

An Extended Study of the Regulatory Object of Economic Law: Theoretical Reconstruction in the Digital Economy Era

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Abstract: The digital economy has brought out some of the fundamental flaws in economic law (the so-called "state-market-firm" triad). The regulatory approach proposed in this paper is an expansive one for data elements, platforms and algorithms, and criticizes the classic doctrine of "integration of vertical and horizontal relationships" for failing to take into account the non-competitive nature of data or the quasi-public nature of platforms. A comparison of the EU's Digital Marketplace Act and the US Algorithmic Accountability Act shows that the regulatory focus has gradually shifted from ex post control to ex ante regulation and algorithmic accountability. This paper proposes a new framework: to understand the target of regulation in terms of dynamic behaviors, instead of sticking to static categorization; platforms should be allowed to assume certain public responsibilities, while setting up a complete institutional arrangement regarding data and algorithms. The resulting reconfiguration positively reconciles innovation and the rule of law, enabling economic law to keep pace with the digital age without jeopardizing social interests.

Keywords: Economic Law; Regulation; Digital Economy; Platform Economy; Data Elements; Algorithmic Governance; Platform Liability; Cross-Border Data Governance

1. Introduction: The Urgency of Conducting Research on the Subject of Economic Law and Regulation in the Digital Economy

If economic law is regarded as a legal discipline that regulates certain economic relations, the object of regulation is the key point that determines its nature, system and function. Economic law is generally "by the state

management of economic activities and coordination of economic relations arising from" to summarize the object of regulation, and the four basic types are included in it - the regulation of market entities, market operation regulation, macro-control and relations related to social distribution [1]. The above thinking had a greater explanatory power for the economy of industrial societies; however, the limitations involved in the current fast-growing digital economy are becoming apparent.

The size of the digital economy in China is now greater than 50 trillion yuan, which is about 41.5% of the national economy and the second largest in the world [2]. It is not only a transformation of established production or business forms, but also brings about entirely new categories of economic relations. The modern era, characterized by platforms, sharing or algorithms, is forcing regulatory theory to face two simultaneous difficulties - the lack of explanatory power and the existence of regulatory white spaces. By 2025, the number of closed cases concerning data ownership and transactions will have risen by 25.6% compared to the previous year [3], which makes it possible to judge the rapidity of digital legal issues and the need for a corresponding theoretical breakthrough in economic law.

In the case of China, legislation on the digital economy had been prioritized and included in discussions on the rule of law in emerging areas. From this perspective, it is both theoretically and practically necessary to rethink how economic law should regulate new things. The paper takes the problems caused by the digital economy as a clue to make a more complete analysis on the expansion of the object of economic law regulation, and tries to find a theoretical scheme of economic law that meets the contemporary requirements, which can be used as the basis of thinking or guiding material for the design of relevant systems.

2. Traditional Theories Regarding the

Objects of Economic Regulation and Their Limitations

2.1 Major Doctrines of Traditional Theory

Academic analysis of the object of China's economic law system was first proposed in the 1980s. In the course of the past forty years or so, a number of mature doctrines can be found, representing historical thinking or theoretical conceptions of economic law at various stages and from various perspectives. The idea of integrating vertical and horizontal relations limits the content of economic law to managerial or collaborative economic relations in social production and reproduction, with all types of subjects considered as central elements. This view does not separate vertical management from horizontal collaboration, nor is it bound by the old public law-private law dichotomy, thus providing a theoretical basis for economic law to achieve an independent status [4]. Economic administrative law theory advocates economic management relations to define the scope of economic law; it treats economic law as a specialized system of administrative law, and state organs as the main force of economic regulation. Although this theory has the defect of limiting the scope of use of economic law too narrow, but clearly illustrates the significance of state intervention in the economy [5].

The economic law referred to in the theory of national coordination is the law concerning the various economic relations that emerge after the state coordinates the domestic economy, that is, the law concerning the organization and management of enterprises, the operation of the market, macro-control and social security relations. It regards the state as a coordinator rather than a mere manager or intervener, and has a more complete understanding of state-market interaction [6]. The theory of the necessity of intervention takes economic law as a normative tool, and treats state intervention as a necessary means to control market players, rectify the market, regulate the macroeconomy, and even solve social distribution problems. The proposed criteria for intervention are not borderless, neither using economic law too broadly, nor neglecting to remedy market failures [7].

2.2 Consensus and Divergence in Traditional Theories

Despite theoretical disagreements, the academic community has reached a basic consensus on the following four points: First, economic law regulates only specific types of economic relationships rather than encompassing all economic interactions; second, these relationships are characterized by "state intervention" or "state coordination," distinguishing them from purely private economic relations; third, their regulatory scope is multidimensional, encompassing both vertical regulatory relationships and horizontal coordination mechanisms; fourth, economic law consistently prioritizes overall social interests over individual interests.

However, in the era of the digital economy, traditional theories face three fundamental limitations: First, constraints on subject categories. Traditional theories rely on a tripartite framework of "state-market-enterprise" as their core structure, which fails to encompass new entities such as platforms, algorithms, and data. Digital platforms have broken away from the traditional dichotomy between government and market, becoming hybrid entities with both private attributes and quasi-public functions; Second, limitations in relationship types. Traditional regulatory frameworks primarily focus on transactions involving tangible goods and services, failing to address emerging relationships like data flows, algorithmic decision-making, and platform rule-making. As a novel production factor, the economic relationships generated by data cannot be simply categorized as traditional property rights or intellectual property relations; Third, constraints in regulatory approaches. Traditional economic law overly depends on administrative licensing, penalties, and economic leverage mechanisms, which struggle to adapt to the dynamic, cross-border, and technology-driven nature of the digital economy. The automation, real-time characteristics, and transnational nature of digital economic activities pose unprecedented challenges that challenge conventional regulatory tools.

3. The Core Challenges of the Digital Economy for the Regulatory Framework Governing Economic Activities

3.1 The Legal Characteristics of the Distribution Relationships in the Data Element Market, which are Oriented

towards Market Mechanisms

When data are examined as a new type of production factor, their market allocation will lead to a new type of economic relationship. The Opinions on Building a Basic Data System and Giving Full Play to the Role of Data Factors, issued by China, describes data property rights in a "separate" manner, i.e., it takes into account the right to hold data resources, the right to process and utilize data, and the right to operate data products. The relevant structural arrangement provides more legal links between data holders, operators and users, and the property or intellectual property regime may not be able to fully address the various needs arising from this.

The theories underlying economic law do not provide a good description of the situation in data factor markets, broadly speaking, because of three fundamental characteristics of data itself: first, it is not a competing resource, it is not subject to derogation from copying, and it is not fully exclusive, to which property or intellectual property rights have no direct applicability. First, it is not a competing resource, is not subject to copying, is not fully exclusive, and has no direct applicability to property rights or intellectual property rights. In the case of physical objects, tangible assets are not subject to simultaneous exploitation by multiple subjects and do not lose their value, but the opposite is true of data, whose boundaries are more difficult to determine; second, the interests in the circulation of data are owned by individuals, companies, and even co-owners, and constitute a multilayered web of connections. For a given data set, the rights of the original subject, the collector, the processor and the user are complex; thirdly, the value of data is context-dependent: the same data used for different purposes may vary greatly, and valuation may not be justified, which should be met with flexible regulation.

Each of these characteristics suggests expanding the regulatory vision of economic law to the full life cycle of data elements, from collection to use. This expansion should not be interpreted as a quantitative or scopic extension, but rather as an extension of the regulatory mindset.

Rather, it should be seen as a qualitative change in regulatory thinking. Economic law needs to find regulatory approaches that are compatible with the flow of data, with multiple dimensions,

and with context, and avoid static dichotomies that frame the control and regulation of data-related activities [8].

3.2 The Comprehensive Characteristics of the Governance Relationship within a Platform

The platform economy has become the main form of the digital economy. As a new type of market entity, platforms form unique governance relationships that fundamentally challenge the regulatory framework. According to the Antitrust Guidelines for the Platform Economy, a platform is a "form of business organization that enables interdependent bilateral or multilateral entities to interact with each other through the rules provided by a networked information technology platform in order to jointly create value". Platforms not only provide trading venues; they also deeply intervene in the operation of markets through algorithms, rules and data, building a network of multilateral relationships between "platforms, platform operators, consumers and service providers".

There are three features of platform governance that are not found in market relationships: the first is the combination of public and private attributes. Platforms coexist in a system of "private power" and "public power", as they simultaneously use rule-setting or enforcement tools that are close to those of public institutions, while maximizing profits in a private manner. This also creates regulatory difficulties: the use of public law does not apply well to private platforms, and private law does not have sufficient resources to deal with the public power of platforms. Second, technology embeddedness. Governance makes extensive use of algorithms and automated mechanisms, and the technology itself constitutes some kind of legal norm in reality. The complexity and opacity of algorithms make it harder to justify legal claims of transparency, accountability and procedural justice. Third, ecosystem characteristics. Platforms integrate various players into a whole, so that benefits and risks are somehow distributed. The various parts of the ecosystem are dependent on each other, and thus there are network effects, the impact of which can be rapidly amplified.

The "market" dichotomy of economic law, as it is understood in this way, is not a good way of distinguishing and regulating platform

governance relationships. It is time to treat platforms as a special subject of economic law and to position them in terms of rights and obligations. Scholars have already explained: "under the platform paradigm, the subject structure of economic law must be reconstructed" - the platform is not a passive object to be regulated, but a subject of economic law to fulfill its unique responsibilities [9]. Such a conceptual shift is to be accomplished by moving from a binary to a ternary logic, where the platform is counted as a separate item from both the state and the market, and its regulatory role or status is determined accordingly.

4. From the Perspective of Platform Economics, the Scope of Economic Regulatory Targets is Expanding

4.1 The Theoretical Basis for the Platform as a New Entity in Economic Law

In the past, the discussion on the subject of economic law basically focuses on the market and consumers. Now platforms, as a novelty, have broken with the old pattern and introduced new types of subjects. As far as the platform itself is concerned, the two qualities involved coexist: it is a for-profit entity that operates according to commercial logic, and it can also act as a rule designer, mediator or maintainer of order. The platform cannot simply be categorized as a general company or an administrative body, so the regulation to which it is subject is not suitable for a complete methodology, but should be subject to special considerations.

Analyzed from the point of view of economic law, the platform's status as an independent subject should be based on the following: the first is the obviousness of its market dominance. Large platforms rely on their network resources, information and algorithms and are in a leading position in the market, exercising actual control over the entry of the digital industry and guiding the form of the market; the second is the social responsibility they assume. Duties related to fair competition, consumer rights and data security do not exist only because of the law, but are inherent to platform governance itself; third, there are considerable externalities to what is claimed to be platform behavior. In the case of platforms' systems or algorithms, their impact is not only on individuals, but also

on the general state of the market and even society. This externality is not exclusive to a particular transaction, but generally brings society as a whole into the longer-term stakes. Therefore, from the perspective of economic law, it is necessary to classify platforms as an independent category of legal subjects, and at the same time stipulate the boundaries of their rights and responsibilities. As far as economic law is concerned, the basic obligations of platforms should be: obligations relating to fair competition (not to use their dominant market position to hinder the operation of others); obligations relating to data (user information must be safe and not to be utilized for no reason); obligations relating to algorithms (the logic of the relevant calculations shall be disclosed or explained); and obligations relating to consumers (not to be fraudulent, and fairness of the transaction shall be guaranteed). However, the rights of the platform should not be ignored, namely, the freedom to establish the necessary rules, the right to use the data for commercial activities and the opportunity to make a reasonable profit, so that it can be obtained and stabilized.

4.2 The Legal Regulation of the New Economic Relationships within the Platform

The platform economy has given rise to a variety of new types of economic relationships, and the economic issues involved in these relationships should be dealt with by specific laws, which are not sufficiently complete if only contract, company or antitrust laws are used.

The relationship between the platform and the operators within the platform: this is not just about leasing or general services, but should be understood as a combination of management, assistance and cooperation. The platform uses algorithms, traffic, commissions, etc. to determine the treatment of the operators within the platform, resulting in an asymmetry of power that is closer to an employment relationship than to the equality of the parties in an ordinary contract. From an economic law perspective, abuses of power must be limited as illegal - i.e., they must not force the use of exclusive programs, demand excessive commissions, or use algorithms to unfairly suppress certain types of operators. Regulation should balance the twin objectives of platform rights and the reasonable treatment of parties

within the platform

The relationship between platforms and consumers: Personalized recommendations, dynamic pricing and user reviews used by platforms all have some impact on consumer choices. While these tools may contribute to efficiency, they may also lead to situations of manipulation or exploitation. From an economic law perspective, information inequalities and power imbalances should be addressed, i.e. to prevent the suppression of free will through misinterpretation of information and privacy violations caused by big data price discrimination and false evaluations. Consumer protection systems need to be made accordingly, to bring algorithmic manipulation and data misuse within the scope of regulation.

Relationships between operators within platforms:

Both competition and cooperation are a fact of life for operators in the same platform ecosystem. The rules adopted and algorithms designed by platforms may create or exacerbate a state of inequality, such as special arrangements for affiliates in traffic, or the use of search mechanisms to control the display of information. From an economic law perspective, there should be fair competition within platforms, and the rules should not be used as market manipulation. Therefore, platform neutrality and non-discrimination should be taken as the basic guideline, and improper means to support the products of the enterprise or the selected partners should be avoided.

Relationship between platforms and service providers: There is no longer a clear demarcation between the alleged platforms and casual laborers, and the division between labor relations and independent contractors is thus broken down. These individuals generally cannot expect the protections afforded to regular employees and are left to deal with the risks of doing business on their own. Economic law should analyze the rights implications of this new type of employment reality and find institutional breakthroughs in the provisions on social security, occupational accident prevention and basic income. The old forms of employment should be examined in a reflective manner, and regulation should be designed in such a way as to strike a balance between facilitating the operation of the platform and protecting the rights and interests of the employees.

4.3 The Restructuring of the Platform Accountability System

The current system of economic accountability is basically designed around administrative liability, but also includes civil and criminal liability. However, this framework is not fully applicable to the platform economy and must be expanded. The question of attribution of responsibility is inherently difficult: platforms involve a wide range of parties, and most violations of the law are accomplished by algorithms, making responsibility difficult to determine; the calculation of damages is also difficult: harms triggered by algorithms or data are not direct or isolated, and old-fashioned methods of calculation do not cope well with them; and the means of regulation are also outdated: digital technology is advancing at a much faster pace than the updating of the regulatory system, and the gap in regulation is becoming a causal factor in the existence of harmful phenomena. The regulatory gap is becoming a causal factor in the existence of harmful phenomena.

In order to address the challenges raised, it is important to design a system of accountability that is specific to platforms in three ways: first, algorithmic accountability. Platforms should account for the judgments made by algorithms and be able to justify them; they should be held legally liable for any harm caused by algorithmic errors. It is therefore necessary to establish standards for algorithmic interpretability, and technical means should also be audited. The second is to determine liability by level. According to the size of the platform, the market and the technical situation, respectively, to provide for the content of the responsibility: large platforms (especially highly market-oriented) to accept a heavier duty of care and more stringent legal review, small platforms to assume responsibility accordingly. Third, prevention should be factored into liability considerations. Compel platforms to set up compliance systems, do risk analysis or algorithmic checks on a regular basis, and leave no opportunity for violations to occur. This good practice of moving regulation forward fits the preventive mindset held by contemporary economic law [10].

5. Comparative Analysis of International Regulatory Frameworks

5.1 The European Union's *Digital Markets Act and Platform Governance*

The European Union has already taken preliminary steps towards regulating the digital economy, and the Digital Markets Act (DMA) represents a fundamental reform of the platform governance model. The legislation in question came into force on 1 November 2022 and imposes *ex ante* regulation on 'gatekeeper' platforms that control access to digital markets [11]. The DMA employs a hybrid approach to determining gatekeepers, taking both quantitative and qualitative factors into account. The dominance defined in this way is not static and does not lead to an analytical impasse caused by relying solely on quantitative or qualitative factors. If an entity is classified as a gatekeeper, the DMA requires it to fulfil *ex ante* obligations, namely that it must not favour its own services and must allow data portability and platform interoperability. These obligations directly address the three key aspects of platform governance highlighted in this paper: fair competition, data security and algorithmic transparency.

The contribution of the Digital Markets Act lies in applying regulatory logic to economic law in a new way. Unlike traditional legislation, which relied solely on *ex post* enforcement to address competition issues, the Digital Markets Act employs *ex ante* rules to prevent harm from arising. This approach represents a shift in regulatory philosophy from 'conduct-based regulation' to 'structural regulation'—it is now recognised that market dominance by platforms has strong endogenous and cumulative characteristics that cannot be resolved by *ex post* measures alone. The bill also introduces the principle of 'platform neutrality', which takes into account both the platform itself and third-party services, thereby aligning precisely with the requirements for platform fairness obligations outlined in this article.

5.2 The Algorithm Accountability Act Proposed by the United States and Algorithm Governance

The United States has now recognised the need to establish a dedicated governance mechanism for algorithms, and the Algorithm Accountability Act sets out corresponding regulations for systems involving automated decision-making. Under the provisions of this

Act, high-risk automated decision-making must undergo an impact assessment; the relevant systems must be clearly defined, and their design and potential risks must be specified. With regard to consumer-related decisions made by algorithms, companies must ensure transparency and provide reasonable and easily understandable explanations. The regulatory approach proposed by the US Algorithm Accountability Association is complementary to the platform accountability discussed in this article. By incorporating individual algorithmic accountability into the framework of platform governance, a comprehensive solution for algorithmic control in the digital economy era is achieved. The AAA's strong emphasis on impact assessments also serves as a model for preventive economic regulation: requiring platforms to predict, guard against and mitigate harm before actual damage occurs. This preventive approach not only aligns with the risk-based stance of economic law but is also particularly well-suited to addressing the specific challenges posed by algorithms—whose harms are difficult to pinpoint and often have a broad scope.

5.3 International Data Governance and Cross-Border Coordination

Cross-border data flows are a phenomenon unique to the digital economy, yet they raise issues of legal harmonisation across nations in rather complex ways. Without a unified institutional framework, the differing data regulations across jurisdictions may make it difficult for transnational platforms to achieve full compliance.

The European Union's General Data Protection Regulation (GDPR) has established a comprehensive framework for the protection of personal data with extraterritorial effect, which has had a significant impact on data governance worldwide. Its principles of data minimisation, purpose limitation and accountability serve as a fundamental model for data governance; however, its stringent provisions on cross-border data transfers conflict with the current realities of data protection in various countries. In the United States, data protection is addressed on a sector-by-sector basis, with separate legislation for sectors such as healthcare and finance, and there is as yet no unified federal law regulating all data usage; the resulting regulatory fragmentation makes it

difficult for multinational companies to meet compliance requirements and has led to considerable support for federal privacy legislation and inter-state coordination schemes. China prioritises data sovereignty and national security in its governance approach, whilst not hindering the development of digital technology. Both the Data Security Law and the Personal Information Protection Law set out comprehensive data protection arrangements, incorporating data localisation and the security of cross-border data transfers into institutional provisions—an approach that aligns precisely with China's current stance regarding priorities in the era of digital globalisation [12].

The application of economic law to cross-border data governance must take into account both domestic and international factors. Domestically, the security of data exports should be included within the scope of review, with conditions and procedures for cross-border data transfers clearly defined, and institutional measures put in place to minimise losses to national or societal interests; internationally, China should proactively engage in discussions on global data governance to facilitate the exchange of data standards between countries without hindering normal data flows. Furthermore, economic law should impose appropriate restrictions on the extraterritorial enforcement of data laws to prevent platforms operating from abroad from evading the regulatory requirements established by a particular country.

6. Theoretical Responses and Systematic Revisions to the Objects of Economic Regulation

6.1 Innovative Research Approaches to the Theory of Regulatory Targets

To address the various issues raised by the digital economy, the theory of the regulatory object in economic law should be developed in three respects:

Firstly, the focus should shift from regulating relationships to regulating conduct. In the past, economic law has primarily regulated the relationships between legal subjects; however, in the digital economy, many of the actions involved are automated and carried out by algorithms, and the identity of the legal subjects may be unclear or involve multiple parties. In such cases, economic law must first examine

the conduct itself and its consequences, rather than being limited to how the parties interact. Even in the case of algorithmic discrimination, the analysis should focus on the extent to which society is affected, rather than the precise relationship between the relevant platform and its users. This approach corresponds to a specific shift in the reality of the digital economy: where no specific human agent is involved, automated conduct can cause significant social harm.

Secondly, the focus should shift from static classification to dynamic identification. The relationships involved in the digital economy are fluid and non-local in nature and cannot be categorised rigidly. Economic law must employ a dynamic approach to identify facts, determining the objects to be regulated based on actual function rather than formal appearances. When assessing whether a platform constitutes an operating entity, one must consider its control and the underlying economic reality, rather than adhering rigidly to traditional, simplistic and fixed classifications of entities.

Thirdly, there must be a shift from sector-specific legal thinking to cross-sectoral legal thinking. The emergence of the digital economy necessitates multi-departmental regulation; economic law must be applied in conjunction with other branches of law to achieve synergistic regulatory effects. The understanding of the objects of regulation must be flexible and broad in scope to facilitate integration with civil law, administrative law and even criminal law. If data is taken as the object of governance, economic law cannot be applied in isolation; rather, there should be a tiered institutional arrangement. The interdisciplinary approach adopted is justified: the various relationships involved in the digital economy should not be subject to the exclusive control of any single branch of law.

6.2 The Evolutionary Development of Pluralism within the Subject Theory Framework

The theory of economic law subjects must adapt to the diverse landscape of economic actors in the digital economy:

Firstly, the fact that platforms are independent economic actors must be recognised. Platforms should not be treated merely as ordinary companies or intermediaries, but rather as

economic legal entities with specific obligations and distinctive rights. With regard to its status as a legal subject, the criteria should be based on its actual functions and real-world impact, rather than being bound by legal form; the specific legal terminology used is of little importance, as platforms clearly occupy a prominent position in the modern economy and often have broad social significance akin to public functions.

Secondly, the ‘quasi-subjectivity’ associated with algorithms should be addressed as a matter of concern. Even if algorithms do not constitute legal subjects in the strict sense, they are already capable of making relatively independent judgements. Economic law must conduct an appropriate analysis of this ‘quasi-subjectivity’ of algorithms and utilise concepts such as ‘electronic agents’ to design rules governing liability. Algorithms need not possess full legal personality, but their decisions carry practical significance and should be recognised through specialised regulation; their functional role in various economic relationships must not be overlooked. Thirdly, emphasis must be placed on the collective agency of consumers. Given the realities of the digital economy, individual consumers generally lack significant influence, and their rights are not necessarily safeguarded. From the perspective of economic law, consumers should be permitted to act collectively, and relevant organisations should be allowed to participate in public interest litigation or the formulation of standards. Collective protection is of particular importance in the digital society—even if the loss to each individual is small, the cumulative effect may be severe; in such cases, individual legal action is unlikely to achieve redress or prevent harm from occurring.

6.3 Adaptive Reforms in Regulatory Approaches

Firstly, technical regulation must be coordinated with legal regulation. Technology should be used as a means to achieve legal objectives: for instance, utilising privacy-preserving computing to achieve the ‘accessible but invisible’ data-sharing effect, or employing blockchain technology to ensure that transactions are traceable. Technical regulation cannot replace legal regulation; rather, it should utilise various technologies beneficial to the

digital economy to improve and strengthen the practical effectiveness of law enforcement.

Secondly, a balance must be struck between ex ante and ex post regulation. We must not rely excessively on ex ante regulation, as this would hinder innovation; in this context, economic legislation should incorporate mechanisms such as regulatory sandboxes and innovation pilot zones to manage risks without stifling innovation. At the same time, the intensity of ex post enforcement against known violations should be strengthened. The balance referred to here is an approach that fosters innovation without giving rise to excessive drawbacks; the regulatory framework and relevant institutional measures should be designed in accordance with the principle of flexibility, capable of adapting to technological and commercial realities.

Thirdly, hard law and soft law must be coordinated to work in tandem. In addition to established hard law, economic law should take into account soft law—such as industry conventions, technical measures and platform-defined rules—to form a more comprehensive and flexible regulatory approach. In the context of changes in the digital age, soft law offers a more adaptable response, whilst the provisions of hard law are generally definitive and enforceable.

7. Data Factors and Algorithmic Governance: Specialized Regulation

7.1 Systematic Specification of the Relationships between Data Elements

Economic law should regulate the various types of data elements involved in the market in a systematic manner, namely by establishing appropriate institutional solutions. The complex rights referred to by the three-dimensional data property rights (ownership, use and operation) cannot be effectively regulated or interpreted solely by traditional property rights or intellectual property rights. With regard to data element relationships, economic law must establish provisions in four key areas: firstly, the fairness of data collection—restricting unrestrained or unauthorised data acquisition, placing the data subject at the centre of rights, and ensuring the legitimacy of data sources through informed consent and control over usage; secondly, the orderliness of data circulation—clarifying the rights of both parties

in transactions, establishing standardised contract forms, and designing effective dispute resolution mechanisms; thirdly, the efficiency of data utilisation—allowing enterprises to undertake data development whilst encouraging the government to disclose information, and harmonising the benefits generated by data with their sharing for the benefit of society; fourthly, the security of data protection—prioritising the protection of personal information and critical data to prevent leaks. It is essential to eliminate instances of data misuse or leakage, whilst establishing comprehensive security mechanisms [13].

7.2 Algorithmic Governance and Economic-Legal Regulation

Algorithmic decision-making is a fundamental mechanism of the digital economy, yet it raises a number of new issues (such as discrimination, collusion or manipulation), which traditional antitrust and consumer protection laws are not yet well equipped to address. Economic law should design governance rules for algorithms from four perspectives: firstly, transparency requirements, namely making the basic algorithms used by platforms and their key parameters publicly available, thereby allowing regulators or users to assess their fairness (without mandating the disclosure of all proprietary content); secondly, safeguards for fairness, which should prevent collective discrimination on the basis of sensitive characteristics such as race, gender or region, and stipulate testing methods and means of correcting bias; thirdly, an accountability system: mechanisms must be established to hold parties accountable for algorithmic errors, defining the scope of liability and remedies for negligence; fourthly, algorithmic auditing: major platforms must be required to conduct algorithmic audits at regular intervals, carrying out independent analyses of the social impact of the algorithms used and rectifying any defects [14].

7.3 Coordination of Cross-Border Data Governance

With regard to economic law, cross-border data issues should be addressed from both domestic and international perspectives. Domestically, appropriate security reviews should be conducted for data exports, with clear standards established and procedures streamlined, whilst

ensuring that normal data flows are not unduly impeded; from an international perspective, China should proactively engage in discussions on global data governance, seeking to achieve mutual recognition of data protection standards amongst nations without relinquishing the bilateral or multilateral arrangements that are of concern to China; at the same time, regulatory arbitrage must not be condoned, and measures must be taken to prevent multinational corporations from using offshore arrangements to evade relevant domestic regulations [15].

8. Conclusion and Outlook

The digital economy has already had a fundamental impact on traditional economic relationships; it is therefore necessary to undertake a comprehensive review and adjustment of the regulatory scope of economic law. This article sets out the reasons why such a review is both necessary and feasible: treating data allocation, platform operations and algorithm-driven decisions as subjects of regulation under economic law is precisely in line with the various requirements posed by the development of the digital economy, and is also conducive to promoting its orderly and healthy operation and growth through legal means.

A comparison of the international frameworks represented by the EU's Digital Markets Act and the US's Algorithm Accountability Act provides valuable insights for the reform of China's economic legislation, whilst also revealing various possibilities for platform regulation and algorithmic governance that balance innovation and protection. The theoretical reconstruction approach outlined in this paper offers clear insights for both economic legislation and law enforcement: in terms of legislation, existing rules must be amended whilst establishing specialised legal provisions governing digital economic relations; whilst some progress has been made with the *Data Security Law* and the *Personal Information Protection Law*, comprehensive and unified specific legal provisions for platforms and algorithms are currently lacking; from the perspective of law enforcement, efforts should focus on innovating regulatory technologies, using real-time data, algorithmic audits and even dynamic methods to supplement or replace traditional law enforcement models.

Future research should be conducted along

three lines: firstly, empirical work, namely using real-world examples or statistical data to illustrate the operational mechanisms of phenomena related to the digital economy, incorporating case studies and computational methods into the analysis of platforms and algorithms to develop corresponding theories; secondly, comparative analysis, which requires a critical assessment of the points of convergence between regulatory systems in other countries and China's realities, whilst encouraging reforms tailored to local conditions; thirdly, interdisciplinary efforts, integrating sociology, economics and computer science. The digital economy poses a significant challenge to the theoretical framework of existing economic law, yet it also presents an opportunity for development. Essentially, reflection on the regulatory scope of economic law should continue, thereby driving practical progress in the rule of law within the digital economy and the corresponding high-quality development. The issues at stake are not merely matters of academic analysis, but considerations essential for adapting to the new economic landscape—ensuring that economic law does not become outdated or rigid in the contemporary digital environment, and that the law genuinely benefits society as a whole and facilitates the smooth operation of all types of economic activity.

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