SUBMISSION TO CMA - USER CHOICE SCREENS CR ON BEHALF OF GUARDIAN NEWS AND MEDIA LTD (GNM)

Date:	9th October 2026
Stakeholder:	Guardian News & Media Limited
Responding to:	CMA Google search SMS

Guardian Media Group (GMG) is one of the UK's leading commercial media organisations and a British-owned, independent, news media business. GMG is the owner of Guardian News & Media (GNM), which is the publisher of theguardian.com and the Guardian newspapers. As well as being the UK's largest quality news brand, the Guardian has pioneered a highly distinctive, open approach to publishing on the web and it has achieved significant global audience growth over the past 20 years.

The Guardian has an open publishing model where over 44% of revenues are generated directly from voluntary contributions by readers. This financial model depends on strong brand recognition, direct reader engagement, and attribution at the point of consumption.

GNM cautions that generative AI chatbots and conversational search interfaces represent an existential threat to the economic foundation of independent journalism. AI assistants extract original news content to create "substitutional products" that satisfy user queries directly within the chatbot interface. In doing so, these services capture user attention bypassing source websites, while bearing none of the investments, legal liabilities, or editorial accountability required of Recognised News Publishers (RNPs).

Allowing AI chatbots onto high-value distribution real estate, such as the Search Choice Screen, without legally binding attribution, sourcing, and quality obligations actively rewards commercial "free-riding". The news and current affairs information provided by AI services relies on reporting funded and produced by publishers. Sustaining high-quality journalism requires preserving the direct traffic and brand connection between AI outputs and original publishers. If choice screens direct users toward unvetted AI services that erase publisher attribution and links, they will undermine publisher sustainability and degrade the quality and plurality of the public information ecosystem.

Importance of attribution and links:
Widening eligibility criteria to admit conversational AI assistants without enforcing equivalent source attribution and verification standards creates a two-tiered regulatory environment. To that end we support the CMA mandating that “web content is attributed clearly, accurately, and that end users are provided with a clear means to access that web content.” (note 31).

Enforcement issue:

However **the requirement for clear attribution and source links is not binding nor is there a clear route to auditing or enforcement.** The CMA sets the expectation, Google monitors it, the provider enacts it - but it is unclear where responsibility lies. If, for example, GNM believes that its content is being used by one of these providers without attribution, or that it is being misattributed to a third party scraper site, or that it is missing links back to the Guardian source - how do we raise concerns and to whom? To the CMA, to Google, to the provider? Unless this is clearly addressed - the provision is toothless. To that end, we suggest the following amendments:

(i) **Move the accurate sourcing requirement from the indicative notes to the CRs** to ensure that it is legally binding and to reflect its importance in maintaining a healthy and sustainable information ecosystem. Under Paragraph 12 of the proposed Conduct Requirement (CR), Google is instructed to evaluate applicants "by reference only to the Eligibility Criteria". Because INs are non-binding guidance, an applicant AI provider could successfully argue that it meets the core functional criteria (e.g., addressing general search use cases) while providing minimal or inaccurate attribution. Google would have little legal basis to reject such an applicant.

(ii) **Extend the scope of this requirement beyond "generative AI summary responses"** to cover all generative AI outputs, including conversational answers, multi-turn follow-ups, agentic actions, and standalone chatbot responses

(iii) Mandate that ‘clear’ attribution and ‘clear means of access’ means that **sources are visible as a single click, immediately visible on the same ‘layer’ as the response.** The CMA should specify that nested menus, drop downs or detached footnotes are prohibited.

(iv) Content must be attributed to the original publisher that produced the reporting, strictly prohibiting attribution to third-party scrapers, content aggregators, or unauthorised summary outlets.

(v) Specify that **the logo of the provider is included rather than a generic ‘link’ icon.** Logos are an important aspect of brand recognition and help maintain a relationship between audiences and a publication[1]. For an organisation like the Guardian which makes over 44% of its revenue from voluntary contributions from readers, brand visibility at the point of consumption is a prerequisite for reader relationships and financial sustainability.

Verification, auditing, and complaints

Because AI models are continually updated, attribution performance can quickly degrade post-approval. Without robust procedural safeguards, the initial eligibility screening will become a one-off hurdle rather than an ongoing operational standard.

[1]https://www.mathereconomics.com/the-future-is-direct-building-audience-relationships-in-a-post-search-era/

(i) Amend paragraph 28 of the indicative notes to **stipulate that Google proactively check that the eligibility criteria are being upheld every 6 months**.

(ii) **Give interested third parties transparency** over the initial approval process for Eligible Providers, specifically detailing how they have met the eligibility criteria.

(iii) Establish a statutory **Publisher Complaints Channel** within Google's eligibility framework, enabling content owners to directly and efficiently log instances of misattribution or missing links, which must be resolved prior to a provider's 6-month re-certification.

Error rates:

We also support the indicative notes (32 and 42) that error rates must not be significant and that 'a significant proportion' means a "meaningful or non-trivial proportion. It does not mean a majority." However, **in the case of news even a small error rate is significant.** Despite creating a product that can directly answer news queries, chatbots have no obligation to have standards, a code or policies and procedures for handling and resolving complaints (see OSA[2] requirements for a 'Recognised News Publisher').

To that end we recommend the CMA:

(i) **Extend the objective criteria in the Fair Ranking CRs** (relevance and quality) to the eligibility criteria for user choice screens. An AI provider that systematically hallucinates, misattributes news, or bypasses publisher consent controls should be deemed ineligible for choice screen listing. This would ensure the public is served the most relevant and high-quality results to their specific query (assuming the eligible provider in question is able to legitimately access the material.)

Gemini inconsistency:

GNM's previous submissions to the CMA highlighted the inconsistency of excluding Gemini from Strategic Market Status (SMS) designation on the grounds of it being distinct from search, while including other AI interfaces on the search user choice screen. This updated consultation acknowledges that the distinction between search and AI chatbots is becoming "increasingly blurred" in public perception and in functionality.

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END

[2] https://www.legislation.gov.uk/ukpga/2023/50/section/56