



Regulating platforms

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FONDAZIONE PER L'AMBIENTE

Zagreb, 14 March 2019

Typologies of platform

- Consumer platforms, managed on voluntary basis by participants
- Platforms that intermediate between demand and supply gaining a fee for each transaction
- Platforms that offer users the possibility to interact without charging any fee

How regulation addressed platforms so far

- It's useful to remind the core basis of regulation:
 - a) Unacceptable market relationships (abuse...)
 - b) Safety/health/environment/rights

The eternal trade-off is innovation/regulation, privacy/free flow, manipulation/free speech.
- In the domain of traditional services there is a huge inheritance from the past: adoption of a “copy and paste” approach
- Strong sectoral focus
- Regulation-of-objects rather than regulation-of-needs (taxi instead of mobility, hotel rooms instead of accommodation)
- Pressure from preexisting licensing systems (accumulation of personal assets inside regulated objects)



Platforms and regulation.

Need for an overhaul

- The priority today seems to be regulators entering in the digital world.
- Platforms as self-regulated and self-policed “animals”
- Key question for regulators: are platform self-established rules aligned with public interest?
- Market failures change due to technologies...
Regulation should adapt
- One step forward: from a simple, constant and predictable regulation to an iterative and cross-sectoral one



Legal definition of platforms and practical consequences

- Digital markets and information society services?
- Economic nature of platforms?
- The core issue: pure middlemen or service providers



Labour and platforms.

State of the art

- How to consider platforms workers?
- Do platforms increase social inequality?
- Contradictory judicial decisions across different legal systems



Labour and platforms in prospect

- Relationships between organized workers and platforms
- “Collective” bargaining (SMart-Deliveroo in Belgium)
- European Pillar of Social Rights



Data. Key economic features and questions

- In the domain of data, regulation is a wild west, also because information is a peculiar good
- Data show features of externalities. Who owns externalities?
- Excludable, but non-rival in principle
- Who is entitled to own non-rival goods?
- Decreasing or increasing returns to scale?

What the Big Tech Companies Know About You

	Google	Facebook	Apple	Twitter	Amazon	Microsoft
Name				×		
Gender			×	×	×	
Birthday			×	×	×	
Phone Number						
Email Address						
Location						
Relationship Status	×		×	×	×	×

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<http://www.visualcapitalist.com/heres-what-the-big-tech-companies-know-about-you/>



The GDPR at a crossroads. First uncertainties arising

- Data ownership seemingly assigned to users
- On the other hand, data are lawfully processed, without users' consent, if it "is necessary for purposes of the legitimate interests pursued by the controller", point f) of art. 6(1)
- Right to data portability (art. 20), but not in the case of point f) of art. 6(1)
- Is portability sufficient to foster competition?

A non conclusion

Regulation and digital platform:
a long trip to go

