



Regulatory Policies for The Sharing Economy in The Digital Era: International Experience and Lessons for Vietnam

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ABSTRACT: The development of digital platforms has transformed the sharing economy from a mechanism for matching underutilized assets or capacity into a market structure in which platform enterprises can establish rules, process data, set prices, allocate transactions, rank participants, and restrict access. This study addresses three questions: which combinations of regulatory instruments are employed in the selected jurisdictions; what are the advantages, limitations, and institutional conditions of each combination; and which elements Vietnam may adopt after the 2025 Law on E-Commerce entered into force. The study applies a structured institutional comparison to the European Union, the United States, China, Singapore, and Australia. Its sources comprise selected academic studies, official legal and policy documents, and statistical evidence reviewed through 12 July 2026. The findings identify five combinations of regulatory instruments: multilevel regulation based on rights, risks, and data; decentralized experimentation at state and municipal levels; direct administrative regulation of data and algorithms; targeted protection linked to social security; and the establishment of minimum standards through industrial-relations institutions. The study further demonstrates that no model is optimal in every context; transferability depends on data capacity, decentralization, labour relations, and mechanisms for constraining public and private power. Its contribution lies in integrating sharing-economy regulation, platform governance, digital labour, data, algorithms, and competition within a comparative matrix. For Vietnam, the study proposes a three-tier policy architecture comprising general platform obligations, sector-specific regulation, and evaluated adaptive mechanisms, implemented through six groups of measures directly linked to the identified gaps.

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I. INTRODUCTION

The sharing economy is commonly defined as a mechanism for improving the utilization of idle or underutilized assets by digitally matching individual participants. This description was appropriate during the early stage of the phenomenon because it helped delimit the object of inquiry, but it is no longer sufficient to explain the power structure of large commercial platforms. When a platform enterprise determines entry conditions, contract formats, display rankings, prices or bonuses, transaction allocation, rating standards, and account restrictions, it is no longer a purely neutral intermediary; rather, it organizes and enforces market rules (Calo & Rosenblat, 2017; Gorwa, 2019; Rahman & Thelen, 2019). Accordingly, regulation of the sharing economy in the digital era must simultaneously address sectoral regulation, consumer protection, labour, data, competition, and accountability for automated decisions. Given the present scale and pace of platform expansion and development, resolving these issues has become increasingly urgent for every country.

According to the International Labour Organization, the number of online digital-labour platforms and location-based platforms in transport and delivery increased from 142 in 2010 to more than 777 digital-labour platforms in 2020; an updated study published in 2026 identified approximately 653 platforms operating as of October 2025 (ILO, 2021; Rani, Frosch, & Williams, 2026). The

decline in the recorded number does not demonstrate market contraction, because the number of legal entities changes through closures, mergers, and acquisitions, while the criteria for identifying active platforms have also been updated. For online platform work, the World Bank identified 545 platforms with workers or clients in 186 countries and estimated that approximately 154-435 million people participate, equivalent to 4.4-12.5% of the global labour force (World Bank, 2023). These indicators do not encompass the entire sharing economy, particularly location-based workers and service users. The study therefore uses them to describe scale and informational asymmetry rather than aggregating them into a single market estimate.

Contemporary legal systems do not converge on a single regulatory model. The European Union has constructed a multilevel architecture combining intermediary-service responsibilities, oversight of gatekeeper platforms, short-term accommodation data, and conditions of platform work (European Union, 2022a, 2022b, 2024a, 2024b). The United States relies extensively on state legislation, municipal rules, case law, and policy referenda, as illustrated by the regulation of short-term rentals in New York City and the classification of app-based drivers in California (New York City Mayor's Office of Special Enforcement, 2026; State of California, 2020; Supreme Court of California, 2024). China directly regulates data, algorithmic recommendation, and labour conditions in new forms of employment (Cyberspace Administration of China, 2021, 2022; National Development and Reform Commission of China, 2021). Singapore has established targeted protection for platform workers engaged in passenger transport and delivery (Singapore Ministry of Manpower, 2024, 2025). Australia has empowered the Fair Work Commission to establish minimum standards and adjudicate unfair deactivation (Commonwealth of Australia, 2024; Fair Work Commission, 2026a). These differences indicate that the effectiveness of regulatory instruments depends on enforcement capacity, labour-relations structures, decentralization, and legal traditions.

In Vietnam, Decision No. 999/QĐ-TTg of 2019 established a policy orientation for promoting the sharing economy in conjunction with fair competition, the rights and interests of participating parties, and obligations to the State (Prime Minister of Vietnam, 2019). The digital legal framework was subsequently supplemented by the 2023 Law on Electronic Transactions, the 2025 Law on E-Commerce, effective from 1 July 2026, and Decree No. 248/2026/ND-CP (National Assembly of Vietnam, 2023, 2025; Government of Vietnam, 2026). These instruments strengthen the accountability of platform operators and require verification of business entities. However, e-commerce law provides a general regulatory foundation for online transactions and does not replace specialized provisions governing short-term accommodation, transport, platform-dependent labour, algorithmic decision-making, and data power. The gap between the pace of legal development for digital transactions and the regulatory requirements of platform ecosystems therefore warrants analysis within an integrated framework.

Against this background, the study addresses three research questions: (1) which combinations of regulatory instruments have the selected economies developed for the sharing economy in the digital era; (2) what are the advantages, limitations, and institutional conditions of each combination; and (3) which elements are conditionally transferable to Vietnam after the 2025 Law on E-Commerce entered into force? The study's added value lies in connecting research streams that are commonly examined separately—sharing-economy regulation, platform governance, digital labour, data, algorithms, and competition—within a comparative institutional matrix, while clearly distinguishing the enactment of rules from enforcement capacity and policy outcomes.

II. THEORETICAL FOUNDATION AND LITERATURE REVIEW

A. Theoretical Foundation

The sharing-economy model has been conceptualized through multiple approaches. In the narrow sense, it encompasses activities in which an owner grants another person temporary access, with or without payment, to a physical asset whose capacity is underutilized (Frenken & Schor, 2017). This definition excludes many on-demand services in which providers acquire assets principally for commercial purposes or supply labour rather than share idle assets. In policy practice, the concept is often applied more broadly to app-based transport, delivery, short-term accommodation, peer-to-peer lending, and personal-service marketplaces. This study does not equate all labour platforms with the sharing economy; platform-labour evidence is used only when it elucidates regulatory risks arising from platform control.

The scope of the study is defined by regulatory function: a digital platform facilitates transactions between user groups while possessing the capacity to establish or enforce rules that materially affect prices, access, quality, data, or the income of participating parties. A firm's self-designation as a "sharing" enterprise cannot constitute grounds for exemption from obligations. The unit of analysis is the combination of regulatory instruments associated with platform functions, degree of control, and risk, rather than the commercial label of the model. Within this scope, the study applies three theoretical approaches.

First, the functional and risk-based regulatory approach holds that obligations should correspond to an entity's actual role and its capacity to generate externalities. A platform may simultaneously perform brokerage, verification, payment processing, rating, opportunity allocation, and access-control functions. As the degree of control increases, the proposition that the platform is a neutral intermediary becomes less tenable, and obligations concerning safety, data, labour, and compensation should increase commensurately (Edelman & Geradin, 2016; Miller, 2016). This approach avoids two extremes: applying traditional-enterprise rules without modification and thereby suppressing innovation, or exempting platforms from responsibility merely because transactions are organized through new technology.

Second, platform-governance theory emphasizes the triangular relationship among the State, platform enterprises, and user groups (Gorwa, 2019). Self-regulation offers informational and temporal advantages but entails conflicts of interest because the platform both establishes rules and benefits from enforcement outcomes. Co-regulation is therefore credible only when the State specifies outcome standards, data-access rights, auditing arrangements, and independent complaint mechanisms; the platform assumes implementation and reporting responsibilities; and workers, providers, and consumers have substantive channels of representation. Rating systems provide a representative example: they can create incentives for quality, but they can also operate as instruments of private discipline when criteria are opaque and exclusion from the platform lacks procedural fairness (Basili & Rossi, 2020).

Third, the comparative institutional approach explains why the same instrument produces different outcomes across contexts. Data regulation requires technological capacity and inter-agency coordination; labour regulation depends on systems of representation and dispute resolution; short-term-rental regulation depends on municipal authority and housing data; and competition control depends on how markets and gatekeeper power are defined. Research on Uber demonstrates that differences among the United States, Germany, and Sweden do not arise solely from varying degrees of "innovation friendliness," but from social-coalition structures, labour-market institutions, and state organization (Thelen, 2018). Policy lessons must therefore be adapted to specific conditions rather than transferred through textual replication.

B. Literature Review and Research Gap

The first phase of research concentrated on the legitimacy of innovation and the appropriate degree of state intervention. Cohen and Sundararajan (2015) proposed delegated self-regulation to exploit platforms' data and enforcement capabilities. Ranchordás (2015) emphasized policy experimentation, sunset clauses, and adaptability under uncertainty. Miller (2016) distinguished small-scale activity from professional commercial activity and recognized the role of local government. These studies established the foundations of adaptive regulation, but they were predominantly normative and preceded the emergence of algorithmic governance, data power, and platform labour as central concerns.

The subsequent phase shifted attention from whether platforms should be permitted or restricted to their power to organize markets. Calo and Rosenblat (2017) examined informational asymmetry, behavioural manipulation, and the transfer of risk to workers. Rahman and Thelen (2019) connected the platform model to economic concentration and institutional design, while Möhlmann et al. (2021) systematized algorithmic monitoring, evaluation, and discipline of labour. More recent studies have continued to expose the limitations of formal transparency. Veale, Silberman, and Binns (2023) called for ex ante and ex post transparency to be combined with human oversight and representative rights; Ogunde (2024) demonstrated that narrow information rights are insufficient to constrain algorithmic management; and Rosin and Parviainen (2025) emphasized the usability of information for workers and enforcement bodies. These findings indicate that regulation must address input data, decision logic, distributive outcomes, and the right to human review.

A third research strand examines sectoral externalities, self-regulatory mechanisms, and competition. Gurran and Phibbs (2017), Quattrone et al. (2016), and Nieuwland and van Melik (2020) show that short-term accommodation affects housing and neighbourhoods unevenly; appropriate instruments therefore commonly comprise registration, targeted limits, and listing data rather than a binary choice between complete prohibition and non-regulation. Through a systematic review of 99 studies, Mosaad, Benoit, and Jayawardhena (2023) classify state regulatory mechanisms as avoidance, restriction, and guidance, while identifying self-regulatory mechanisms at the entry, operational, and monitoring stages. Drawing on a qualitative synthesis of 87 cases, Degen and Gleiss (2025) demonstrate that platform-governance structures can generate distinct competition problems over the platform life cycle. Policy evaluation consequently cannot rely solely on the number of regulations; it must examine enforcement data, appeal rights, and the capacity to prevent platform power from dominating policy formation.

TABLE I. SELECTIVE OVERVIEW OF STUDIES SHAPING THE ANALYTICAL FRAMEWORK

Study	Focus	Contribution to the Analytical Framework	Limitation Requiring Consideration
Cohen & Sundararajan (2015)	Co-regulation	Uses platforms' data and enforcement capacity within delegated self-regulation.	Risk of conflicts of interest; developed before advanced regulation of data and algorithms.
Ranchordás (2015)	Innovation regulation	Proposes pilots, sunset clauses, and policy learning.	Lacks uniform empirical criteria for evaluating experimental outcomes.
Calo & Rosenblat (2017)	Information and power	Identifies data asymmetry, behavioural manipulation, and risk transfer.	Concentrates on Uber; cross-sector generalizability requires examination.

Study	Focus	Contribution to the Analytical Framework	Limitation Requiring Consideration
Thelen (2018)	Comparative institutions	Explains differences in Uber regulation through institutional structures and interest coalitions.	Concentrates on three developed countries and one sector.
Gorwa (2019)	Platform governance	Constructs a relational framework among the State, platforms, and users.	The conceptual framework requires integration with sectoral evidence and enforcement data.
Möhlmann et al. (2021)	Algorithmic management	Systematizes the monitoring, evaluation, and discipline of digital labour.	Requires translation into legally verifiable obligations.
Mosaad et al. (2023)	Adverse effects and regulatory mechanisms	Systematic review of 99 studies; classifies state and self-regulatory mechanisms.	Broad research scope; the effectiveness of each mechanism requires context-specific testing.
Veale et al. (2023)	Algorithmic transparency	Proposes ex ante and ex post transparency, human oversight, and representative rights.	Analysis is based on the draft Directive and requires reassessment during implementation.
Ogunde (2024)	Information rights	Compares Canadian and European approaches and identifies the limitations of narrow information rights.	Focuses on algorithmic regulation in platform labour.
Degen & Gleiss (2025)	Competition and governance	Synthesizes 87 cases and classifies competition problems across the platform life cycle.	Evidence is drawn predominantly from the United States and Europe.
Rosin & Parviainen (2025)	Usability of transparency	Examines the conditions under which algorithmic information can be used by workers and enforcement bodies.	Findings depend on the transposition and enforcement of the Directive.
Rani et al. (2026)	Platform scale and measurement	Updates the number of active platforms and identifies limitations in global labour data.	Concepts and data sources are not fully comparable across countries.

Source: Compiled by the author from the studies listed in the table.

The review of the literature and practice reveals three remaining gaps. First, although recent research has expanded to encompass algorithms and competition, scholarship on the sharing economy, digital platforms, labour, data, and sector-specific regulation generally remains fragmented, thereby impeding evaluation of the coherence of the overall regulatory architecture. Second, evidence remains concentrated in North America and Europe, whereas Asian models characterized by different administrative capacities and social-security structures have not been placed within the same comparative framework. Third, research in Vietnam was largely developed before the legal changes of 2023-2026 and has therefore not fully assessed the relationship between the new Law on E-Commerce and sector-specific gaps. This study addresses these gaps through multidimensional comparison, distinguishes formal regulatory design from enforcement capacity, and recommends transfer only where the corresponding institutional conditions can be identified.

III. RESEARCH METHODOLOGY

The study applies a structured institutional comparison to five cases: the European Union, the United States, China, Singapore, and Australia. The cases are not selected for ranking purposes, but to generate variation in regulatory architecture. The European Union represents a multilevel legal structure based on rights, risks, and cross-border coordination; the United States represents decentralized experimentation and litigation; China represents direct administrative regulation of data, algorithms, and platforms; Singapore represents targeted protection within a state possessing high enforcement capacity; and Australia represents the delegation of standard-setting authority to an industrial-relations institution.

The research sources comprise three groups. The first consists of peer-reviewed academic studies selected for their direct relevance to sharing-economy regulation, platform governance, externalities, labour, data, algorithms, or competition; DOIs and publisher webpages were prioritized for bibliographic verification. The second comprises legislation, case law, and official government webpages, cross-checked against the version in force or the implementation status as of 12 July 2026. The third consists

of contextual statistics from the ILO, the World Bank, and Eurostat. The study does not claim to constitute a systematic review of the entire literature; its selection criteria are intended to ensure reliability, direct relevance, and institutional comparability.

Quantitative evidence is used in accordance with each source's definitional scope. The ILO provides counts of recorded digital-labour platforms for 2020 and October 2025; the World Bank estimates the number of people performing online platform work; and Eurostat, drawing on a 2022 pilot survey in 17 European countries, reported that 3.0% of persons aged 15-64 had performed at least one hour of platform work during the preceding 12 months, including 1.0% engaged in transport or delivery and 0.4% providing taxi services (Eurostat, 2023). These figures are not aggregated because their geographical scope, populations, and reference periods differ. An implementation indicator from Singapore—approximately 26,500 persons, equivalent to 27% of the eligible group born before 1995, had voluntarily opted into higher social-security contribution rates by September 2025—is used to assess a coverage gap rather than to infer causality (Singapore Ministry of Manpower, 2026).

Each case is classified according to eight criteria: (1) the criteria for identifying a platform and the responsible entity; (2) registration and verification; (3) consumer protection and safety; (4) data access, sharing, and protection; (5) accountability for algorithms and automated decision-making; (6) employment status, working conditions, and social security; (7) competition and market-gatekeeper power; and (8) decentralization, coordination, and policy-adjustment mechanisms. The analysis proceeds in three stages: describing the combination of instruments; assessing its advantages, limitations, and institutional conditions; and determining its conditional transferability to Vietnam. The study does not equate the formal detail of legal texts with practical effectiveness, because outcomes also depend on enforcement resources, data, appeal rights, and compliance.

The methodology has three limitations. First, this is a qualitative, document-based study and does not measure the causal effects of individual regulations on prices, employment, or welfare. Second, the cases differ in legal scope: the European Union is a regional system; the United States is illustrated through state and municipal regulation; and Singapore and Australia concentrate substantially on platform labour. Third, data on platform numbers, workers, and users lack a uniform global definition; estimates are therefore used only as contextual evidence. The findings are suitable for designing policy architecture and hypotheses for subsequent research, but not for asserting which model produces the best economic outcomes.

IV. INTERNATIONAL REGULATORY MODELS IN THE DIGITAL ERA

A. European Union: Multilevel Regulation Based on Rights, Risks, and Data

The European Union has not enacted a single statute governing the sharing economy; instead, it has constructed obligations across multiple regulatory tiers. The general tier includes the Digital Services Act, fully applicable from 17 February 2024 to online intermediary services, with obligations increasing according to service type, scale, and risk. For online marketplaces, trader-traceability, transparency, and mechanisms for addressing illegal goods or services reduce the ability to invoke intermediary status as a means of avoiding responsibility. The Digital Markets Act supplements this framework with instruments for controlling undertakings designated as gatekeepers in core platform services, including restrictions on self-preferencing and ecosystem lock-in (European Union, 2022a, 2022b).

In short-term accommodation, Regulation (EU) 2024/1028, applicable from 20 May 2026, standardizes registration procedures, registration numbers, verification of displayed information, and the sharing of activity data through a single digital entry point in each Member State (European Union, 2024a). The instrument does not impose a uniform limit on the number of rental days in every city; rather, it creates a common data infrastructure through which national and local authorities can enforce housing, tourism, and planning rules within their respective competences. This constitutes an appropriate separation between common data standards and policy choices responsive to local externalities.

For labour, Directive (EU) 2024/2831 must be transposed by Member States by 2 December 2026. The Directive establishes mechanisms for correctly determining employment status and rights relating to algorithmic management: restrictions on the processing of specified sensitive data, transparency of automated monitoring and decision-making systems, human oversight, impact assessment, and the right to request review of significant decisions (European Union, 2024b). Its focus is not the disclosure of complete source code, but the assurance of procedural fairness when automated systems affect income, work allocation, or termination of the working relationship. The ILO's adoption of Convention No. 193 in 2026 on decent work in the platform economy further reinforces the tendency to treat registration, employment status, data, safety, and representative rights as interconnected components of platform-labour regulation (ILO, 2026).

The European model's principal advantage is the integration of user protection, data, competition, and labour, with obligations calibrated to risk and supported by cross-border coordination. Its limitations include high complexity, compliance costs, and the possibility of divergent national transposition of the platform-work directive. A large volume of legislation does not ensure uniform enforcement where competent authorities lack technical capacity or data connectivity. The transferable lesson lies not in replicating the number of legal instruments, but in linking the tier of general obligations to sector-specific regulation and data mechanisms.

B. United States: Decentralized Experimentation, Municipal Regulation, and Political Contestation

The United States has no unified federal framework dedicated to the sharing economy; regulation emerges through state statutes, municipal rules, case law, and political bargaining among firms, representative organizations, incumbent industries, and consumers. This structure permits rapid experimentation but produces substantial geographical variation in rights and obligations. In short-term accommodation, New York City's Local Law 18 requires hosts to register and prohibits booking services from processing transactions for unregistered properties. Pre-transaction verification shifts the regulatory focus from pursuing individual participants to imposing responsibility on the platform that controls the transaction flow (New York City Mayor's Office of Special Enforcement, 2026).

In platform labour, California illustrates the conflict between worker classification and policy mobilization. Section 2775 of the Labor Code applies the three-part ABC test for determining independent-contractor status, whereas Proposition 22 of 2020 established a separate regime for app-based drivers and delivery workers who satisfy statutory conditions (State of California, 2020a, 2020b). On 25 July 2024, the Supreme Court of California upheld the core of this regime (Supreme Court of California, 2024). The case demonstrates that platform enterprises do not merely respond to regulation; they may actively shape legislation through lobbying and referenda. Technical analysis must therefore be accompanied by an assessment of asymmetries in political resources (Collier et al., 2018).

The United States model permits experimentation at the local level and adjustment to sector-specific externalities, particularly in housing, transport, and delivery. Its limitations are fragmentation, high compliance costs, regulatory arbitrage, and geographical disparities in protection. Litigation commonly resolves individual disputes only after harm has occurred, while referendum processes are susceptible to inequalities in campaign resources. The relevant lesson for Vietnam is to preserve space for local experimentation while maintaining national standards for data, minimum rights, and coordination.

C. China: Administrative Regulation Based on Data, Algorithms, and Platform Responsibility

China has developed a model in which administrative authorities intervene directly in platform rules, particularly in relation to algorithms, personal information, competition, and labour in delivery and transport. The provisions governing algorithmic recommendation services, effective from 1 March 2022, require providers to establish internal governance rules, protect users' rights and interests, and refrain from using algorithms for unlawful conduct or price discrimination; specified services possessing public-opinion attributes or social-mobilization capacity must file their algorithms with the authorities. The Personal Information Protection Law adds requirements of transparency and fairness for automated decision-making (Cyberspace Administration of China, 2021, 2022).

For new forms of employment, the 2021 inter-ministerial guidelines distinguish three situations: a complete employment relationship; a relationship that does not fully satisfy the conditions for employment but in which the enterprise exercises labour management; and autonomous business activity. In food delivery, the guidelines require income not lower than local standards, prohibit the use of the "most stringent algorithm" as the performance benchmark, require reasonable delivery deadlines, emphasize safety, and extend occupational-injury protection (National Development and Reform Commission of China, 2021). This tiered approach avoids forcing every relationship into a binary choice between employee and independent contractor, although its effectiveness depends on practical complaint and oversight mechanisms.

The Chinese model's advantages are rapid response, data integration, and clear attribution of platform responsibility. Treating algorithms as a distinct object of regulation enables risks to be addressed where conventional e-commerce rules have limited reach. Its limitation is substantial dependence on administrative capacity and official access to data. To avoid replacing opaque private power with insufficiently constrained administrative power, the legal basis for intervention should be disclosed, appeal rights secured, and independent scrutiny available. The relevant lesson for Vietnam is to regulate algorithmic outcomes and risks within a framework of data protection and accountability.

D. Singapore: Targeted Co-Regulation and Portable Social Security

Singapore has selected a relatively narrow scope while designing specific instruments. The Platform Workers Act 2024, effective from 1 January 2025, focuses on persons providing passenger-transport and delivery services under the managerial control of a platform enterprise. The Act does not classify all such persons as employees; instead, it establishes three categories of protection: contributions to the Central Provident Fund, work-injury compensation, and representation through platform-worker associations. Enterprises must notify their status as platform operators, retain records, issue earnings slips, and fulfil contribution or insurance obligations (Singapore Ministry of Manpower, 2024, 2025).

For persons born on or after 1 January 1995 and older persons who voluntarily opt in, contribution rates are progressively increased from 2025 to 2029 toward those applicable to employees and employers, reaching maximum respective rates of 20% and 17% for eligible age groups (Singapore Central Provident Fund Board, 2026). Contributions are calculated on net earnings and deducted and remitted monthly through the platform, thereby reducing administrative costs for persons working across multiple platforms. By September 2025, however, only approximately 26,500 persons, equivalent to 27% of the eligible cohort born before 1995, had voluntarily opted into the higher contribution rates; the rate was 32% among those for whom platform work constituted

the principal or sole source of income (Singapore Ministry of Manpower, 2026). This indicator suggests that voluntary design may leave a coverage gap, although it is insufficient to establish the causes of non-participation.

The Singapore model has three principal strengths: it identifies the regulated group by the degree of managerial control rather than contractual terminology; uses the platform as the collection and remittance point for social-security contributions; and applies a transition schedule to moderate cost shocks. Its limitation is that coverage is concentrated on transport and delivery and does not fully address minimum wages, working time, or the rights of other categories of digital labour. The opt-in rate among the cohort born before 1995 demonstrates that an intermediate regime cannot fully substitute for labour protection and income-support mechanisms.

E. Australia: Minimum Standards through Industrial-Relations Institutions

Australia amended the Fair Work Act through the Fair Work Legislation Amendment (Closing Loopholes No. 2) Act 2024, creating the category of "employee-like workers" performing work through digital labour platforms (Commonwealth of Australia, 2024). A person may fall within this category where at least two indicators are present, including low bargaining power, remuneration comparable to or lower than that of employees, and limited autonomy over how or when work is performed. From 26 August 2024, the Fair Work Commission has had authority to issue minimum-standards orders, register collective agreements, and adjudicate claims concerning unfair deactivation for eligible workers (Fair Work Commission, 2026a, 2026b).

The regime does not prescribe all conditions in legislation; instead, it authorizes a specialized institution to receive applications, conduct consultation, and issue orders by sector or type of work. Workers who have performed work regularly for at least six months and remain below the contractor high-income threshold may apply for review of deactivation. As of 12 July 2026, no generally applicable minimum-standards order had entered into force. On 8 July 2026, the Commission published a decision proposing a draft order for on-demand delivery and opened consultation until 29 July 2026; that document was not yet a final binding order (Fair Work Commission, 2026a, 2026c). This status demonstrates that institutional design is a necessary condition, while outcomes depend on adjudication, evidence, and representative capacity.

Australia combines flexibility with independent legal procedure: standards can be adapted by sector, while workers have a channel for seeking review of deactivation. Its limitations are potentially lengthy proceedings, high participation costs for dispersed workers, and the continuing need to interpret the "employee-like" criteria through practice. The lesson for Vietnam is that minimum standards by occupational category and a right to challenge account deactivation can be established without attempting to resolve every issue through a single contractual classification.

TABLE II. COMPARISON OF REGULATORY MODELS AND INSTRUMENT COMBINATIONS

Case	Regulatory Architecture	Principal Instruments	Principal Advantages and Limitations
European Union	Multilevel obligations differentiated by rights, scale, and risk; regional-national-local coordination.	Trader traceability; risk assessment; short-term-rental data standards; algorithmic governance; determination of employment status.	Comprehensive and integrated, but complex; effectiveness depends on national transposition and enforcement capacity.
United States	Decentralized across states, municipalities, case law, and policy referenda.	Registration and pre-transaction verification; worker-classification standards; local regulation.	Permits experimentation responsive to externalities, but is fragmented and susceptible to policy lobbying.
China	Direct administrative regulation; data and algorithms are explicit regulatory objects.	Algorithm filing; fairness requirements for automated decisions; intervention in delivery parameters; tiered labour relations.	Rapid response and clear responsibility; requires stronger independent review, transparency, and appeal rights.
Singapore	Targeted co-regulation; responsibility imposed through platform operators.	Transaction-based social-security contributions; work-injury insurance; collective representation; records and earnings slips.	Specific, practicable, and transitional; narrow sectoral scope and no full substitute for employment rights.
Australia	Industrial-relations institutions establish sector-specific standards.	Minimum-standards orders; collective agreements; deactivation claims; employee-like worker criteria.	Flexible and procedurally independent; progress depends on adjudication, data, and representative capacity.

Source: Compiled by the author from legislation and official sources for the cases studied, updated through 12 July 2026.

V. COMPARATIVE ANALYSIS AND POLICY LESSONS

A. From Regulation by Model Label to Regulation by Degree of Control

A salient commonality is the increasing alignment of obligations with actual control. The European Union differentiates obligations by service type, scale, and risk; Singapore relies on managerial control; Australia considers bargaining power and autonomy; and China intervenes where platforms establish labour rules and algorithmic parameters. Relevant indicators include the authority to set prices, assign work, rank participants, process payments, retain data, impose sanctions, and deactivate accounts. Contractual designation constitutes one item of evidence rather than the sole determining factor. This lesson is consistent with the functional and risk-based approach established in the theoretical section.

B. Data as Regulatory Infrastructure Rather Than Merely a Corporate Asset

All models examined transfer a portion of informational obligations to platforms. New York requires registration verification before a transaction; the European Union standardizes registration numbers and short-term-rental data entry points; Singapore requires records and earnings slips; and China requires the filing of specified algorithms. Where public authorities lack data on participants, frequency, revenue, activity density, and deactivation decisions, regulation tends to concentrate on readily observable individuals while overlooking the entity controlling the system. Regulatory data must nevertheless be constrained by purpose, necessity, retention periods, access authorization, and information security; greater collection does not in itself constitute better regulation.

C. Algorithmic Transparency Must Be Converted into Procedural Rights and Outcome Auditing

Requiring disclosure of complete source code is both impracticable and insufficient to detect discrimination or manipulation. A more effective approach requires disclosure of system objectives and principal categories of variables; maintenance of decision logs; assessment of effects on prices, income, safety, and vulnerable groups; correction of erroneous data; human review of significant decisions; and outcome auditing using sample data. The European Union provides a framework of procedural rights; China illustrates direct obligations imposed on algorithmic systems; and Australia provides a mechanism for contesting account deactivation. Their combination is more consistent with risk-based regulation.

D. Platform Labour Requires Protection Based on Dependency Without Awaiting Complete Resolution of Classification

The employee-versus-independent-contractor question remains important, but litigation can be protracted and platforms may alter contract forms to avoid classification criteria. Singapore and Australia demonstrate that floor rights-work-injury insurance, social-security contributions, representation, deactivation procedures, and minimum standards-can be established according to control or dependency while preserving the possibility of recognizing a full employment relationship where legal conditions are met. China adds an intermediate category for relationships that do not fully satisfy employment criteria but remain subject to labour management. The lesson is that basic rights should not depend entirely on the outcome of prolonged classification disputes.

E. Decentralization Is Effective Only with Data Standards and Coordination Mechanisms

The externalities associated with accommodation, transport, and delivery are local in character, and urban authorities therefore require the power to design appropriate limits. The United States experience, however, demonstrates that decentralization without a common tier generates fragmentation. The European model suggests an alternative: central authorities establish identification requirements, data standards, minimum rights, and coordination protocols, while local authorities regulate density, number of days, geographical zones, safety, or operating conditions. Uniformity does not require identical substantive rules, and decentralization does not require each locality to construct a separate data system.

F. Policy Experimentation Requires a Hypothesis, a Time Limit, and an Exit Mechanism

Experimental mechanisms are appropriate for new technologies, but they can become prolonged exemptions when evaluation criteria are absent. A disciplined experiment must specify the risk under examination, participating groups, required data, minimum protection standards, duration, assessment indicators, and the procedure for termination or conversion into permanent regulation. Growth in platform users cannot automatically be treated as evidence of policy success; competition, income, accidents, complaints, housing effects, and enforcement costs must also be assessed.

VI. VIETNAM'S POLICY FRAMEWORK AND REMAINING REGULATORY GAPS

A. Current Legal Framework in Vietnam

Decision No. 999/QĐ-TTg dated 12 August 2019 established an orientation that supports innovation, ensures a level business environment, strengthens regulatory capacity, and requires participating parties to fulfil obligations relating to taxation, consumer protection, data, and safety (Prime Minister of Vietnam, 2019). The Ministry of Planning and Investment's 2020 impact-assessment report further identified issues concerning taxation, business registration, labour relations, social security, competition, and institutions (Ministry of Planning and Investment, 2020). These two documents provide a relatively comprehensive policy foundation, but most tasks were assigned for sector-by-sector review and did not establish integrated mechanisms for data coordination and common evaluation.

The 2023 Law on Electronic Transactions, effective from 1 July 2024, strengthened the legal validity of data messages, electronic signatures, trust services, and electronic transactions in public authorities (National Assembly of Vietnam, 2023). The 2025 Law on E-Commerce and Decree No. 248/2026/ND-CP, both effective from 1 July 2026, establish clearer responsibilities for platform operators, sellers, cross-border activities, and the use of technology in regulation (National Assembly of Vietnam, 2025; Government of Vietnam, 2026). Seller-verification requirements and platform cooperation obligations support taxation, consumer protection, and the reduction of commercial anonymity. These measures are necessary but insufficient for regulating sector-specific externalities and platform-mediated labour relations.

B. Remaining Gaps

First, the boundary between occasional non-professional sharing and regular business activity has not been standardized through uniform criteria. Reliance solely on business registration or the service label can subject small-scale transactions and professional suppliers to identical treatment or, conversely, allow large commercial activities to operate under an individual designation. Combined thresholds are required for revenue, frequency, number of assets, degree of control, and investment purpose.

Second, the new e-commerce framework does not automatically create sectoral data infrastructure. Accommodation regulation requires address data, registration numbers, nights rented, and host status; transport regulation requires trip, price, working-time, and accident data; and labour regulation requires earnings, activity time, deductions, ratings, and deactivation decisions. If each authority requires separate reporting forms or receives only aggregated reports, its ability to identify externalities and evaluate policy will remain limited.

Third, accountability for algorithmic management remains dispersed across data protection, consumer protection, labour, and competition law. Platforms may alter prices, commission rates, assignment rankings, or account access through automated decisions, yet affected persons lack a unified procedure for learning the basis of a decision, correcting data, and requesting review. General terms-and-conditions transparency does not resolve individualized decisions.

Fourth, no clear intermediate mechanism governs the status and social protection of providers dependent on platforms. Entitlements depend principally on recognition of an employment relationship under existing law or on the individual's capacity to participate voluntarily in social insurance as an informal worker. Income earned across multiple platforms, varying by day and subject to automated deductions, requires a contribution mechanism based on transactions or actual income, together with platform cost-sharing where control is substantial.

Fifth, competition policy has not been fully connected to data and reputation portability or to market access. Network effects, subsidization, data accumulation, exclusivity clauses, and the platform's simultaneous roles as market organizer and competing service provider may impair competition before the effect appears in the form of high prices. Sharing-economy regulation therefore cannot be confined to equalizing business conditions with traditional enterprises; it must monitor gatekeeper power within digital markets themselves.

Sixth, experimentation and post-enactment evaluation have not been standardized. Pilot programmes commonly emphasize permission to operate but do not invariably disclose hypotheses, indicators, data, termination criteria, or responsibility for externalities generated during the pilot. This reduces policy learning and permits exceptions to persist beyond their original purpose.

TABLE III. RELATIONSHIPS AMONG REGULATORY GAPS, INSTITUTIONAL CAUSES, AND INTERNATIONAL LESSONS FOR VIETNAM

Gap	Principal Institutional Cause	Conditional Lesson	Priority Response
Classification of participants and activities	Substantial reliance on contract labels, registration, or traditional-sector categories.	EU, Singapore, and Australia: assess functions, control, dependency, and scale.	Develop cross-sectoral criteria and thresholds distinguishing occasional from professional activity.
Insufficient sectoral data	Fragmented reporting; lack of identifiers and inter-agency connectivity.	EU, New York, and Singapore: digital registration, pre-transaction verification, and standardized reporting.	Establish a shared data gateway, purpose-specific protocols, and data minimization.
Algorithmic decisions	Existing law primarily governs data or general contractual terms.	EU, China, and Australia: impact assessment, human oversight, and appeal rights.	Decision logs; targeted explanations; human review; outcome auditing.
Social security and labour rights	Multi-platform income, binary classification, and difficult enforcement.	Singapore, Australia, and China: floor rights calibrated to control and dependency.	Transaction-based contributions; accident insurance; representation; deactivation procedures.

Gap	Principal Institutional Cause	Conditional Lesson	Priority Response
Gatekeeper power	Network effects and data lock-in remain inadequately measured.	EU and gatekeeper-power scholarship: portability, prohibitions on self-preferencing, and centralized oversight.	Data and reputation portability; oversight of exclusivity and self-preferencing.
Undisciplined experimentation	Emphasis on permission rather than hypotheses and social outcomes.	Experimental regulation: duration, indicators, data, and exit mechanisms.	A standardized pilot template with published interim and final reports.

Source: Compiled by the author.

VII. POLICY RECOMMENDATIONS FOR VIETNAM

A. Prioritize a Three-Tier Legal Architecture Rather Than a Single Dedicated Statute

A separate sharing-economy statute would risk rapid obsolescence, overlap with e-commerce law, and place heterogeneous externalities within a single framework. A three-tier architecture is more appropriate. The first tier should establish general obligations for transaction-organizing platforms: participant verification, transparency of conditions, data protection, log retention, complaint resolution, reporting, and cooperation with public authorities. The second tier should comprise sector-specific rules for accommodation, transport, finance, labour, health care, and other fields, based on relevant externalities and technical standards. The third tier should consist of adaptive mechanisms, including time-limited pilots, impact assessment, technical guidance, and threshold adjustment. This architecture would utilize the 2025 Law on E-Commerce without expecting a general statute to resolve every risk.

B. Classify Platforms by Function, Degree of Control, and Scale

The Government should issue inter-sectoral criteria identifying three levels of platform role: transmission or listing platforms exercising limited control; transaction-organizing platforms that verify participants, process payments, and operate rating systems; and strongly controlling platforms that set prices, assign work, establish quality standards, or impose sanctions. Obligations should increase with the role performed. At the same time, non-professional providers should be distinguished from regular commercial activity through thresholds for revenue, transaction volume, number of assets, operating days, and investment purpose. Thresholds should be periodically reviewed rather than permanently fixed. Such criteria would promote proportionality, avoid imposing excessive compliance costs on small-scale activities, and prevent professional businesses from evading obligations.

C. Develop Purpose-Limited Regulatory Data Infrastructure

A participant-identification and reporting mechanism should enable each platform to connect once to the state system, after which data may be shared according to statutory competence. Minimum data should include the platform identifier, participant identifier, transaction type, time, value, geographical area, and compliance status, with sectoral modules adding necessary fields. For accommodation, the registration number should be verified before the platform permits a transaction. For labour, platforms should provide statements of earnings, deductions, online time, and decisions having significant effects. The design must comply with purpose limitation, role-based access, encryption, retention periods, and auditing of public-authority data use. The objective is to obtain sufficient information for regulation, not to construct an unlimited data repository.

D. Establish Accountability for Algorithmic Management

Obligations should apply to systems that significantly affect prices, income, safety, service access, or account termination. Platforms should disclose the system's purpose and principal categories of criteria; conduct impact assessments before deployment or material modification; test for error and discrimination; retain logs; provide meaningful reasons; allow data correction; and assign an authorized human decision-maker to review complaints. Regulators need not require public disclosure of source code; instead, they may require technical documentation, test datasets, and risk-based independent audits. In transport and delivery, assessments should encompass time pressure, road safety, working time, and income volatility.

E. Establish Portable Social Security and Floor Rights for Dependent Providers

Vietnam may consider social-security accounts linked to personal identifiers and capable of receiving contributions from multiple platforms in proportion to transaction income. Where a platform exercises substantial control, the enterprise should make a contribution; rates and implementation schedules should be piloted using income data to avoid abrupt reductions in net earnings or displacement of transactions outside the formal system. Occupational-accident insurance should be prioritized for transport and delivery. In parallel, regulation should require standardized earnings statements, the right to information on deductions, the right to join representative organizations, participation in negotiations concerning directly consequential rules, and procedures preceding account deactivation. These rights should apply according to dependency and should not preclude recognition of a full employment relationship where statutory conditions are satisfied.

F. Constrain Platform Power and Ensure Portability

The competition authority should develop indicators of gatekeeper power, including transaction share, data control, the prevalence of multi-homing among providers, switching costs, exclusivity terms, self-preferencing, and exclusionary subsidization. Providers should be able to download and transfer profile data, transaction history, and reputation in a structured format, subject to the consent of affected parties and personal-data protection. Where a platform both organizes a market and sells competing services, ranking criteria should be transparent and the use of non-public partner data for unfair competition should be prohibited. Such control is not intended to suppress beneficial network effects, but to prevent data advantages from becoming unaccountable exclusionary capacity.

G. Coordinate Decentralization, Enforcement, and Evaluation

The State should establish minimum standards for identification, data, user rights, and platform responsibility, while permitting local authorities to regulate conditions responsive to local externalities, particularly in accommodation, transport, and the use of urban space. Decentralization must be accompanied by a shared database and mechanisms for resolving jurisdictional conflicts. Sanctions should target the entity with preventive capacity-the platform-rather than concentrate on individuals. Every pilot programme should have a publicly available record specifying objectives, hypotheses, scope, duration, data, outcome indicators, and an exit plan. Evaluation should measure not only transaction growth but also accidents, net earnings, complaints, competition, housing effects, and regulatory costs.

VIII. THEORETICAL CONTRIBUTIONS, IMPLEMENTATION CONDITIONS, AND TRANSFER RISKS

A. Theoretical Contribution: Regulating the Sharing Economy as a Private Market Institution

The findings demonstrate that the object of regulation is not merely an individual transaction or a technology enterprise, but a private institution that organizes a market. Platforms establish entry rules, standardize contracts, structure information, set or recommend prices, allocate opportunities, and adjudicate violations. Within the market under their control, these functions resemble elements of rule-making, supervision, and adjudication. A framework based exclusively on the obligations of sellers and buyers consequently overlooks the principal source of decision-making power. The study's first contribution is to shift the unit of analysis from the "sharing model" to the platform's control structure and decision chain. This approach explains why a simple listing service and a platform that sets prices, assigns work, and deactivates accounts should not bear identical obligations merely because both are digital intermediaries.

The second contribution is to treat regulatory data as an element of institutional design rather than an ancillary component of procedural digitization. Where platforms possess real-time data while public authorities receive only aggregated reports or investigate after an incident, informational asymmetry weakens every rule relating to taxation, safety, labour, and competition. Correcting this asymmetry cannot, however, rely on unlimited data collection. The appropriate model is purpose-limited data: each data field should correspond to a regulatory function and should have a legal basis, a retention period, authorized users, and an audit mechanism. Digital regulatory capacity and data protection are therefore not opposing objectives but concurrent conditions of legitimacy.

The third contribution is to connect algorithmic governance to procedural rights. Algorithms are not merely optimization technologies; on many platforms they generate decisions with consequences analogous to managerial decisions: who receives work, which price applies, which account is restricted, and which complaint receives priority. General transparency requirements are therefore insufficient. The rights to notification, meaningful reasons, data correction, human review, and appeal must become components of the decision process. This constitutes the intersection of data regulation, consumer protection, and labour law that single-sector studies have not always fully articulated.

B. Implementation Conditions: The Sequence of Reform Matters More Than the Number of Rules

The three-tier architecture is feasible only if reform follows an appropriate sequence. Participants, identifiers, and minimum data fields must first be defined; otherwise, sector-specific obligations will be difficult to enforce. The next step is to establish role-based data sharing among tax, market-surveillance, transport, tourism, labour, and local authorities. Once foundational data are available, regulators can use evidence to determine thresholds for professional activity, algorithmic risk, social-security contributions, or indicators of gatekeeper power. Enacting numerous obligations simultaneously in the absence of identification and data systems may increase documentation without increasing the capacity to detect violations.

Human resources constitute the second condition. Algorithmic scrutiny does not require regulators to develop complex technological models themselves, but it does require interdisciplinary personnel with competence in law, statistics, information systems, and platform economics. A shared technical-support unit may serve multiple authorities, issue assessment methodologies, and commission independent audits in high-risk cases. To avoid dependence on consultants paid by the regulated enterprise, auditor selection, the scope of data access, and disclosure of findings should be standardized. Complaint-resolution bodies also require authority to compel the preservation of decision logs; if evidence can be deleted or altered, the right of appeal remains merely nominal.

The third condition is the representation of affected groups. Consultation confined to platform enterprises and public authorities may overlook costs shifted to workers, small-scale hosts, or consumers. Rules affecting income, deductions, ratings, and account deactivation should involve representative organizations or provider groups. Accommodation policy requires consultation with residents and urban authorities; transport policy requires data and input from drivers, passengers, incumbent enterprises, and safety regulators. Participation does not replace state decision-making, but it makes the distribution of benefits and costs visible and reduces the risk that policy will be shaped by the group possessing the greatest lobbying resources.

C. Risks Requiring Control

The first risk is the trade-off between accountability and entry costs. Verification, reporting, and insurance obligations can increase fixed costs, advantage large platforms, and exclude new enterprises or small providers. The appropriate response is not a general exemption, but proportionality according to scale and risk, common technical protocols, and simplified procedures for non-professional activity. For core obligations such as safety, data protection, and complaint rights, small scale cannot justify complete exclusion, although the form of compliance may be adjusted.

The second risk is the trade-off between data sharing and privacy. Transaction, location, income, and work-history data can support taxation and social protection, but they also create risks of excessive surveillance and function creep. Regulatory data should therefore prioritize pseudonymization, aggregation where possible, functional separation of data repositories, and logging of public-authority access. The right to seek an explanation of an algorithm should not require disclosure of another person's personal information or unnecessary trade secrets; competent authorities and independent auditors may receive deeper access subject to confidentiality obligations.

The third risk is the trade-off between flexibility and legal certainty. Pilots, sectoral standards orders, and technical guidance enable rapid response, but frequent change increases compliance costs and reduces predictability. Every material change should provide a transition period, an impact assessment, and a published rationale. Conversely, excessively rigid rules may rapidly become obsolete or induce firms to redesign contracts to circumvent the law. An appropriate balance is for legislation to establish stable rights and principles; subordinate instruments to define adjustable data fields, thresholds, and methods; and pilots to examine new issues within a limited scope.

The fourth risk is regulatory capture. Platforms may use proprietary data, communications campaigns, or user benefits to exert pressure for continuing exemptions; incumbent industries may likewise use regulation to restrict competition. Drafting authorities should therefore disclose data, consultation submissions, cost-benefit assessments, and conflicts of interest. Policy should neither protect obsolete business models nor treat transaction growth as sufficient evidence of social benefit. Evaluation criteria should include resource efficiency, competition, income, safety, housing, data rights, and fiscal costs.

IX. CONCLUSION

The first research question is answered by identifying five combinations of regulatory instruments. The European Union has constructed a multilevel model integrating user rights, competition, sectoral data, and labour; the United States permits experimentation by states and municipalities but is affected by fragmentation and competition in political mobilization; China directly regulates data and algorithms; Singapore establishes targeted protection through social security and representation; and Australia uses industrial-relations institutions to develop adaptable standards and protection against deactivation. None constitutes a complete template for replication.

For the second and third questions, the comparison demonstrates that each model's advantages arise only under particular institutional conditions. Vietnam's principal gaps after the 2025 Law on E-Commerce entered into force do not consist of a complete absence of digital-transaction regulation, but of weak connections between general obligations and sector-specific rules; insufficient usable data for enforcement; the absence of procedural rights concerning algorithmic decisions; inadequate social-protection mechanisms for dependent providers; and limited instruments for monitoring gatekeeper power. These deficiencies are associated with traditional sectoral regulation, fragmented reporting, binary labour classification, and uneven capacity for technological assessment.

On this basis, the study proposes a three-tier architecture comprising general obligations, sector-specific rules, and evaluated adaptive mechanisms, implemented through six pillars: classification by function and scale; data infrastructure; algorithmic accountability; portable social security; control of platform power; and coordinated enforcement. These recommendations correspond directly to the gaps identified and should be tested through pilots, administrative data, anonymized platform data, and cost-benefit assessment. The study does not measure causal effects; its conclusions therefore establish design directions and transfer conditions rather than predetermining the economic effectiveness of individual instruments.

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