









Laws and regulations



What to know (and why) ...

-  Why laws and regulations are important in eBusiness
-  Which are the most important laws and regulations
-  Where to look for further study

Outline

-  The reason for companies knowing about eBusiness law
-  The “must-know” eBusiness legal issues
-  Where to look for additional information

The reason for companies knowing about eBusiness law

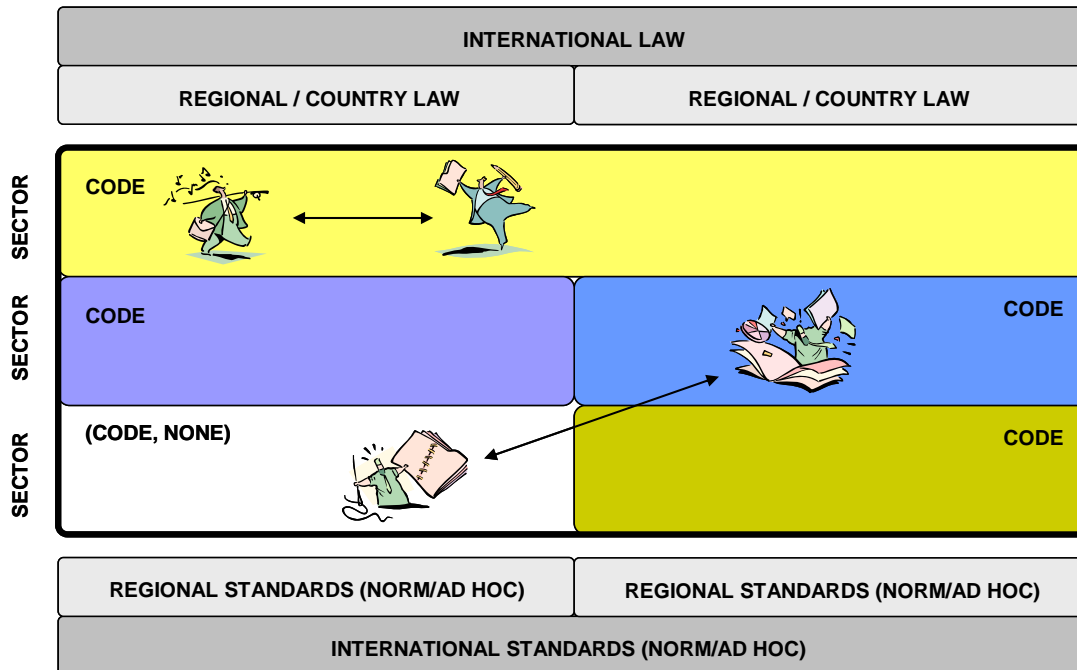
Laws and regulations are necessary in a B2B environment to avoid “unfair commercial practice”.

Due to the more or less virtual nature of the eBusiness relationship, the accountability of the trust framework, meaning laws, law enforcement and standards, grows exponentially in importance.

The European legislator made the conscious choice of avoiding to prescribe technologies or standards, but rather to focus on the objectives that any technological solution was to provide. Such a pragmatic approach serves the dual purpose of being flexible enough to support often unforeseeable future technological developments, and of allowing the market to evolve freely towards whichever solution is most suited to its target stakeholders.

The reason for companies knowing about eBusiness law...cont.

TRUST FRAMEWORK







Due to the generic and often complex nature of laws and standards, many stakeholder communities, represented by business associations, prepare and publish Codes of Conduct for their members where the relevant legal aspects and standards, even ethical considerations, are presented. The purpose of such codes is to serve as a reference for businesses in their daily operations.

TASK

1. List 3 possible legal problems that could occur in your company when doing eBusiness
2. Explain in short how those problems could affect your company's operation and business relationships

The “must-know” eBusiness legal issues

-  Corporate identity
-  Corporate property
-  Business framework
-  Dispute resolution mechanism

The “must-know” eBusiness legal issues ... Corporate identity

Law of establishment



The “must-know” eBusiness legal issues ... Corporate property

Intellectual Property Rights



The “must-know” eBusiness legal issues ... Business framework

- International Trade
- Jurisdiction
- Contract Law
- Sales Law
- Products and Service Liability
- Competition
- Consumer Protection
- Data Protection
- Electronic signatures
- Electronic invoicing and payment
- Cyber crime
- Taxation

The “must-know” eBusiness legal issues ... Dispute resolution mechanism

Alternative Dispute Resolution



Where to look for additional information

European law

Eur-Lex

<http://eur-lex.europa.eu/en/index.htm>

European Union Legal Materials: A Guide for Infrequent Users -

http://www.aallnet.org/products/pub_lhj_v97n01/2005-03.pdf

ELDOC: Legal study on the validity and mutual recognition of electronic documents

<http://ec.europa.eu/idabc/en/document/6417/254>

International law

UNCITRAL: The Secretariat of UNCITRAL is the International Trade Law Division of the Office of Legal Affairs of the United Nations Secretariat

<http://www.uncitral.org/uncitral/en/about/origin.html>

National law

In many countries all relevant national legislation can be found on the Internet. The training includes finding the national legislation applicable to eBusiness

TASK

1. List 3 legal issues which your company should look into immediately and the reasons why.