



e-LARA, e-LEARNING, ALPHABETIZATION OF RURAL AREAS DECEMBER NEWSLETTER 2006

E-COMMERCE AND THE AGRICULTURAL FARM

1. E-LARA SUSTAINING E-COMMERCE

The meaning of the word "electronic commerce" has changed while the time was going by. At the beginning it indicated the support to commercial transfers to send commercial documents such as invoices in electronic format.

Afterwards, were added a few functions denominated as "e-commerce" for acquiring goods and services through the web using safe servers with, for example, on-line payment services, like the authorisation for paying with credit card.

The project E-LARA wants to sustain the use of ICT in the marginal and rural areas of the agricultural and mountainous territories. Among the tools proposed by the new technologies, we would like to pay attention to the e-commerce topic in general and specifically to its development in the rural areas and the products dissemination in agriculture.

Inside the project, the same topic it is treated by the Learning Center ICT and Rural areas (www.e-lara.com) where you will find studies, researches, legislation, training opportunities and on line services concerning e-commerce.

2. EUROPEAN LEGISLATION

- Juridical aspects on electronic commerce ("Directive on electronic commerce ") available at <http://europa.eu/scadplus/leg/en/lvb/l24204.htm>
- European initiative on electronic commerce available at <http://europa.eu/scadplus/leg/en/lvb/l32101.htm>
- Special arrangements applicable to services supplied electronically available at <http://europa.eu/scadplus/leg/en/lvb/l31044.htm>

3. NATIONAL LEGISLATION, OPPORTUNITIES AND CALLS FOR PROPOSALS

In Italy...

E-commerce call for proposals: L. 388/2000 the help it is dedicated to all entrepreneurial sectors and on the whole national territory. Have a look at: www.legge388.info

Quick response call for proposals: telematic link for the enterprises working in the textile sector, manufacturing and clothing. Have a look at: www.legge388.info

In France...

Sales on Internet are considered as distance sales as there is no contact between the buyer and the vendor. The problem is to determine the contract conditions in order to evaluate responsibilities in case of dispute. The consumer is protected like in any contract with a retraction period : the buyer has 7 to 15 days after the product is delivered to return it to the vendor for an exchange or for reimbursement without penalties (except the return cost).

Payment can be immediate but may raise some problems as in distance sales, it is the recipient who bears the risk of loss or damage once the good is sent. The client has to pay if the good is not received or he has to raise the responsibility of the carrier. It is advised to pay on delivery (only when the good is received and unpacked).





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Some specificities of the contract over Internet :

- The information displayed in the virtual storefront doesn't make an offer.
- The message sent by the user to the virtual store shall constitute an offer to purchase the goods in accordance with the general terms and conditions displayed.
- The virtual store shows its intention to conclude the contract by sending a message confirming the sale and signed using technical means of identification such as a cryptographic key.
- The contract is formed when the confirmation message reaches the user's. There is a responsibility of the buyer to verify his electronic mailbox is working.
- The evidence made by computer records stored in reasonably secure conditions of either party shall be accepted as evidence of communications, contract and payments between the parties.
- When a dispute cannot be settled amicably, by an extra-judicial procedure it is necessary to have recourse to the rules of conflicts of law and determination of jurisdiction and evidence will be asked.

The following information must be displayed on the site:

- Vendor's name and address : in every distance offer, product or service, the vendor must mention his company name, his address and his telephone number and an e-mail
- Commerce registration number
- Juridical status of the company and the social capital
- Precise description of product or service.
- Amount of delivery price
- Payment modalities
- Retracting possibilities
- Prices have to be displayed by kilo or by litter for fresh products
- The duration of the service
- Modality of providing the offer

In Portugal...

Criminal Law

It is now ten years since, in Portugal, there was enacted what is known as the computer crime law. Although needing some fine-tuning to meet new concepts and technologies, Decree-law n° 109/91, of 17th of August still represents a milestone in the fight against computer crime. It was a pioneer law in this field.

Legal Signatures and Contract Recognition

Even before the enactment of Directive 1999/93/EC on electronic signatures the Portuguese government had drafted and approved a Decree-law on the same subject that implemented some of the principles that would be later embraced by the EU Directive. The Decree-law 290-D/99 of 2nd August firstly recognises electronic documents and grants them the same status as their traditional paper equivalents.

Decree n.º 143/2001, of 26 of April: N.º transposes for the internal jurisprudence the Directive 97/7/CE1, of the European Parliament and of the Advice, of 20 of May, relative to the protection of consumers by celebrating a contract substance in the distance

E-Commerce Legal Framework

Resolution of the 25, Cabinet n° 94/99 of August: It approves the Orienting Document of the National Initiative for the Electronic Commerce;

Decree n° 104/2002, of 12 of April: It approves the regimen of acquisition of good for saw electronic on the part of the public organisms;

Electronic Invoicing

Decree-law n° 375/99 of 18th September also represented a step forward in adapting the existing legal framework to the new economic activities. Under these provisions, a company may, with authorisation to utilize electronic invoices instead of the traditional paper ones.



e Learning

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Personal Data Protection

Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 has been introduced into the Portuguese legal system by Law 67/98 of 26th October. The Portuguese Personal Data Protection Commission requires businesses that hold databases to be registered.

Law nº 69/98, of 28 of October: It regulates the personal data handling and the protection of the privacy in the sector of the telecommunications - transposes the Directive 97/66/CE, of the European Parliament

4. SOME E-COMMERCE EXPERIENCES AND TYPICAL RURAL PRODUCTS

In Italy...

Piedmontese Taste:

Piedmontese Taste is a project started in 1998, realised and run by the Centrali Cooperative Confcooperative-Fedagri and Legacoop Agroalimentare del Nord-Ovest, in collaboration with Piedmont Region.

The project objective is to sustain and valorise the agricultural cooperatives and their consortiums improving the agricultural and agro-alimentary products commercialisation, the development of farm tourism in the rural areas, the information flows among the subjects involved.

www.saporipiemontesi.it is the virtual supermarket of the Piedmontese wine and food products.

Visiting the on line catalogue, it is possible to chose and buy wine and food products proposed by the agricultural cooperatives.

Piedmontese Taste represents an opportunity for consumers, who, thanks to electronic commerce, quickly and in a safe way, can easily find typical, genuine, high quality products, that can be identified with the cooperatives producing them.

Piedmontese Taste brings the territorial excellences out of the local borders, permitting to the whole world to know and buy also those products that wouldn't be possible to find anywhere else then where they are produced.

In France...

Cantal food products available through the net: <http://testadaz.com> has been created a few months ago in Aurillac. It has started with a computer and a 16 square meters room. The site has been created by the limited company "Made in Cantal". The objective is to sell food products from the area but also local knives, photographs or books. An English version of the site is planned. The service is based on *bienmanger.com*, that is located in a small village of Lozère.

A private individual initiative to promote rural tourism: <http://www.chaumasses.com/>

A national initiative to develop an alternative rural tourism that gather 5500 farmers from the network "Bienvenue à la ferme" (Welcome to the farm) <http://www.bienvenue-a-la-ferme.com/>

In Portugal...

PROVE – Promover e Vender - Agricultural products are requested online, directly to the farmer, and final consumer collect the requests products in a local/regular shop - www.prove.com.pt

AgriLoja: Online shopping of products to agriculture, fish culture and gardening: tools and machines, provisions and seasonings, etc www.agriloja.pt

Aromas Douro - Comércio de Bebidas e Produtos Alimentares: Online shopping of Portuguese wines, specially from Douro Valley <http://aromasdouro.pt>

E-L.A.R.A





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5. USEFUL LINKS AND DOCUMENTS

Europe:

- The European e-Business Market Watch www.ebusiness-watch.org/
- European Commission -DG Enterprise & Industry Unit D4 'Technology for Innovation / ICT industries and e-business' http://ec.europa.eu/enterprise/ict/index_en.htm
- A-BARD - Analysing Broadband Access for Rural Development is a 6FP Coordination Action to research rural broadband provision and use. www.abard.org/about.htm
- The eBusiness legal portal – eBusinesslex.net. www.ebusinesslex.net

Portugal:

- UMIC - Agency for the Society of the Knowledge: www.unic.pt
- ACEP - Association of the Electronic Commerce in Portugal : www.portugalacep.org
- APEDI - Portuguese association for the Development of the E-Commerce :www.apedi.pt
- <http://www.icp.pt/template12.jsp?categoryId=103960>
- Guide "To buy in the Internet": Guide of the Companies http://www.unic.pt/images/stories/publicacoes/guia_empresas.pdf
- Practical Guide of the Consumer http://www.unic.pt/images/stories/publicacoes/guia_consumidores.pdf

France:

- To know more about e-commerce in France <http://internet.gouv.fr>
- A trust charter for e-commerce: the French government and the profession have signed a charter to increase confidence in June 2006. One main objective is to distinguish between non professional and professional sellers. The consumers have to be informed of the good practices. Another aim is to favour company creation.

6. NEWS FROM PARTNERS

- On 4th December took place the seminar on multifunctional agriculture in connection with the transnational project "New social images of rural women" (Equal Programme). During the seminar have been illustrated some multifunctional experiences and was deepened the topic of the agricultural farm as an instrument of social competitiveness and gender equality.
- On 12th December took place the press conference for launching the 2007 calendar realised by the EQUAL project "WEBFEM". Protagonists of the calendar are entrepreneur and migrant women working in the agricultural sector in the province of Turin. For information on the project have a look at: www.webfem.it
- "ICT Impact on Firms and Industry Structure - Industry and Policy Perspectives" - Brussels, 30 January 2007 - www.ebusiness-watch.org/events/Annual-Event_2006.htm
- "iLearning Forum Paris 2007" New technologies in favour of training. The 2nd edition of iLearning Forum Paris will be held in Paris, from the 29 to 31 January 2007. The theme of the event run on the management and the adaptation to the new technologies. It will be an opportunity for exchange of ideas and experiences between experts, customers and purchasers of the Elearning world. Info: <http://ilearn2007.eife-l.org>