

Roy, Lauren

From: Blanch, Belinda on behalf of Adjudication
Sent: Friday, 18 April 2008 8:55 AM
To: Chisholm, Shane; Roy, Lauren
Subject: FW: Application by E-bay for immunity from the Trade Practices Act [SEC=UNCLASSIFIED]
Categories: SEC=UNCLASSIFIED
ACCC Classification: SEC=UNCLASSIFIED

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From: Mike & Helen Horton [mailto:[\[REDACTED\]](#)]
Sent: Thursday, 17 April 2008 4:15 PM
To: Adjudication
Subject: Application by E-bay for immunity from the Trade Practices Act

I am writing to express my objection to the application by Ebay Australia for immunity under the Trade Practices act for plans to limit payment options to its website.

My concerns are as follows

1. I believe that the changes are anticompetitive. Effectively these changes will eliminate potential shop customers who are unwilling to use the only payment option offered by E-bay. This will have a detrimental effect on the shop owners who currently operate under the E-bay banner.
2. E-bay owns PayPal which I believe is a conflict of interest. E-bay receives a commission on all payments made via PayPal. Currently completed auctions completed by other payment methods do not attract fees. Under the new arrangement ALL transactions will attract PayPal commission. This in effect means that E-bay are charging triple fees ie... Listing fees, commission on sales plus commission on payments paid via PayPal
3. PayPal Insurance is misleading. An insurance company pays the claim. With PayPal the claim is deducted from the sellers account. This is NOT insurance!
4. There already is a dispute resolution scheme on E-bay that is separate from PayPal. Buyers and Sellers already have access to this facility.

On Thursday 11 April 2008 I contacted E-bay with these concerns including the fact that I believed that the proposed changes were a breach of the Trades Practices Act. E-bay have acknowledged my message but have not responded to my concerns. I was interested to note however, that the application for immunity was lodged on 12 April 2008, the day after my message and two days after the proposed changes were announced.

If you have any questions regarding my comments I can be contacted as follows

Mike Horton

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