

Roy, Lauren

From: Petreski, Sonya on behalf of Adjudication
Sent: Wednesday, 16 April 2008 1:35 PM
To: Roy, Lauren; Chisholm, Shane
Subject: FW: eBay force seller to use PayPal COMPLAIN [SEC=UNCLASSIFIED]
Follow Up Flag: Follow up
Flag Status: Yellow
Categories: SEC=UNCLASSIFIED
ACCC Classification: SEC=UNCLASSIFIED

**EXCLUDED FROM
PUBLIC REGISTER**

From: eclipse_mint [mailto:
Sent: Wednesday, 16 April 2008 4:39 AM
To: Adjudication
Subject: eBay force seller to use PayPal COMPLAIN

Dear Sir/Madam

I wish to lodge an objection to eBay International AG - Notification - N93365 that is aimed at restricting my choice of payment options and in doing so diminishing or dramatically reducing my choice as a consumer by forcing to have one one payment option (the C.O.D option is not viable for the majority of buyers on EBAY) being - PAYPAL - an eBay Company or wholly owned subsidiary which holds onto your money after the money has already been withdrawn from your bank Acc a day after the sale is completed and takes up to 7 days(in that time they can use that money anyway it seem fit ie: the short term money market) before the money is sent to the seller ;

I believe that if ebay Australia (using Australia as a 'Test' case) takes the planned action this will possibly constitute multiple breaches of the Trade Practices ACT, PART IV--RESTRICTIVE TRADE PRACTICES , specifically s.45 & s. 4D and the Third line Forcing provisions in the act (which Ebay was granted immunity from in 2005 but that related to only one item and the delivery method) by removing or freedom of choice regarding methods of payment. Generally, Australian buyers have a fear of handing over credit card details and bank details, which is the requirement when using paypal. There are buyers that do not possess either and choose to send money orders or direct debit. These planned actions will significantly lessen choices consumers have in dealing with vendors on Ebay. Simultaneously it will force any sellers that do not currently accept Paypal to do so or to close their operation on eBay - essentially forcing them to breach s.45 of the TPA. This is planned not to provide protection as eBay claim but to bolster their own bottom line. There is no valid nor legal reason for eBay to introduce this change, as I currently have the choice to use PayPal or NOT. Ebay's notification is like a major supermarket chain in Australia acquiring a small bank, building society or credit union and and introducing a similar policy.

The sole purpose of this change is to provide added profits to Ebay as Paypal is a wholly owned company of Ebay by increasing charges to sellers and forcing both sellers & buyers to provide their personal and banking details to what is basically an overseas company. Paypal isn't even listed in the Australian phone directory and if you happen to find a phone number on their website it is a Sydney number which is switched over to America, even Ebay states that the local Paypal staff can't assist users in Australia and they give you an international number to ring Paypal (so much for an Australian company.

your attention to the matter that can affect millions of Australians are much appreciated.

17/04/2008

regards,
eclipse_mint team
Australian seller on eBay