

Roy, Lauren

From: Petreski, Sonya on behalf of Adjudication
Sent: Wednesday, 23 April 2008 9:12 AM
To: Chisholm, Shane; Roy, Lauren
Subject: FW: Ebay Complaint ---- EBay International AG - Notification - N93365
 [SEC=UNCLASSIFIED]
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From: abanks [mailto:
Sent: Tuesday, 22 April 2008 4:14 PM
To: Adjudication
Subject: Ebay Complaint ---- EBay International AG - Notification - N93365

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To my understanding Ebay is requesting an Exemption from the Federal Laws of Australia, namely, Section 47 of the Trade Practices Act 1974.

Section 47 subsection 1 states "(1) Subject to this section, a corporation SHALL NOT, in Trade or Commerce, Engage in the PRACTICE OF EXCLUSIVE DEALING." (emphasis added).

Why would Ebay Request an Exemption from a Trade Practices Law that every other Corporation in Australia is Required to abide by ???

How Dare Ebay come into Australia & think it can Exempt itself from the Federal Laws of this country.

Why are the Laws there in the first place ??? To PROTECT the Consumer, Yet Ebay wants an Exemption from these Laws.

It's quite clear this will harm competition, consumer choice & will Force Consumers to Use the Ebay Owned and Operated "PayPal" system of payment.

Paypal is NOT a Merchant Bank, and thus, is NOT Controlled/Regulated by Banking Laws of Countries, hence once again, the Consumer is NOT Protected by PayPal & PayPal makes Every Effort to Exclude itself from being Certified a Bank !!!

Paypal Does this for a Reason....Why ??? Because Like Ebay, it wants to Operate Any way they pleases OUTSIDE the Laws of any Country.

PayPal is Renowned for Committing Acts (e.g freezes account for 6 month at a time etc) which would be considered Unlawful if the Corporation came Under Banking Laws which they rightfully

should, since they Operate Like a Bank WITHOUT Any Banking Restrictions.

Why do countries have Consumer Protection Laws ???

To Prevent the Precise Practices that Ebay & Paypal are Doing.

How does Ebay & Paypal Avoid coming under the Laws of the Country ???

It applies to government bodies like the ACCC who are meant to Protect the Masses/Consumers and Request to be EXEMPT from the Laws of this Country.

What will the ACCC do ???

Let Ebay & Paypal be EXEMPT from Australian Law so that the Masses/Consumers Are NOT Protected by the Trade Practices Act ???

As mentioned earlier. PAYPAL is NOT a Merchant Bank so the Consumer has ZERO Protection Under the Banking Laws of Australia.

This is why Section 47 of the Trade Practices Act Exists....To STOP EXCLUSIVE DEALING which Ebay & Paypal want to Practice Freely & Without Hindrance from the Laws of Australia.

ACCC >>> please do the Right thing For the Community/Australian Society and do NOT Let Ebay & PayPal have EXEMPTIONS from the Laws of Australia.....the Community will Suffer.....That is why the Laws are there in the First Place.

Sincerely

Brian