



16 Jun 2023
16 June 2023
P.U. (B) 212

WARTA KERAJAAN PERSEKUTUAN

FEDERAL GOVERNMENT GAZETTE

NOTIS PEMULAAAN KAJIAN SEMULA PENTADBIRAN
DUTI ANTI-LAMBAKAN BERKENAAN DENGAN IMPORT
CELLULOSE FIBRE REINFORCED CEMENT FLAT DAN
PATTERN SHEETS YANG BERASAL ATAU DIEKSPORT
DARI THAILAND

*NOTICE OF INITIATION OF ADMINISTRATIVE REVIEW
OF ANTI-DUMPING DUTIES WITH REGARD TO IMPORTS
OF CELLULOSE FIBRE REINFORCED CEMENT FLAT AND
PATTERN SHEETS ORIGINATING OR EXPORTED FROM
THE KINGDOM OF THAILAND*

DISIARKAN OLEH/
PUBLISHED BY
JABATAN PEGUAM NEGARA/
ATTORNEY GENERAL'S CHAMBERS

AKTA DUTI TIMBAL BALAS DAN ANTI-LAMBAKAN 1993

NOTIS PEMULAAN KAJIAN SEMULA PENTADBIRAN DUTI ANTI-LAMBAKAN
BERKENAAN DENGAN IMPORT *CELLULOSE FIBRE REINFORCED CEMENT FLAT* DAN
PATTERN SHEETS YANG BERASAL ATAU DIEKSPORT DARI THAILAND

(AD 04/13 – AR 01/23)

BERIKUTAN penyiaran Notis Penentuan Kajian Semula Pentadbiran Muktamad Afirmatif Duti Anti-Lambakan mengenai Import *Cellulose Fibre Reinforced Cement Flat* dan *Pattern Sheets* yang Berasal atau Dieksport dari Thailand [*P.U. (B) 457/2019*] dalam *Warta* pada 23 September 2019, Kerajaan telah menerima suatu permintaan dan mendapat maklumat bagi kajian semula pentadbiran terhadap pengenaan duti anti-lambakan berkenaan dengan import *cellulose fibre reinforced cement flat* dan *pattern sheets* dan secara khususnya mengecualikan *external roofing*, yang berasal atau dieksport dari Thailand (“dagangan subjek”) dan menurut subseksyen 28(1)(a) Akta Duti Timbal Balas dan Anti-Lambakan 1993 [*Akta 504*] dan peraturan 34 Peraturan-Peraturan Duti Timbal Balas dan Anti-Lambakan 1994 [*P.U. (A) 233/1994*], Kerajaan memulakan suatu kajian semula pentadbiran terhadap pengenaan duti anti-lambakan ke atas dagangan subjek itu.

Permintaan bagi kajian semula pentadbiran

1. Permintaan kajian semula pentadbiran itu telah dibuat oleh—

Shera Public Company Limited
2426/3, Charoenkrung Road, Bangkorlhaem Sub-district
Bangkorlhaem District, Bangkok 10120
Thailand,

pengeluar atau pengeksport luar negeri dagangan subjek.

Dagangan subjek

2. (1) Dagangan subjek dikelaskan di bawah Kod Sistem yang Diharmonikan (Kod H.S.) dan Tatanama Tarif Berharmonis ASEAN (AHTN) 6811.82.20 00 dan 6811.82.90 00.

(2) Nombor Kod H.S. dan AHTN yang dinyatakan dalam subperenggan (1) diberikan hanya untuk makluman dan tidak mempunyai kesan mengikat terhadap penjenisan dagangan subjek.

Duti anti-lambakan sedia ada

3. Duti anti-lambakan yang berkuat kuasa pada masa ini bagi dagangan subjek ialah duti anti-lambakan definitif yang dikenakan oleh Perintah Kastam (Duti Anti-Lambakan) (Kajian Semula Pentadbiran) (No. 2) 2019 [*P.U. (A) 263/2019*].

Alasan bagi kajian semula pentadbiran

4. (1) Permintaan bagi kajian semula pentadbiran itu adalah berdasarkan alasan bahawa margin lambakan telah berubah secara substansial bagi import dagangan subjek dari Shera Public Company Limited.

(2) Kerajaan berpuas hati bahawa permintaan dan maklumat yang didapati itu mengandungi alasan yang mencukupi untuk memulakan suatu kajian semula pentadbiran.

Tatacara

5. Setelah menentukan bahawa keterangan yang mencukupi wujud untuk mewajarkan suatu kajian semula pentadbiran duti anti-lambakan berkenaan dengan import dagangan subjek, Kerajaan memulakan kajian semula pentadbiran menurut subperenggan 28(1)(a) Akta Duti Timbal Balas dan Anti-Lambakan 1993 dan peraturan 34 Peraturan-Peraturan Duti Timbal Balas dan Anti-Lambakan 1994.

Soal selidik

6. (1) Bagi maksud mendapatkan maklumat yang disifatkan perlu bagi kajian semula pentadbiran ini, Kerajaan akan menghantar soal selidik kepada—

(a) industri Malaysia dan mana-mana persatuan pengeluar di Malaysia;

(b) Shera Public Company Limited;

(c) pengimport dan mana-mana persatuan pengimport; dan

(d) Kerajaan Thailand.

(2) Dalam apa-apa keadaan, semua pihak berkepentingan yang tidak dihubungi oleh Kementerian Pelaburan, Perdagangan dan Industri (MITI) dijemput untuk menghubungi MITI secara bertulis, melalui pos, faksimile, e-mel atau serahan tangan, untuk mengetahui sama ada mereka disenaraikan dalam kajian semula pentadbiran ini.

(3) Jika perlu, pihak berkepentingan itu boleh memohon bagi suatu salinan soal selidik itu dengan mengenal pasti jenis aktiviti perniagaan mereka yang berkaitan dengan kajian semula pentadbiran ini.

Pengumpulan maklumat

7. Semua pihak berkepentingan dijemput untuk memberikan pandangan mereka secara bertulis, khususnya, dengan menjawab soal selidik yang dialamatkan kepada mereka dan dengan mengemukakan keterangan sokongan.

Had masa

8. (1) Mana-mana pihak berkepentingan yang ingin memohon soal selidik hendaklah berbuat demikian tidak lewat daripada lima belas hari selepas penyiaran notis ini dalam *Warta*.

(2) Semua pihak berkepentingan hendaklah menyatakan pandangan mereka secara bertulis dan mengemukakan maklum balas soal selidik dalam masa tiga puluh hari dari tarikh penyiaran notis ini dalam *Warta* sekiranya pandangan dan jawapan itu hendak diambil kira semasa kajian semula pentadbiran, melainkan jika dinyatakan sebaliknya.

Pengemukakan maklumat, jawapan soal selidik dan surat-menyurat

9. (1) Semua pengemukakan maklumat, jawapan bagi soal selidik dan surat-menyurat hendaklah dibuat secara bertulis dan dihantar melalui pos, faksimile,

e-mel atau serahan tangan dan dengan jelas menyatakan nama, alamat, alamat e-mel, nombor telefon dan faksimile pihak berkepentingan itu kepada—

Pengarah
Seksyen Amalan Perdagangan
Kementerian Pelaburan, Perdagangan dan Industri (MITI)
Aras 9, Menara MITI
No. 7, Jalan Sultan Haji Ahmad Shah
50480 Kuala Lumpur
Malaysia

Nombor telefon : (603) 6208 4632/4635/4647
Nombor faksimile : (603) 6211 4429
Alamat e-mel : alltps@miti.gov.my

(2) Sekiranya pihak berkepentingan tidak memberikan maklumat yang perlu atau maklumat dan pandangan itu tidak diterima dalam bentuk yang memadai dalam had masa yang dinyatakan, Kerajaan boleh membuat penentuan berdasarkan fakta yang ada mengikut seksyen 41 Akta.

Bertarikh 14 Jun 2023
[MITI.600-2/2/23; PN(PU2) 529/JLD.31]

TENGGU DATUK SERI UTAMA ZAFRUL BIN TENGGU ABDUL AZIZ
Menteri Pelaburan, Perdagangan dan Industri

COUNTERVAILING AND ANTI-DUMPING DUTIES ACT 1993

NOTICE OF INITIATION OF ADMINISTRATIVE REVIEW OF ANTI-DUMPING DUTIES
WITH REGARD TO IMPORTS OF CELLULOSE FIBRE REINFORCED CEMENT FLAT AND
PATTERN SHEETS ORIGINATING OR EXPORTED FROM THE KINGDOM OF THAILAND

(AD 04/13 – AR 01/23)

FOLLOWING the publication of the Notice of Affirmative Final Administrative Review Determination of an Anti-Dumping Duty with regard to the Imports of Cellulose Fibre Reinforced Cement Flat and Pattern Sheets Originating or Exported from the Kingdom of Thailand [*P.U. (B) 457/2019*] in the *Gazette* on 23 September 2019, the Government has received a request and obtained information for an administrative review on the imposition of an anti-dumping duty with regard to imports of cellulose fibre reinforced cement flat and pattern sheets and specifically excluding external roofing, originating or exported from the Kingdom of Thailand (“subject merchandise”) and pursuant to subsection 28(1)(a) of the Countervailing and Anti-Dumping Duties Act 1993 [*Act 504*] and regulation 34 of the Countervailing and Anti-Dumping Duties Regulations 1994 [*P.U. (A) 233/1994*], the Government initiates an administrative review on the imposition of anti-dumping duties on the subject merchandise.

Request for administrative review

1. The request for administrative review was lodged by—

Shera Public Company Limited
2426/3, Charoenkrung Road, Bangkorlhaem Sub-district
Bangkorlhaem District, Bangkok 10120
Thailand,

the foreign producer or exporter of the subject merchandise.

Subject merchandise

2. (1) The subject merchandise is classified under the Harmonised System Code (H.S. Code) and ASEAN Harmonised Tariff Nomenclature (AHTN) 6811.82.20 00 and 6811.82.90 00.

(2) The H.S. Code and AHTN specified in subparagraph (1) are given only for information and have no binding effect on the classification of the subject merchandise.

Existing anti-dumping duties

3. The anti-dumping duties currently in force on the subject merchandise are definitive anti-dumping duties imposed under the Customs (Anti-Dumping Duties) (Administrative Review) (No. 2) Order 2019 [*P.U. (A) 263/2019*].

Grounds for the administrative review

4. (1) The request for administrative review is based on the grounds that there is a substantial change in the dumping margin for the imports of subject merchandise from Shera Public Company Limited.

(2) The Government is satisfied that the request and the information obtained carries sufficient grounds to initiate an administrative review.

Procedure

5. Having determined that sufficient evidence exists to warrant an administrative review of the anti-dumping duties with regard to the imports of the subject merchandise, the Government initiates an administrative review pursuant to subparagraph 28(1)(a) of the Countervailing and Anti-Dumping Duties Act 1993 and regulation 34 of the Countervailing and Anti-Dumping Regulations 1994.

Questionnaires

6. (1) In order to obtain information deemed necessary for this administrative review, the Government will send questionnaires to—

(a) the Malaysian industry and any association of producers from Malaysia;

(b) Shera Public Company Limited;

(c) the importers and any association of importers; and

(d) the Government of the Kingdom of Thailand.

(2) In any event, all interested parties not contacted by the Ministry of Investment, Trade and Industry (MITI) are invited to contact MITI in writing, by post, facsimile, e-mail or by hand, in order to find out whether they are listed in this administrative review.

(3) If necessary, such interested parties may request for a copy of the questionnaires by identifying the nature of their business activities related to the administrative review.

Collection of information

7. All interested parties are invited to make their views in writing, in particular, by responding to the questionnaires addressed to them and by providing supporting evidence.

Time limit

8. (1) Any interested party requesting for a questionnaire shall do so not later than fifteen days after the publication of this notice in the *Gazette*.

(2) All interested parties shall present their views in writing and submit questionnaire responses within thirty days of the date of publication of this notice in the *Gazette* if such views and responses are to be taken into consideration during the administrative review, unless otherwise specified.

Submission of information, questionnaire responses and correspondences

9. (1) All submission of information, questionnaire responses and correspondence must be made in writing and to be sent by post, facsimile, e-mail or by hand with clear indication of the name, address, e-mail address, telephone and facsimile numbers of the interested parties to—

Director
Trade Practices Section
Ministry of Investment, Trade and Industry (MITI)
Level 9, Menara MITI
No. 7, Jalan Sultan Haji Ahmad Shah
50480 Kuala Lumpur
Malaysia

Telephone number : (603) 6208 4632/4635/4647
Facsimile number : (603) 6211 4429
E-mail address : alltps@miti.gov.my

(2) If the interested parties do not provide the necessary information or the information and views are not received in an adequate form within the specified time limit, the Government may make its determination on the basis of the facts available in accordance with section 41 of the Act.

Dated 14 June 2023
[MITI.600-2/2/23; PN(PU2)529/JLD.31]

TENGKU DATUK SERI UTAMA ZAFRUL BIN TENGKU ABDUL AZIZ
Minister of Investment, Trade and Industry