

GMAP Internship Report / GMAP インターンシップ報告書

No. 2022-01

I. Basic information / 基本情報

- 1) Name / 名前 : XU XINYING
- 2) Enrolled year / 入学年 : 2020.10
- 3) Period of internship / インターン期間 : 2022.5.09 – 2022.6.08
- 4) Place of internship / インターン場所 : JLPW Law Firm, corporate department
- 5) Person who accepted your internship / インターン受入担当者 : Mr. Jeff Leong
- 6) Content of work in your internship / インターン中の作業内容: Doing legal research on laws governing nicotine; Participating in house training about debt recovery in Malaysia; Drafting manufacturing agreement; Contracts Act; Sale of Goods Act; Malaysia Company Act; Tobacco Control Laws.....

II. Details and impressions / 詳細と感想

Including the following points: merits, demerits, lessons, contribution to your future career, personal experience, etc.

On the first day of my internship, I was in a nervous mood because I understood that this was a job rather than a homework assignment and I had to face it with a more serious and responsible attitude. Manru explained the internship handbook to me and told me all the precautions carefully. She was very enthusiastic and kind in encouraging me, telling me not to feel too much pressure and that she would be happy to help me if I had any doubts. With her encouragement, I was relieved of my nervousness and gradually became more and more expected about my future work. At the same time, I met with my team members who started their internship a month earlier than me. I am very grateful to them for sharing their internship experience.

My first task is doing research on laws governing nicotine in Malaysia, on the laws and approvals required for e-cigarettes with nicotine in import, handling, transportation, manufacturing, and waste management. Through the first task, I realized that Malaysia pushes for a strict law to police vapes,

and e-cigarettes. At first, I was not familiar with using CISJ's database, so I spent a lot of time searching for relevant laws and regulations. Besides, I looked up the Malaysian news and then found that in addition to the tobacco control regulations, e-cigarette liquids that contain nicotine remains regulated under the Poisons Act and Sale of Drugs Act, where nicotine-containing substances can only be sold by licensed pharmacists and registered medical practitioners for medical treatment purposes only. I gave myself the time to read a lot of Malaysian regulations. Although many of them are obscure and difficult to understand, it is also exciting and rewarding to learn new knowledge. What was particularly alarming to me was a mistake I made on this task. I invoked the Dangerous Drugs Act without clarifying the properties of nicotine, simply based on my own perception that nicotine is a dangerous good. In fact, the Dangerous Drugs Act of Malaysia does not regulate nicotine. My team leader Joy told me it was essential to clarify the definition. Having a clear definition will enable us to find the appropriate legal regulation more quickly and precisely. As a lawyer, having an extremely conscientious and rigorous attitude is indispensable. We cannot draw a direct conclusion with the existing knowledge. Since an error on a fundamental issue can lead directly to a huge failure in the understanding and application of the law. I believe learning from my mistakes, then, instead of repeating them again, is a valuable lesson from this internship.

My second task is to conduct research on: A Chinese client who wants to sign a manufacturing contract with a Malaysian company, to appoint a Malaysian company to manufacture products in Malaysia. Can the contract be prepared in the Chinese language? I consulted the Malaysian Companies Act, Contracts Act, Sale of Goods Act, and Promotion of Investment Act..... What confused me is that I couldn't find an answer from these regulations. Joy advised me that I needed to consider this question from a practical standpoint. Generally, advocate the contract language in Malaysia should be prepared in English because the legal language in Malaysia is English, if there is any deviation in translation, both parties don't agree with the translation or have different opinions on it, it will bring great inconvenience to the implementation of the contract. Through the second task, I realized that practical experience is important and that I rely too much on theoretical knowledge, which causes rigidity in thinking. In addition, I have done research on the investment environment in Malaysia.

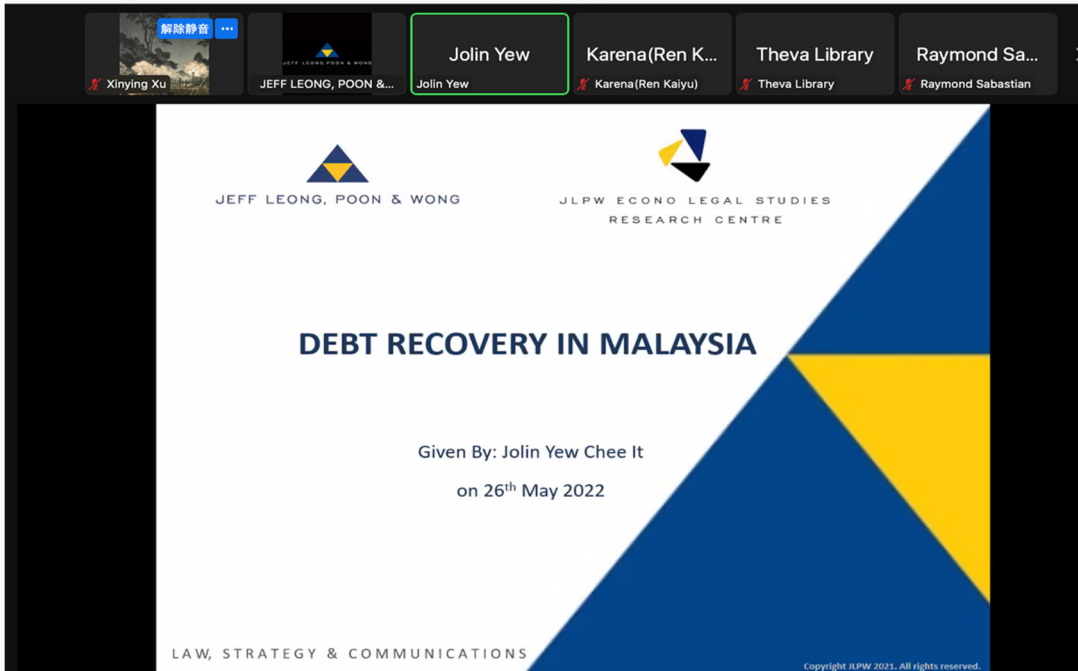
Malaysia has abundant natural resources, a liberal investment environment, a good ranking in the world business environment, and a superior geographical position- strategically located in ASEAN, which has a huge market size and convenient import and export conditions. The government has introduced a series of diversified foreign investment incentives to create the most attractive investment destination in the world.

My third task is giving the internship presentation. I was the first intern among the 23 interns to give an internship presentation, while other interns will be presenting in their own groups at the end of June. At that time, I was in great anxiety to give the presentation in front of so many people. It's a challenge for me but also gave me the ability to perform at my best. All I could do was to prepare the content as far as possible and rehearse it several times to eliminate anxiety and nervousness. I would like to thank Joy for her willingness to listen to my rehearsals and give me advice even on non-working days. One of the topics of the presentation was on comparing the legal system of Malaysia and China. It is very interesting to understand the differences in the legal systems and cultures of different countries. The existence of differences does not mean that which country's legal system has more advantages because different countries have their unique history, culture, and condition, as long as the legal system can serve, adapt to and play a role in the country, it is reasonable and applicable. Learning about diversity helps me understand different perspectives within the world in which we live, and it also makes me more inclusive to accept new knowledge.

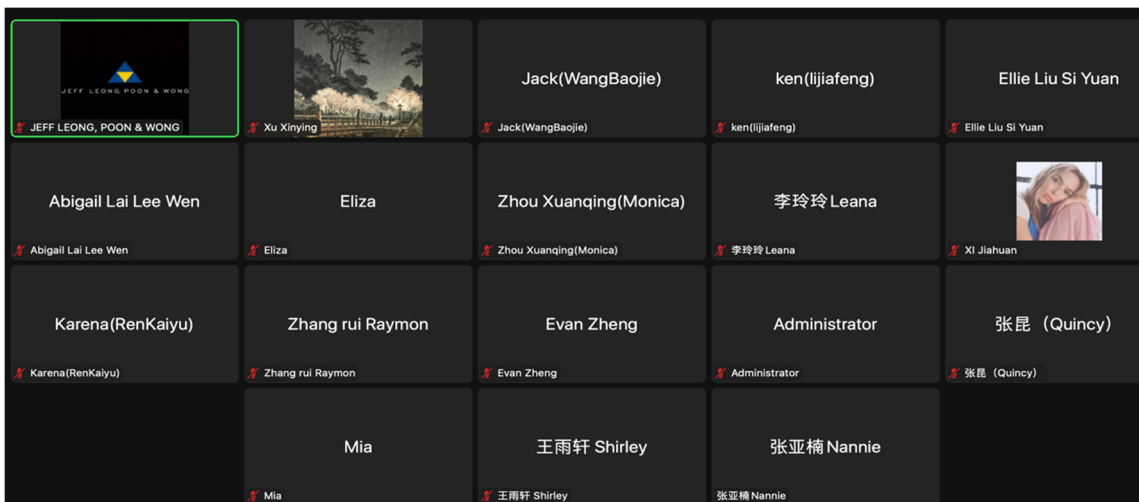
During the short internship, I deeply felt that I had many shortcomings and need to work hard to improve myself. Further, I especially want to express my thanks to my team leader Joy. We had great communication, and she was willing to share her professional knowledge with me and patient in giving me guidance. I always remember what Joy told me "the bigger the challenge, the bigger the satisfaction! The rough sea makes good sailors!" Although there are many difficulties and challenges in my future career, always face them with a positive mindset and trust myself. At the same time, I'd like to thank Taylor, Manru, and team member Eliza for offering me help during the period. Thank you!

XU XINYING (Lydia)

(Photos)



(Attending training)



(Attending meeting)

(2022 / 6.21)