews and AI Mode, as well as any future features). Key arguments included the different functions of, and end users' experiences of, the features;²⁵ the importance of such controls to publishers' bargaining positions over use of Search Content,²⁶ and the risk of Google bundling the features where, for

²⁰ Responses to the CMA's consultation on proposed Publisher CR: DMG Media, page 5; European Publishers Council, page 6; Financial Times, page 2; Guardian Media Group, page 3; News Media Alliance, page 13; News Media Association, page 6; Professional Publishers Association, page 7; Yelp, pages 6; Anonymous 5, page 5.

²¹ Responses to the CMA's consultation on proposed Publisher CR: Guardian Media Group, page 3; BBC, page 2; DMG Media, pages 4-5; European Publishers Council, page 6; Financial Times, page 2; News Media Alliance, page 12; News Media Association, pages 5-6; News Media Europe, page 2; Professional Publishers Association, page 7; Yelp, pages 6, Anonymous 1, page 5.

²² Responses to the CMA's consultation on proposed Publisher CR: Guardian Media Group, pages 3-4; Cloudflare, page 6; DMG Media, page 5; European Publishers Council, page 6; News Media Alliance, page 12; News Media Association, page 6; News Media Europe, page 2; Professional Publishers Association, page 7; Anonymous 1, page 5.

²³ Responses to the CMA's consultation on proposed Publisher CR: BBC, page 2; Financial Times, page 2; Guardian Media Group, pages 3-4; News Media Alliance, page 9; News Media Association, pages 6-7; News Media Europe, page 2; OpenAttribution.org, page 2; Shaping Competition in the Digital Age, page 7; Trainline, page 12; Anonymous 5, page 6.

²⁴ Responses to the CMA's consultation on proposed Publisher CR: Guardian Media Group, page 3; Cloudflare, pages 6-7; Financial Times, page 2; News Media Association, page 7; News Media Europe, page 2; Siinda, page 2; Anonymous 5, page 6.

²⁵ Responses to the CMA's consultation on proposed Publisher CR: News Media Alliance, page 10; Professional Publishers Association, pages 5-6; Yelp, page 5.

²⁶ Responses to the CMA's consultation on proposed Publisher CR: DMG Media, page 5; News Media Europe, page 2; Professional Publishers Association, page 6; Anonymous 1, page 5.

example, publishers may feel the need to be included in AI Overviews, given their prominence on the search engine results page (**SERP**).²⁷

- (e) A few stakeholders noted that some, or all, of the additional granularity outlined above would support the creation of content marketplaces and further licensing by publishers.²⁸ One stakeholder also submitted that while there may be benefits to additional granularity in general, any controls should be simple, interoperable and consistent with existing standards.²⁹

3.7 Google made the following representations on the scope and granularity of the controls set out in the proposed CR:

- (a) In relation to **page-level controls**, Google told the CMA that given that publishers will be able to exercise their choice to remove their content from search generative AI features if there are systematic problems with factuality it has every incentive to ensure that it addresses systematic problems leading to concerns with factuality in search generative AI features. Google said that there is no guarantee that publishers exercising a page-level control would address systematic problems.³⁰ Google further said implementing page-level controls would require constantly crawling and re-crawling content which would be costly for Google and publishers, and could lead to user confusion as well as a fragmented and inconsistent user experience.³¹
- (b) Google submitted that a control covering **fine-tuning** of search generative AI features' models was disconnected from concerns about traffic substitution. It also argued that such a control could harm publishers by degrading Google's ability to accurately evaluate the relevance of the excluded Search Content where it used these models for other tasks within general search such as ranking.³² Google also made proportionality arguments, which we summarise in paragraph 4.7 below.

²⁷ Responses to the CMA's consultation on proposed Publisher CR: DMG Media, page 5; Professional Publishers Association, page 6.

²⁸ Responses to the CMA's consultation on proposed Publisher CR: BBC, page 2; Cloudflare, page 6; DMG Media, page 5; News Media Alliance, page 13.

²⁹ Response to the CMA's consultation on proposed Publisher CR: Consumer Choice Centre, page 6.

³⁰ Google told us that its reliance on a large number of individual pieces of feedback via user responses such as the 'thumbs up/thumbs down' mechanism on AI Overviews is effective in addressing these problems. Google's response to the CMA's consultation on proposed Publisher CR, page 40.

³¹ Google's response to the CMA's consultation on proposed Publisher CR, page 50.

³² Google's response to the CMA's consultation on proposed Publisher CR, page 40.

- (c) Google argued that a **separation between training and grounding** controls where content is used outside general search did not reflect the CMA's stated concern in relation to Google-Extended (that publishers are uncertain about how the Google-Extended control operates in practice), that Google-Extended already addressed concerns about the use of Search Content outside of general search; that it would have no benefit for consumers; and that the ability to opt content out of training and grounding separately created a 'free-riding' concern, whereby publishers could opt in to grounding to maintain traffic, but opt out of the training which makes generative AI products possible.³³
- (d) Google told us that Search is an integrated product and not merely a collection of separable features.³⁴ In the context of per-feature data, Google said that search generative AI features are under constant iteration and AI Overviews and AI Mode are increasingly functioning as a unified experience rather than distinct silos.³⁵

3.8 In subsequent discussions with the CMA, Google has confirmed that it would be feasible to:

- (a) ensure that, if Search Content was withheld through the Google-Extended control, that Search Content would not be added back into fine-tuning the models that are exclusively used in generating responses in search generative AI features (although it would not be feasible to remove Search Content that had already been added into those models); and
- (b) introduce page-level controls within general search, but that such controls required a nine-month implementation period and that it would be damaging to both Google and publishers if the industry-wide consensus focused around a different standard.³⁶ However, Google said that requiring it to introduce page-level controls which are automatable, interoperable or fast-acting would not support effectiveness, and would be disproportionate.³⁷

³³ Google's response to the CMA's consultation on proposed Publisher CR, pages 40-41.

³⁴ Google's response to the CMA's consultation on proposed Publisher CR, page 43.

³⁵ Google's submission to the CMA.

³⁶ Google's submission to the CMA.

³⁷ Google's submission to the CMA.

Our view

- 3.9 Having considered the responses to our consultation, our view remains that widespread benefits can be achieved by effective page- and directory-level controls which could not be achieved through site-level controls alone, for the reasons set out in our consultation.³⁸ In particular, Google already offers comparable forms of granularity in other contexts.³⁹ Further, offering granularity is likely to enable a wider range of publishers to use the control (such as those whose website contains a mix of content which can and cannot realistically be withdrawn from Search), strengthening Google's incentives to ensure publishers receive benefits from its use of their Search Content.⁴⁰ Additionally, we have not seen evidence suggesting that enabling publishers to exercise page-level controls would require increased crawling activity. As a result, we continue to consider page-level controls to be important and have moved the reference to the need to ensure that directory- and page-level controls are provided from the INs to the Publisher CR itself.⁴¹
- 3.10 We expect that the specific way in which Google implements page-level controls will influence the benefits and costs of the Publisher CR.⁴² For example, a control which is difficult to use would make it unlikely to achieve the benefit cases advanced by stakeholders above and could increase their costs. We have therefore amended the Publisher CR to require that the controls in relation to the grounding of search generative AI features are effective and efficient and will engage further with Google on its approach in the implementation period. We have also included a reference in the INs to clarify that if alternative industry standards emerge, the CMA will consider whether this paragraph of the Publisher CR ought to be varied, which will take into account the scope and nature of the new industry standards, the burden on Google of complying with both the Publisher CR and that standard and the CMA's overall aim.⁴³
- 3.11 We consider that fine-tuning of search generative AI features represents an important use of Search Content, and that publishers should be able to exercise control over that use so as to meet our aim in imposing the Publisher

³⁸ CMA consultation on proposed Publisher CR, pages 28-29 and 57-58.

³⁹ Google, [Google Meta Tags and Attributes that Google supports](#), not dated (accessed on 1 June 2026).

⁴⁰ CMA consultation on proposed Publisher CR, page 27.

⁴¹ This also allows the CMA to provide for a separate implementation date for page-level controls (see paragraphs 3.66-3.67 below).

⁴² For example, Google could in principle offer several controls, in line with its practice today for controls removing content from its index: Google, [Requesting removal of content from our index](#), 17 April 2007 (accessed on 24 April 2026); Google, [Removals and SafeSearch reports tool](#), not dated (accessed on 24 April 2026).

⁴³ The CMA is required to keep under review whether to vary a conduct requirement (section 25(a) of the Act).

CR. Providing publishers with a control over such fine-tuning would also improve publishers' bargaining positions and protect against the circumvention risk identified by stakeholders. As set out in more detail at paragraphs 4.8 and 4.9 below, we consider the risk that a control over fine-tuning could have a negative impact on ranking can be mitigated and, in any event, the benefits of its inclusion exceed the costs.

- 3.12 As a result, we have included an obligation to provide a control over training of search generative AI features in the Publisher CR and clarified in the INs that training includes fine-tuning. In the INs, we have also explained what the training control would involve (namely that it does not extend to Google needing to remove Search Content already added into models before it is opted out).
- 3.13 In relation to the arguments that per-use case or per-feature controls are necessary:
- (a) within general search: while we consider these additional controls could also be effective, requiring them may be more onerous. We have sought to balance the potential benefits against the risks that the controls become too complicated, reducing the ability of publishers to make meaningful choices in relation to their Search Content. We consider that the amended Publisher CR provides publishers with sufficient controls to make meaningful choices and we have not seen evidence that more granular controls are necessary to achieve our aim, particularly given the additional complexity that would result; and
 - (b) outside general search: our concerns are focused on Google's ability to benefit from its position in general search services when competing with other generative AI products and services,⁴⁴ as well as ensuring publishers have clarity over the role of Google-Extended.⁴⁵ We have not seen evidence that further separation of the Google-Extended control is necessary to address these concerns.
- 3.14 In addition to the above changes and some minor amendments for clarity, we have also amended the INs to make clear that the controls ought to be extended to new generative AI services and features as they are developed as well as when they are released, given the controls' relevance to training.

⁴⁴ CMA consultation on proposed Publisher CR, pages 8-9.

⁴⁵ CMA consultation on proposed Publisher CR, page 7.

Links with UK Government's policy work on AI and copyright and the EU's Directive on Copyright in the Digital Single Market

- 3.15 Several stakeholders drew links between the CMA's proposals and either the UK government's ongoing policy work relating to AI and copyright or the EU's Directive on Copyright in the Digital Single Market. Their arguments included:
- (a) That publishers have historically consented to Google's crawling their copyrighted content for the limited purpose of enabling the display and linking of their content within search results. Use of their content within generative AI services and features goes beyond this.⁴⁶
 - (b) That Google should be required to seek explicit consent from publishers on an 'opt-in' basis in order to use their Search Content for the purpose of generative AI.⁴⁷ One stakeholder argued that an opt-out remedy will be ineffective and that a mandatory licensing scheme should be implemented which draws from the EU's recent experience with the Directive on Copyright in the Digital Single Market. This afforded publishers a right to refuse the use of their content or demand a fee, yet was said to have been undermined by imbalances of bargaining power between publishers and Google.⁴⁸
 - (c) One stakeholder suggested that the CMA risked creating two tiers of rights and obligations. Google would need to secure effective consent to use publisher content for grounding, while other AI developers would remain subject only to generally applicable copyright law.⁴⁹
- 3.16 Google argued that elements of the obligation risked cutting across the UK government's ongoing policy work and could 'place Google under heavier restrictions than its close AI rivals'.⁵⁰ For example, the obligation to be transparent about how it uses publisher content could be interpreted as requiring Google to publish exhaustive information explaining how Search Content is used for the training and grounding of its generative AI services and features.

⁴⁶ Responses to the CMA's consultation on proposed Publisher CR: Corint Media, page 6; Movement for an Open Web, page 3.

⁴⁷ Responses to the CMA's consultation on proposed Publisher CR: Anonymous 1, page 5; DMG Media, page 3; Movement for an Open Web, page 3; Music Publishers Association, page 8.

⁴⁸ Response to the CMA's consultation on proposed Publisher CR: Todd Davies and Spencer Cohen, page 12.

⁴⁹ Response to the CMA's consultation on proposed Publisher CR: International Centre for Law and Economics, page 8.

⁵⁰ Google's response to the CMA's consultation on proposed Publisher CR, page 50.

Our view

- 3.17 The focus of the Publisher CR is on addressing issues that arise from Google's strategic market status in general search services. The government's policy work on creator control is separate and ongoing. The CR requirement that Google provide effective controls is a standalone requirement which is independent of policy on copyright. We consider that the Publisher CR will be effective in achieving its aim for the reasons set out in this document without cutting across the government's work and therefore do not consider further changes are needed to address the concerns identified. We will keep the CR under review in light of these wider considerations to ensure inconsistent outcomes do not emerge.

Open-source datasets

- 3.18 In the consultation document we proposed a high-level requirement to address the risk that Google could circumvent publishers' choices by acquiring opted-out Search Content through other means – for example by paying a third party to crawl an opted-out website⁵¹ – and clarified in the INs that Google may still acquire such content through open-source datasets.⁵²

Summary of responses

- 3.19 Many stakeholders submitted that allowing Google to acquire Search Content through open-source datasets could enable it to ignore publisher opt-outs,⁵³ referencing Google's use of datasets whose legality is contested or unclear⁵⁴ or that are subject to lower levels of legal protection.⁵⁵ Several stakeholders proposed that the CR should therefore be amended to prevent Google from

⁵¹ CMA consultation on proposed Publisher CR, paragraphs 4.26-4.27.

⁵² Paragraph 5 of the proposed INs as set out in the CMA consultation on proposed Publisher CR, page 18.

⁵³ Responses to the CMA's consultation on proposed Publisher CR: EPC, page 7; Financial Times, page 3; DMG Media, paragraphs 36-37; Guardian Media Group, page 7; Impress, page 7; Movement for an Open Web, page 20; News Media Europe, page 2; News Media Association, page 4; Derick Rethans, page 1; News Media Alliance, pages 13-14.

⁵⁴ Responses to the CMA's consultation on proposed Publisher CR: EPC, page 7; DMG Media, paragraphs 36-37; News Media Association, page 4; News Media Europe, page 2; News Media Alliance, pages 13-14; Financial Times, page 3. Note also the Guardian Media Group's response, page 8, that explained that just because information is publicly available and open, does not mean it can be used for any purpose / by anyone.

⁵⁵ Responses to the CMA's consultation on proposed Publisher CR: EPC, page 7; DMG Media, paragraphs 36-37; News Media Association, page 4; Financial Times, page 3.

using Search Content which has been opted-out, but which is available as part of open-source datasets.⁵⁶

Our view

- 3.20 We consider that paragraph 5.b. of the Publisher CR already addresses the risk of Google undermining the controls by preventing Google from acquiring Search Content through other sources. The focus of the Publisher CR is on ensuring publishers have sufficient control over their Search Content (ie content collected by Google through crawling open web content), and we do not consider it necessary to prevent the use of open-source datasets, which are, by their nature, available to anyone to use.

Publishers' bargaining position

- 3.21 Some stakeholders suggested that the prominence of AI Overviews on the SERP, and the growing reliance of end users on them, may mean publishers feel unable to opt-out their Search Content in practice.⁵⁷ Some argued that, in part due to this dynamic, the Publisher CR would not fully resolve the challenges publishers face in securing fair value for use of their Search Content by Google. These stakeholders argued that the CMA should therefore accelerate work on fair terms (including payment terms) for publishers.⁵⁸

Our view

- 3.22 Having considered these responses, we remain of the view that the Publisher CR will help to address the bargaining power imbalance between Google and publishers. We acknowledge the concerns raised by publishers regarding the impact of the Publisher CR, in particular in light of Google's recently announced changes to Search. As the Publisher CR takes effect, we will closely monitor the impacts it is having on the ability of publishers to secure fair remuneration for their content. If needed, the CMA will bring forward work on further measures to ensure a fair exchange of value between Google and publishers.

⁵⁶ Responses to the CMA's consultation on proposed Publisher CR: EPC, page 7; DMG Media, paragraph 38; Guardian Media Group, page 7; Movement for an Open Web, page 20; News Media Europe, page 2; Financial Times, page 3.

⁵⁷ Responses to the CMA's consultation on proposed Publisher CR: Anonymous 1, paragraph 23; Anonymous 2, page 3; Impress et al, page 6; Todd Davies and Spencer Cohen, page 8.

⁵⁸ Responses to the CMA's consultation on proposed Publisher CR: DMG Media, paragraph 57; Which?, page 9.

Transparency

Explanatory Information

Summary of responses

- 3.23 Several stakeholders expressed support for transparency over the scope and function of Google's controls, and the use of Search Content within Google's generative AI services and features.⁵⁹ A few of these responses argued that Google should engage proactively with publishers regarding the controls, including through notifying publishers of the existence of the controls, updates to them and their scope.⁶⁰ One advocacy group supported transparency measures, but stated that such obligations should not require disclosure over the general functioning of AI products and the use of Search Content within them, as this was the subject of the government's ongoing work on AI and copyright.⁶¹
- 3.24 Google agreed with the CMA's suggestion that, given the rapid development and frequent changes in generative AI services and features, the scope of its controls should be defined in a way that is product agnostic, allowing for adaptation as technology evolves. However, Google argued that a requirement to list each product and service to which this definition applies contradicts the requirement to have a product agnostic definition and should be removed.⁶²
- 3.25 Google also raised concerns that the scope of the proposed transparency obligations may go beyond what is necessary, and may require disclosure of the inner workings of its generative AI services and features, placing it at a competitive disadvantage.⁶³

Our view

- 3.26 In our consultation we said that, for the CR to be effective, publishers needed: access to clear and detailed information explaining how Search Content is used for the training and grounding of Google's generative AI services and

⁵⁹ Responses to the CMA's consultation on proposed Publisher CR: BBC, pages 2-3; Anonymous 2, page 2; Cloudflare, page 7; DMG Media, page 13; Guardian Media Group, page 2; Platform Leaders, page 5.

⁶⁰ Responses to the CMA's consultation on proposed Publisher CR: BBC, page 2; Guardian Media Group, page 3; Cloudflare, page 7; DMG Media, page 1.

⁶¹ Response to the CMA's consultation on proposed Publisher CR: Platform Leaders, page 5.

⁶² Google's response to the CMA's consultation on proposed Publisher CR, paras 144-146.

⁶³ Google's response to the CMA's consultation on proposed Publisher CR, page 41.

features; and clarity over the effect and scope of the controls such that they can be well understood.

- 3.27 We continue to consider, in line with our consultation, that Google should publicly provide clarity over the scope of its controls via a product-agnostic description of their application.⁶⁴ In order to balance the need to ensure publishers are informed about the scope of the controls against the risk of requiring unduly frequent updates by Google due to immaterial changes in products or services, we have removed the reference to requiring a list of products from the INs. Nevertheless, to assist publishers in deciding how to exercise the controls, the INs indicate that Google should provide them with clear and comprehensive information about the controls, which should include a description of each control and its overall purpose and set out the key exceptions and limitations to scope, as well as an explanation of the publisher content the control covers.
- 3.28 To clarify the nature of Google's obligations in relation to transparency, we have introduced a new defined term: 'Explanatory Information'. Since our intention for the transparency obligation is not to require Google to disclose trade secrets, we have further clarified in the INs that 'Explanatory Information' may exclude commercial information where its disclosure might significantly harm Google's legitimate business interests.⁶⁵ We have also made consequential amendments to paragraph 6 of the Publisher CR and related INs.⁶⁶

Transparency metrics for publishers

- 3.29 At consultation, the proposed CR required transparency over user engagement with, and the performance of, Search Content within search generative AI features. We specified in the proposed INs that Google should provide publishers with performance data showing the number of 'Impressions', 'Clicks', and the 'Click-Through Rate' in relation to the performance of their content in search generative AI features, disaggregated from Google Search as a whole.

⁶⁴ CMA's consultation on proposed Publisher CR, page 31.

⁶⁵ The INs also provide that the fact that disclosures may affect use of the controls or involve information not currently disclosed will not justify exclusion and that Google is to inform the CMA when information is excluded.

⁶⁶ Including the removal of paragraph 6 of the proposed INs, the contents of which are now reflected in the Explanatory Information definition.

Summary of responses

- 3.30 Many stakeholders commented on a wide range of metrics that could be made available to help publishers better understand the use and performance of their Search Content within search generative AI features. The most frequently raised concern was access to ‘per-feature’ data,⁶⁷ meaning disaggregated performance metrics and data for different search generative AI features such as AI Overviews and AI Mode. A few stakeholders argued that users interact with these two features in materially different ways, that the features provide a different type of user experience, that they provide varying levels of referral to third-party websites, or would enable publishers to adopt specific commercial strategies, or optimise content based upon these differences.⁶⁸
- 3.31 Other prominent themes raised were that Google should:
- (a) Be required to provide further insight into its crawler activity, particularly how often Search Content is crawled and for what purpose.⁶⁹ One trade association highlighted that this would be valuable to enable publishers to monitor compliance with intellectual property rights, whilst a couple stated that this information would be valuable in the negotiation of commercial agreements with Google.⁷⁰
 - (b) Provide further query context, for example covering which type of queries are most likely to trigger, or trigger the use of publisher Search Content within, a search generative AI feature.⁷¹

⁶⁷ Responses to the CMA’s consultation on proposed Publisher CR: News Media Association, page 9; News Media Alliance, pages 16-17; Anonymous 1, page 3; BBC, page 3; DMG Media, page 14; European Publishers Council, pages 8-9; Financial Times, page 3; Guardian Media Group, pages 4-5; Anonymous 4, page 6; Professional Publishers Association, page 9; Publishers Association, page 2; Shaping Competition in the Digital Age, page 8; Siinda, page 2; Skyscanner, page 6; Trainline pages 12-13; OpenAttribution.org, page 2.

⁶⁸ Responses to the CMA’s consultation on proposed Publisher CR: News Media Association page 9; Financial Times page 2; Skyscanner page 6; Anonymous 1, page 3; Professional Publishers Association, page 9; Skyscanner, pages 5-6; Trainline, pages 12-13.

⁶⁹ Responses to the CMA’s consultation on proposed Publisher CR: Anonymous 1 page 4; BBC, page 3; DMG Media, page 13; Professional Publishers Association, page 9; Publishers Association, page 2.

⁷⁰ Responses to the CMA’s consultation on proposed Publisher CR: DMG Media, page 14; Professional Publishers Association, page 9.

⁷¹ Responses to the CMA’s consultation on proposed Publisher CR: News Media Association page 9; News Media Alliance, page 17.

- (c) Provide metrics enabling publishers to assess the impact of search generative AI features on traffic versus traditional general search.⁷²
- 3.32 Google said that its approach to reporting focuses on providing stable, actionable insights and that the provision of per-feature data metrics is not as reliable a metric for content performance as aggregated data. Google informed us that AI Overviews and AI Mode are increasingly operating as a unified experience rather than siloed features, as users can move between them while maintaining query context. On this basis, Google contended that distinguishing impressions and clicks by individual feature would not accurately reflect user behaviour and engagement with publisher content.⁷³
- 3.33 Google submitted that [§] would make feature level reporting highly volatile and difficult to compare over time. It argued that such volatility could reduce the usefulness of the data for publishers and obscure longer-term trends, and aggregated reporting provides publishers with more stable and actionable insight into content performance. According to Google, an aggregated reporting approach would avoid interference from short-term fluctuations linked to [§] and provide publishers with a clearer overall view of reach and engagement within search generative AI feature results, which it submitted is better suited to informing content strategy.⁷⁴

Our view

- 3.34 Having considered representations from Google and third parties we have clarified the purpose of the user engagement information in the INs. However, we have not made any changes to the level of information we expect Google to provide. We continue to consider that this will enable publishers to effectively exercise the controls. We expect that it will additionally provide publishers with an understanding of what drives traffic to their website, allowing them to optimise content for performance in search generative AI features.

Click quality

- 3.35 Several stakeholders commented on our proposal for Google to provide further insight into the quality of clicks publishers receive from search

⁷² Responses to the CMA's consultation on proposed Publisher CR: European Publishers Council pages 8-9; Gurdian Media Group, page 6.

⁷³ Google's response to the CMA's RFI.

⁷⁴ Google's response to the CMA's RFI.

generative AI features, with a few highlighting that being able to understand the quality of clicks is an important element of understanding the value of traffic referred via search generative AI features.⁷⁵ Most of these stakeholders supported our proposal for Google to provide this information such that publishers can calculate the value of clicks received from search generative AI features themselves, via the labelling of referral traffic.⁷⁶ A couple stated that publishers being able to independently verify the quality of clicks was of value in itself.⁷⁷

- 3.36 Several stakeholders encouraged us to take further action on click quality, namely that Google should be required to provide:
- (a) click query data on a disaggregated basis across features (eg separate data on referrals via AI Overviews, AI Mode or Discover);⁷⁸
 - (b) detailed indicators of click quality, such as indicators of user engagement depth, conversion rate, and the presence of advertising on a query;⁷⁹ and
 - (c) an indication of whether traffic was derived from a human or machine source.⁸⁰
- 3.37 Google submitted that the CMA's evidence indicated that most publishers already have the necessary tools to assess referral quality, using a combination of existing Google Search Console data and on-site analytics, and there is therefore no clear need for additional 'click-quality' metrics. Google highlighted that requiring new quality-evaluation metrics solely from

⁷⁵ Responses to the CMA's consultation on proposed Publisher CR: Guardian Media Group, page 5; Trainline, page 13; Shaping Competition in the Digital Age, page 8; OpenAttribution.org, pages 2-3; European Publishers Council, pages 8-9.

⁷⁶ Responses to the CMA's consultation on proposed Publisher CR: European Publishers Council, pages 8-9; News Media Alliance, page 16; OpenAttribution.org, pages 2-3; Trainline, page 13; Professional Publishers Association, pages 9-10; Shaping Competition in the Digital Age, pages 8-9; Guardian Media Group, page 5.

⁷⁷ Responses to the CMA's consultation on proposed Publisher CR: Guardian Media Group, page 5; OpenAttribution.org, pages 2-3.

⁷⁸ Responses to the CMA's consultation on proposed Publisher CR: European Publishers Council, pages 8-9; News Media Association, page 9; Guardian Media Group, page 5; OpenAttribution.org, page 3; News Media Alliance, page 17; Trainline, pages 12-13; Professional Publishers Association, pages 9-10; Shaping Competition in the Digital Age, page 9.

⁷⁹ Responses to the CMA's consultation on proposed Publisher CR: European Publishers Council, page 9; Trainline, page 13; News Media Association, page 9.

⁸⁰ Responses to the CMA's consultation on proposed Publisher CR: European Publishers Council, page 9; News Media Association, page 9.

Google would create an uneven competitive environment, obliging Google to disclose its methodologies while its competitors have no such obligation.⁸¹

Our view

- 3.38 Publishers need to understand the value of traffic referred from search generative AI features to make an effective choice over the use of their Search Content. Enabling publishers to assess click quality is therefore necessary for the CR to be effective and we do not believe the information currently provided by Google is sufficient for publishers to do so.
- 3.39 We consider that the best way to address this is for Google to provide publishers with referral information, indicating whether a specific referral originated from a search generative AI feature or other elements of general search. On the evidence we have seen, this referral information, in combination with their own on-site analytics, will allow publishers to assess click quality sufficiently. This allows publishers to assess the quality of clicks arriving from search generative AI features according to their own commercial indicators and parameters of quality. We believe this is more effective than relying on metrics provided by Google, as publishers will have more trust in their own assessments of quality than Google's proprietary metrics. We also recognise that requiring Google to reveal internal indicators of click quality could lead to [§<].⁸² As such, we consider that requiring Google to provide referral information avoids these risks, will support publishers and is less onerous than requiring Google to provide a new metric to publishers. We have amended the INs to reflect this.

Attribution

- 3.40 In our consultation, we proposed that Google should be required to: take reasonable steps to ensure that Search Content is sufficiently attributed when used in search generative AI features; publish further information describing the steps it takes to ensure Search Content is attributed sufficiently in search generative AI features; and ensure and measure the factuality of such responses.

⁸¹ Google's response to the CMA's consultation on proposed Publisher CR, pages 42-43.

⁸² Google's response to the CMA's consultation on proposed Publisher CR, page 43.

Requirement to attribute Search Content

- 3.41 A few stakeholders noted the importance of attribution in enabling users to understand what sources informed a search generative AI feature response.⁸³ Many stakeholders argued for the requirement to go further and provide greater direction on what ‘sufficient attribution’ entails, mandating ‘prominent’ rather than ‘sufficient’ attribution or setting out a minimum standard.⁸⁴
- 3.42 In its representations, Google argued that there was no need for an attribution requirement, since it is already incentivised to attribute and the new control will increase that incentive further. Google also said that the proposed CR may worsen the end user experience and lead to fewer clicks, not more, for publishers. Google raised specific concerns about the inherent difficulty in determining what content might make a ‘significant contribution’ to a response, as referenced in the proposed INs, which risked requiring Google to show dozens of potentially irrelevant or unreliable sources. It argued that would degrade the quality of Search, damage user trust and ultimately harm publishers’ reputation.⁸⁵

Our view

- 3.43 As set out in the consultation document, given the evolving nature of search generative AI features, and Google’s scale, we consider that the attribution requirement is necessary in order to ensure the Publisher CR is effective. This supports an effective choice by ensuring that publishers can be confident that where their Search Content is used in search generative AI features it will be attributed, and end users will be able to access the underlying Search Content. Additionally, it will benefit end users ensuring they are able to identify and understand what sources informed an AI generated response. However, we also recognise that design choices around the optimal approach to attribution can be subject to legitimate differences of opinion, and that there are risks in prescribing specific design approaches which could undermine the end user experience or hinder Google’s ability to innovate.

⁸³ Responses to the CMA’s consultation on proposed Publisher CR: Yelp, pages 4-5; Impress, page 5; Jim Hales, page 1.

⁸⁴ Responses to the CMA’s consultation on proposed Publisher CR: News Media Association, page 9; DMG Media, pages 14-15; Financial Times, page 18; New Media Alliance, page 16; Affiliate and Partner Marketing Association, page 4; BBC, page 4; Anonymous 1, page 6; Guardian Media Group, page 6; European Publishers Council, page 10; Impress, page 13; Trainline, page 14; and [notes from roundtable discussions with stakeholders on proposed Publisher CR](#).

⁸⁵ Google’s response to the CMA’s consultation on proposed Publisher CR, pages 45-47.

- 3.44 We recognise the potential ambiguity associated with the phrase ‘sufficient attribution’, as used in the proposed CR. To address this, we have amended the Publisher CR to establish more clearly what Google is required to do, by drawing on the additional detail previously included in the proposed INs: for example, to include the requirement that Google must ensure the end user has a clear means to access Search Content.
- 3.45 We have also removed the concept of ‘significant contribution’ from the INs. We recognise the ambiguity of the term and the technical challenges of identifying which sources make a ‘significant contribution’ to any given response. In addition, we have added a new paragraph into the INs to ensure that the changes we have made to clarify the Publisher CR do not obscure the overall purpose of the obligation.
- 3.46 In our view, the requirement in paragraph 8.a. of the Publisher CR, as amended,⁸⁶ would ensure that Google continues to develop its approach to attribution given the evolving nature of search generative AI features and the importance of these issues for publishers and end users, while not interfering with Google’s ability to design and innovate with the end user in mind.

Transparency requirements in relation to attribution

- 3.47 A few stakeholders said there are instances where attribution in search generative AI features has been inaccurate and that the clarity of such attribution could be improved.⁸⁷ Many stakeholders argued for Google to disclose more data.⁸⁸ Two stakeholders said that Google’s published explanation of attribution should include a description of how sources are selected and ranked for inclusion in a search generative AI feature

⁸⁶ This specifies that: Google shall take reasonable steps to ensure that Search Content in search generative AI features is attributed clearly, accurately, and that end users are provided with a clear means to access that Search Content, taking account of the need for such attribution to also reflect broader end-user experience, design aesthetics and source diversity.

⁸⁷ Responses to the CMA’s consultation on proposed Publisher CR: Corint Media, pages 8-9; Anonymous 11, pages 7-8; and [notes from roundtable discussions with stakeholders on proposed Publisher CR](#).

⁸⁸ Responses to the CMA’s consultation on proposed Publisher CR: Anonymous 1, page 6; Anonymous 7, page 1; News Media Association, page 10; GenieVentures page 4; Consumer Choice Centre page 8; Affiliate and Partner Marketing Association, page 5; OpenAttribution.org, page 3; New Media Alliance, page 17; European Publishers Council, page 10; Trainline, pages 14-15; Guardian Media Group, page 6; Independent Media, pages 2-3; Shaping Competition in the Digital Age, pages 9-10; Siinda page 4; BBC, pages 4 and 9; DMG Media, page 13.

response.⁸⁹ One also added that the published explanation should include how Google monitors attribution accuracy.⁹⁰

- 3.48 Google argued that it is already incentivised to ensure responses are factually accurate to provide a high-quality user experience. It also submitted that the proposed CR would require the disclosure of competitively sensitive information to rivals, harming competition (including outside of general search where Google has not been found to have SMS); and that the information about factuality is not actionable information and would have no value to publishers (beyond bad actors gaming Google's systems).⁹¹

Our view

- 3.49 As set out in consultation, we consider that transparency over attribution is important so that publishers can trust that, where Google uses Search Content in search generative AI features, it is sufficiently and accurately attributed. This, in turn, helps publishers make properly informed and meaningful decisions about whether and how they interact with Google in respect of general search services. Transparency measures also bring benefits to end users as they help them understand how Google has attributed responses and therefore help them to trust the responses they receive.
- 3.50 To clarify what information Google is expected to provide pursuant to this transparency obligation, we have introduced a new definition of 'Explanatory Information' (for the reasons set out at paragraph 3.28 above) and have made consequential amendments to the Publisher CR and INs. Having clarified the attribution requirement in paragraph 8.a. of the Publisher CR (see paragraph 3.44 above), we have also aligned paragraph 8.b.i. with that obligation.⁹²
- 3.51 Recognising Google's concerns about disclosing competitively sensitive information and the fact that generative AI responses are inherently probabilistic and cannot be always completely accurate, we have removed the reference to factuality metrics from the INs. We recognise the risk that requiring only Google to disclose factuality metrics could place it at a

⁸⁹ Responses to the CMA's consultation on proposed Publisher CR: Open Data Institute, page 4; Jim Hales, page 1.

⁹⁰ Response to the CMA's consultation on proposed Publisher CR: Open Data Institute, page 4.

⁹¹ Google's response to the CMA's consultation on proposed Publisher CR, pages 47-48.

⁹² As a result of this change in approach, we have also removed paragraph 11(c) of the INs, since the point is now clear from the Publisher CR itself.

competitive disadvantage, as third parties would not be able to make an informed decision about the relative factuality of different services. Further, we have not seen evidence that Google's level of factuality is lower than comparable services, and as such do not consider such disclosure would be significantly beneficial to publishers, compared to the possible negative consequences for competition. However, Google's compliance with the transparency obligations under paragraph 8.b. of the Publisher CR ought to include providing explanatory information on the steps it takes to ensure and measure the factuality of search generative AI features.

Complaints mechanism

- 3.52 Several stakeholders considered whether the CMA should require a mechanism to communicate their reasons for withholding Search Content. Key arguments were that it would surface, and improve Google's incentives to address, deficiencies, reduce reputational harm and support the CMA's in monitoring compliance,⁹³ but one stakeholder warned against imposing burdens on publishers.⁹⁴ A few stakeholders also argued that the CMA should go further and require a complaints process to ensure that publishers can request corrections when their Search Content is misattributed.⁹⁵
- 3.53 In its response to the consultation, and as summarised in paragraph 3.7(a), Google argued that its existing 'thumbs up/down' mechanism is effective to address systemic factuality problems related to attribution.⁹⁶

Our view

- 3.54 Having considered responses on this point, our view is that a bespoke complaints mechanism for attribution issues would be more onerous than necessary, because it could involve actioning complaints from a material fraction of Google's index of several billions of websites. The attribution and transparency requirements in the Publisher CR will strengthen Google's incentives to attribute clearly and accurately, consistent with our aim. Further,

⁹³ Responses to the CMA's consultation on proposed Publisher CR: Consumer Choice Centre, page 8; Guardian Media Group, page 8; OpenAttribution.org, page 3; Shaping Competition in the Digital Age, page 9; Siinda page 3; Trainline, page 15.

⁹⁴ Response to the CMA's consultation on proposed Publisher CR: Shaping Competition in the Digital Age, page 9.

⁹⁵ Responses to the CMA's consultation on proposed Publisher CR: Impress, page 13; Guardian Media Group, page 8; and [notes from roundtable discussions with stakeholders on proposed Publisher CR](#).

⁹⁶ Google added that page-level opt-outs would not address such systemic problems anyway (since generative AI responses are non-deterministic). Google's response to the CMA's consultation on proposed Publisher CR, page 49.

while it has limitations (including in terms of a lack of transparency for publishers over the data that Google collects) Google's existing thumbs up/down mechanism provides Google with useful information enabling it to refine its models and which may resolve any publisher concerns. Should publishers remain concerned, as set out in paragraph 3.9, the Publisher CR ensures they can withdraw only Search Content affected by these concerns.

Territorial scope of the Publisher CR

- 3.55 In our consultation, we proposed to define 'publisher' as 'any party that makes content available on the web to any natural or legal persons located in the UK using Google's general search services'.⁹⁷ In response, two stakeholders sought clarity on the territorial scope of the CR⁹⁸ and Google raised a concern that without further clarification, the proposed conduct requirement could capture how content from publishers based outside of the UK was used in responses provided to users outside the UK.⁹⁹
- 3.56 Having carefully considered these submissions, we have amended the drafting of the Publisher CR to make clear that all publishers will benefit to the extent that their Search Content is used in the outputs of generative AI services and features shown to UK end users. This is consistent with the definition of 'publisher' we proposed in the consultation and ensures the obligations are scoped in a way that is effective in addressing the issues we have identified¹⁰⁰ while avoiding unintended consequences.
- 3.57 This scope ensures that competition between publishers for end user engagement remains on an even footing, since all relevant publishers will have the same options, which reduces the risk that exercising the control sees publisher traffic flow to rivals prevented from withdrawing their content. It also ensures that relevant publisher content is subject to consistent attribution standards, regardless of its country of origin. The focus on the UK end user allows for practicable implementation, since the location of the end user is readily identifiable (Google already monitors the location of its end users).¹⁰¹

⁹⁷ CMA consultation on proposed Publisher CR, page 15.

⁹⁸ Responses to the CMA's consultation on proposed Publisher CR: News Media Association, page 10; Publishers Association, pages 2-3.

⁹⁹ Google's submission to the CMA.

¹⁰⁰ CMA consultation on proposed Publisher CR, pages 3-11.

¹⁰¹ See, for example Google, [Understand & manage your location when you search on Google](#), not dated (accessed on 20 May 2026).

- 3.58 We recognise that publishers may perceive a risk that Google could retaliate against them if they use the control in the UK – for example by downranking their content elsewhere. We have therefore introduced an additional ancillary provision to address this risk at paragraph 9 of the Publisher CR.
- 3.59 We consider that this scope is effective in achieving our aim and will continue to take account of developments in other jurisdictions as part of our ongoing monitoring of the effectiveness of the Publisher CR.¹⁰²

Implementation and compliance

- 3.60 This section summarises responses on the implementation of the Publisher CR and how the CMA will monitor Google’s compliance. Google’s compliance reporting obligations are set out in the Compliance Reporting Notice.¹⁰³

Summary of responses on monitoring and compliance

- 3.61 We received a range of feedback from Google and third parties on our proposed approach to monitoring and securing effective compliance with the Publisher CR.
- 3.62 Feedback from stakeholders focused on three main aspects:
- (a) **Implementation period:** A few stakeholders submitted that a six-month implementation period was longer than necessary and would delay relief from harms they consider already well-evidenced and suggested that the core control obligation builds on existing systems and should therefore be deliverable more quickly.¹⁰⁴
 - (b) **Monitoring and compliance method:** Several stakeholders supported rigorous monitoring and oversight of Google’s compliance with the Publisher CR, and clarity on a credible escalation pathway to ensure overall effectiveness.¹⁰⁵ Several stakeholders suggested that mandating an initial independent baseline audit would build publisher confidence,

¹⁰² See for example, any developments in relation to [the European Commission investigation in relation to into possible anticompetitive conduct by Google in the use of online content for AI purposes](#) (accessed on 26 May 2026).

¹⁰³ In accordance with section 84(3) of the Act.

¹⁰⁴ Responses to the CMA’s consultation on proposed Publisher CR: Financial Times, page 3; News Media Alliance, page 14; News Media Association, page 11.

¹⁰⁵ Responses to the CMA’s consultation on proposed Publisher CR: Cloudflare, page 8; DMG Media, page 15; News Media Association, page 2; News Media Europe, page 1; OpenAttribution.org, page 3; Professional Publishers Association, page 8; Skyscanner, page 8; Guardian Media Group, page 9.

and that independent scrutiny should be ongoing and complement Google's own compliance reporting.¹⁰⁶ One suggested that reporting requirements could be tailored to focus on high-risk areas as Google implemented the Publisher CR.¹⁰⁷

(c) **Content of the compliance report:** A few stakeholders provided suggestions on what information Google should be required to produce in its compliance reports, including details on how controls are implemented and monitored, practical indicators of take-up and market outcomes (eg uptake of controls and trends in zero-click searches), and greater transparency on Google's internal data handling.¹⁰⁸

3.63 One stakeholder also raised concerns around potential compliance costs and impacts on incentives for Google to continue innovating.¹⁰⁹

3.64 Google submitted that the proposed compliance requirements across the proposed CRs were burdensome, disproportionate to the aims of the CRs, and that, as a consequence, they risked diverting resources from continued innovation and investment in the UK. It also submitted concerns about the proposed six-monthly reporting cadence and that the requirement for a third-party audit would be inefficient and disproportionate.¹¹⁰ Google instead suggested an approach grounded in the development of internal processes and governance mechanisms which in its view should be sufficient to demonstrate compliance.¹¹¹

3.65 In relation to implementation, Google submitted that it intends to roll out key aspects of the new control within the proposed six-month implementation period. However, it submitted that the imposition of page-level controls would likely take longer due to the additional engineering work required and [✂].¹¹²

¹⁰⁶ Responses to the CMA's consultation on proposed Publisher CR: Cloudflare, page 8; DMG Media, page 15; Financial Times, page 3; News Media Association, pages 10-11; News Media Europe, page 1; OpenAttribution.org, page 3; Professional Publishers Association, page 8.

¹⁰⁷ Response to the CMA's consultation on proposed Publisher CR: News Media Association, pages 10-11.

¹⁰⁸ Responses to the CMA's consultation on proposed Publisher CR: Cloudflare, page 8; DMG Media, page 15; News Media Association, page 11.

¹⁰⁹ Response to the CMA's consultation on proposed Publisher CR: Computer and Communications Industry Association, page 7.

¹¹⁰ Google's response to the CMA's consultation on proposed Publisher CR, pages 14, 49.

¹¹¹ Google's response to the CMA's consultation on proposed Publisher CR, page 14.

¹¹² Google's submission to the CMA.

Our view

Implementation period

- 3.66 We recognise the importance of delivering impact at speed. The Publisher CR, with the exception of paragraph 4.b, will therefore come into force six months following publication of the CR Notice. We have had representations from Google that it expects to launch aspects of the new search generative AI features control in June 2026.¹¹³
- 3.67 However, we consider that Google should have nine months from publication of the CR Notice to introduce page-level controls for the grounding of search generative AI features pursuant to paragraph 4.b. of the Publisher CR. The extended implementation period for this aspect of the Publisher CR should allow Google sufficient time to carry out additional technical work to design and implement these aspects of the control effectively.
- 3.68 We expect Google to provide an implementation plan (see below) within the first month following publication of the CR Notice and engage constructively with the CMA and third parties to develop and implement changes to comply with the requirements.

Monitoring and compliance method

- 3.69 We consider it essential that effective monitoring and compliance requirements are established to verify Google's ongoing compliance with the Publisher CR and to secure the trust and confidence of publishers. We also recognise the benefits of adopting a risk-weighted approach to compliance to ensure the obligations on Google are effective and proportionate.
- 3.70 We have reflected on the best way to strike this balance. In doing so, we have been mindful of the following four considerations set out in the Act and our guidance:¹¹⁴
- (a) it is the responsibility of the SMS firm to comply with all requirements under the regime and the CMA expects firms to be able to demonstrate their compliance;¹¹⁵

¹¹³ Google's submission to the CMA.

¹¹⁴ CMA194, Chapter 6.

¹¹⁵ CMA194, paragraph 6.23.

- (b) the CMA expects a Nominated Officer to be responsive to requests by the CMA to discuss compliance issues, to ensure the SMS firm complies with its obligations in relation to compliance reports, proactively informing the CMA of any issues related to the SMS firm's compliance as soon as practicable after they become aware of any such issue(s); and engage as reasonably appropriate with relevant stakeholders about the firm's compliance;¹¹⁶
 - (c) the CMA has an obligation to keep under review the extent to which the SMS firm is complying with each CR to which it is subject;¹¹⁷ and
 - (d) the CMA has the ability to monitor a range of quantitative and qualitative evidence, which may include information gathered from the SMS firm or other organisations through its statutory information gathering powers.¹¹⁸
- 3.71 The CMA expects Google to provide an implementation plan to the CMA setting out its proposed plan for implementation of and compliance with the Publisher CR, including:
- (a) the internal policies Google will develop and apply to comply with the Publisher CR;
 - (b) how Google will technically monitor and enforce its internal policies; and
 - (c) the governance and oversight systems Google will put in place.
- 3.72 This will be followed by periodic compliance reporting whereby Google will be required to provide information and metrics to the CMA to demonstrate its ongoing compliance (see below). In light of this, we do not consider it necessary to require the commission of an initial independent baseline compliance report carried out by an appointed 'skilled person'.
- 3.73 The CMA will conduct a rigorous review of information presented to it by Google, including implementation plans, routine compliance reports, and other information it receives in relation to compliance monitoring. Should the CMA have compliance concerns it will make use of the regulatory tools available to it as appropriate. This might include formal information gathering, the commissioning of skilled persons reports (noting comments from respondents

¹¹⁶ See section 83 of the Act and CMA194, paragraph 6.36.

¹¹⁷ Section 25(b) of the Act.

¹¹⁸ CMA194, paragraph 6.8.

to the consultation on the potential value of independent scrutiny), and/or the launching of investigations into any suspected breaches.

- 3.74 We consider that this approach strikes an appropriate balance between ensuring effective oversight of Google's compliance and mitigating the burden placed on Google.

Compliance reports: frequency and content

- 3.75 Google is also required to provide periodic reporting to the CMA. The Compliance Reporting Notice sets out the key information and metrics we will require Google to provide in its compliance report.
- 3.76 Google will be required to provide compliance reports to the CMA every six months for the first year following the imposition of the Publisher CR. Thereafter and for the remainder of the Designation Period, Google will be required to provide compliance reports annually, subject to the CMA being generally satisfied with Google's compliance.
- 3.77 We consider that this approach will allow the CMA to reduce the burden of compliance reporting where we are generally satisfied with Google's compliance, but increase oversight if concerns arise.
- 3.78 We will require Google to submit a confidential version of the compliance report to the CMA with detailed metrics. We expect to require Google to publish a summary or a non-confidential version of the report on its website. We also expect to engage with third parties when evaluating Google's compliance.
- 3.79 In determining what information and metrics Google must provide as part of its compliance report, we have considered the feedback we have received during the consultation and changes we have made to the Publisher CR.¹¹⁹ The Compliance Reporting Notice sets out the manner, form and contents of Google's compliance reports for the Publisher CR which includes:
- (a) An explanation of how it has complied with the Publisher CR over the relevant period. This includes but is not limited to explaining:
 - (i) the controls it offers to publishers,¹²⁰ any updates or changes it has made or plans to make to those controls (including in response to any

¹¹⁹ See the Compliance Reporting Notice.

¹²⁰ Pursuant to paragraphs 3 to 5 of the Publisher CR.

new generative AI services and features), the steps it has taken to ensure the controls function as intended, any contributions it has made to the development of industry standards for similar controls and how it has ensured that it has not circumvented any publisher's choice to withhold Search Content by acquiring that Search Content through other sources;

- (ii) the transparency it offers to publishers, including the Explanatory Information and the metrics it makes available to publishers; and
- (iii) the approach it has taken to attribution of Search Content in search generative AI features and the Explanatory Information it has made available to publishers regarding its approach;

(b) data on publishers' use of each of the controls; and

(c) a summary of stakeholder feedback with respect to its development and implementation of changes to comply with the Publisher CR.

3.80 We consider that this proposed approach will secure effective implementation, monitoring and compliance arrangements for the Publisher CR.

Monitoring the effectiveness of the Publisher CR

3.81 Alongside our monitoring of Google's compliance, in line with our statutory duty to keep the effectiveness of CRs under review, we will collect information from Google and other affected parties to assess the effectiveness of the Publisher CR, including through the use of our formal investigatory powers where appropriate. This will include assessing whether the Publisher CR is effective in achieving our aim and facilitating expected benefits such as those outlined in paragraph 1.10.

3.82 Our monitoring will focus on indicators of usage and market outcomes, recognising that usage indicators provide evidence of whether publishers are able to engage with the controls and transparency measures in practice, while outcome indicators provide evidence of whether the Publisher CR is delivering its intended benefits:

- (a) In relation to usage, we will monitor usage of the control, which will provide a measure of whether publishers are able to engage with the control in a meaningful way. We may do so drawing on data on publishers' use of the controls, as well as targeted information gathering from publishers. This will enable us to assess patterns of adoption across different publisher types and identify any barriers to use. In addition, we

expect to assess the impact of transparency measures through stakeholder feedback on publisher understanding and awareness.

- (b) In relation to outcomes, we will consider metrics which evaluate the extent to which the Publisher CR supports publishers in maintaining traffic, such as impression, click and referral data. We will also monitor developments relevant to publishers' bargaining positions, including deals between publishers and Google which could indicate increased incentives for Google to compensate publishers for their content financially. We will also assess the effectiveness of the attribution requirement, potentially through data on the frequency and number of links provided in search generative AI feature responses or qualitative evidence on end user trust.
- (c) Additionally, we will also monitor changes in circumstances which may influence the effectiveness of the Publisher CR or whether it remains appropriate to achieve its intended aim. These could include an increase in the use or development of agentic AI which could affect how Google uses publisher Search Content in future.

CRs that could be equally effective

- 3.83 In our consultation document, we considered that requiring Google to establish separate crawlers to gather data for general search and generative AI services and features ('crawler separation') could be effective in meeting our aim.

Summary of responses

- 3.84 Many stakeholders told us that our proposed enhanced controls were not an effective remedy in comparison to crawler separation.¹²¹ Several stakeholders said that controls do not provide the same actionable data available from a crawler separation framework;¹²² and that controls would not contribute to trust that Google is using Search Content in line with publisher preferences.¹²³

¹²¹ Responses to the CMA's consultation on proposed Publisher CR: Anonymous 1, page 6; BBC, page 2; Cloudflare, page 1; DMG Media, page 6; EPC, page 5; Guardian Media Group, page 9; News Media Alliance, pages 5-6; News Media Europe, page 2; OpenAttribution.org, page 1; Professional Publishers Association, pages 8-9.

¹²² Responses to the CMA's consultation on proposed Publisher CR: Anonymous 1, page 6; BBC, page 2; Cloudflare, pages 3-4; DMG Media, page 6; News Media Alliance, pages 5-6; Professional Publishers Association, pages 8-9.

¹²³ Responses to the CMA's consultation on proposed Publisher CR: BBC, page 2; Anonymous 1, page 6; DMG Media, page 9; EPC, page 5; Guardian Media Group, page 9; News Media Alliance, page 6; Professional Publishers Association, pages 8-9.

Further, a few stakeholders said controls were insufficiently forward looking or would not facilitate use of third-party tools or marketplaces that could otherwise help achieve our aims;¹²⁴ one stakeholder said controls were more complex,¹²⁵ and another said controls provided insufficient flexibility.¹²⁶

3.85 In contrast, Google said crawler separation would offer no tangible benefits to consumers and no improvement on the CMA's proposed enhanced controls.¹²⁷ As at consultation, Google also identified high costs for crawler separation, which we discuss at paragraph 4.24 below.

Our view

3.86 Our view remains that both enhanced controls and crawler separation are comparably effective remedies. As set out below in paragraphs 4.29 to 4.31 below, we consider that enhanced controls are the more proportionate option.

3.87 Specifically, we consider that the additional data which may be provided by facilitating crawler separation – for example, enabling publishers to monitor separately the crawling of their content for different use cases – is not necessary to achieve our aim.¹²⁸ We do not accept that crawler separation would more effectively ensure that Google only uses Search Content that has not been withheld by publishers. Crawler separation would still require monitoring of Google's systems to ensure Search Content is not used in generative AI services and features through internal processes. For both proposals, effective compliance monitoring by the CMA is therefore key.¹²⁹ Further, whilst our aim could be supported through separate crawlers facilitating the use of third-party tools or marketplaces, for the reasons set out in paragraph 3.10, we consider that controls that are effective and efficient would achieve our aim. We will engage with Google on how it implements its controls.¹³⁰

¹²⁴ Responses to the CMA's consultation on proposed Publisher CR: DMG Media, pages 7-8; Guardian Media Group, page 9; News Media Alliance, page 6; Professional Publishers Association, pages 8-9.

¹²⁵ Response to the CMA's consultation on proposed Publisher CR: Cloudflare, page 1.

¹²⁶ Response to the CMA's consultation on proposed Publisher CR: News Media Alliance, page 6.

¹²⁷ Google's response to the CMA's consultation on proposed Publisher CR, page 39.

¹²⁸ As set out at 3.34 above, the Publisher CR requires Google to provide the necessary data to meet our aim.

¹²⁹ As set out at 3.18 to 3.23 above, the Publisher CR provides an effective compliance approach.

¹³⁰ Relatedly, we consider that controls are not inherently more complicated than crawler separation, and that we will be able to consider the complexity of Google's interface as it implements the Publisher CR. Some third parties arguing for crawler separation recognised that well-developed controls could still support publishers. Responses to the CMA's consultation on proposed Publisher CR: Cloudflare, page 1; European Publishers Council, page 6.

4. Proportionality assessment of the Publisher CR

- 4.1 In our consultation, we set out our view that the proposed CR would be proportionate and would lead to substantial benefits over and above how we expect the status quo to evolve.¹³¹ We noted that the proposed CR would deliver benefits through supporting web publisher business models; supporting consumption of web content by end users; and supporting competition in general search and adjacent activities (with benefits for end users of these services).¹³² We recognised that our proposed CR would lead Google to incur some direct costs.¹³³ Overall, we were satisfied, subject to consultation, that the proposed CR would not produce disadvantages disproportionate to the aim.
- 4.2 In this section, we evaluate the proportionality of the Publisher CR design. We first account for the changes since consultation, then turn to our overall assessment and lastly consider responses on the proportionality of crawler separation (the alternative equally effective option identified above).

Adjustments to the CR

- 4.3 The new evidence received through the consultation has led to changes to the Publisher CR. We discuss the inclusion of training (including fine-tuning) in the scope of the control, the clarification of the territorial scope, and other changes.

Inclusion of training (and fine-tuning) in the scope of the control

- 4.4 As set out in paragraph 3.12, the Publisher CR now requires Google to provide publishers with control over training (including fine-tuning) within search generative AI features. As explained above, we believe this change will make the Publisher CR effective in meeting the aim and would increase the benefits to users. Therefore, below we focus on the effect of this change on the costs of the Publisher CR.

¹³¹ CMA consultation on proposed Publisher CR, page 57.

¹³² CMA consultation on proposed Publisher CR, pages 56-68.

¹³³ CMA consultation on proposed Publisher CR, page 56.

Summary of responses

- 4.5 We received mixed views on the costs of requiring a control covering training (including fine-tuning) of search generative AI features.¹³⁴
- 4.6 In relation to the inclusion of fine-tuning in particular, Google advanced similar arguments to those noted in our consultation document,¹³⁵ including that broadening the scope of these controls could damage its ability to innovate¹³⁶ and [X].¹³⁷ However, Google subsequently told us that the obligation in the Publisher CR means it does not anticipate needing to build an additional control.¹³⁸ We have also heard arguments that generative and ranking systems are already distinct and could remain separate without major technical burden.¹³⁹
- 4.7 Google did not advance additional arguments, beyond those set out in the consultation document, around the costs of requiring control over other forms of training of search generative AI features.¹⁴⁰ One stakeholder highlighted some potential risks were we to require a separate training control, stating that it could increase operational complexity and reduce product quality or slow model improvement.¹⁴¹

Our view

- 4.8 In our view, the additional costs of requiring control over training (including fine-tuning) of search generative AI features are likely to be modest.
- (a) Direct costs are likely to be limited, given for example implementation of the control can likely build on Google's existing architecture, since Google-Extended already covers training. Further, some of the additional engineering costs associated with extending that architecture to include fine-tuning will likely be shared with the developments needed anyway to implement the grounding elements of the control.

¹³⁴ As set out in the consultation document, training is already covered through the Google-Extended control. However, to enable publishers to opt-out of their content being used to fine-tune the AI models within Search, the Publisher CR now includes fine-tuning within the control. CMA consultation on proposed Publisher CR, page 57.

¹³⁵ CMA consultation on proposed Publisher CR, page 25.

¹³⁶ Google's response to the CMA's consultation on proposed Publisher CR, page 39.

¹³⁷ [X].

¹³⁸ Google's submission to the CMA.

¹³⁹ Responses to the CMA's consultation on proposed Publisher CR: DMG Media, pages 4-5, Guardian Media Group, pages 3-4.

¹⁴⁰ CMA consultation on proposed Publisher CR, pages 24-25.

¹⁴¹ Response to the CMA's consultation on proposed Publisher CR: Consumer Choice Centre, page 6.

- (b) Wider cost impacts are also likely to be modest because [REDACTED].¹⁴² The Publisher CR implies Google’s models, [REDACTED], have to account for Search Content withdrawals made through our control. While this could have an impact on quality, we do not expect these impacts to be significant. Google’s large pre-existing index and its ability to mitigate these effects through payment for content would (through similar ways as we set out in paragraphs 5.23-5.25 of our consultation) reduce the risk of adverse impacts on publishers and end-consumers.¹⁴³
- (c) Further, requiring control over training (including fine-tuning) provides new benefits. As set out in paragraph 3.12, we consider that requiring control over training (including fine-tuning) supports the effectiveness of the Publisher CR by supporting publishers’ incentives to create high-quality content.¹⁴⁴ Drawing on our consultation-stage analysis of the significant scale of these benefits, our view is that increasing the extent to which the Publisher CR preserves high-quality web content is likely to outweigh any additional costs.¹⁴⁵ This adjustment therefore improves the proportionality of the Publisher CR.

Territorial scope

- 4.9 In paragraph 3.60 above, we explain the clarifications we have made to the territorial scope of the Publisher CR.
- 4.10 Our clarified scope is focused on the outputs of generative AI services and features shown to UK end users. Google may choose to comply on a broader basis, which could reduce the need for model or system differentiation in its UK country service and associated costs. In any event, we do not consider that in practice Google’s compliance with the Publisher CR would necessitate the development of material new technical capabilities. This is because:
- (a) In relation to grounding, as explained in paragraph 3.61, Google already has the capabilities to identify UK end users so there is little to no additional cost in scoping a grounding control to UK end users. We have

¹⁴² [REDACTED]. Google submission to the CMA.

¹⁴³ CMA consultation on proposed Publisher CR, page 55.

¹⁴⁴ For similar reasons as set out in paragraph 5.45 of our consultation document in relation to wider model training, we consider the inclusion of fine-tuning in the control will also likely lead to a more level playing field in the development of Search-related AI models – and we would expect any costs to Google to be outweighed by the benefits to competition and ultimately to end users.

¹⁴⁵ CMA consultation on proposed Publisher CR, pages 61 and 62-64. See paragraphs 5.34-5, and 5.36-5.41 for our assessment of the scale of benefit derived from publisher web content.

not seen evidence indicating that model duplication would be necessary for this aspect of the Publisher CR.

- (b) Google's existing control enabling publishers to opt out of the use of their Search Content for training outside of general search (Google-Extended) already operates on a global basis and captures the training of the models underlying outputs to UK end users. As such, we do not expect material additional costs above those assessed in our consultation document.
- (c) In relation to training (including fine-tuning) of search generative AI features, we recognise that there may be some additional costs to scoping the control to UK end users. However, given Google has indicated [§],¹⁴⁶ we consider that any additional costs associated with including fine-tuning are likely to be modest.

4.11 Given the effectiveness assessment set out above, we consider that our original benefits assessment remains broadly reflective of the Publisher CR design. Our illustrative benefit calculations in the consultation document were calibrated only to content shown to UK end users. Further, a substantial proportion of content consumed by UK end users is produced by UK publishers,¹⁴⁷ and the clear majority of UK publisher revenues appear to be derived from UK users.¹⁴⁸ This means that the benefits experienced by UK end users are, to a significant extent, also realised by UK publishers.

4.12 Overall, we therefore consider that our adjustment to the territorial scope does not materially affect the proportionality assessment of the Publisher CR.

Other adjustments to the Publisher CR

4.13 In response to the consultation, we have made a number of other adjustments to the design of the Publisher CR. As set out in Section 3, taken together, we consider that these wider adjustments to the Publisher CR to include page-level controls and adjustments to the attribution requirements make the

¹⁴⁶ [§].

¹⁴⁷ UK publishers derive a substantial proportion of their audience and revenues from UK users: Publishers Association, [Publishing in 2024, Publishers Association](#), not dated (accessed 26 May 2026).

¹⁴⁸ The Guardian derives 38% of its revenue from overseas: Guardian Media Group, [Guardian Annual Report 2024/25](#), page 8, not dated (accessed on 26 May 2026). The Independent derives approximately 25% of its revenue from the United States: Press Gazette, [Revenue for Independent tops £50m for first time since digital rebirth](#), September 2025 (accessed 26 May 2026).

Publisher CR more effective in achieving its aim and, therefore, increase the benefits associated with the Publisher CR.¹⁴⁹

- 4.14 We do not consider that any of these changes to the Publisher CR will give rise to material additional costs compared to the analysis we set out in the consultation.¹⁵⁰ In some cases, they may reduce costs. For example, the changes to our compliance and monitoring approach are likely to reduce compliance costs for Google,¹⁵¹ relative to the approach proposed at consultation, while maintaining the CMA's ability to monitor and enforce the Publisher CR. Overall, the wider adjustments therefore improve the proportionality of the Publisher CR.

Overall assessment of the proportionality of the Publisher CR

- 4.15 In this section, we summarise the responses received to our proposed approach to proportionality. We explain our assessment of those views in reaching our overall conclusion in relation to the Publisher CR design.

Summary of responses

- 4.16 Stakeholders generally felt our approach was proportionate, or would be insofar as we amended the CR broadly in the ways we set out above.
- 4.17 We received several comments on the approach we took in our consultation document to assessing proportionality. A few stakeholders were explicitly supportive of the categories of benefit and the overall direction of our assessment.¹⁵² However, a couple of responses suggested that the benefit calculation should have captured impacts beyond publishers, and so was an underestimate.¹⁵³ On the other hand, Google said our benefit estimates were

¹⁴⁹ Changes made to compliance and monitoring do not themselves increase the effectiveness of the Publisher CR; however, they do not reduce its effectiveness and continue to support robust oversight.

¹⁵⁰ In paragraph 3.13 we outline why we disagree with Google's submission that page level requirements are disproportionate.

¹⁵¹ Regardless, we consider compliance costs likely to be small relative to benefits.

¹⁵² Responses to CMA's consultation on proposed Publisher CR: Financial Times, page 2; Trainline, page 14; News Media Association, page 3.

¹⁵³ Responses to the CMA's consultation on proposed Publisher CR: Anonymous 5, page 1; Music Publishers Association, section 2.

overstated,¹⁵⁴ and one trade association said we overlooked potential harms to Google's general search service's future innovation.¹⁵⁵

Our view

- 4.18 Taking into account the adjustments to the CR above and the views on our approach, we are satisfied that our final design of the Publisher CR would produce significant benefits and would not produce disadvantages that are disproportionate to the aim.
- 4.19 On benefits, we consider that ensuring effective control, transparency and attribution provides significant value through many channels, including supporting high private and societal benefits from news consumption.¹⁵⁶ Whilst the level of benefits from our control is difficult to state with precision,¹⁵⁷ for the same reasons as set out in our consultation, our judgement remains that the benefits are potentially very large.¹⁵⁸ Stakeholder views summarised above indicate that we have taken an appropriately cautious approach, and wider benefits (eg to businesses who do not derive revenue directly from web publishing) could be significant.^{159,160}
- 4.20 On costs, we consider that our original assessment represents an appropriate baseline. This is supported by Google's announcement that it is developing updates to its controls to let sites specifically opt-out of generative AI features in Search,¹⁶¹ which indicates that the onerousness of implementing controls required by the Publisher CR is unlikely to be high. Further, the adjustments

¹⁵⁴ Google raised a number of concerns about the percentage of traffic referrals to news and press publishers, including with the CMA's methodology, and therefore submitted that we overestimated the illustrative benefits. Google's response to the CMA's consultation on proposed Publisher CR, paragraph 170 and Confidential Annex 5.

¹⁵⁵ Response to the CMA's consultation on proposed Publisher CR: Computer and Communications Industry Association, page 3.

¹⁵⁶ CMA consultation on proposed Publisher CR, page 67.

¹⁵⁷ As set out above, the precise benefits and costs of our control will depend on the approach taken by Google in its implementation. We will monitor the effectiveness of the Publisher CR in this period.

¹⁵⁸ We assumed no benefits will arise in the first year, which remains more cautious than our final specification of the implementation period. Were Google to roll the control out globally, benefits would also be higher.

¹⁵⁹ Whilst we account for a wide set of beneficiaries in paragraph 5.35 of the consultation document, responses indicate the additional value not directly included in our calculation which accrue to these businesses could be very large.

¹⁶⁰ We consider the magnitude of the unquantified benefits to be larger than any overestimate in our quantified benefits which could stem from the percentage of traffic referrals Google makes to news and press publishers being overstated in the manner suggested by Google. We did not therefore consider it necessary to undertake further evidence gathering in this area.

¹⁶¹ Google, [Google's response to the CMA's consultation on potential requirements for Search](#), page 2, March 2026.

to the Publisher CR, including the clarification of the territorial scope and the inclusion of training in the control, would not materially increase those costs for the reasons outlined in paragraphs 4.4 to 4.16.

- 4.21 Overall, we consider that the amendments to the CR increase its effectiveness and associated benefits without materially increasing its onerousness. Therefore, we remain satisfied that the Publisher CR would not produce disadvantages that are disproportionate to the aim.

Assessment of equally effective options: crawler separation

- 4.22 In our consultation, we provisionally found that crawler separation would bring more costs and risks of unintended consequences to both Google and third parties than our proposed CR. We therefore considered that improving Google's controls would be a more proportionate way of achieving our aim.¹⁶²

Summary of responses on crawler separation

- 4.23 In line with its views set out in our consultation, Google reiterated that crawler separation would be an extreme structural remedy that imposes costs and major disruption to its provision of general search and its users.¹⁶³ Two stakeholders also said that requiring crawler separation would be disproportionate.¹⁶⁴

- 4.24 On the other hand, a few respondents said crawler separation was not too onerous,¹⁶⁵ with one trade association describing crawler separation as the most proportionate way to achieve the aim.¹⁶⁶ In particular:

- (a) a couple of publishers suggested crawler separation would not materially increase their individual server load or harm users;¹⁶⁷
- (b) several stakeholders suggested that crawler separation would make it easier to monitor Google's compliance and providing a better

¹⁶² CMA consultation on proposed Publisher CR, page 46.

¹⁶³ Google's response to the CMA's consultation on proposed Publisher CR, page 39.

¹⁶⁴ Responses to the CMA's consultation on proposed Publisher CR: Microsoft, page 3; Chamber of Progress, page 7.

¹⁶⁵ Responses to the CMA's consultation on proposed Publisher CR: European Publishers Council, page 5; OpenAttribution.org, page 1; Guardian Media Group, page 10.

¹⁶⁶ Response to the CMA's consultation on proposed Publisher CR: News Media Alliance, page 4.

¹⁶⁷ Responses to the CMA's consultation on proposed Publisher CR: DMG Media, page 16; Guardian Media Group, page 10.

understanding of how their content is used, which would reduce their costs;¹⁶⁸ and

- (c) a few third parties were sceptical of Google's estimated costs for crawler separation, arguing that the figures are inconsistent with Google's existing use of multiple crawlers, amongst other points.¹⁶⁹

Our view

4.25 Our assessment continues to be that the costs of enhanced controls would likely be materially lower than the costs of crawler separation, and therefore more proportionate, for the reasons given in our consultation document.¹⁷⁰

4.26 Regarding the specific points raised by stakeholders in response to our consultation:

- (a) Our analysis at consultation stage showed that small costs on a per-publisher basis add up to significant overall costs, given the number of sites in Google's index.¹⁷¹

- (b) We explain in paragraph 3.91 why we consider monitoring is not materially more complex under a publisher control than under crawler separation. Additionally, whilst Google already operates multiple crawlers, those crawlers operate at a materially smaller scale than Googlebot and are therefore not a reliable comparator for the operational costs of maintaining fully separate crawlers covering the whole web for all content types.¹⁷²

- (c) We continue to consider the broad magnitudes implied by Google's cost estimates as useful evidence in evaluating the relative costs of crawler

¹⁶⁸ Responses to the CMA's consultation on proposed Publisher CR: Anonymous 1, page 6; Professional Publishers Association, page 8; European Publisher Council, page 5; BBC, page 2; Publishers Association, page 2; News Media Association, page 4.

¹⁶⁹ A few stakeholders also suggested that the analysis ignored non-crawler methods of content acquisition, and unnecessarily assumes duplicated infrastructure. Responses to the CMA's consultation on proposed Publisher CR: DMG Media, paragraph 10; Guardian Media Group, page 10; European Publishers Council, pages 4-5; OpenAttribution.org, page 1. In addition, one trade association noted that Microsoft and OpenAI operate separate crawlers enabling publisher choice implying that use of multiple crawlers by AI firms indicates that crawler separation must be technically feasible and efficient: Association of Online Publishers, page 2.

¹⁷⁰ CMA consultation on proposed Publisher CR, pages 49-50.

¹⁷¹ CMA consultation on proposed Publisher CR, pages 49-50.

¹⁷² Googlebot made up c.50% of web crawls in May 2025 whereas Googlebot-Image made up 3.3% and Google's other crawlers made up only 4.3%: Thunderbit, [Web crawling statistics and industry benchmarks](#), May 2026 (accessed 20 April 2026). See also: Google, [Overview of Google crawlers and fetchers \(user agents\)](#), not dated (accessed 1 June 2026).

separation and improved controls, together with other evidence we set out in our consultation.¹⁷³

4.27 Our view therefore remains that the costs of improved controls would likely be materially lower than the costs of crawler separation, and therefore the Publisher CR is the more proportionate option.¹⁷⁴

Conclusion

4.28 Having carefully considered all the evidence, we consider it proportionate to impose the Publisher CR for the purposes of the fair dealing and trust and transparency statutory objectives, having regard to the aim (as set out in Section 2 above).

¹⁷³ We consider that stakeholders' other methodological points would not change the proportionality of crawler controls. In particular, assuming Google in future acquires a much greater proportion of Search Content through alternative infrastructure would reduce the ongoing cost of crawler separation, but is very uncertain. Assuming less duplication of wider infrastructure in the crawler separation example would not reduce the greater operational expenditure from duplicated crawling, which our sense-check illustrates could be by itself a pivotal cost differentiator between the options. We do not consider that the presence of these multiple crawlers demonstrate that crawler separation in this context could be implemented without significant cost. See CMA consultation on proposed Publisher CR, footnote 123.

¹⁷⁴ CMA consultation on proposed Publisher CR, page 4.