

Coalition for Open Digital Ecosystems (CODE)

Response to the CMA's consultation on the proposed steering conduct requirement for Apple's mobile platform

1. Introduction

On behalf of the Coalition for Open Digital Ecosystems (“**CODE**”), we welcome the opportunity to respond to the Competition and Markets Authority’s (“**CMA**”) public consultation regarding the proposed Steering Conduct Requirement (“**CR**”) for Apple’s mobile platform.

CODE brings together a diverse membership of tech companies committed to four main principles: opening up digital ecosystems through cross-industry collaboration; promoting seamless connectivity and interoperable systems; empowering consumers to choose devices and services with ease; and nurturing an environment of open access. We believe that open digital ecosystems drive innovation, expand consumer choice, and lower prices. This helps UK businesses grow and compete on a level playing field, to the ultimate benefit of UK consumers and organisations.

As the CMA correctly identifies, native apps are an essential digital gateway for UK businesses across key growth sectors, including gaming and FinTech. However, Apple uses its strategic market status (“**SMS**”) to impose restrictive terms that prevent developers from freely distributing their services. This response sets out why steering must be viewed as part of a broader picture, alongside key principles for balancing ecosystem freedom with platform security in a highly dynamic sector.

2. Steering as one piece of a broader open ecosystem puzzle

A well-designed steering remedy on iOS¹ can be an important mechanism to introduce competitive pressure on app distribution on iPhones. But steering changes alone cannot fix a fundamentally closed ecosystem. The CMA must recognise that restrictions on steering are merely a symptom of a broader structural issue: Apple’s control over app distribution on iPhones.

To achieve a truly open mobile ecosystem, the CMA should view steering as just one component of a holistic regulatory approach that encompasses the following pillars:

- **Competing third-party app stores:** True marketplace competition requires that alternative app marketplaces can establish themselves on iOS and iPadOS without facing arbitrary technical or commercial barriers.
- **Sideload capabilities:** Developers should have the ability to distribute software directly to consumers via web browsers or alternative channels, without being forced through a single centralised point controlled by Apple.

¹ Reference throughout to iOS should be read as referring also to iPadOS.

- **Progressive web apps (“PWAs”):** Web-based applications must be permitted to run with appropriate hardware functionality, offering a viable, frictionless alternative to Apple’s native app ecosystem.
- **Competing browsers and browser engines:** Genuine browser and app distribution choice cannot exist while Apple forces third-party browsers to run on WebKit on iOS/iPadOS instead of their chosen browser engine, giving Safari an unfair headstart and limiting the performance and innovation of those rival applications from the get-go.

3. Key considerations for the CMA’s steering framework

As the CMA finalises its proposed Steering CR, it must carefully weigh how design parameters will impact real-world developer adoption and consumer choice. CODE highlights two primary factors:

a) Developer choice in billing

For transactions outside of Apple’s payment processing to be viable, developers should be able to choose their own payment processors and handle customer relationships, where customers prefer this, including billing, cancellations, support, and refunds, directly. If Apple is permitted to structure steering requirements in a manner that creates excessive complexity, developer take-up will remain low, mirroring the stifled outcomes observed in other heavily restricted international jurisdictions. This would be particularly concerning on iOS due to the lack of alternative app stores or ability to sideload apps in the UK.

b) Ecosystem safety and security

Apple frequently invokes privacy, security, and platform integrity concerns as a justification for preserving its “walled garden”. While CODE agrees that safeguarding users is a legitimate interest and a vital service that app stores provide for both developers and users, [REDACTED] True security should not be a [REDACTED] to introduce artificial user lock-in. True security relies on and enhances the technical robustness of the security architecture itself.

Developers already safely manage transactions for physical goods and services on iOS without Apple’s mandatory billing system or restrictive steering interfaces. Therefore, the CMA must ensure that Apple is not permitted to introduce “scare screens”, such as alarmist or one-sided user interface warnings, [REDACTED] Any allowed screens must strictly use neutral language and neutral visual design so as not to discourage users from transacting externally without sufficient objective justification.

4. The dynamic nature of online services and the need for targeted action

App stores and mobile ecosystems are fast-moving, highly innovative software platforms, fundamentally distinct from static physical utilities. To support the UK’s digital economy, regulatory interventions must remain flexible and avoid unnecessary fragmentation. CODE calls on the CMA to:

- **Enable certainty, scale and global distribution:** UK app developers also operate in a global marketplace. Creating overly fragmented, highly localised compliance requirements increases engineering overhead and risks delaying the rollout of new technologies, such as advanced artificial intelligence features, to UK consumers. Where possible, regulators should aim for predictable rules that work across borders.
- **Prioritise clear barriers and interoperability:** Rather than becoming entangled in price-setting exercises that risk stalling marketplace evolution, the CMA should prioritise enforcement in areas where there is clear evidence of unjustified barriers that can be addressed through technical remedies, whether this is interoperability or enabling the growth of competitor services (such as app stores and payment processing).

5. Conclusion

CODE supports the CMA's objective to ensure that developers can trade on fair and reasonable terms and communicate directly with their customers. However, a steering remedy will only succeed if it is treated as a stepping stone toward a genuinely open platform ecosystem with seamless connectivity and interoperability. We urge the CMA to deliver a finalised Steering CR that minimises consumer friction, protects developer billing choices, maintains online security based on sound objectives and keeps the door firmly open for broader structural interoperability across the mobile ecosystem.