

Roy, Lauren

Subject: Ebay Public Register Notification Number: N93365 [SEC=UNCLASSIFIED]

Categories: SEC=UNCLASSIFIED
ACCC Classification: SEC=UNCLASSIFIED

**EXCLUDED FROM
PUBLIC REGISTER**

From: paul proctor [redacted]
Sent: Wednesday, 7 May 2008 8:37 PM
To: Adjudication
Subject: Ebay Public Register Notification Number: N93365

I wish to lodge a complaint/submission re Ebay Internationals intention of only offering Paypal payments for ebay users within Australia, notification number N93365.

I run a small business through ebay Australia and have done so for 12 months. I believe the intention of ebay to "force" all traders, professional or otherwise to use Paypal only as a payment option has far reaching implications.

Firstly, I believe ebay is falsely claiming they are trying to make ebay safer for its members. I personally have traded on ebay for years with no security fears, threats or bad experiences...it is in essence a community group of like minded consumer individuals. Ebay I believe has knowingly perpetuated its own propaganda and scare campaign to collude people into accepting what are powerful consumer changes. Such advertising to start with I believe breaches Trade Practice guidelines in its "false" and unfounded claims and at very best, sits on shaky "ethical ground" in terms of "the sale pitch" being directed at its members in its attempts to see its new changes come into force.

Secondly, small businesses such as mine are "captive traders within ebay" as we do not have the capital or shop front to compete with large business. Ebay at present provides that opportunity and we pay for it, each and every month and accept that it is a "user pay system". However, traders such as myself cannot market our goods as effectively to a national audience outside of ebay and because of the nature of our goods, we need too use ebay. Thus, traders like myself are "caught" at the mercy of ebay decisions...if they demand more money, we have to go along with it or simply go out of business. Paypal has always been an expensive option to include on our listings and although ebay advertise hard for everyone to use it we save approx. 50% on fees when people pay by direct debit or money order. In short when people use Paypal ebay gets to "double dip" at our profit and listing fees and the end price as we already pay a final commision fee on the sale of goods. I know the real estate industry would be crucified if it openly provided itself with this double dipping opportunity of commision on sale and commision on payment.

Thirdly, at present 50% of my customers use the paypal option. Many elderly and young customers are afraid of or excluded from using Paypal. These customers will be lost to small businesses like mine, and I believe it is a "discriminatory action" to effectively stop consumers using ebay. Elderly customers and the young feel far safer making a deposit of funds at a bank rather than listing peronal bank details with a public company based in the United States.

My greatest concerns lie with the legality of what ebay proposes.

Ebays proposed changes severely restrict the mode of payment between buyer and sellers. In allowing ebay to make these changes it further concentrates and enhances the "massive corporate power" it exerts over Australian consumers.

Ebay is not open to telling consumers that they own Paypal and I believe its submission amounts to "corporate colusion of interest", it establishes a "restriction of trade monopoly", promotes consumer exclusion and leaves people like myself at the "corporate mercy" of a company that will use the monopoly gained if this goes ahead to tax business profits as it dictates, without Australian Government regulation.

It will open the way for exploitation of all those who buy and sell on ebay I believe.

regards,

Paul Proctor.

Sent from Yahoo! Mail.

A Smarter Email <http://uk.docs.yahoo..com/nowyoucan.html>