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ЗАХИСТ СПОЖИВАЧІВ ПРИ КУПІВЛІ ТОВАРІВ ЧЕРЕЗ ІНТЕРНЕТ

Анотація. Враховуючи глобальне поширення використання сучасних технологій, Інтернет усе більше набуває популярності як платформа для торгівлі. Саме тому потреба у захисті прав споживачів під час купівлі товарів через Інтернет постійно зростає. Зокрема, автори розглядають проблему реалізації прав споживачів під час придбання товарів в інтернет-магазинах України та Молдови. Дослідження показало, що Україна та Молдова набирають величезних темпів розвитку в секторі Інтернет-торгівлі, котрі ще більше посилюються в контексті глобальної пандемії COVID-19 та запровадження карантину. Узв'язку з цим питання дотримання прав споживачів в Інтернеті є надзвичайно актуальним сьогодні. Вивчаючи проблему захисту споживачів під час придбання товарів в Інтернеті, автори використали формальний і логічний метод для визначення змісту основних понять, систематизації матеріалу та отримання узагальнених висновків у рамках предмету дослідження. Порівняльно-правовий метод допоміг виявити тенденції та порівняти законодавство України та законодавство Республіки Молдова у контексті захисту прав споживачів під час придбання товарів в Інтернеті. Згідно з результатами дослідження, законодавча база у сфері захисту прав споживачів, які купують товари через Інтернет, повинна бути однією з пріоритетних сфер світових держав. Стосовно законодавства України та Молдови у цій галузі, варто зазначити, що з огляду на те, що Україна та Молдова мають європейські інтеграційні прагнення, що, зокрема, відображається в ратифікації Угоди про асоціацію між Україною та ЄС (Європейським Союзом) 2014 року і Угоди про асоціацію між Молдовою та ЄС 2014 року, а також зобов'язання, прийняті цими державами щодо приведення законодавства у відповідність до законодавства ЄС, важливо гармонізувати національне законодавство зі стандартами ЄС у цій галузі. Крім того, важливим для України є також прийняття концепції захисту прав споживачів, які купують через Інтернет

Ключові слова: електронна комерція, інтернет-торгівля, права споживачів, Угода про асоціацію, законодавство ЄС

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CONSUMER PROTECTION WHEN PURCHASING GOODS ON THE INTERNET

Abstract. *Considering the global spread of the use of modern technologies, the Internet is increasingly gaining popularity as a platform for trading. That is why the need to protect consumer rights when buying goods via the Internet keeps growing. In particular, the author considers the problem of implementing consumer rights when purchasing goods in online stores in Ukraine and Moldova. The study showed that Ukraine and Moldova are gaining huge rates of development in the internet trade sector, which is further intensified in the context of the global COVID-19 pandemic and the introduction of lockdown. In this regard, the issue of compliance with consumer rights on the Internet is extremely relevant today. When studying the issue of consumer protection upon purchasing goods on the Internet, the author used a formal and logical method to determine the content of the main concepts, systematise the material, and obtain generalising conclusions within the framework of the subject matter. The comparative legal method helped identify trends and compare the legislation of Ukraine and the legislation of the Republic of Moldova in the context of consumer protection when purchasing goods on the Internet. According to the findings of the study, the legislative framework in the area of protecting the rights of consumers who purchase goods via the internet should be one of the priority areas of the world's states. With regard to the legislation of Ukraine and Moldova in this area, it should be noted that given that Ukraine and Moldova have European integration aspirations, which in particular is reflected in the ratification of the Association Agreement between Ukraine and the EU (European Union) of 2014, as well as the Association Agreement between Moldova and the EU of 2014, and the commitments made by these states to bring the legislation into line with the EU acquis, it is important to harmonise national legislation with EU standards in this area. In addition, the adoption of the concept of protecting the rights of consumers who purchase via the Internet is also important for Ukraine*

Keywords: *e-commerce, internet trading, consumer rights, association agreement, EU acquis*

INTRODUCTION

The legal consequence of the rapid development of technological advance is the emergence of new forms of civil legal relations that are insufficiently regulated at present, which, in turn, entails a considerable number of offences, primarily in the sphere of trade in goods and services. The internet trading market is actively introducing new forms

of civil legal relations, in particular the relations between the seller and buyers on the Internet, and as a result, the purchase of goods, works, and services via the Internet is becoming increasingly popular [1]. Admittedly, consumers around the world are increasingly using the Internet to purchase goods, which is becoming a particularly common

practice in the wake of the global COVID-19 pandemic and the introduction of lockdown. According to Statista, the German company specialising in market and consumer data, 2.05 billion customers were registered in the world in 2020, which is 25% of the world's population, and such figures are projected to reach 2.14 billion in 2021 [2]. Therewith, according to statistics from NASDAQ, one of the three main US stock exchanges, by 2040, 95% of all purchases will be made via the Internet [3]. In other words, in the next 20 years, almost all commerce will be transferred online. It is also predicted that most of the online sales will be performed through mobile devices.

Therewith, upon purchasing the necessary product on the Internet, the consumer spends a minimum of their time searching for it and ordering it, and the ability to deliver the selected product to any place specified by the consumer simplifies the order procedure even more. However, on the other hand, there are numerous cases of fraud, violation of the rules of e-commerce, sale of low-quality products, violation of the terms of delivery and transportation, etc. This means that the consumer remains the least protected when buying a product over the Internet. In addition, the legislation still has many gaps in this area. For example, M. Kuzmina [4] notes that among the frequent violations on the part of online stores, one can distinguish refusal to provide replacement or warranty repair of goods; non-compliance of goods with the requirements of regulations; non-compliance of documents accompanying the goods, changes in the price of goods during its delivery, and much more. In addition, even despite the attempts of the legislator to resolve problematic aspects that are associated with the conclusion of contracts for the purchase and sale of goods at a distance or outside of retail or office space, this area is filled with issues regarding the establishment of a transparent mechanism for protecting consumer rights. Even with proper legal regulation, online buying/selling is a type of relations that implies an increased risk of consumer rights violations [5].

Thus, the scientific novelty of the study lies in a comprehensive analysis of consumer protection issues upon purchasing goods on the Internet. In particular, the author examines the international experience in protecting consumer rights when purchasing goods on the internet, compares the experience of Ukraine and the Republic of Moldova in this area, taking into account the European integration aspirations of both states.

1. LITERATURE REVIEW

In the modern world, buying goods via the Internet is developing intensively, and thousands of people become customers of online stores every day. Accordingly, the problem of protecting the rights of consumers who purchase goods via the Internet is becoming more acute. Therefore, in the doctrine, national and foreign scientists dealt with issues related to consumer protection when purchasing goods on the Internet. For example, O. Vinnyk [6] investigated the legal basis for consumer protection in the area of e-commerce. Therewith, she noted that e-commerce

is rapidly becoming widespread, but with numerous violations of consumer rights due to the lack of effective legal regulation of relations in this area. Problems of e-commerce development were investigated by V. Pleskach, T. Zatonatska and L. Oleksyuk [7]. In addition, A.M. Korobtsova and M. Khomenko [5] analysed the issue of basic guarantees and mechanisms for protecting consumer rights when purchasing products via the Internet.

A.M. Korostashov [8] noted that despite the rapid growth of e-commerce in the world, this process is slowed down in Ukraine, which is caused by the following factors: 1) problems with access to high-speed internet connection in small settlements; 2) lack of user trust associated with considerable number of cases of fraud, disregard for the buyer's right to return goods within 14 days according to current legislation, etc.; 3) sizeable costs for the development of a web resource that are at risk of being unjustified as a result of unforeseen external circumstances; 4) market leaders have won the leading niche of consumers, so newcomers are unable to compete with them. Among foreign scientists, O. Plotnik [9] investigated the establishment and development of consumer protection legislation in the Republic of Moldova. S. Riefa [10] investigated the impact of lockdown on consumer protection. In particular, she noted that the lockdown accelerated the growth of e-commerce, as online purchases became more frequent. Therewith, the pandemic should serve as a catalyst to commence the process of improvement necessary to ensure consumer protection policies. At present, more than ever before, consumer protection legislation must protect vulnerable segments of the population.

R. Ariyaratna [11] researched online consumer protection issues within the Sri Lankan legal system. In particular, she noted that online consumers are more vulnerable to violations of their rights in the virtual space, since they deal with usually unknown sellers. Therefore, consumer protection on the Internet is a relevant and important subject. S. Rosadi and Z. Tahira [12] studied consumer protection in the digital economy era using the example of Indonesia. In particular, they noted that in the digital economy, an increasing number of consumers are participating in e-commerce, which provides easier and faster access to products and services. However, this also poses some challenges for consumers. The impersonality of e-commerce weakens the relations between businesses and consumers, thereby increasing consumer vulnerability, which can lead to unfair commercial practices and lead to uncertainty and lack of consumer confidence. Therefore, there is a need to protect consumer confidence in digital markets, which should not hinder the development of the digital economy.

2. MATERIALS AND METHODS

The main feature of making purchases of goods via the Internet is that usually individuals do not have the professional knowledge required to properly ensure data protection and, as a result, personal security and money safety in the global digital environment. When ordering goods via

the internet, it is sometimes difficult to verify the reliability of the seller, the authenticity of the site, and it is impossible to evaluate the quality and compliance with the declared characteristics of the product prior to receiving it. In this aspect, the protection of consumer rights becomes relevant when purchasing goods via the Internet. Materials and methods of the study were selected with consideration of the goals and objectives set. In addition, the study involved a set of regulatory principles, techniques and methods used to cognise the features of consumer protection upon purchasing goods on the Internet. The use of the methods and materials listed below enabled a comprehensive analysis of the problems of consumer protection upon purchasing goods on the Internet.

In particular, the methodological basis of this study constitutes is a set of general scientific and special legal methods of cognition. Among the general scientific methods, the author used the method of analysis and synthesis, deduction, induction, prediction, modelling, analogy, dialectic method, etc. For example, when studying the issue of consumer protection upon purchasing goods on the Internet, the author used the dialectical method. The Aristotelian method was used in the analysis of the legislative provision of Ukraine and the Republic of Moldova, determining the content of the main concepts, systematising the material to obtain generalising conclusions within the framework of the subject matter. The comparative legal method helped identify trends and compare the legislation of Ukraine and the legislation of the Republic of Moldova in the context of consumer protection when purchasing goods on the Internet.

The historical legal method was used to obtain and generalise knowledge about the essence and stages of development of consumer protection upon purchasing goods on the Internet. The system analysis enabled the evaluation of the existing approaches to the legal regulation of consumer protection upon purchasing goods on the Internet. The predictive method was used to determine the prospects for the development of legislation aimed at protecting consumer rights upon purchasing goods on the Internet. The methodology of this study is based on factor, cause-and-effect analysis aimed at identifying circumstances that pose a danger when purchasing goods on the Internet. The method of factor analysis was used for a systematic study of the problems of consumer protection upon purchasing goods on the Internet, as well as for developing proposals aimed at improving the legal regulation of this area. The formal legal method was used to generalise, classify, and systematise the research results, as well as to correctly present these results. One of the methodological techniques used in the research process was the integrated approach, which made it possible to significantly overcome the shortcomings of analytical legal science, as it allowed organically combining legal means, legal tools and basic legal ideas. In turn, the theoretical basis of the study included fundamental monographic studies, scientific papers of Ukrainian and foreign authors on the problems of consumer protection upon purchasing goods on the Internet.

3. RESULTS AND DISCUSSION

With the development of e-commerce, various forms of fraud on the Internet are intensively developing, new ways and new schemes for violating consumer rights are emerging. As a result, consumers are exposed to a huge risk when ordering goods in online stores, including at the moment of online settlement for goods. There are also cases when the ordered product is not sent, and the money is not returned. Consumers also have to frequently deal with receiving goods of poor quality. In addition, such issues as violations of the legislation on personal data by online stores, etc., remain extremely relevant. For example, V. Pleskach notes that the most common violations of consumer rights in the area of electronic commerce are as follows: lack of identification of sellers; failure to provide the consumer with accessible, complete, reliable, and timely information about goods, works, and services; inability for the consumer to verify the quality of the purchase; difficulties in dispute resolution; lack of inevitability of punishment of a dishonest seller; lack or insufficiency of guarantees for consumers, etc. [7].

That is, on the one hand, e-commerce currently provides a substantial number of opportunities and benefits for consumers, in particular, a wide range of goods and services, the ability to compare prices for the same product or service from different sellers, a variety of payment methods. However, on the other hand, e-commerce creates substantial risks for consumers that are associated with the technological features of the digital environment. That is why the issues of consumer protection on the Internet are in the center of attention of the international community. Regulations on consumer protection on the Internet have been regularly included in the programme of leading international, regional, and national political and economic organisations since the beginning of the 21st century. For example, within the framework of the Organization for Economic Cooperation and Development (OECD), the first act in this area was developed in 1999 under the title OECD Recommendations on Consumer Protection in E-commerce. However, given the substantial growth in e-commerce volumes over the past years and the growing importance of consumer confidence issues in the digital economy in March 2016, revised recommendations on consumer protection in e-commerce were issued [13]. To date, the OECD focuses on such issues as the security of online payments, the purchase of intangible products with digital content, the protection of personal data of consumers, etc.

Issues related to protecting consumers on the Internet and building trust in e-commerce are also being explored at the World Economic Forum. In particular, it is noted that the approach of public administration should include ensuring that countries adopt or modernise laws on consumer protection (and data) on the Internet in such a way as to keep up with the development of technology and ensure real consumer protection [14]. Considering the fact that that Ukraine and Moldova have European integration aspirations, which in particular is reflected in the ratification of

the Association Agreement between Ukraine and the EU of 2014¹, as well as the Association Agreement between Moldova and the EU of 2014², and the commitments made by these states to harmonise their legislation with the EU Acquis, it is important to review the provisions on the protection of the rights of consumers who make purchases via the Internet in legislation of the European Union. Notably, the EU is of fundamental importance in the implementation of European integration of Ukraine and the Republic of Moldova. This role is not limited to declarations, visits, and formal meetings, but is also presented in the context of supporting the internal legislative reform process. In addition, both countries are members of the Eastern Partnership, which is the main tool by which the European community monitors the level of readiness for EU membership of Ukraine and the Republic of Moldova. Thus, the process of European integration of Ukraine and the Republic of Moldova is described by an interdependence between actions at the internal and external level, which is based on the implementation of European requirements and is evaluated in reports on the progress of the implementation of European requirements. That is why Ukraine and the Republic of Moldova need to prove that both countries are capable of performing their obligations in order to move on to the next stage in relations with the EU.

In the context of protecting the rights of consumers who make purchases via the Internet, the parties cooperate based on Association Agreements. In particular, Article 140 of the Association Agreement between Ukraine and the European Union³ notes that the parties shall maintain a dialogue on the regulation of electronic commerce, including, *inter alia*, issues of consumer protection in the area of electronic commerce. However, Article 416 stipulates that the parties cooperate to ensure a high level of consumer protection and achieve compatibility between their consumer rights protection systems. Notably, similar provisions are contained in the Association Agreement between Moldova and the EU. In particular, Article 255, similar to Article 140 of the Association Agreement between

Ukraine and the EU, emphasises cooperation on consumer protection in the area of electronic commerce. Article 38 of the Association Agreement between Moldova and the EU⁴ states that the parties cooperate to ensure a high level of consumer protection and achieve compatibility between their consumer protection systems. Such cooperation may include the following: (a) aims to harmonise consumer protection legislation; (b) facilitation of the exchange of information on consumer protection systems, including consumer legislation and its application, consumer product safety, including market surveillance, consumer information systems and facilities, consumer education, empowerment and reimbursement to consumers, and sales and service agreements concluded with consumers; (c) facilitation of training activities for administration officials and other consumer representatives; and (d) encouragement of the development of independent associations, including non-governmental organisations, and cooperation between authorities and non-governmental organisations in the consumer protection industry. Therewith, both Association Agreements refer to the need to implement Directive 97/7/EC⁵ on the protection of consumers in respect of distance contracts and Regulation No. 2006/2004⁶ of 2004 on cooperation between national authorities responsible for the enforcement of consumer protection laws.

Notably, within the European Union, a strategy for the establishment of a single digital market has been approved and is being implemented, aimed at overcoming the European market barriers to e-commerce related to infrastructure, Internet coverage, copyright and data protection, through the improvement of online services and digital technologies, as well as consumer protection. Directive 2011/83/EC⁷ of 2011 on consumer rights aims to generalise and harmonise requirements in the area of providing information to consumers. In particular, it states that the consumer must receive sufficient information prior to the conclusion of the contract. The information that must be provided to the buyer before the conclusion of the contract includes a number of data. Namely, these include information about the main characteristics of goods or

1. Association Agreement between the European Union and its Member States, of the one part, and Ukraine, of the other part. (2014, September). Retrieved from https://zakon.rada.gov.ua/laws/show/984_011#Text.

2. Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Moldova, of the other part. (2014, September). Retrieved from <https://www.consilium.europa.eu/en/documents-publications/treaties-agreements/agreement/?id=2014001>.

3. *Ibidem*, 2014.

4. *Ibidem*, 2014.

5. Directive 97/7/EC of the European Parliament and of the Council on the protection of consumers in respect of distance contracts. (1997, May). Retrieved from <https://eur-lex.europa.eu/legal-content/en/ALL/?uri=CELEX%3A31997L0007>.

6. Regulation (EC) No 2006/2004 of the European Parliament and of the Council of 27 October 2004 on cooperation between national authorities responsible for the enforcement of consumer protection laws (the Regulation on consumer protection cooperation). (2004, October). Retrieved from <https://eur-lex.europa.eu/legal-content/en/ALL/?uri=CELEX%3A32004R2006>.

7. Directive 2011/83/EU of the European Parliament and of the Council on consumer rights, amending Council Directive 93/13/EEC and Directive 1999/44/EC of the European Parliament and of the Council and repealing Council Directive 85/577/EEC and Directive 97/7/EC of the European Parliament and of the Council. (2011, October). Retrieved from <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32011L0083>.

services; the trade name, registration address, phone number, and other data of the seller that allow the latter to be identified; the cost of goods, including taxes and other expenses that will need to be paid; the methods of making payment; the term of the contract; the procedure for handling complaints, the existence of the right to refuse, and it is necessary not only to indicate the existence of the right to refuse, but also to describe the conditions and procedures for its implementation. In addition, all information must be provided in an accessible form, and this requirement applies to the terms of the contract, and any other information that is important to the buyer.

In addition, Directive 2000/31/EC¹ on electronic commerce requires that promotional offers, such as discounts and gifts, must be clearly and unambiguously indicated. The provisions of Directive 2005/29/EC of 2005² concerning unfair business-to-consumer commercial practices in the internal market are aimed at protecting the consumer's right to freedom of choice of products and conclusion of a contract. In particular, it contains the concept of commercial relations, which are subject to its provisions; commercial communications; seller's policies directly related to the promotion, sale or delivery of goods to consumers. At the national level, Ukraine regulates most issues related to the protection of consumer rights when purchasing goods via the Internet by the Civil Code of Ukraine³, the Law of Ukraine "On Consumer Rights Protection"⁴, the Law of Ukraine "On Electronic Commerce"⁵. However, the existing mechanism stipulated by the current legislation may not always guarantee consumer protection when purchasing goods via the Internet, while at the same time allowing dishonest business representatives to avoid any liability.

In 2017, Ukraine approved the Concept of national policy in the field of consumer protection until 2020⁶, which notes that consumers in Ukraine are not protected by the state and law due to the declarative nature of the proclaimed rights and the lack of mechanisms for their implementation

and restoration. At present, there is a need to update this concept. In addition, considering the introduction of a lockdown to prevent the spread of coronavirus infection COVID-19, which led to the intensification of shopping on the internet, it is important to adopt a concept to protect the rights of consumers who make purchases via the Internet. Notably, the ordering of goods in the online stores is performed via an electronic transaction. Thus, according to the Rules for the Sale of Goods to Order and Outside Retail or Office Premises, approved by the Order of the Ministry of Economy of Ukraine No. 103⁷ of 2007, the Internet together, with the telecommunications network, postal communication and television, is recognised as those means of remote communication that can be used to conclude contracts at a distance.

Therewith, according to Article 627 of the Civil Code of Ukraine⁸, contracts involving an individual take into account the requirements of the legislation on consumer protection. The rights of consumers and the mechanism of their protection are stipulated by the Law of Ukraine "On Consumer Rights Protection", according to which consumers, when purchasing products that are sold on the territory of Ukraine, in order to meet their personal needs, have the right to the necessary, accessible, reliable, and timely information about the goods, their quantity, quality, assortment, as well as about their manufacturer/seller. One of the main principles stipulated by the Law of Ukraine "On Electronic Commerce"⁹ of 2015 is to ensure the proper quality of goods, works, and services sold in the area of e-commerce. However, the current national legislation of Ukraine does not sufficiently regulate the area of consumer protection on the Internet and does not cover the entire process in general. In this context, it is necessary to strengthen the role of executive authorities, which should exercise oversight and control powers in terms of compliance with legislation on consumer protection on the Internet and establish the responsibility of violators. With regard to the protection of consumer rights upon purchasing goods on

1. Directive 2000/31/EC of the European Parliament and of the Council on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market ('Directive on electronic commerce'). (2000, June). Retrieved from <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=celex%3A32000L0031>.

2. Directive 2005/29/EC of the European Parliament and of the Council concerning unfair business-to-consumer commercial practices in the internal market and amending Council Directive 84/450/EEC, Directives 97/7/EC, 98/27/EC and 2002/65/EC of the European Parliament and of the Council and Regulation (EC) No 2006/2004 of the European Parliament and of the Council ('Unfair Commercial Practices Directive'). (2005, May). Retrieved from <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32005L0029>.

3. Civil Code of Ukraine. (2003, January). Retrieved from <https://zakon.rada.gov.ua/laws/show/435-15#Text>.

4. Law of Ukraine No. 1023-XII "On Consumer Rights Protection". (1991, May). Retrieved from <https://zakon.rada.gov.ua/laws/show/1023-12#Text>.

5. Law of Ukraine No. 675-VIII "On Electronic Commerce". (2015, September). Retrieved from <https://zakon.rada.gov.ua/laws/show/675-19#Text>.

6. Order of the Cabinet of Ministers of Ukraine "On approval of the Concept of national policy in the field of consumer protection until 2020". (2017, March). Retrieved from <https://zakon.rada.gov.ua/laws/show/217-2017-%D1%80#Text>.

7. Order of the Ministry of Economy of Ukraine No. z1181-07 "On approval of the Rules for the sale of goods to order and outside retail or office premises". (2007, April). Retrieved from <https://zakon.rada.gov.ua/laws/show/z1181-07#Text>.

8. Civil Code of Ukraine, op. cit.

9. Law of Ukraine No. 675-VIII "On Electronic Commerce", op. cit.

the Internet in the Republic of Moldova, the legal basis for this is as follows: Civil Code of the Republic of Moldova No. 1107-XV¹, the Law No. 105/2003 “About Consumer Protection”², etc.

An important stage in the development of the legislative framework regarding quality and safety assurance commenced on December 22, 2006, when the Law of the Republic of Moldova “About Technical Regulation”³ was adopted, which radically changed the procedure for establishing mandatory and voluntary requirements for products and the procedure for state control over their compliance [9]. At present, e-commerce remains almost the only way for individual sellers to continue their activities, and for buyers – the opportunity to purchase goods without endangering their health. In addition, modern trends in the development of information technologies in recent years have made it possible to revolutionise electronic interaction. In particular, the spread of e-commerce entails prerequisites for the development of legal regulation of consumer protection. In other words, e-commerce is increasingly covering markets, attracting consumers from all over the world and creating the need to develop approaches to solving various problems that arise in this area. In particular, these are such problems as fraud, violation of legislation on personal data protection, sale of low-quality goods, etc. Notably, the doctrine certainly contains research on the legal regulation of consumer protection on the Internet. However, the research carried out by the authors of this study has substantial differences from the previous studies. For instance, G. Howells [15] noted in his study that the world is entering an era of new technological opportunities. The consumer gets many benefits from computer innovation. Not wanting to slow down Innovation, his research was aimed at supporting consumer protection on the Internet.

Upon conducting a comparative analysis of the provisions on the rules of consumer protection in e-commerce in China and Europe, J. Binding and K. Purnhagen [16] noted that due to the commercialisation of the Internet, the consumer world has undergone fundamental changes. The internet allows consumers and entrepreneurs to enter into contracts to exchange goods and services around the world while staying at home at the computer. In addition, O. Vinnyk [6], who studied the legal framework for consumer protection in the area of e-commerce, covered the issues related to consumer protection on the Internet; V. Pleskach, T. Zatonatska, L. Oleksiuk [7] investigated the issues of e-commerce development; A.M. Korostashov and T.E. Isheikin [8] analysed the issue of basic guarantees

and mechanisms for protecting consumer rights when purchasing products via the Internet.

Therewith, V. Kepko, V. Novikova and L. Stadnik [17], having reviewed consumer protection in electronic commerce in the European Union, aptly note the multifaceted and complex nature of the issues in this area. That is why in order for Ukraine to properly perform its international and legal obligations to harmonise national legislation with European standards, it is necessary to take into account the features and aspects of economic and legal regulation of this area in the EU at all stages of harmonisation, not only during transposition, that is, regulatory harmonisation of legislation with the requirements of law, but also in the process of practical implementation of European requirements and standards, as well as within the framework of ensuring their compliance [18].

The scientific novelty of this study in relation to others is the comparison of the legislation of Ukraine and the Republic of Moldova regarding the legal regulation of consumer protection upon purchasing goods on the Internet. In particular, the aspirations for European integration of these two countries were also considered, which is also reflected in the ratification of the Association Agreement between Ukraine and the EU⁴ of 2014, as well as the Association Agreement between Moldova and the EU of 2014, and the obligations undertaken by these states to harmonise their legislation with the EU *acquis*. Therefore, this study also investigates the legislation of the European Union, taking into account the importance of harmonising the national legislation with EU standards in the area of legal regulation of consumer protection upon purchasing goods on the Internet.

CONCLUSIONS

Considering the introduction of a lockdown to prevent the spread of COVID-19 pandemic, which led to the intensification of the purchase of goods via the Internet, the states around the world are aware of the importance of e-commerce and its increased relevance in these difficult times. Therefore, the current legislative framework in the area of protecting the rights of consumers who purchase goods via the internet should be one of the priority areas of the world's states. With regard to the legislation of Ukraine and the Republic of Moldova in this area, it should be noted that given that Ukraine and Moldova have European integration aspirations, which in particular is reflected in the ratification of the Association Agreement between Ukraine and the EU of 2014, as well as the Association

1. Moldova Civil Code. (2002). Retrieved from <https://www.ebrd.com/downloads/legal/core/moldova.pdf>

2. Law of the Republic of Moldova No. 105/2003 “About Consumer Protection”. (2003, March). Retrieved from <https://cis-legislation.com/document.fwx?rgn=5078>.

3. Law of the Republic of Moldova No. 420-XVI “About Technical Regulation”. (2006, December). Retrieved from <https://cis-legislation.com/document.fwx?rgn=18037>.

4. Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Moldova, of the other part. (2014, September). Retrieved from <https://www.consilium.europa.eu/en/documents-publications/treaties-agreements/agreement/?id=2014001>.

Agreement between Moldova and the EU of 2014, and the commitments made by these states to bring the legislation into line with the EU acquis, it is important to harmonise national legislation with EU standards in this area.

However, the current national legislation of Ukraine does not sufficiently regulate the area of consumer protection on the Internet and does not cover the entire process in general. In this context, it is necessary to strengthen the role of executive authorities, which should exercise oversight and control powers in terms of compliance with legislation

on consumer protection on the Internet and establish the responsibility of violators. At present, the methods of protecting the rights of consumers who took advantage of the purchase of goods via the internet, but received low-quality goods or were involved in a fraudulent scheme practically do not differ from the methods of protecting consumer rights in a regular shop. Therefore, it is also important for Ukraine to adopt special legislation in this area, as well as concepts for protecting the rights of consumers who make their purchases via the Internet.

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