

DRIVING THE DEVELOPMENT OF SMES' ENTREPRENEURS IN THE ERA OF DIGITALISATION: FROM THE DYNAMIC PERSPECTIVE OF LAW ENFORCEMENT IN MALAYSIA

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Article history

Received date : 01-08-2021
Revised date : 23-08-2021
Accepted date : 25-10-2021
Published date : 30-11-2021

To cite this document:

Othman, I. W., Topimin, S., Ahmad, S. N., & Hasan, H. (2021). Driving The Development of SMEs' Entrepreneurs in The Era of Digitalisation: From the Dynamic Perspective of Law Enforcement in Malaysia. *International Journal of Accounting, Finance and Business (IJAFB)*, 6 (37), 124 - 143.

Abstract: *This article discusses the driving of the development of small and medium enterprises in the era of digitalisation from the dynamic perspective of law enforcement. The thrust of the discussion puts the justification of digitalisation is now a necessity, not an option for traders to face the sustainability of lives affected by the Covid-19 pandemic. Based on the background of qualitative research in the form of inauguration, this article puts the perspective on the selection of contemporary issues based on secondary data content analysis methods that are the results of research journals, reports, books and online news sources. Among them are (i) preparation and readiness towards digital business, (ii) credibility of the digital business, (iii) the 'glocal' concept of e-Commerce as a borderless business (iv) e-Commerce orientation business incentives, and (v) youth and the working world. Digitalisation business ethics from a legal perspective associate with the surge in the issue of online fraud (scammer) during the period of the Movement Control Order (MCO), which relate with irresponsible parties take advantage by committing online fraud. Reflection on the accuracy of other acts such as (i) Trade Descriptions Act 2011 (Act 730), (ii) and Price Control and Anti-Profiteering Act 2011 (Act 732), (iii) Business Registration Act 1956, (iv) Electronic Commerce Act or known (Act 658), (v) Computer Crimes Act 1997, (vi) The Personal Data Protection Act 2010 (Act 709), and (vii) Communications and Multimedia Act 1998 are analysed and blended with current legal issues discussed. The target disposition of the thorough discussion emphasises a firm approach and action by creating special laws related to e-commerce based on the appropriateness of*

time changes. The enactment or reform of laws related to e-commerce enables the rights of customers and operators to be protected in the event of an unforeseen situation.

Keywords: *Small and Medium Enterprises, Digitalisation, E-Commerce, Law Enforcement*

Introduction

For all countries around the world, the years 2020 and 2021 have been extremely difficult. The spread of the Covid-19 pandemic has affected everyone, regardless of age or gender, as well as private and public companies, organisations and entire industries. Malaysia's economic sector is undoubtedly impacted by the Covid-19 pandemic, which is spreading at an alarming rate (JPM, 2021). Not only has the Covid-19 virus successfully rocked the world economically, but also in terms of education, health, safety, and social well-being in every country (Othman, 2021). This is a grave situation, as many Malaysians have lost jobs and other sources of economic income (Mohd Shah, Othman, Yusoff, Ationg, Abu Bakar, Esa, & Abang Muis, 2021).

According to the Gross Domestic Product (GDP) report, restrictive measures in the fourth quarter of 2020 increased in total unemployment to 772,900 up from 737,500 at the end of the third quarter of 2020 (Sinar Harian, 2021a). Therefore, in the era of the Covid-19 pandemic in Malaysia, everything that used to have need to change including the country's economic affairs. MyDigital Blueprint Malaysia's Digital Economy is a multi-faceted agenda designed to drive Malaysia's digitalisation efforts (The Edge Markets, 2021). This means that consumers will gravitate toward digitisation, particularly through e-commerce and online banking platforms. This is because users will prefer quick and easy transactions. Therefore, this agenda has its own main mission which is to empower every Malaysian from Perlis to Johor and even Sabah to be involved in the digital economy and improve their quality of life.

In realising this agenda, the Malaysia Digital Economy Blueprint among others has introduced several initiatives. One of them is to strengthen the National Digital Network (JENDELA) to improve existing connectivity as this fixed line fibre optic network will cover nearly 100 percent of populated areas in stages, beginning with seven points and five types of premises by the end of 2022 and increasing to 9 million premises by the end of 2025 (Prime Minister's Department of Malaysia, 2021). The next initiative will be the nationwide deployment of 5G. This effort will be carried out via a special entity or Special Purpose Vehicle (SPV) made available to the Malaysian government (Prime Minister's Department of Malaysia, 2021). As such, these entities will in turn be given the appropriate spectrum to own, implement and manage 5G infrastructure (Othman, Esa, Hajimin & Marinsah, 2021). The third initiative is the Cloud Service Provider (CSP) which is a public service provider (SKMM, 2020). The CSP also builds hyper-scale data centres and public services such as hybrid or hybrid cloud services with the goal of increasing data storage space, lowering operating costs and improving analytical efficiency.

Consequently, all these initiatives can be likened to transportation that will lead Malaysia towards digitisation and may even contribute to Malaysia becoming a developed country via new knowledge and technology. In fact, since 1996, this shift in digitisation has existed in Malaysia through the establishment of the Multimedia Super Corridor (MSC) (Astro Awani, 2020a). Therefore, the above initiatives demonstrate the government's efforts and commitment

to all Malaysians to provide benefits and a comfortable life through fully digital technology, while also resisting the transition to a digital economy in general. Thus, Malaysia defines the digital economy as “economic and social activities involving the production and use of digital technology by individuals, businesses and governments” (Usahawan.com, 2021). Apart from that, mastery of digital technology is critical for the country to overcome productivity constraints, thereby upgrading the Malaysian economy. The ability to capitalise on opportunities created by innovative technologies and business models will play an important role in propelling the country’s new engine of economic growth (Berita RTM, 2021).

Preparation and Readiness Towards Digital Business

Recently, despite struggling with the challenge of the Covid-19 pandemic, our country is intensifying its efforts to digitise various fields to catalyse the country’s development and progress (Berita Harian, 2020a). The Covid-19 wave that hit brought many changes to the activities of key sectors in our country such as in the education sector, economic sector and political sector (Malaysiakini, 2020). The worldwide pandemic crisis is forcing us to make transformations to adapt the pandemic situation to the new normative lifestyle (Yusoff, Othman, Mohd Shah, Esa, Zulhazmi, Ibrahim & Ationg, 2021). Every change taken must be emphasised in all aspects of the country, especially the daily routine of the people to obtain the necessary supplies for sustainability. As a result, the spread of Covid-19 has led to an increase in online purchases. Consumers get the goods they need without having to leave the house and reduce the risk of infection in the community.

Digitisation in various fields in our country is a sustainable initiative by the government to help develop the development sectors in our country in this pandemic era (Utusan Borneo, 2020). This is meant by the application of the concept of digitisation in business, especially for hawkers and other Small and Medium Enterprise (SME) traders (Omar, Mohamad Zan, Hassan & Ibrahim, 2020). Business digitisation or e-commerce is a situation where online purchases and stores take place involving virtual or electronic payment transactions (Omar, Mohamad Zan, Hassan & Ibrahim, 2020). The concept of digitisation is an idea that needs to be used today in line with the circulation of globalisation and the development of the world which has increased rapidly in recent times (MDEC, 2019a). Many countries have long normalised the use of the concept of digitisation in all areas especially in their areas of business.

Although our country is still new in this regard, the government is committed in encouraging the people to adopt this concept especially in their business. The idea of digitising this business was triggered under the National Economic Regeneration Plan (PENJANA) programme launched on 28 September 2020 (Penjana.Treasury, 2020). During the PENJANA launch programme, Prime Minister Tan Sri Muhyiddin Yassin encouraged micro enterprises and SMEs to shift from conventional business methods to business digitisation to maintain business operations as well as increase profits at the same time (MDEC, 2019b). The following shows how significant digitisation has been implemented in the business of our society today.

Before a merchant starts venturing into this digital business, they need to consider several factors that will contribute to the smooth running of their e-commerce platform (SME Portal, 2018a). Among them is from the aspect of efficiency in the delivery and packaging system. As we all know, merchants will receive many orders for their products through e-commerce transactions. Traders need to ensure that the packaging of the products ordered is packed neatly and cleanly. The packaging material must be in accordance with the product sold to ensure that

the product to be shipped will be received into the hands of consumers be in good condition and safe. The delivery service used by the dealer must also be ensured to be efficient and the delivery service that has been legally registered (SME Portal, 2018b).

Registered delivery services such as J&T, Poslaju, DHL and others will make it easier for traders and buyers to track the delivery of the product through the e-tracking system provided by the courier company (Izzah, Damhuji & Liu, 2016). This can also ensure that the products shipped will arrive within the stipulated time period and are in good condition. These two aspects are very significant in this digital business because this can show the quality and performance of the business and products of the merchant. Thus, online operators should ensure that customers are satisfied with the products sold through efficiency in the packaging and delivery of the product (SME Corp. Malaysia, 2021a).

The second factor is market research. It was clear that the percentage of online purchases increased by 28.9% in April 2020 since the government implemented MCO 1.0 in March 2020 (Berita Harian, 2020b). Market research means the activity of researching or making assessments related to information about the overall picture of the appropriate type of product, the type of consumer preferences and the probabilities that will be encountered in a marketing situation (Taherdoost & Jalaliyoon, 2014). The information obtained as a result of market research conducted allows entrepreneurs to know the features of products that can meet the needs of the target market (HMetro, 2020a). At the same time, entrepreneurs can produce products based on the needs of the target market.

This implemented strategy can make the entrepreneur's business grow because it is in line with the current needs of customers (Kucuk & Krishnamurthy, 2007). This concept is also applied in conventional business. This market research can be carried out by traders through formal or random methods (Taherdoost & Jalaliyoon, 2014). The method of random market research is like searching for information on websites through search engines like Google. This search for information helps entrepreneurs to further improve the features of the products released so that they appear unique and different from existing products sold by other merchants (Indrupati & Henari, 2012).

Credibility of The Digital Business

The existence of issues and challenges is a natural part of human life in doing any business in this world. Therefore, the world of digital business also faces various challenges from different aspects. Typically, obstacles encountered will be a catalyst for a person to rise up and continue their efforts. The challenges faced will inspire entrepreneurs to improve the quality and capability of their products and business towards the best performance (Sinar Harian, 2020a). Markets and competition are the challenges that traders often face especially by online traders. This is said to be so because this online business platform has been heavily ventured by many people since the Covid-19 pandemic hit the world (Hmetro, 2021a). Traders have to face competition with larger external markets and have greater influence in world markets. E-commerce greatly helps traders in expanding the business market and allows a business to penetrate new markets.

However, new markets also carry risks from the aspect of selling goods with existing sellers in those markets. This includes the sale of the same or different goods. Competitions also occurs with sellers who sell counterfeit products (Sinar Harian, 2020b). E-commerce operators need

to be smart in ensuring that the products they sell have more unique and different features than existing products. This is to ensure that traders can strengthen their position in the market. The second challenge is from the scope of the customer. Customers are an essential element no matter whether in a conventional transaction or a digital business. The scope of the intended customer is in terms of matters involving the issue of customer trust in the quality of services and sales of business products of e-commerce operators (Mohd Rawi, Omar & Shahkat Ali, 2012).

As we know, online trading (e-commerce) does not involve face-to-face buying and selling between customers and sellers. Thus, the aspect of trust between seller and buyer is very vital. In this case, the seller needs to ensure that the quality of services provided is good and meets the needs and tastes of customers. This includes the aspect of providing quick and friendly feedback to customer inquiries, efficient product delivery and using registered courier services as well as providing real and complete information to customers (Izzah, Damhuji & Liu, 2016). Honesty and sincerity in doing business online will provide many benefits in terms of easily gaining the trust and confidence of customers (Manaf, Omar & Lee, 2012).

The digital business potential of merchants will also grow with addition of customers from time to time due to customers' confidence in the services that will be provided by the e-commerce operators themselves. In this aspect too, the seller also has to face the challenge of fraud from the customers themselves. This has become a norm in the online business world (Manaf, Omar & Lee, 2012). Typically, this issue is related to bulk purchases by the customer. For example, when purchased products have been received, the customer did not make full payment to the seller. Situations like this are indeed very impactful to sellers in terms of profitability and motivation of e-commerce entrepreneurs in running their business.

The 'Glocal' Concept of E-Commerce as A Borderless Business

The progress of the country will also grow in line with the changes and concepts of the Industrial Revolution 4.0 that are hitting the world at this moment as well. E-commerce enables borderless transactions to be conducted and is a platform that brings our society to a more advanced level in the scope of commerce (Mohd Rawi, Omar & Shahkat Ali, 2012). 2012). E-commerce can be seen to give us returns and a brighter future in our economic sector. Online business provides a thousand and one benefits and conveniences to merchants in this era of globalisation. The benefits of business digitisation will also give us even greater benefits in the future.

Among the benefits obtained is to facilitate and expedite the transaction between customers and buyers. E-commerce platforms now only require an internet network and electronic devices such as smartphones or computers. Ease of accessing e-commerce platforms is now at the fingertips of customers only. Customers can make purchase at any time regardless of place. E-commerce operators only need to wait for orders from customers. At the same time, payment transactions also only use electronic payment methods or other payment platforms. This will also indirectly save time and cost for both parties as there is no need to engage in face-to-face transactions at a physical store (Mat Arisah, Zainal Baderi & Hashim, 2016). In turn, e-commerce also helps entrepreneurs to expand their business to a wider and larger market globally and locally (glocal). Thus, local traders can market their goods whether locally or abroad.

E-commerce also makes trade between other countries more vibrant and growing rapidly. At the same time, the inflow of money into our national economy is also increasing and the national economy is also recording encouraging economic progress (Mohd Rawi, Omar & Shahkat Ali, 2012). The acquisition of information by both parties is also becoming more widespread and rapid. Through the internet, e-commerce operators can send and supply information to consumers quickly (Yazid, Che Wel & Omar, 2016). Accurate information allows operators and customers to reach consensus and transactions easily. In addition, the community can also follow the development and current situation of the production of the entrepreneur's own products. With that, the potential of the business is also growing and known to many. Business profits will also increase along with this situation.

E-Commerce Oriented Business Incentives

Although the concept of business digitisation has long been used in foreign countries, but this is still not a habit in the life of society in Malaysia until the surge of business choice patterns during the Covid-19 pandemic which occurred in 2020 (Kementerian Pembangunan Usahawan, 2019). Among the methods that can be implemented to further encourage digitisation in business at present is through the improvement of technology infrastructure facilities (Mohd Shah, Othman, Yusoff, Ationg, Abu Bakar, Esa & Abang Muis, 2021). This is meant by the stability of the internet network which covers the entire area in Malaysia, including in the interior. The internet network in Malaysia is still at a moderate level. This is said to be so because when the Movement Control Order (MCO) 1.0 was executed, there was a sharp increase in internet usage (Berita Harian, 2020b). This causes the flow of internet traffic to be congested and there is a decrease in internet speed. This situation needs to be addressed as best as possible as e-commerce platforms need to use the internet all the time. Consistent internet access makes it easier for merchants to access the websites and e-commerce platforms they venture into. In addition, we know that rural areas find it difficult to get internet service. In fact, there are also rural areas that do not receive internet access at all.

The government in collaboration with Telco Companies in Malaysia should increase efforts to build more telecommunication transmitters so that better internet network coverage can be produced (AstroAwani, 2021). Infrastructure facilities such as special computer centres for traders should also be developed to make it easier for traders who do not have gadgets to keep their online business easy. In line with that, the second step that should be taken to promote the digitisation of business in Malaysia is through the cooperation of Non-Governmental Organisations (NGOs) with government bodies (Ali Khatibi, Thygajaran & Seetharaman, 2003). Both parties can organise awareness campaigns and workshops or seminars related to improving Information Technology (IT) skills. These awareness campaigns and workshops or seminars should involve all members of the community, especially members of rural communities and indigenous people (Astro Awani, 2020b). This is very significant because the organisation of such programmes can increase their knowledge in e-commerce and the use of current gadgets. Thus, digital business norms will be more easily applied in the lifestyle of our society and country in line with the changes of globalisation (Mohd Rawi, Omar & Shahkat Ali, 2011).

Youth and The Working World

The main goal of the Malaysian Digital Economy Blueprint for the people is to create 500,000 new jobs, for example, new job opportunities that will be generated especially in the field of information technology or digital expertise gives people hope in general because it is a job in

the future (Jobs of the Future) that will remain relevant and necessary despite technological advancement and sophistication (My Government, 2019). Technology should be seen as having the potential to improve human capabilities. In this regard, we have experienced three industrial revolutions with all of these technologies transforming traditional employment patterns into new forms and even creating new jobs (My Metro, 2020a). The Covid-19 pandemic is accelerating the arrival of future jobs in the present (Sinar Harian, 2021b). The power of the internet, Facebook live and viral in the digital world can now spark a new entrepreneurship phenomenon.

Every entrepreneur should explore the digital world in order to recover from the difficult moments of Covid-19. For that, entrepreneurs must change their mindset to accept that the survival of a post-pandemic business does not require large sums of money or even a physical premise (Hamdan & Ismail, 2015). According to the findings of this study, 84% of employers significantly accelerate work process digitisation while another 50% accelerate process automation. Even remote-controlled jobs such as working from anywhere are quickly becoming a new habit with 84% adopting them (Bernama, 2021a). As the country continues to grapple with the Covid-19 pandemic, many communities are focusing on jobs that require strong humanitarian skills such as management and strategic planning in business.

Following that, new entrepreneurs will have the opportunity to expand their business by working from a store or home which is also known as working online (Bernama, 2021b). In addition, there will be new job opportunities in the future for example, data analysts and data scientist, AI and machine learning specialist, digital transformation specialists, robotic engineers, software and application development, information security analysts and material internet experts (Bernama, 2021c). Besides that, during the spread of Covid-19, there have been employment opportunities that have become a current trend in the food delivery sector, food manufacturing sector and products that also provide delivery services (The Outlook, (2019). The most recent advancements in digital technology are transforming existing business models and new creations as well as introducing new products and services and increasing the efficiency of business processes, all of which are making business more competitive.

Digital entrepreneurship refers to the creation of a new venture and transforming an existing business through the development and application of cutting-edge digital technology (Hmetro, 2020b). The transition of the existing economy to a digital economy is essential to accelerate local and national economic growth (Kementerian Pembangunan Luar Bandar, 2019). In order to achieve this goal, the government has launched the National Economic Regeneration Plan (PENJANA) which allocates RM700 million for the development of digital business platforms through grants and loans to SME and mid-level companies in order to implement digital technology in their operations and trade channels (SME Corp. Malaysia, 2020). In turn, this indirectly focuses on increasing and stimulating the resilience of the country's digital economy, thereby assisting people and businesses affected by Covid-19 (Berita Harian, 2020b). Through the development of this digital business, there will be growth in Gross Domestic Product (GDP) as well as the Malaysian economy (SME Corp. Malaysia, 2021b).

The new wave of digital economy has the potential to generate a wide range of business and employment opportunities while increasing overall income including in rural areas (Mohamed, Mohamad Judi, M. Noor & M. Yusof, 2012). In relation to this, school, college or university graduates or those who are still students, no longer need to hope to become job seekers or

unemployed, instead they can become a successful individual by becoming a creator or employer (My Metro, 2020b). An example of a new opportunity that will exist is delivery or e-hailing which is becoming increasingly popular in today's society. Furthermore, numerous face-to-face online applications have been developed to make it easier for new traders or entrepreneurs to conduct business (Berita Harian, 2017). In this case, entrepreneurs create short video recordings related to the product they sell, which are then uploaded to platforms such as YouTube, TikTok, Instagram, Facebook and others (Nor Asiah, Noor Hasni, Rosilah Hassan & Radin Aisyah, 2018). This will also generate income for the entrepreneurs.

In general, there are numerous spaces and opportunities to be explored in the digital world. When business and digital skills are combined, entrepreneurs will have more opportunities to explore. They can work from home or shop online or can transact using digital business platform such as Shopee and Lazada. They can also venture out as a dropshipper, which means they will play an important role in promoting and ultimately selling. The fact is online sales and purchases are in line with the new post-pandemic normal.

Digitalisation Business Ethics from A Legal Perspective

The country is responsible in ensuring that the entrepreneurial development ecosystem is conducive and holistic. To support the national entrepreneurship development agenda that is inclusive, sustainable and driven by knowledge and innovation, then various aspects such as providing loans for businesses, advisory services to plan business strategies and provide training in applying and adapting to the latest modern technology used in the business world. Digitisation is now a necessity for traders and is no longer an option for traders affected by this Covid-19 pandemic. The pandemic crisis has indeed had a huge impact on every citizen. Therefore, the government need to come up with the idea of digitisation that can be implemented in daily activities for all parties. The government also emphasises business transformation in our country.

The surge in the issue of online fraud (scammer) during the period of the Movement Control Order (MCO), there are some irresponsible parties and take advantage by committing online fraud (Hmetro, 2021b). The typical online fraud cases throughout MCO increased drastically (DSBC Financial Group, 2020). Throughout the implementation of MCO, the community had to use online payment platforms to pay water bills, electricity bills or buy necessities online. This situation also provides an opportunity for irresponsible parties to commit these crimes (Sinar Harian, 2021c). The proof is that the number of cybercrime cases in the state of Selangor since MCO was implemented from March 18, 2020 to April 5, 2020 has increased by 53.8% or 283 cases compared to last year during the same period (AstroAwani, 2020).

Therefore, people are advised to make a purchase on a reliable website and make payments in cash when the goods have arrived. If these merchants register their business, they will gain confidence from the community to buy their sales products and not feel cheated. Not only that these traders can easily get incentives provided by the government as they are already registered with the government. Therefore, several existing acts are strictly implemented to curb the crime of online fraud that is spreading among the Malaysian community.

Business Registration Act 1956

The rules of application, registration, renewal of registration, change of information and related matters are covered under an act called the Business Registration Act 1956. The Act refers to the registration of sole proprietorship and partnership businesses. A person who carries on business but fails to register their business is an offense and is liable to a fine not exceeding RM50,000 or to imprisonment for a term not exceeding two years or to both if convicted (KPDNHEP, 2015). There are several reasons why a business needs to be registered. Among the reasons are, businesses that have been registered are legally recognised of its existence and as evidence. In addition, business owners can also claim their rights as business owners in the event of undesirable events or if they are eligible to receive financial assistance from the government.

The proof is that during the Covid-19 outbreak that hit Malaysia, the government has allocated RM150 million for training programmes, sales assistance and digital equipment under the Small & Medium Enterprise (SME), Micro Small & Medium Enterprise (SME) e-Commerce Campaign and RM150 million also for Shop Malaysia Online (Berita Harian, 2021). In collaboration with Bank Negara Malaysia, deferment or reduction of loan instalment is allowed for Small and Medium Enterprises (SMEs) and Micro Small and Medium Enterprises (SMEs) with a debt condition of less than RM150,000 (Berita Harian, 2021). Not only that, a wage subsidy of RM1.5 million is allocated for the tourism and retail sector and an Additional Caring Special Grant of RM1000 for traders and hawkers in Sabah facing Covid-19 (Berita Harian, 2021).

In addition, registered businesses can also help other agencies perform their functions, information related to the business can be accessed by the public, protect consumer rights and assist in national policy planning (Nadzri, Shamsudin & Firdaus, 2014). Among the agencies involved in performing its functions are the National Entrepreneurship Institute (INSKEN) and TEKUN (Berita Harian, 2021). This can be seen when the Covid-19 pandemic hit Malaysia and at the same time has caused many communities among Small and Medium Enterprises (SMEs) and Micro Small & Medium Enterprises (SMEs) sources of income have been affected (SME Corp. Malaysia, 2021c). The government has taken the initiative to create "*Warongku*" which is one of the platforms created by Malaysians apart from Food Panda and Grab Food (Hmetro, 2021c). Not only this platform helps the national economy but also help Small & Medium Enterprises (SMEs) and Micro Small & Medium Enterprises (SMEs) (Parlimen Malaysia, 2016).

For example, the TEKUN agency works with the government to assist Small & Medium Enterprises (SMEs) and Micro Small & Medium Enterprises (SMEs) by providing several funds to motorcyclist or riders for them to repair or upgrade their motorcycles (Mstar, 2021b). Other agencies such as the National Entrepreneurship Institute (INSKEN) also provide training programmes to Small & Medium Enterprises (SMEs) and Micro Small & Medium Enterprises (SMEs) in terms of the use of digital platforms or "*Warongku*" platforms that have been provided. However, these incentives are provided to registered Small & Medium Enterprises (SMEs) and Micro Small & Medium Enterprises (SMEs) only. Therefore, all Small & Medium Enterprises (SMEs) and Micro Small & Medium Enterprises (SMEs) are encouraged to register their businesses so that all facilities provided by the government can be enjoyed by all Small & Medium Enterprises (SMEs) and Micro Small & Medium Enterprises (SMEs).

Computer Crimes Act 1997

The Computer Crime Act 1997 is an act adapted from the Computer Misuse Act 1990 United Kingdom which has been adapted to the situation in Malaysia. The purpose of enacting this act is to provide for offenses involving computer misuse (Anita & Nazura, 2004). The Act is divided into three sections and three main parts. Section 3(1) emphasises offences involving the misuse of computers with the intent to gain unauthorised access. For example, someone who does not have permission from the computer owner has turned on a computer system and downloaded some information from that system onto a diskette (Anita & Nazura, 2004). Pursuant to Section 3, a person is accused of committing an offence if: (i) causes a computer to perform any function with the intent of gaining access to any programme or data stored in any computer (ii) the access he or she intends to obtain is without authority; (iii) He or she is aware of this while instructing the computer to perform the task at hand.

Therefore, in the successful implementation of the digital economy, we not only need to adopt digital skills but also be smart in protecting and storing important data digitally (Davis, 1993). Although the level of cyber security in our country is weak, the implementation of such an act can clearly help our country to overcome the challenge of leakage of government data and personal information of the people by irresponsible parties such as the Anonymous Malaysia Hacker Group (Astro Awani, 2021a). This is because the party who commits this act will be taken appropriate action. Conviction under Section 4 (1) (a) of the Computer Crimes Act 1997 read together with Section 4 (3) of the same act, a maximum fine of RM150,000 or imprisonment for 10 years or both. With this act, our country is able to forge the development of the digital economy because its implementation aids in the control of problems such as data leakage and cyber-attacks on the economic sector (Hamill, 1997).

Communications and Multimedia Act 1998

In Act 588, namely the Communications and Multimedia Act 1998 regarding cyber law. It is also designed as a framework for Malaysian government intervention in monitoring the communications and multimedia industry. In the Communications and Multimedia Act 1998, all activities and services regulated under this act include traditional broadcasting, telecommunications and online services including the facilities and networks used in providing the services as well as content provided through the various facilities and networks. However, there is no provision in the Communications and Multimedia Act 1998 that allow internet censorship, as under the MSC Malaysia Bill of Guarantees that the Malaysian government has pledged not to censor the internet.

The Communications and Multimedia Act 1998 is also the longest cyber law among the six cyber laws that have been enacted in Malaysia so far (Act 588, 2006). Apart from this Communications and Multimedia Act, five other related acts are Computer Crimes Act 1997, Digital Signature Act 1997, Telemedicine Act 1997, Copyright Amendment Act 1997 and the fifth is the Communications and Multimedia Commission Act 1998. Going back to the Blueprint Framework, the Communications and Multimedia Act 1998 is very important because this Blueprint involves the use of social media as well as gadgets. Therefore, protection against such consumption is important to maintain the 'privacy' of a person or user (Utusan Borneo, 2019).

Electronic Trade Act 2006

Electronic means technology that uses electricity, electromagnetics or other perfect technology (Mohd Shah *et al.*, 2021). The Electronic Commerce Act or known as Act 658 was approved by the Yang di Pertuan Agong on 30 August 2006 and was published in the Gazette on 31 August 2006 (KPDNHEP, 2012). This Act applies to any business dealings involving trade and conducted through electronic means including commercial transactions conducted by the Federal Government and the State Government (KPDNHEP, 2021). The Act may only be amended, varied, deleted from or added to on the basis of directions from the Minister. The Act was originally created to address the barriers that exist in conducting transactions electronically in Malaysia but at the same time does not prevent conventional transactions. The Act can also give confidence to the public in general to make transactions electronically.

Furthermore, the aspect of consumer protection is also emphasised to ensure that consumers feel safe and confident to transact electronically (Zakaria & Ismail, 2015). In terms of financial institutions, Bank Negara has issued minimum guidelines on Internet banking (Taasim & Ali, 2013). This is to ensure that users get adequate information and are given knowledge on the terms of Internet Banking Services. Financial institutions are also responsible for ensuring that the products and services provided through the website are accurate and similar to those displayed (Taasim & Ali, 2013). This decade, cases of e-commerce fraud in Malaysia have been increasing. These e-commerce criminals have used various mediums to deceive the public online (Zakaria, 2007). Therefore, the act was created and passed since 2006 in order to protect the rights of consumers even if the transaction was electronically conducted before the bill was enacted but does not mean that the transaction is invalid and not applicable.

Personal Data Protection Act 2010

The Personal Data Protection Act 2010 (Act 709) or PDPA is one of the forms of cyber legislation recommended in the implementation of the Multimedia Super Corridor (MSC). This Act is the goal of the Tenth Policy stated in the Communications and Multimedia Act 1998 which is to ensure information security, reliability and network integrity (Selangor State Development Corporation, 2020). The primary goal of enacting this act is to govern the process of personal data of individuals involved in commercial transactions, including online transactions (Perbadanan Kemajuan Negeri Selangor, 2020). The document analysis results show that the act which has 11 sections has seven principles that must be followed by a person (Muhammad Pitchan and Siti Omar, 2019). Among the principles to be followed are the prohibition on processing another person's personal data without his or her permission, the principle of notice and the option where the data user must inform the data subject of the initial intent and disclosure (Pitchan & Omar, 2019). The purpose of a subject's personal data is to identify the purpose for which the personal data should be disclosed according to this disclosure (Persatuan Pengguna Siber Malaysia, 2020).

To achieve the goals of this act, finance and banking companies have taken steps such as advising customers on how to avoid becoming involved in banking fraud. For example, DSBC Financial Europe is pleased to provide their customers with the DSBC secure Guidelines to assist their customers in increasing awareness of phishing threats and mitigating cyber security risk (Berita Harian, 2015). With the steps taken by finance companies to support the idea of this act, the problem of banking fraud among Malaysians such as the 'Macau Scam' can be overcome (Persatuan Pengguna Siber Malaysia, 2020). As a result, Malaysians are no longer afraid or hesitant to conduct financial transactions online because they know this act will protect

them from any banking fraud (Pitchan & Omar, 2019). With this, online transaction implementation and skills will grow, directly realising the goal of the digital economy which encourages citizens to engage in economic and social activities involving the production and use of digital technology.

Trade Affairs Act 2011 (Act 730)

The Trade Descriptions Act 2011 (Act 730) and the Price Control and Anti-Profiteering Act 2011 (Act 723) are very much related to the Act contains provisions that explain the ethics of misconduct of traders that can be associated with business practices, trademarks and others. One of the rules of this act is about the trademark of a product produced. The Trade Descriptions Act 2011 (Act 730) is an act that clarifies good business or trade practices through trade prohibitions and false statements as well as conduct and practices related to goods and services (Zakaria & Ismail, 2015).

Trademarks are one of the components found in intellectual property. This trademark is not necessarily in the form of a logo, but this trademark may be in the form of a picture, number, letter or combination of specified elements. A trademark is a special identity to identify and distinguish a product or service in the same category (KPDNHEP, 2006). Pursuant to the Trade Descriptions Act 2011 (Act 730) Part II Clause 8, a trademark that has been registered under the Trademark 1976 is the sole property of the registered owner (KPDNHEP, 2006). Thus, individuals using the same trademark can be prosecuted. Any party using the same or similar trademarks will be associated with a false trade description. A party who imitates or produces a nearly identical trademark can be prosecuted when the registered owner of the trademark raises the issue to the High Court (Abdul Aziz & Abdul Manap, 2009). There is an issue related to the mother of a famous celebrity abusing trademark rights for a product she produces (Mstar, 2021a).

The issue of registering the trademark name "*Daging Harimau Menangis*" for the products she produces can be difficult for many parties, including small traders. The trademark registration of the products she produced was wrong because it uses common words that were often used by others as well. According to Nor Zabetha, who is a lawyer, stated that the registration of trademarks of that general word is deemed as a monopoly attitude that causes other parties to incur losses in the future (Mstar, 2021a). The monopoly attitude shown will affect the income of small traders who sell the products as well. If online merchants take action to register a trademark which is a general word, it is inevitable that such action will inconvenience hundreds of thousands of other online sellers. This is also because there are many sellers selling products using the same name. As such, trademark-related acts should be used wisely and prudently by all merchants including e-commerce merchants.

Price Control and Anti-Profiteering Act 2011 (Act 723)

Turning to the Price Control and Anti-Profiteering Act 2011 (Act 723) focusing on price control of goods and service charges as well as the prohibition of profiteering. The Act provides that traders do not take the opportunity to make a profit through unreasonable price increases as well as to ensure that the rate of increase in the price of goods or service charges is at a reasonable rate (Azhar, Mahdzir, Abdullah, Yusuff & Bakar, 2017). One of the issues that exists in relation to this act is the issue of profiteering by traders. Profiteering is the act of making excessive profits (Ahmad Yusoff & Ismail, 2008). Making high but unreasonable profits also illustrates this act of profiteering. We are already aware that consumers are now switching to

online purchasing platforms since MCO was implemented and the usage rate of e-commerce platforms is increasing over time.

The issue of profiteering arises when there are traders who take the opportunity to make more profit by increasing the price of goods (Sinar Harian, 2021). These unethical traders use excuses such as increased shipping costs, high goods taxes and many more (Azhar, Sapahin, Yusuff, Mahdzir, Abdullah, & Bakar, 2018). These reasons are often the unethical strategies of traders to raise the price of the products sold. This act of profiteering has a huge impact on consumers. Moreover, consumers are now facing the problem of money shortages that may be due to pay cuts or job losses.

The act of taking advantage from troubled situations for their gain will troublesome many parties. In addition, the issue of price tagging is also part of this act. According to the Price Control and Anti-Profiteering Act 2011 (Act 723) (2016), traders are required to display price tags including e-commerce to facilitate consumers and the purchasing process. Online merchants on Instagram or Facebook also need to display a price tag. The act of “*PM Tepi*” (Private Message) is wrong. KPDNHEP (Ministry of Domestic Trade and Consumer Affairs) will impose a compound on online merchants who do not display the price tag or complete information (Azhar, Sapahin, Yusuff, Mahdzir, Abdullah, & Bakar, 2018). However, Private Message is allowed but must follow the conditions such as including the following information.

Concluding Thoughts

The benefits and challenges of digital economic development are discussed, which considers the significance of this blueprint in bridging the digital divide among Malaysians between urban and rural areas, as well as between age groups ranging from young to old. Furthermore, the Covid-19 pandemic has made us aware of the importance of digital technology adoption in protecting Malaysians from the risks of the digital economy. The Blueprint's success, according to the government, will be seen as a shift in the digital economy landscape towards an increase in digital literacy, new and high-paying jobs, easier and more orderly banking and financial management, better access to virtual education for young people, and medical mobilisation facilities to remote towns. In this day, for example, it is no longer necessary to rent a shop and can only conduct business digitally. This entails creating an online store using the Facebook, Instagram and Whatsapps and then promoting sales products or services through those apps. The entire supply chain can move fully digitally as this Blueprint was created and reserved for Malaysians.

Nevertheless, there are also various challenges in implementing the Malaysian Digital Economy Blueprint. Among them is that the rural digital economy (smartphones) is inadequate. This refers to the rural population, especially to Small Industry Entrepreneurs (SMEs) where they find it quite difficult to get involved in this digitisation. Due to the level of exposure of SMEs in the digital world, this group is still at the weakest point in the world of digitisation. This is due to the fact that the SMEs and rural population are mostly teenagers and those who are not skilled in the use of ICT because individuals who are skilled and qualified in ICT have migrated to the city. As a result, those living in villages or rural areas only use smartphones to market products but not a fully digital economy. The transition of the internet economy to a fully digital society has made society heavily dependent on the development of interconnected networks and the ability to pair one system with another.

The other challenge is that society and government require digital-first thinking as well as increased public-sector adoption of digital technology. To build an ecosystem that can support local enterprise digitisation, it is necessary to provide quality broadband infrastructure and digital technology, thus develop the available workforce of the future. The so known digital division between income, age and gender groups must be narrowed. Trust and ethical practises in the use of data, as well as technology and cyber security awareness must be increased. Therefore, these challenges require change to achieve all the goals and targets of the Malaysian Digital Economy Blueprint. The goal is to provide 100% of households with internet access. In addition, this to ensure all students have access to online learning. For children in the village who have less stable internet access problems can enjoy a better-quality online education. These targets are created based on the lives of the people who can increase the level of mobility and living standards of those in need.

However, the blessing of the Covid-19 pandemic has made all Malaysians aware of the importance of accelerating this digitisation effort not only for the country's economic recovery following the Covid-19 pandemic. In fact, it is more than that, given the experience of the pandemic every Malaysian is prepared to face any future crisis. The Covid-19 pandemic has made all Malaysians aware of some flaws and gaps in our economic structure that must be addressed immediately. For example, this Covid-19 pandemic affected B40 more than the T20 as well as M40 groups. The Movement Control Order (MCO) which has been implemented has given a very big impact to micro, small and medium traders (SMEs) compared to large companies. Hence, many traders and traditional or brick and mortar business had to close their businesses due to MCO was implemented for months. As a result, these traders are unable to generate income, even shop rent and employee salaries still have to be paid and causing many businesses to go bankrupt. Referring to these scenario, majority of traders have low digital literacy awareness and this makes it difficult for them to go through the transition to the digital economy quickly despite the fact that the Covid-19 pandemic has accelerated the economic transition towards digitisation.

Last but not least, the legal aspects are also vital in creating and normalising the e-commerce system in our country's economy. As a result, the government should take a firm approach and action by creating special laws related to e-commerce based on the appropriateness of changes that occur from time to time. The enactment or reform of laws related to e-commerce enables the rights of customers and operators to be protected in the event of an unpredictable situation. Legislation enacted should not burden operators and consumers. The rules drafted must also be transparent and able to protect all parties involved in this e-commerce. The target disposition of the thorough discussion emphasises a firm approach and action by creating special laws related to e-commerce based on the appropriateness of changes that occur from time to time. The enactment or reform of laws related to e-commerce enables the rights of customers and operators to be protected in the event of an unforeseen situation.

Acknowledgement

This article is part of the UMS collaborative publishing grant sponsorship funded by Global Academic Excellence (GAE). The authors would like to express their deepest heartfelt appreciation to Global Academic Excellence (GAE) for providing funding this publication.

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