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## A Study on Precautionary Steps in Purchasing Goods Online

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### Abstract

Despite significant development on online transactions in Malaysia, there are also risks and challenges in their applications. Previous researchers contended that, the Malaysian statutes do not sufficiently protect the online shoppers. Although the law requires that the goods purchased must correspond with the descriptions, the online shoppers still need to take certain precautionary steps to avoid from being cheated. The objectives of this research are to explore the precautionary steps taken by online shoppers before they purchased goods online and to analyze their experiences that may influence purchasing decision. This doctrinal research adopted a qualitative method where 30 respondents were interviewed. The result shows various actions taken by them before purchasing online and most of them rely on their experience before they proceed with second purchases. Thus, this research will enlighten and suggest the precautionary steps for online consumers to adhere to in order to avoid unnecessary risks in purchasing online.

**Keywords:** Precautionary step, Online shopping, Purchase goods online.

### 1. Introduction

Online shopping is preferred from year to year. Various factors leading to its emergence such as time saving, variety in product choices and lower prices contribute to the increase on online consumers. According to the 11 street's survey which was conducted from November 15th to 21st in 2016 with 3,507 respondents, over 80 percent of the respondents preferred online shopping rather than face to face shopping. The survey also reported that those who were yet

to do their shopping online conveyed their interest to purchase goods online within the following year. An online transaction does not only benefit the buyer but also the seller that leads to mitigation of the cost of storage and employment of staff (Grandon and Paerson, 2004). The sellers could enlarge their marketing targets and simultaneously could increase the number of their customers (Gupta & Bansal, 2013).

Notwithstanding the various advantages in online purchasing, there are also challenges and problems faced by consumers. Due to the inability to physically check the product prior to purchase, online consumers could be cheated by unscrupulous sellers such as in cases of defective products (Varma & Agarwal, 2014) goods that are not fit for their purposes, goods not corresponding with the description, delay in delivering goods and ultimately, undelivered goods. Moreover, the online consumer might receive goods which are not in good condition. This would lead to having bad experiences in purchasing online and at the same time, causing monetary losses to the seller (Noorshella, Abdullah, Nurul Hasliana & Mohd Nazri, 2019).

In Malaysia, various legislations have been enacted by the legislature such as the Direct Sales Act 1993, the Digital Signature Act 1997, the Electronic Commerce Act 2006 and in 2007, the Parliament amended the Consumer Protection Act 1999 to extend its application to online consumers. Previous researchers believed the existing statutes are still insufficient to protect the consumers who purchase online. Kamal (2012) contended that there is no single government Act which protects the online consumers particularly in the case of proving false advertisement and descriptions of goods. Although there have been legislative reforms to the existing law, there are areas that need to be improved to protect consumers in cases of cross-border online transactions (Naemah, 2013). Due to this, it is suggested that online consumers cannot rely totally on existing laws to protect their rights. They must take precautionary steps before purchasing goods online to avoid from being cheated by devious sellers. The online consumers should not just accept their fate and abandon their rights if the goods they have bought online are not the same as they expected. This research paper aims to discover the steps taken by online consumers before and after they purchased goods through online. The consumer's experiences in purchasing online were also explored to identify the steps taken by them in case goods ordered do not correspond with the description. As an alternative to mitigate risks, this current research will suggest several steps to facilitate online consumers and will subsequently become one of the ways to close the gap in the existing law.

## **2. Methodology**

This is a qualitative research that aims to explore the precautionary steps taken by online buyers before purchasing online products. The data collection was conducted through face to face interview. The questions were structured, and the same questions were posed to all respondents. This study used non-probability sampling through convenience sampling where the respondents were selected based on their experience in purchasing online products. The question on whether the respondent has purchased products through online or face to face purchased was an initial question before selecting the respondents. The interview only focused on the respondents that lived in the Central Melaka District. Table 1 shows the demographic profile of the respondents.

**Table 1: Demographic Profile**

Demographic Variables	Items	Frequency of Respondents
<b>Gender</b>	Male	8
	Female	22
<b>Age</b>	Below 25 Years Old	21
	25 – 35 Years Old	6
	36 – 45 Years Old	1
	46 – 55 Years Old	2
<b>Marital Status</b>	Single	23
	Married	7
<b>Educational Level</b>	STPM / Certificate / Diploma / Matriculation	9
	Degree	17
	Master	4
	PhD	0
<b>Occupation</b>	Government	10
	Private	7
	Self-employed	3
	Student	10

Four questions were asked to the respondents. The first question is regarding their awareness on a duty to avoid being cheated by unscrupulous seller. The second question is on the precautionary steps taken by online buyers before purchasing online products. The third question is on their experience in purchasing online products and the fourth one is on steps taken by them if the purchased product does not correspond with the description attached to the product. The interview sessions were audio-recorded with the permission of respondents and transcribed in full.

The structured interviews were analyzed and coded as H1 to H30. The responses were organized according to the coding of open-ended questions where it does not limit answers given by respondents but permits the respondents to provide any answer which may seem necessary and relevant for them to give. Most of the respondents gave similar answers but stating them in different words. Nonetheless, there were also different answers given. Thirty answers from thirty respondents were compiled based on each of the questions and they were adequately analyzed to find similarities and discrepancies.

### **3. Findings**

#### **3.1 Duty to avoid being cheated**

According to the interviews conducted, although most of the respondents believed that they had a duty as the consumer to avoid being cheated, there were also respondents who were not aware of their own responsibility particularly R8, R9, R14, R21, R22, R23, R24 and R28. Those who were aware of their duty to avoid being cheated believed that they had to have some kind of self-measure / awareness such as to be careful before purchasing and one of them even said that he needed to be knowledgeable before deciding to purchase online products.

### **3.2 Precautionary steps taken by online buyers before purchasing online.**

This study explored the steps taken by online shoppers before they ordered goods online. From the interviews taken, the most popular precautionary steps taken by them were reading online reviews related to the goods they intended to purchase. Out of thirty (30) respondents, seventeen (17) respondents preferred to read the reviews from the seller's previous customers before they purchased online. A few respondents (R1, R2, R3) admitted that they actually contacted the seller or the drop shipper about the product before deciding to purchase goods online; one respondent (R10) even checked the seller's details and others (R5, R6, R11, R14, R15, R16, R23, R24) went further to check other details such as the seller's registration number at the Registrar of Company. Other precautionary steps taken were comparing the products and price; there were four (4) respondents who did a few research on the seller's product and website.

### **3.3 Experiences in purchasing online products**

The respondents were also asked as to whether they had any experience in purchasing goods online or offline but the goods purchased or received by them did not comply with the description stated in the advertisement. There were seventeen (17) respondents had an experience of goods purchased but not complying with the stated descriptions. Amongst the experiences faced by them were receiving different sizes, difference in materials and colour and was given a plastic ring instead of the ordered metal ring.

### **3.4 Steps taken if the purchased product did not correspond with the description attached**

The last question focused on the steps taken after the goods purchased were delivered to the respondents. Most of respondents would try to get refunded by the seller if they received products which did not comply with descriptions. Other steps taken were lodging complaints to the Companies Commission of Malaysia, requesting for product replacement and making a police report. However, there are still respondents who were just being plain ignorant and did nothing even they had received products that were not the same as described.

## **4. Discussions**

Online shopping refers to the process in which consumers directly purchase goods from a seller over the internet (Laxmi & Kumar, 2016). It also refers to the process of doing research on interested products and services over the internet (Varma & Agarwal, 2014). In addition, it is the process of searching, browsing and purchasing goods through online directly from e-sellers (Vos, Marinagi, Trivellas, Eberhagen, Skaourlas & Giannakopoulos, 2014). There are two stages involved in the online shopping; the first stage involves finding, comparing, choosing and ordering of goods. The second stage is for tracking of order and keeping or returning of goods, termed as the order fulfilment stage (Liao, Palvin and Lin, 2010). The term "consumer" refers to a person who purchases goods not for commercial purposes as mentioned in section 3 of the Consumer Protection Act 1999 (CPA 1999). According to that section:

"goods means goods...which are primarily purchased, used or consumed for personal, domestic or household purposes which includes goods attached to, or incorporated in, any real or personal property; animals, including fish; vessels and vehicles; utilities; and trees, plants and crops whether



on, under or attached to land or not but does not include choses in action including negotiable instruments, shares, debentures and money...”.

Hence, any online purchases of consumer goods are subject to the protection under the CPA 1999. Consumers tend to buy anything under the sun online and it is probably critical for the law to include precautionary steps to caution consumers of anything that could cause unnecessary loss to them.

Despite the rapid development in online shopping which conveniently facilitates shopping activities for consumers, there are risks that promote frustrating, confusing and overwhelming processes (Dai, Forsythe & Kwon, 2014). There is a likelihood that consumers might be deceived in such a transaction for undelivered goods, goods not corresponding with the descriptions or unmerchantable goods. The Consumer Protection Act 1999 does not exclusively protect the online buyers especially in a case of unscrupulous or dummy seller. According to Roshazlizawati and Naemah (2015), the Consumer Protection Act 1999 does not generate a means to solve problems suffered by online consumers particularly in cases of them receiving low quality goods. Moreover, the Tribunal for Consumer Claim that was introduced within the ambit of the Consumer Protection Act 1999 only attends to the claim if the online consumer can identify the address of the seller (Yuhanza, Mimi Sofiah, Ekmil Krisnawati, Nur Idayu, Zuhairah & Siti Nurul Akma, 2017). In 2012, the Parliament introduced the Consumer Protection (Electronic Trade Transactions) Regulations 2012 which came into operation in 1 July 2013 to include online transactions. These regulations focus on the responsibilities of online market operators to disclose information such as the name of a person who operates the online business, the registration number of the business, the description of goods, the full price of goods, the mode of payment, terms and estimated time of delivery. Although these regulations indirectly protect the consumers in cases of fraud, further improvement to the existing statutes is crucial to strengthen and ensure adequate protection for online consumers (Naemah, 2013).

Online transactions will depend much on the advertisement of the goods. The goods will usually be offered by way of description through the internet and the customers only rely on the description displayed without having the opportunity to physically examine whether there are any defects in the goods. In Malaysia, sales by description are governed by section 15 of the Sale of Goods Act 1957 which stipulates that the seller should deliver goods that correspond with their descriptions. The Act also states clearly on the sale by sample as according to section 17 that the seller should deliver the goods as sample. Besides the Sale of Goods Act 1957, the Consumer Protection Act 1999 also provides the same obligation to the seller. All the respondents agreed that they need to be aware that the goods they purchased through online must comply with the description stated by the seller and both Acts allow online consumers to bring an action against the seller if the goods supplied do not conform to the description. However, according to Kamal (2012), there will be problems in proving such a case because the description on the internet can be easily tampered, changed or erased by anyone who has access to it. The seller can simply abscond and sometimes it is difficult for customers to get refunds (Abdul Halim, 2018).

Thus, due to the insufficient protection and ambiguous provisions in existing laws, the online consumers must take their own precautions to avoid risks. According to Mohammad Fazli (2014), the aim of having “smart consumers” should be continuous so that consumers could protect themselves. Indeed, continuous efforts from the government are important to safeguard the rights and interest of consumers. Due to limited physical access to goods and products (Forsythe, Liu, Shannon & Gardner, 2003), the risk to get cheated in online shopping is higher than that of offline shopping. The online consumers cannot examine the defect of the

goods and has no opportunity to physically compare the goods. Therefore, to reduce risks, the consumers should be aware of their own rights.

According to a previous research conducted by Von Helversen, Abramczuk, Kopec and Nielek (2018), online review in online purchase decision is well accepted. It could attract the intended online consumer to build and earn the trust with the online seller which could determine the online consumer's decision. The review will also facilitate the increase of sale on certain product but on the other hand, it could also decrease the sale (Floyd, Freeling, Alhogail, Cho & Freling, 2014). The effect and impact of online review to the business and to the purchasing decision have been discussed by many researchers. However, there is no discussion as to whether such a review could limit the risk of being cheated and at the same time it could give protection to online customers.

The experiences gained by online buyers will be regarded as an implied precautionary measure to avoid risks on online transactions. The good and bad experiences will not only influence the purchasing decision among customers but at the same time they indirectly help to increase the seller's profits (Singh & Shoch, 2015). Shopping experience assists the online customers in gaining information particularly regarding the ability of the sellers to deliver goods within the time stipulated and the merchantability of the goods ordered. Plus, they force both buyers and sellers to be information technology savvy to be at least at par with others who are in the business. Knowledge to transfer money online, getting information about the goods tracking numbers and the ability to know how to be in contact with the deliveryman are among other things that could be acquired through shopping goods online.

## **5. Recommendations**

The Consumer Protection Act 1999 was introduced to secure the right and interest of the consumers. This Act aims to protect the consumer from misleading and false representation of goods, to uphold the safety of goods and provide implied guarantees in food production. These aims however, cannot be realized without the consumers' support. The consumers are encouraged to have knowledge and aware of their rights and protection. They also need to take certain precaution to avoid risk especially while purchasing goods online. Some of the suggestions of precautions are as follows:

### **5.1 Purchase goods from trusted online seller**

The online consumers are encouraged to shop goods from trusted online sellers to avoid fraud or undelivered goods. According to Vos et. al. (2014), previous surveys showed that online consumers would prefer to purchase goods from trusted sellers. Furthermore, Leeraphong and Mardjo (2013) reported that their respondents preferred to purchase goods from sellers whom they believed could deliver a quality good to them. Trust does not only protect the buyer but also helps the seller to develop and expand their business (Wang & Emurian, 2005). Experiences in purchasing online goods enables development of trust and confidence to order goods from trusted sellers. Bad or good experience will determine the purchasing decision and facilitates online buyers to make future purchases. Dai (2014) affirmed that, shopping experience promotes knowledge to online buyers regarding the ability of online sellers to deliver goods and supply products which meet the customer's expectation.

## **5.2 Ensure certainty of products and terms of contract**

According to the Contracts Act 1950, certainty is one of the important elements for a valid contract. The contract which is not certain either on its terms and condition or product will be void as according to section 30 of the Contract Act 1950. The advertisement of the product and the language used must be clear particularly on the descriptions of products whether it describes the products specifically or generally. This is important to enable the buyers to know any available discrepancy in the products. The buyer must read the terms and conditions before entering into a contract of purchase. However, based on previous research, consumers tend to blindly accept the terms and conditions attached on the seller's website without reading them (Elshout, Elsen, Leenheer, Loos & Luzak, 2014). This is probably because the buyers are eager to take advantage of the good bargain, they probably think the sellers are giving them good offers either in terms of the price of the goods, the design or probably the availability of the goods that meet the customer's expectation.

## **5.3 Ensure the existence of return and refund term.**

The online shoppers should ensure the online sellers have clearly stated the return and refund terms (Roshazlizawati, 2015). In the event if the online buyers received goods or products which are not fit to be used or do not correspond with their description, they have a right to make a replacement of the product, or to return it or to be refunded by the seller. In the event of the sellers not having such terms, the buyers must insist such terms to be included before they enter into any binding contracts with the sellers.

## **5.4 Read previous online reviews and rely on the reviews from previous customers**

Reading online reviews from previous consumers is another step to understand the product sold (Mayer, 2012) and to be able to know of the seller's credibility to supply goods accordingly. The buyer can determine the ability of the seller to conclude the contract by delivering the goods to the customer and at the same time the buyer can identify the quality of products before buying them (Angeliki Vosa, 2014)

## **5.5 Make known to consumers of a platform for complaints that is the National Consumer Complaints Centre (NCCC)**

According to Yilmaz, Varnali and Kasnakoglu, 2016, customer complaints are good for business for the obvious reason that the seller of the product can positively improve the product. From the perspective of a legislator, public complaints could help them to improve implementation of the main purpose of any legislation passed. This was mentioned by the President of the European Committee of Social Rights, Luis Jimena Quesada, in a training conducted on 29 January 2014 for the European Social Charter. Therefore, it is highly proposed that online shopping websites must be linked to our (NCCC) which was established in 2004 to handle complaints from consumers and suggest solutions for any issues raised as to their consumer rights.

## **5.6 New regulation which has strict requirement to fulfill before purchasing online**

All the above suggestions can easily be attained if there is a specific regulation which can control and monitor all online business activities. The highly recommended regulation should clearly contain provisions, among others, as to terms and conditions, amount of penalty if any

of the parties breach their part of the bargain, the requirement as to dispute settlement, the need to lodge a complaint to NCCC, the mandatory registration of each seller to indicate reliability and the requirement of sharing product reviews by consumers.

## 6. Conclusions

The current research focuses on the overall findings from the data analyzed in the previous section. Several recommendations also listed by the researcher were based on the research objectives. The consumer must have general knowledge as a precautionary step. Based on the findings, online purchaser needs to pay more attention to online purchase experiences in terms of perceptions concerning product information, form of payment, delivery terms, service offered, return and refund terms, privacy and search for online reviews. Reading online reviews is the most popular precautionary steps compared to online purchase experience. Previous experience of the purchaser could develop a perception towards online purchasing. Furthermore, it is important to identify a trusted online seller as credibility, trust and security are paramount. Online shoppers must identify a trustworthy website before they can decide to purchase. The current research also can give insights to the online marketer as it continuously provides user-friendly services and expedite their online business strategies. In light with the emerging trends in Malaysia, online purchasers must be smart and equip themselves with necessary precautions.

In addition, a clear and strict guideline must be available for the consumers before they start choosing items to buy online. Such a guideline should be made compulsory for all consumers to read and understand prior to agreeing anything advertised by the sellers. A much tougher requirement would be to make it mandatory for complaints to be made directly to the NCCC for a uniform solution to all issues raised regarding online purchases and for statistics purposes. The guideline should also list the amount of damages or compensation that customers can claim against the sellers who violate any of the terms and conditions agreed upon prior to the purchase. To make it fair and just, the guideline should also include the rights of the sellers in the event the buyers breach the agreement. It is hoped that all the above-mentioned suggestions will become reality to further strengthen any laws available for online shoppers and to patch any lacunae in its existence.

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