

**Roy, Lauren**


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**From:** Petreski, Sonya on behalf of Adjudication  
**Sent:** Wednesday, 23 April 2008 9:05 AM  
**To:** Chisholm, Shane; Roy, Lauren  
**Subject:** FW: eBay International AG exclusive dealing notification N93365 - interested party consultation [SEC=UNCLASSIFIED]  
**Categories:** SEC=UNCLASSIFIED  
**ACCC Classification:** SEC=UNCLASSIFIED

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PUBLIC REGISTER**

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**From:** graham.a.  
**Sent:** Tuesday, 22 April 2008 9:15 PM  
**To:** Adjudication  
**Subject:** eBay International AG exclusive dealing notification N93365 - interested party consultation

Dear sir/madam

I am writing in response to the Interested Party Consultation regarding eBay International AG's (eBay) exclusive dealing notification N93365.

I would like to express how this impacts me in my dealings with eBay and how it makes me feel.

Due to the reasons below, other payment options are very important to me in both buying and selling items via eBay's services.

Without other payment options and with eBay's other policies concerning fees, it makes using that service very difficult and restrictive.

This is not what I signed up for back in February 2000 and for the approximately 250 transactions I have made.

It is my opinion that this will destroy what I see as a community, making it a closed environment for eBay's product suite (the auction site and the PayPal financial service that they own).

- Firstly, only being able to use PayPal and Cash on pickup for payments makes using their service very restrictive.  
 The majority of eBay transactions that I have experienced are not with people located geographically close enough to make the second payment option possible.  
 This means that in most cases there is only one payment method – the lack of options is frustrating and inconvenient.
- Secondly, due to other eBay policies, as a seller I am not supposed to pass on Paypal charges to a buyer, even though in Australia it is legal for merchants to pass credit card fees to customers. Essentially PayPal only apply charges when credit cards are used as payment, so this is a direct credit card fee that can not be passed on to the customer.
- Thirdly, I have heard of a large amount of PayPal fraud – if a seller sends an item and the buyer claims that it is not received, then it is extremely difficult for the seller to prove that the item was sent to the buyer. Without this proof, PayPal refund the money to the buyer making the seller financially out of pocket for the cost of shipping and without the item they sold.  
 Due to this, it's essential that the seller send the item with registered, insured and delivery confirmed postage, increasing costs potentially 1500%. I believe the insurance doesn't include the cost of shipping, so the seller could still be out of pocket by a significant amount if this form of fraud occurs.  
 It could be that the buyer & seller may have been happy to accept the risk by using other

payment methods which can't be abused like the above scenario, especially if the item was a small and low priced item – it may have been possible to ship as a standard envelope for \$0.55c, instead it has to be sent as a registered parcel with delivery confirmation, costing \$8.50, over 15 times the cost of a standard letter.

If Woolworths was to buy a bank or offer financial services and then only allow customers to pay via that financial service, would the ACCC stand for it?

I don't think so and I believe that on those grounds, eBay's proposal should be blocked equally.

If there are further updates to this consultation or any other details about eBay's notification, I would like to receive them via email at

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Regards,  
Graham Anderson

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