

# *Research on Legal Issues of Zhanjiang Rural E-Commerce in Digital Economy Era*

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**Abstract:** With the continuous implementation of the rural revitalization strategy, the development of rural e-commerce is facing a new opportunity. However, because China's rural e-commerce started late, it still faces many problems during its development. At present, Zhanjiang rural e-commerce in the digital economy era mainly faces some related problems in terms of law, such as passive responsibility for contract breach, unclear responsibility of e-commerce platform, and neglect of protection of marked agricultural products, which further affects the all-round development of Zhanjiang rural e-commerce in the digital economy era. In order to solve the legal problems of rural e-commerce, it is necessary to find the development strategy of e-commerce law by combining the risk problems and the causes of the risks faced by rural e-commerce law in Zhanjiang in the digital economy era, so as to improve the development level of rural e-commerce in Zhanjiang.

## **1. Introduction**

The rapid development of the digital economy era has brought new opportunities for the sales of agricultural products in rural areas and the development of rural e-commerce. However, in the development of rural e-commerce in Zhanjiang area, there are still corresponding e-commerce legal problems. In order to solve related problems, its region should effectively explore the development path and direction of rural e-commerce law according to the development of digital economy era.

## **2. Legal Risks of Rural e-Commerce in Zhanjiang in the Digital Economy Era**

Passive liability for breach of contract In the production of agricultural products, there are many uncertain factors, which are greatly influenced by seasonal and weather changes. Therefore, in this case, Zhanjiang rural e-commerce platform operators face greater risks in terms of contract breach. Many agricultural products have a fixed growth time and place. In order to increase the sales of agricultural products, many rural e-commerce sellers usually further expand their business channels and use pre-sale methods to sell agricultural products. After the consumer completes the ordering process through the pre-sale link, the consumer and the seller immediately form a sales contract relationship. However, due to the influence of related factors, the actual output of agricultural products is affected, and it is difficult to effectively meet the demand of the pre-sale market, thus leading to serious order breach<sup>[1]</sup>. After the occurrence of order breach, it will not only affect the

transaction effect of rural e-commerce in Zhanjiang, but also affect the development of rural e-commerce industry in Zhanjiang to a certain extent. The related audience will feel less satisfied with the shopping experience of rural e-commerce, and even think that its platform is suspected of deceiving consumers.

The responsibility of e-commerce platform is not clear. In the development of rural e-commerce industry in Zhanjiang, if it fails to fulfill the obligation of qualification examination, and consumers suffer economic losses, then its sellers should also bear corresponding responsibilities. At present, even though the relevant state departments have stipulated the relevant responsibilities of rural e-commerce platforms, due to the generality and high principle of the definition content, there will be differences in local trials when determining the division of responsibilities in case of specific disputes. At the same time, in terms of the relevant legal system, the corresponding responsibilities that the e-commerce platform should bear have not been specifically defined, and there is a lack of detailed supporting regulations. In this case, the responsibilities of e-commerce platform are not clear, and the boundaries are ambiguous, so it is very easy to avoid responsibilities, which further aggravates the responsibilities that buyers and sellers need to bear in e-commerce platform.

Ignoring the protection of agricultural products with geographical indications Under the background of effectively achieving the goal of poverty alleviation for all people, people put forward higher requirements for the quality of life and agricultural products, and increasingly favor the original ecological lifestyle, and have a high interest in agricultural products of origin. Especially in the context of the all-round development of the logistics industry, its overall development level has been significantly improved, and consumers like to buy or actively choose agricultural products with high brand awareness and geographical indications through the e-commerce platform. In the process of using geographical indications, some rural e-commerce sellers have great differences in the quality and standards of their agricultural products and trademark use standards, which fail to protect the iconic agricultural products well, and the quality of agricultural products needs to be improved. At the same time, enterprises and individuals in Zhanjiang area can use geographical indications to attract more consumers through common signs attributes. Because of the particularity of the rural e-commerce transaction mode, the situation of “hanging sheep's heads and selling dog meat” often appears in the region, which has a negative impact on the sales and development of rural e-commerce<sup>[2]</sup>. Mainly using geographical indications to sell agricultural products without geographical indications, thus seriously infringing consumers' right to know and causing some damage to the intellectual property rights of agricultural products with geographical indications. In the construction of laws and regulations system of Zhanjiang rural e-commerce, its laws and regulations failed to effectively define the protection regulations of regional landmark agricultural products, and the corresponding laws and regulations were imperfect, which once again brought opportunities to the false sales e-commerce platform.

### **3. Reasons for Legal Risks of Zhanjiang Rural e-Commerce in the Digital Economy Era**

The laws and regulations on e-commerce transactions are not perfect As an emerging business model, rural e-commerce has developed rapidly, which to a certain extent has exceeded the scope of the current laws to manage and regulate. Therefore, the main reason for the legal risk of rural e-commerce is the imperfect laws and regulations. In the construction of a complete and sound system of laws and regulations need a process, need to go through many times, to pass the relevant provisions of the laws and regulations on electronic commerce. During the deliberation, the relevant draft can not regulate the transaction behavior of rural e-commerce. Although Zhanjiang region has issued the corresponding local laws and regulations to regulate the rural e-commerce transaction behavior through laws and regulations, due to the limited effectiveness of local laws and regulations

and the characteristics of e-commerce main body often operating across regions, the regional laws and regulations appear too limited in the process of regulating the whole e-commerce transaction behavior. In this case, the legal risks resulting in rural e-commerce issues more and more. At present, Zhanjiang rural e-commerce legal dispute settlement mechanism is not perfect, in the product quality and logistics problems, it is difficult to determine the main responsibility. And in the event of a dispute, because of its related laws and regulations mechanism is not perfect, so the two sides of the transaction is easy to face the problem of difficult rights.

The e-commerce supervision and management system is not complete Zhanjiang rural areas for e-commerce market access standards are not clear, the lack of e-commerce platform for effective supervision. In order to attract users, some network platforms will take the initiative to reduce the threshold of rural business entities, operators only need to complete the registration process in the platform settings can open the corresponding shop. Relevant rural operators will not only trade on the network platform, but also trade through WeChat, QQ and other means. The flexibility and diversity of e-commerce have greatly affected the legal supervision and management of regional e-commerce. In addition, the development of e-commerce in Zhanjiang's rural areas is still subject to the supervision by traditional supervision methods, which cannot better solve the problems in laws and regulations.

The government service function is not fully play Against the background of the rapid development of e-commerce in Zhanjiang rural areas, the government's service function has not been fully played, and the government's service work of popularizing the knowledge of e-commerce has not been fully implemented. And the government has failed to conduct knowledge or business training for e-commerce groups in the region, especially training on legal knowledge of e-commerce, resulting in a lack of legal awareness among some subjects engaged in rural e-commerce operations. The Zhanjiang regional government has yet to innovate in strengthening infrastructure supporting services, and the primary condition for the development of rural e-commerce is to have sound infrastructure supporting services <sup>[3]</sup>. If the lack of necessary conditions in the development, then it will affect the development of rural e-commerce. In addition, the government in the training of rural professional e-commerce talents, legal, professional personnel and other aspects of the existence of deficiencies, at the same time with e-commerce knowledge, laws and regulations knowledge of e-commerce talent is less, and many personnel failed to undergo systematic training, in the operation can not be timely to solve the legal problems encountered.

#### **4. The Development Strategy of Zhanjiang Rural e-Commerce Law in the Digital Economy Era**

To build a sound rural e-commerce laws and regulations system, in the development of rural e-commerce in Zhanjiang, due to the imperfect laws and regulations of e-commerce transactions, the legal risks of e-commerce are increasing. At present, the legal system for rural e-commerce itself has some lagging characteristics, and the development speed is relatively slow. In order to promote the legal development of rural e-commerce in Zhanjiang, its region should combine the actual situation of digital economy development to build a sound legal system of rural e-commerce. At the same time, sound laws and regulations are also the main factors to promote the orderly development of industry. On the one hand, in the development and construction of rural areas in Zhanjiang, we can combine the characteristics and problems existing in rural e-commerce, improve the existing rural e-commerce laws and regulations system, or introduce laws and regulations related to rural e-commerce development as soon as possible. On the other hand, regions need to strengthen the construction of e-commerce related legal systems, fully implement legal management,

and provide legal support for the fair and healthy development of rural e-commerce<sup>[4]</sup>.

The construction of rural e-commerce supervision and management mechanism With the rapid development of digital economy, many transactions are even more uncontrollable. At present, there are still many deficiencies in the network supervision and control management in China, and its network monitoring system is still in the exploratory stage, especially the implementation of the supervision and management of specific behaviors of network transactions is not in place. At present, the complexity and diversity of rural e-commerce in Zhanjiang also determine that the current level and intensity of legal supervision are difficult to be comprehensive, so as to avoid the occurrence of relevant legal problems. In order to solve the problem of imperfect supervision and management mechanism of rural e-commerce in Zhanjiang, its region needs to fully implement laws and regulations after building corresponding laws and regulations system, effectively supervise and manage operators' business behavior, and avoid legal problems caused by inadequate supervision and management. The supervision of e-commerce needs to start from the industrial chain, and the supervision methods of different individuals should be clarified through effective measures, so as to better realize the purpose of e-commerce supervision. In the supervision of business operators, relevant departments should effectively supervise the legality of their subject qualification, understand the legal status and legal effect responsibility of business entities, and then enhance product quality and sales effect. In the aspect of logistics supervision, it is necessary to enhance the standardization level of services, and to do a good job of supervision and management of logistics, starting from strengthening users' shopping experience. At the same time, the region needs to strengthen the supervision of third-party platforms and implement the responsibility system of third-party platforms by using laws and regulations. The trading platform needs to intervene in the disputes between the two parties in time, determine the responsible parties in the disputes, and use the corresponding legal system to provide protection for the legitimate rights and interests of both parties.

Give full play to the function of government service guidance. When solving disputes, it is necessary to give full play to the relevant role of government guidance and build an online dispute handling mechanism through guidance, especially under the background of digital economy and society ruled by law. It is even more necessary for the government to actively plan and build an online mediation comprehensive platform, so as to better promote the development of rural e-commerce through top-level design. Zhanjiang regional government should use national preferential policies to guide and support rural e-commerce in the service guidance function<sup>[5]</sup>. It is also necessary to hire professionals for the operation and development of rural e-commerce, and train existing personnel and operators in professional knowledge and legal knowledge. Zhanjiang regional government needs to give full play to its dominant advantages, provide technical assistance and policy support for the development of rural e-commerce, and organize relevant departments to inspect the safety of farmers' agricultural products and do a good job of quality control. The government can build an e-commerce credit system for the development of rural e-commerce economy, grasp the credit situation of enterprises or individuals in time, and jointly punish enterprises or individuals with poor credit to improve the development effect of e-commerce in rural areas.

## 5. Conclusion

Under the background of the rapid development of rural e-commerce in Zhanjiang, the development of e-commerce needs to combine with the problem that the number of transaction disputes is increasing linearly in the digital economy era, and explore how to solve transaction disputes fairly and quickly. And improve the corresponding laws and regulations system, build a

supervision and management mechanism, give play to the guiding role of government services, and enhance the development effect of e-commerce.

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