

Issues and Discussions Relating to Online Self-service Entrusted Overseas Purchasing Platform

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Abstract. With the development of the Internet, people's demand for the purchase of goods on sale overseas is also gradually increasing. In order to meet people's personalized purchasing needs, the emergence of a number of overseas self-services purchasing e-commerce platforms. However, in the process of using the purchasing platform, there are still many problems. The analysis results of this article indicate that there are mainly the following problems: Platforms dilute the user's international transport costs, reducing transport costs at the same time but leading to the risk of loss of goods; overseas purchasing commodities due to the purchase cycle is longer, consumers are difficult to carry out after-sales rights; due to the different policies of the various countries, the customs supervision is difficult, resulting in the overseas purchasing process The risk of smuggling crime. However, the Overseas network purchasing platform as a new industry, appeared for a relatively short period of time, for the current problems faced by a variety of related issues, the reference solutions and regulations are relatively small. Therefore, this article proposes that platforms, users, customs and other subjects involved in the network of overseas purchasing need to strengthen cooperation and coordination and improve the relevant safeguards and regulatory laws and regulations, in order to allow the network of overseas purchasing industry to continue to develop and progress in a healthy and prosperous manner.

Keywords: Entrusted overseas purchasing, consumer rights, international logistics, smuggling offenses.

1. Introduction

Online overseas personalized entrusted purchasing platform is an emerging cross-border e-commerce platform generated in recent years with the development of the network and logistics industry. Traditional entrusted purchasing on behalf of consumers usually relies on consumers to contact overseas buyers directly to purchase on behalf of the buyer, or in the overseas buyers of the more popular goods for pre-purchase in the form of spot sales to consumers. While the network purchasing platform usually uses self-service ordering, the consumer needs to buy overseas merchants' specified goods and payment by the computer system automatically to overseas merchants to buy, and at the same time to provide individuals with individual international transport and overseas warehouses on behalf of the storage and other services. Because of the convenience and speed of use, can be purchased on behalf of a wider range, the cost is lower than the buyer manually purchased, and quite popular with consumers. Its emergence time is relatively short but the scale of the rapid expansion. The relevant research is mainly aimed at the traditional form of purchasing, on behalf of the form of the current overseas entrusted purchasing for less discussion. It is different from traditional personal self-service purchasing. It has a unique form of automatic purchasing through network systems. The use of the network system automatic purchasing unique form, in the use of the process emerged such as freight management, consumer rights and interests of consumers to protect, smuggling crime supervision difficulties and other urgent problems.

2. Transport Issues

2.1. Platform To Provide Transport Solutions Status Quo

At present, the freight rates of transport services provided by various international transport logistics companies are calculated by weight (see the official website of each logistics company for prices). It can be seen that, regardless of the use of any transport company, with the increase in the total weight of the goods, the freight cost per unit weight gradually decreases. Because individual orders for goods tend to have less weight and lower amounts of goods, it is difficult to obtain a lower price per unit of freight. Compared to the lower price of the goods themselves, the cost of international shipping becomes more expensive. Because the goods are priced by overseas merchants, each platform to buy goods itself is more or less the same price and can get lower international transport costs, which has become an important consideration for consumers to choose a shopping platform. For this reason, various platforms have introduced a variety of shipping options or incentives to reduce consumers' international shipping costs. This paper takes platforms a, b, and c as examples.

Platform a: Consumers can choose to ship internationally with multiple other consumers, increasing the total weight of goods shipped in a single shipment to reduce the unit cost of shipping. The platform sends the goods of these consumers to a single address in China designated by the consumer who initiated the combined shipment (later referred to as the head of the group). The head of the group then pays all the international shipping costs to the platform, carries out customs clearance and tax payments, and collects the agreed costs from the other consumers. Finally, the head of the group distributes and mails the goods to the other consumers in China after he or she receives the goods.

Platform b: The platform has a membership level system, mainly relying on the platform to upgrade the membership level. For different membership levels, the platform gives different amounts of shipping discounts.

Platform c: offers a combined shipping solution for multi-consumer orders similar to platform a, but with the platform itself, rather than the consumer, acting as the "leader".

Of these, the shipping solutions offered by platform a are the most popular among consumers due to their lower overall price in terms of time and cost.

2.2. Problems Faced by Each Platform's Shipping Programme

Taking the shipping price of the Japan-Mainland China route as an example, platform a has a relatively low shipping unit price (RMB 3-7/50g) but faces the problem that the platform is less able to restrain the consumers who act as the head of the group, and it is difficult to recover the goods once they have lost contact with the head of the group. platform b has a smaller overall discount, a higher shipping unit price (RMB 8-16/50g, with a 10% discount for the highest membership level), and requires multiple purchases to achieve a higher membership level, which is not friendly to new consumers or those who purchase a small amount of goods on behalf of others. c Platform c has a uniform pricing for shipping costs (RMB 5/50g). However, the huge volume of consolidated shipments and the limited processing efficiency of distributing them upon arrival in the country often cause significant delays in the shipping timeframe. It is also prone to high consolidation inspection workloads, which can lead to situations where individual consumers add prohibited goods to consolidated shipments without being detected, posing certain risks to transport and customs clearance [1].

2.3. Improvement Objectives and Programmes

Overall combined shipping can achieve lower freight unit prices and is most favoured by consumers. In order to reduce freight costs while maintaining timeliness and safety a combination of platform-side consolidation and consumer-initiated consolidation can be used [2].

Platform-side consolidation is used for consumer orders with smaller quantities of goods shipped and higher dollar amounts (goods with a value equal to or greater than \$1,000/kg) [3]. Simpler pre-

packaging of each consumer's goods at the time of transport out of the warehouse reduces the workload of the platform in checking for contraband and sorting for domestic distribution, improving security and distribution efficiency. For consumer orders with a large volume of transported goods, more fragile and lower amounts, the method of initiating consolidated transport is adopted, and each head of the group handles the distribution matters.

At the same time, it should enhance the constraints on the head of the group as well as the management of transport risks. For example, require and strictly verify the real name authentication of the captains, and limit the number of consolidated shipments that each captain can carry out at the same time. Consumers who participate in combined shipments should be invited to evaluate the reputation of the captains. In addition, measures can be taken to restrict the leader with a poor reputation from initiating combined shipments as a leader. In case of problems, the platform should actively assist the participating consumers in recovering the goods or payments from the master. After a period of time, the effectiveness of the implementation can be judged by comparing the number of consumers who participated in the programme with the number of consumers who participated in the original programme.

Since the restrictions on the leader may lead to a decrease in the motivation of consumers to act as a leader, a certain number of discounts on purchases or shipping costs may be offered to consumers acting as a leader.

3. Consumer Rights and Interests

3.1. The Current Situation of the Consumer Rights Protection Dilemma After Sale

Before analyzing the problem of consumer rights, it is necessary to understand the process of purchasing on behalf of various online overseas shopping platforms. At present, the basic process of each platform is more or less the same: firstly, the consumer selects the products of overseas merchants to be purchased and pays to the platform, and then the platform places an order with the overseas merchant to purchase the products after receiving the payment, and the overseas merchant sends the goods to the platform's overseas warehouses. Afterward, the consumer chooses the international shipping method and pays the international shipping fee, and then the platform sends the goods from the overseas warehouse to the consumer. At present, there are two main aspects of the consumer's after-sale rights protection difficulties, the specific reasons are as follows:

Due to the fact that there are many links in the whole purchasing process when the consumer finally receives the goods after a long period of time, it will often lead to the situation of exceeding the period of after-sale protection of overseas merchants, which leads to difficulties in the defense of rights. In the event of infringement disputes such as damage to goods, consumers are at a disadvantage in obtaining and preserving evidence compared to the purchaser and the online trading platform [4]. In addition, because the process of purchasing goods on behalf of others involves multiple subjects such as overseas merchants, purchasing platforms, and logistics companies, it is difficult for consumers to determine which subject is responsible for the infringement. In particular, due to the "whoever claims, whoever proves" rule of proof, consumers in the defense of rights due to the complexity of the rights procedures, rights testing costs are too high, and may even exceed the amount of loss of the goods themselves.

In addition, in order to seek profit, the buyer will be set in the form of terms and conditions in their own favor and unfair to consumers and set in an inconspicuous position, such as restricting the consumer's right to return and exchange, unreasonable exemption of the buyer's responsibility, so that the consumer to sign the unfair terms and conditions, in the event of a problem with the reason for exemption from their own responsibility, increasing the difficulty of consumers to defend their rights [5].

Therefore, when infringement problems arise, most consumers will give up spending a lot of time to defend their rights, resulting in damage to consumer rights.

3.2. Improvement Measures

As analysed above, consumers, as the weaker party in the transaction of overseas shopping on behalf of others, affected by information asymmetry and limited shopping channels, face great difficulties in defending their rights in the face of various subjects involved in the process of shopping on behalf of others, such as overseas merchants, shopping platforms, logistics companies, and so on. In this regard, the supervision and management mechanism should be improved and the constraints on the shopping platform should be strengthened to protect the rights and interests of consumers, as follows.

-Establish a complaint platform, and strengthen the supervision of the platform

Due to the special characteristics of the online overseas shopping platform and international transport, there are many links and influencing factors involved, which are not applicable to the current domestic e-commerce and express delivery company's complaint platform and dispute handling mechanism. Consumers want to defend their rights, usually only by contacting the online customer service of the shopping platform. This leads to the whole process of rights all happening in the platform, the platform in the dispute processing on the absolute dominant position, often platform online customer service does not reply, and does not actually solve the problem of the situation. Consumers' problems are not solved within the platform, and their rights and interests are infringed, but they have no way to complain. Therefore, it should be modeled on domestic e-commerce and express logistics and other management norms to regulate the legal application of overseas purchases, through the existing law to regulate directly or appropriate reference to foreign legislative experience, to expand the scope of existing laws, the issue into the scope of the legal adjustment, and to clarify the scope of responsibility of the main bodies of the purchasing process of the disputes over the rights and interests of consumers. And establish an external complaint platform to supervise and monitor online overseas shopping platforms to protect consumers' rights and interests [6,7].

-Improve the operability of the evidence of consumer rights protection

Overseas shopping involves more links, the time cycle is longer, consumers get electronic bills and other related documents, and the use of "who claims, who proves" the rules of evidence, undoubtedly the consumer rights caused a huge obstacle. Therefore, the burden of proof should be reversed, requiring the purchase platform, overseas merchants and logistics companies to bear the burden of proof that the quality of goods purchased on behalf of the compliance and transport process with or without damage. Because consumers and overseas merchants and logistics companies directly communicate with certain difficulties, should be the main responsibility of the shopping platform to supervise. The purchasing platform can confirm the status of the purchased goods to the consumer through photos, videos and other means when the goods are stored in the warehouse overseas, such as out of the warehouse and other nodes, so as to divide the purchasing process into the stages responsible for the main body, and to clarify the main body should be responsible for the disputes when it occurs.

4. Risk of Smuggling Offences

As a result of the distinction between "personal use" and "trade", inbound parcels are categorized as goods imported for personal use or as gifts to relatives or friends, and as goods imported for trade purposes. Different tax rules apply to the different classifications mentioned above. At this stage, the distinction between the nature of the goods purchased on behalf of the consumer is rather vague [8]. There are currently four types of purchases made on behalf of the consumer, based on whether or not an additional fee is charged and the manner in which the goods are sold. They are profit-making purchases that charge consumers extra fees, non-profit purchases that do not charge consumers extra fees, and purchases that are pre-purchased by the purchaser. As well as spot purchases where the purchaser pre-orders overseas goods and then sells them to the consumer, or non-spot purchases where the purchaser makes purchases only after the consumer has commissioned and paid for the goods. In this regard, the purchasing activities carried out by overseas purchasing platforms are

mainly profitable non-spot purchases. Some scholars are of the view that this form of purchasing on behalf of the two parties to form a service contract is actually a kind of trade in services, and the characteristics of "tradeability" are more obvious, so it should be recognized as imported goods, and the tax rules for imported goods should be applied [9].

In addition to the general smuggling of goods to evade taxes, due to the different laws and regulations of various countries, in the process of overseas purchasing, consumers may easily buy from overseas all kinds of prohibited goods that are restricted or prohibited in the country where the goods are received, and in the process of transporting the goods in the general goods, resulting in the smuggling of prohibited goods.

Traditional smuggling offenses usually use a large number of shipments, with a large number of single shipments. The smuggling crime cases are caused by personally purchased goods due to concealment, omission, paying tax by the tax rules of inbound goods and a small amount of entrapment. As the single amount is low, the number of goods is small, and it is easy to confuse with normal goods entering customs, with the characteristics of daily and covert. Compared with the traditional high-volume smuggling crime, the difficulty of customs to supervise these goods is big, and it is difficult to find and investigate and deal with this kind of smuggling crime [10]. In this regard, the supervision and control of goods can be carried out directly from overseas in this regard, supervision can be carried out directly from the end of the overseas purchasing platform to restrict consumers from purchasing prohibited goods, and at the same time, it is mandatory for the platform to require truthful and legal tax declarations when sending parcels to consumers for international transport.

5. Conclusion

Overseas personalized online shopping platforms as a kind of recent years with the development of the Internet gradually emerging industry, to meet the needs of people for overseas goods personalized shopping, in line with the development trend of global integration, is the future of the network e-commerce platform is one of the important development directions. As a new industry, the overseas network shopping platform in the service and norms and so on there are still many problems, for its supervision and legal and regulatory constraints are not perfect. In this regard, the platform should improve its own service measures, subdividing the rights and responsibilities of the main parties involved in the various links, in a reasonable reduction of consumer spending, to attract consumers while protecting the rights and interests of consumers. At the same time, the state should also improve the relevant regulations and provisions, take the current management experience of domestic e-commerce platforms and related cases at home and abroad as a reference, fill the legal and regulatory gaps arising from the special characteristics of overseas shopping platforms, and constrain the behaviour of shopping platforms to avoid the emergence of smuggling crimes. All parties work together to ensure the healthy and prosperous development of the new industry of overseas online shopping platforms.

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