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**From:** alan james [mailto:  
**Sent:** Monday, 30 June 2008 5:18 PM  
**To:** Adjudication  
**Subject:** revoke immunity for eBay's PayPal only policy

Dear Mr. Samuels ... Ms Roy To whom it may concern,

I agree with the ACCC's draft notice as I believe eBay's proposed conduct would decrease competition and not have an overall public benefit."

I have read the eBay notification and their submissions to the ACCC about exclusive dealing. I have also read the ACCC's draft notice of revocation. I have been selling and buying on eBay for 4 years and in this time have only ever used paypal once for an overseas transactions as the fees are too high and there is too much of a risk of losing the item, the postage costs and money to the decisions of the unscrupulous paypal.

In the whole time selling and buying I have only ever accepted direct deposit, money order as payment for an item. I have never had a single problem with my payment options also never had a buyer ask to use paypal it must be left to SELLER and BUYER to agree on method of payment.

As I choose to sell on eBay and only accept direct deposit, money order and a buyer wishes to accept my payment terms, then it is no one else's business apart from the buyer and seller. EBay are only providing the venue for the sale to take place and are in no way, shape or form involved in my sale/transaction - this has been the terms since I joined eBay

Also as a seller and buyer on eBay, I wish to register my grave concerns about the current status of paypal in the Australian Banking System as well as eBay's attempts to force its use on all participants in their venue.

When a customer purchases a product from me, the customer is not taken to my eBay checkout – it is quite obvious to see that they are forcing their preferred method of payment onto my buyers by making the paypal preference quite large and my chosen payment methods quite small and harder to navigate. If I change anything I can be suspended!!! UNFAIR

Yes, I believe PayPal should both sign and be subject to the EFT Code of Conduct, particularly because PayPal is being promoted as a "safe" method of funds transfer in venues outside of eBay and in competition with credit cards, which are subject to the EFT Code of Conduct.

In addition, I wish to protest at eBay's removal of the right of us (sellers) to lodge feedback that is less than positive in respect of buyers who do not fulfill their legal obligations as to winning purchases or who unfairly post damaging feedback against the seller. The current changes to the feedback system have placed sellers at great risk of financial loss with little or no recourse through eBay and PayPal.

The way Ebay has treated its customers over the past few months has cost me a large amount of income. What recourse do we (sellers) have against Ebay for changing the Feedback and payment rules? None!!!! I believe that the ACCC will do the right thing by Australian sellers and use the Law of Australia and stop this overseas company

I thank you for allowing me to lodge my support of the ACCC's Draft Notice to Deny Ebay Immunity. I hope the ACCC agrees 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.

Regards  
Rebecca Hughs

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