

The Form of Foreign Network Fundraising Supervision and Its Enlightenment to My Country

Haodong Liu*

Chongqing Technology and Business University, Chongqing, 400000, China

**Corresponding author*

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Abstract: With the rapid development of the Internet, as a new way of fundraising, online fundraising came into being. Relying on a convenient network platform and fast and efficient network transmission, online fundraising can achieve faster and more comprehensive social assistance to a certain extent, providing an important supplement to traditional fundraising forms. However, as a relatively new form of fundraising, my country's online fundraising has also encountered some problems in the process of development, which have been questioned. and there are practical difficulties such as adverse supervision and single means. At the same time, some foreign countries started early in online fundraising, and in the exploration and development, they have also formed some online fundraising supervision experiences that can be learned and used for reference. Through further research, it can provide some beneficial enlightenment for the supervision of online fundraising in China.

1. Research Background

Online fundraising is a new charitable way to seek material or financial help by publishing information online [1]. It is a new fundraising channel accompanying the rapid development of the Internet. Faster and more comprehensive social assistance can be achieved through the high speed and wide coverage of the Internet. However, with the occurrence of "donation fraud" and other incidents, there are more and more questions about the supervision of online fundraising platforms, and some hidden problems appear, which reduce the trust of online fundraising and damage the interests of donors [2]. In November 2020, in accordance with the "Charity Law of the People's Republic of China" and "Administrative Measures for Public Fundraising Platform Services", the Department of Charity Promotion and Social Work of the Ministry of Civil Affairs of the People's Republic of China organized the selection of the third batch of Internet fundraising information platforms for charitable organizations. In fact, although China's supervision of online fundraising started relatively late, it has also continuously introduced some legal norms to strengthen the normative construction of the platform. For example, by the State Council issued in 2014 on the guidance of promoting the healthy development of charity, released in 2016 "charity organization public fundraising management method" and the public fundraising platform service management method, in 2017 the Ministry of Civil Affairs issued two industry standards, "charity Internet public fundraising information platform basic technical specification" the charity Internet public

fundraising information platform basic management specification.. In general, the development of online fundraising in my country is relatively late, and there are problems such as lag in current regulatory laws, relatively general regulations, and relatively simple forms. The relevant research by scholars is also relatively limited, focusing on how to improve from the perspective of supervision at the level of laws and regulations [3]. Therefore, in order to better guide the healthy development of online fundraising in my country, it is necessary to strengthen the supervision of online fundraising and explore various forms of supervision. In particular, we can form a new form of online fundraising supervision with Chinese characteristics by drawing on some useful experience of foreign online fundraising supervision.

2. Forms of Online Fundraising Supervision in Some Foreign Countries

The research on the supervision of online fundraising should not be limited to China, but should summarize and study some foreign regulations and practices from around the world, so as to better guide the supervision of online fundraising in my country. Since different countries have different production and development history, the national conditions of each country determine the supervision of the emerging thing of online fundraising, and naturally there will be different forms.

2.1. The Form of Supervision of Online Fundraising in the United States

As a developed capitalist country in the United States, online fundraising came into being and developed relatively early in its country. The supervision of online fundraising has also been gradually formed for a period of time, mainly in the following forms. The first is to set up the Charity Information Agency, which usually conducts a comprehensive assessment of various online fundraising platforms in the country every two years or so, and publishes the results of each assessment through a dedicated website. The institutions with unqualified evaluation results are clearly required to make rectification within the specified time. At the same time, tax supervision is a more direct and effective way to supervise online fundraising in the United States. The Internal Revenue Service requires charities to make annual income and expenditure reports, audit their finances, operating conditions, and executive salary materials, or take assessment methods to give Violation penalty. The second is to establish a third-party independent rating organization - Charity Navigation, which scores each project from the perspective of financial situation and transparency. Third, through the industry association to study the recent development of online fundraising, and feedback the information and situation to the government departments,. At the same time, it also has relevant regulations to formulate access regulations for the entire industry and ensure the healthy development of the industry. The joint management and supervision of the above institutions plays a very important role in ensuring the normal operation of charitable institutions and building their credibility. In terms of the specific method of online fundraising supervision, first of all, charitable organizations must provide the tax bureau with annual income and expenditure reports and relevant materials for paying management personnel salary, especially salary materials for important positions such as chairman of the board and key employees. Second, the United States has a different emphasis on charitable organization reviews every year, that is, random selection of spot checks and verification items for the financial and operational status of charities. Finally, the Charity Information Agency can promptly punish institutions that violate the laws and regulations. The lighter ones will be cancelled their tax-exempt status, and the more severe cases will be included in criminal penalties [4].

2.2. The Form of Supervision of Online Fundraising in the UK

Compared with the early and comprehensive development of online fundraising supervision in the United States, the UK's supervision of online fundraising, a new form of fundraising, is somewhat lagging behind. In terms of the form of supervision, the United Kingdom mainly relies on legal provisions for supervision [5]. The Charity Law also emphasizes the public's right to supervise fundraising activities, and encourages the public to actively supervise online fundraising. For example, a 24-hour complaint and handling department has been set up. Citizens can call to report any irregularities in online fundraising. As more and more people use social media to post fundraising requests, there is no specific legislation in the UK to govern this relatively new form, and the practice still lacks regulatory scrutiny.

2.3. Japan's Online Fundraising Supervision Form

Compared with the fast-growing philanthropy in Japan, there are no regulations directly related to charitable fundraising at the national level in Japan, that is, there is a lack of supervision of online fundraising at the level of laws and regulations. Although its national level takes a very lenient attitude towards fundraising activities, almost all individuals and organizations can conduct fundraising activities, but it is still impossible to completely avoid the problem of fraud. Therefore, in order to supervise related activities including online fundraising, Japan has implemented some restrictions through social organizations. Of course, social welfare legal persons need to obtain permission from the competent authorities before fundraising, and there are provisions in relevant laws and regulations. In addition, whether it is a non-profit organization or an individual who wants to use public places for fundraising, they must obtain the permission of the police department in advance.

2.4. The Form of Supervision of Online Fundraising in Russia

Russia's efforts to create a more favorable legal environment, such as the Russian Law on Charitable Activities and Charitable Organizations, comprehensively describe the scope of charitable purposes in the field of public service. Facing the big background of the rise of the Internet, existing charities are also facing various problems, such as the lack of supervision over the flow of donation funds. Most organizations only want to publish a general report on the website, introducing the donation income and total expenditure, but not more detailed. Information. For special fundraising for major disasters, the church does not accept cash donations, nor does it set up a donation box, and only accepts donations through banks or mobile phone text messages. The purpose is to strictly monitor donations and prevent corruption and misappropriation. The church also has a strict accounting system, and all fund flows must be accounted for.

2.5. The form of Supervision of Online Fundraising in Germany

Germany does not have a unified fundraising law, but as a federal country, each state has its own laws. At present, only three states have reserved a special fundraising law. Other states have not kept a special fundraising law due to considerations such as administrative expenses. Law, the relevant provisions for charitable donations and assistance can only be inquired in German tax law. In Germany individual the raise is allowed, but in the form of network platform of individual raise fundraising fundraiser or sponsors not issued donation proof qualification, so even if the donor is willing to donate, but no donation proof,, the amount is relatively If it is big, it will involve tax issues, and there is no way to get the state's tax concessions or reductions.

2.6. Forms of French Online Fundraising Supervision

France is a typical country with separate legislation on crowdfunding, promulgating the Participatory Funding Decree in 2014, followed by relevant implementing regulations. At the same time, the French charity industry association has also played an important role in charity supervision. Strict supervision and management make the Charter Committee's certification reputable, and all charitable organizations that have obtained its certification are proud of it and indeed help to enhance its influence. The Charter Committee's members have now grown to more than 50, covering most of France's well-known charities [6].

3. Inspiration to Our Country

By combing and studying the online fundraising situation and supervision forms of some representative foreign countries, it is not difficult to find that different countries have similar difficulties and different regulatory countermeasures when dealing with the emerging issue of online fundraising. Responding well to online fundraising and actively guiding it on a path of sound development will undoubtedly have useful inspirations for reference.

First, formulating and improving laws and regulations is the most important and most effective form of online fundraising supervision. As a bridge connecting donors and seekers, online crowdfunding platforms are an indispensable and important link in the generation and development of online fundraising behaviors. Supervision must be carried out from the online fundraising platform side, and the platform supervision system must be improved [7]. Under the concept of good governance, the government should assume more of a role of guiding, guiding and creating a network environment [8]. At the same time, it is also possible to supervise the establishment procedures of relevant enterprises and social organizations, and to review the qualifications of online fundraising entities. Strengthen the binding force of laws and regulations, gradually form a healthy and orderly online fundraising atmosphere, and truly give full play to the Internet. The positive role of fundraising to benefit the country and society.

Second, online fundraising is mainly carried out on the Internet, which also includes the mobile Internet, covering mainstream terminals such as PC and mobile phones. so can increase the intensity of Internet public opinion monitoring, and use multi-department and multi-industry collaborative joint control. For key information such as fundraising and crowdfunding, focus on monitoring and tracking, increase information screening and investigation, and ensure the authenticity of information. Network supervision should review the authenticity of specific information, publish the results of information identification to the outside world, and make timely investigations and timely announcements [9].

Third, in the entire process of online fundraising activities, there are a large number of stakeholders, and they are also the most natural supervisors for online fundraising. [10] It is necessary to give full play to the power of the people, establish and improve a complaint and reporting mechanism for the supervision of online fundraising, and form a supervision network with full participation and supervision by all staff. It is necessary to constrain online fundraising in a good supervision cage and develop online fundraising in a standardized and orderly manner.

4. Conclusion

Through the research and summary of some typical foreign countries, most countries have a certain understanding of the emergence of the relatively new thing of online fundraising, and also pay attention to the problems in the process of online fundraising, and adopt various forms of fundraising regulatory means. Generally speaking, online fundraising is mainly regulated by

formulating relevant laws and regulations, setting up relevant specialized agencies and organizations, etc. The strength and actual effect of supervision are more about whether the laws and regulations are operable and whether they are really implemented. Whether the relevant institutions have really played a role, whether the people accept and actively cooperate with these measures of the state, etc. At the same time, we should also see that in order to better supervise and ensure the legal and effective operation of online fundraising as a carrier of the Internet, we must strengthen the supervision of the Internet itself, as well as Internet-related information monitoring, public opinion analysis, and so on. That is to say, the supervision of online fundraising requires in-depth research and analysis. It should start from two aspects: the supervision of the Internet and the supervision of fundraising. The two-pronged approach should be taken into consideration, closely focusing on the actual situation of the country, scientific research and judgment, and accurate policy implementation. to properly grasp and supervise the relatively new online fundraising, so that it can truly play its due role and make positive contributions to the harmony and stability of the country and society.

References

- [1] Zhao Liyong. (2018) *A Brief Analysis of the Supervision of Online Fundraising in the Internet Era*. *Legal System and Society*, 32, 180-181.
- [2] Ju Binjie, Zhang Dongming. (2020) *Research on the Standardization of "Online Fundraising" under the Contemporary Internet Situation*. *Journal of Jining Normal University*, 4, 66-70.
- [3] Cui Zhen, LI Fang. (2019) *Legal Supervision of Personal Help-seeking Network Fundraising Platform*. *Social Sciences*, 4, 79-83.
- [4] Gilly Yang. (2020) *Research on the Legal Regulation of Personal Network Fundraising*. *Hebei University of Economics and Business*.
- [5] Guo Wei. (2019) *Research on the Supervision of Online Fundraising Platform*. *Changchun University of Technology*.
- [6] Xie Qiong. (2015) *European philanthropic regulatory model and its enlightenment to China*. *Journal of Soochow University (Philosophy and Social Sciences Edition)*, 5, 39-45+191.
- [7] Li Xingpeng. (2020) *Constructing four major regulatory systems to eliminate online fraudulent donations*. *People's Forum*, 15, 110-111.
- [8] Chen Wanxuan. (2017) *On the Legal Regulation of Personal Online Fundraising*. *Legal Expo*, 1, 51-53.
- [9] Hu Guixue. (2018) *An Inquiry into the Legalization of Online Fundraising*. *Journal of Longyan University*, 4, 49-55.
- [10] Li Ruixue. (2020) *Problems and regulatory measures of online fundraising in China*. *Modern Enterprise*, 3, 112-113.