

Roy, Lauren

From: Blanch, Belinda on behalf of Adjudication
Sent: Friday, 18 April 2008 9:34 AM
To: Chisholm, Shane; Roy, Lauren
Subject: FW: Spam: objection to eBay International AG - Notification - N93365
[SEC=UNCLASSIFIED]

Categories: SEC=UNCLASSIFIED
ACCC Classification: SEC=UNCLASSIFIED

**EXCLUDED FROM
PUBLIC REGISTER**

-----Original Message-----

From: Brian Tate [mailto:]
Sent: Thursday, 17 April 2008 6:57 PM
To: Adjudication
Subject: Spam: objection to eBay International AG - Notification - N93365

I wish to add my voice of objection to ebay's proposed enforcement of paypal on their site in June of this year.

Paypal is not a bank and has no accountability to it's users as Australian banks have to their customers. I have no confidence in paypal having sole and complete discretion over what they will do with my money once it is in a paypal account.

In signing up for paypal, users must agree to terms and conditions which effectively ensure they have virtually no legal redress regardless of any change or failure of service on paypal's part.

Paypal can remove, delay, or freeze my money at their discretion with no more than a computer generated email to advise they have done so, with minimal explanation for their actions as standard practice. They have a bare minimum real people - often overseas and unfamiliar with our Australian ebay site - to handle customer service where users disagree or object to paypal's actions with user's money. To allow such an entity to be the sole method of payment on ebay will not be to the community benefit.

eg. from the paypal user agreement: Availability. PayPal reserves the right to change or discontinue the PayPal Buyer Complaint Policy or the PayPal Buyer Protection Policy in its sole discretion at any time and without notice. All payments made under these Policies will be made a PayPal's sole discretion. Pending claims at the time of any such discontinuance will continue to be processed until a final decision is reached.

Ebay is saying that paypal helps keep users safe from the risk of fraud by other users.

My concern is, what is in place to keep users safe from paypal's inappropriate, unfair, and unchallengeable actions?

My objection is not based on how paypal works when it is working - I object because when users are failed by the system it is a nightmare.

I object to being forced to deal with a payment system in which I have no confidence, in order to buy or sell on ebay. The fact that ebay stands to profit from this move is not to be discounted either. Ebay should be subject to regulations that ensure proper and adequate protection to it's customers for the services it provides through it's wholly owned subsidiary paypal.

Thank you for your time and consideration in this matter.
Brian Tate