

**Roy, Lauren**

---

**Subject:** In Support of ACCC proposition to revoke immunity for eBays PayPal only policy (Notified Conduct)" eBay International A.G. notification N93365 [SEC=UNCLASSIFIED]  
**Categories:** SEC=UNCLASSIFIED  
**ACCC Classification:** SEC=UNCLASSIFIED

---

**EXCLUDED FROM**

**From:** campsie [mailto: **PUBLIC REGISTER**]  
**Sent:** Friday, 20 June 2008 4:36 PM  
**To:** Adjudication  
**Subject:** Re: In Support of ACCC proposition to revoke immunity for eBays PayPal only policy (Notified Conduct)" eBay International A.G. notification N93365

Dear Sir or Madam

I have read the eBay notification and their submissions to the ACCC about exclusive dealing. I have also read many submissions against the proposed conduct and the ACCC draft notice of revocation.

I was one of the almost 700 people/organisations that lodged a submission against eBays proposal.

I have been selling on eBay since 2000 and have only ever accepted direct deposit, money or personal cheques as payment for an item from Australian buyers. On the 21st May I had to offer Paypal as a payment method to all buyers ( this was enforced by eBay)  
I have always accepted Paypal for my very few International buyers ( my choice not enforced by eBay).

I hereby wish to lodge my support for the ACCC draft notice to revoke Immunity for eBays Paypal only Policy (Notified Conduct Parts 1. and 2.) for the following reasons -

- \* Ebays proposed conduct would decrease competition and not have an overall public benefit.
- \* Without competition eBay/paypal would have no pressure placed on them to improve issues that currently exist in their payment system, and they would have no reason to provide a better service in future.
- \* Sales on eBay.com.au are a Contract Between the SELLER and the BUYER, Ebay has no function or part in this contract, eBay merely provides an online platform for Sellers and Buyers to conduct business together. It must be left to SELLER and BUYER to agree on method of payment.
- \* Compulsory Paypal will increase costs to Sellers which will result in higher costs being passed onto Buyers. Other payment methods such as Direct Deposit

are a favoured method for both Sellers and Buyers as fees are small or Nil plus any issues can be easily remedied through local bank branches.

\* I ask the ACCC to deny immunity to eBay for both parts of the notified conduct 2.15. eBay describes the notified conduct as follows:

(1) effective on and from 21 May 2008, eBay will amend its User Agreement and alter the functionality of the eBay Site such that all sellers (including both new and existing sellers) will be required to offer PayPal as one of their accepted payment methods; and  
(2) effective on and from 15 July 2008, eBay will amend its User Agreement and alter the functionality of the eBay Site such that eBay will supply the services on the eBay Site to users on the following conditions:  
(a) sellers may only offer to accept payment made through PayPal, Pay on Pickup or Visa/MasterCard processed by PayPal;  
(b) all eBay transactions must be paid for using PayPal, Pay on Pickup or by Visa/MasterCard processed by PayPal, and not through the use of any other payment method; and  
(c) sellers will still be permitted to have arrangements with third party providers that provide checkout facilities (commonly as part of an overall business/inventory management facility). When a customer purchases a product from these sellers, the customer is not taken to eBay checkout – but instead redirected to a third party checkout facility. However the seller must be a PayPal member and the product must be paid for using eBay's accepted payment methods and not through the use of any other payment method.

I thank you for allowing me to lodge my support of the ACCC Draft Notice to Revoke Ebay Immunity. I hope the ACCC agree that this notified conduct by eBay is not in the best interest of its customers, will have a serious negative impact on competition to Paypal, and if Parts (1) and (2) of the notified conduct are allowed to proceed then eBay/ Paypal would have no reason to improve its Payment System.

Kind regards  
Maureen Barron