THE INFORMATION POTENTIAL OF THE STATE AND SOCIETY

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ABSTRACT

This action research was conducted to find out the information potential of the state and society affects the provision of a high material level of the population, so the world's most attention is paid to information, information resources, information systems. The findings revealed that it becomes obvious that the greater the opportunities in the information sphere the state possesses, the more likely it is to achieve strategic advantages and economic prosperity. This research shows that by the end of the 20th century, especially in connection with the massive use of the global Internet telecommunications network, information processes began to acquire international significance.

Keywords: global Internet, population; information; globalization.

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1. INTRODUCTION

Globalization as a worldwide trend of development of modern society covers all spheres of human activity, including legal life. This calls for the creation of supranational legal norms regulating social relations. In modern reality, integration processes in legal systems have
significantly intensified, which leads to a change in their structure and the emergence of regional and global models of law.

Dynamic information transformations in modern society cause the need for their comprehensive analysis and understanding on the part of the legal science, which has not yet developed stable theoretical positions for the formation of legal bases for closer integration of states in the information sphere. Studies of information phenomena in the legal sciences are conducted mainly in a closed theoretical field, as a result of which continuously developing information processes as subject areas of jurisprudence are analyzed in the narrowly branch of scientific legal disciplines. These circumstances make it necessary to search for and select intersectoral integrated approaches in scientific research on the legal regulation of interstate information exchange.

2. RESULTS AND DISCUSSION

In the President's Address to the Federal Assembly for 2016, V. Putin identified one of the projects "which could be the creation of large private Russian companies in the field of electronic commerce, so that Russian goods are delivered via the Internet to all countries of the world". This proposal was supported by businessman RuslanBaisarov who suggested creating a "platform" that provides financial and legal support to Russian companies in attracting investments and establishing contacts with foreign markets and performing important functions - from ordinary trade to the accompaniment of new business projects for young Russian companies with inventions or original ideas that will be delivered to the world market. The main goal of this project is to ensure that any Russian-made product is protected in accordance with Western legislation.

With regard to specific aspects of the model of legal regulation, the Russian Association of Electronic Communications, in pursuance of the agreements reached during the expert council on the Internet and the development of e-democracy in the Committee on Information Policy, IT and Communications, developed proposals for amending the legislation. These amendments concern the perfection of legal constructions in such normative and legal acts as the Civil Code, the Code of Civil Procedure, the Criminal Code, the Code of Administrative Offenses, the Tax Code of the Russian Federation, the Federal Law "On Operational
Activities", Federal Law No. 152-FZ "On Personal Data", Federal Law No. 149-FZ "On Information, Information Technologies and Information Protection", etc. The changes should concern the modernization and actualization of the conceptual apparatus: the replacement of the concept of "information and communication network" with "Internet", clarification of the concepts "site on the Internet", "hosting provider", "domain name", introduction of the concepts "operator of Internet services", "Service company" and "Internet user", bringing the conceptual apparatus into line with the new edition of the Civil Code of the Russian Federation [1].

It is also expected that the legislation of the Russian Federation will be brought into line with international principles and agreements, namely: the consolidation at the level of legislation of the "simple transfer" principle, that a person providing technical communication, information storage or retrieval services can not be held liable for the content of the information, if it did not modify it or refused to comply with the court's decision to remove such information. In addition, it is planned to resolve the issue of determining the boundaries of the jurisdiction of the Russian Federation in relations related to the use of the Internet by signing relevant international legal agreements.

It is proposed to introduce amendments concerning e-commerce, specifying the rights of the seller and the need to return parts in case of return of goods for remote sale of goods, as well as to establish terms for consideration of the consumer's requirements from the moment the goods are provided to the seller. It is also proposed to introduce additionally the concept of "presentation", to correct the definition of distance sale and the moment of conclusion of the contract. Thus, a large number of international organizations are engaged in the unification of electronic commerce. However, as a result, separate private issues are subject to legal regulation, and not e-commerce in general, therefore, there are problems of correlating current international agreements and actually developing business relations with the use of electronic data interchange [1].

Of course there are gaps in the legislation with regard to the legal regulation in the field of goods turnover in the "Internet" network, because of the existence of which there are problems of protecting the rights of consumers. In this regard attention should be paid to the following areas of development of legislation and ways to resolve legal problems arising in
the implementation of remote commercial activities.

3. CONCLUSION AND RECOMMENDATIONS

First, it is necessary to systematize legislation in the field of distance sale of goods in order to establish common rules for the e-commerce market and to expand the conceptual apparatus in this area.

Secondly, it is necessary to create a regulatory framework for expanding the opportunities for self-regulation of entrepreneurs in the remote sale of goods on the Internet, including, among other things, the organization of a notification register in which the domain name of the online store can be associated with a specific entrepreneur. Such registration would partly solve the problems of taxation of electronic commerce.

Thirdly, it is necessary to legally bind guarantees to ordinary users of the computer network. It is possible to suggest the following:

1) mandatory provision of information on the features of the electronic contract before the conclusion of any electronic contract, including information intermediaries;
2) the legislative establishment of a minimum list of information that must be provided when entering into an electronic contract; the forms of this information providing;
3) in the case of the creation of a commercial site, the legalization of the requirement for its mandatory registration and provision of information about the legal entity that places its information on it, and on the information intermediary that ensures the functioning of the site;
4) establishing the responsibility of information intermediaries for failure to provide such information.

4. REFERENCES


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