How to Establish a Sound Environment for Electronic Commerce Transaction

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An open, transparent, non-discriminatory and predictable regulatory environment is crucial for the development of e-commerce transaction.
The regulations shall improve the ability of businesses of all sizes to benefit from digital technologies. What makes a regulatory framework empower businesses to sell their own products and services internationally using online platforms, payments, communications tools and other e-commerce channels?
The key enabling conditions for e-commerce
CROSS-BORDER TRADE IN SERVICES

Allow data to move across borders to enable firms and workers in all sectors to serve customers globally, access information, and continuously innovate.

Prevent requirements to localize the storage and processing of data, as companies of all sizes, above all SMEs, rely on the economies of scale that global data centers provide.

Secure domestic treatment for e-commerce-related services and service providers, prohibiting any local presence requirements.
Encourage openly developed, globally interoperable privacy standards (both technical and regulatory) that facilitate transborder data flows while protecting privacy. Various frameworks have emerged to facilitate transborder data flows within a region or between regions such as APEC Cross Border Privacy Rules (CBPR) system.

Promote strong, technology-neutral laws, compliance, and effective enforcement. These laws should focus on desired privacy outcomes, rather than specifying particular technological means to direct privacy practices.

Encourage data minimization practices. Insist on selective data collection of the necessary data only for as long as it is needed.

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Ensure the adoption of intermediary liability protections, so that online service providers do not have to restrict their activities under threat of liability for third-party content that they do not control, such as user reviews and feedback, which are necessary for building trust in sellers on the internet.
TRANSPARENCY AND TRUST

Secure transparency. Publish the laws and regulations related to e-commerce in online sites as well as proposed regulations for comments.

Assistance available. Make sure stakeholders have the information they need to sell online and develop programs to help small businesses engage in global e-commerce.

Consumer protection. Define how to balance rights and obligations among stakeholders (governments, industry, and consumers) and how to integrate e-commerce considerations into conventional consumer protection regimes, if necessary.
According to the Peruvian chamber of e-commerce (CAPECE), in 2020 the total value of online sales was USD 6,000 millions.

REGULATORY FRAMEWORK

- Civil Code (manifestation of will and agreements among absentees)
- Consumer Protection Code
- Digital Signature Act
E-commerce provides new opportunities for SMEs to engage in global trade. These new opportunities will increasingly drive economic growth, entrepreneurship, innovation and job creation.
Thank you
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