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WARTA KERAJAAN PERSEKUTUAN

FEDERAL GOVERNMENT GAZETTE

NOTIS PEMULAAAN KAJIAN SEMULA PENTADBIRAN
DUTI ANTI-LAMBAKAN BERKENAAN DENGAN IMPORT
PRODUK GULUNGAN RATA KELULI BUKAN ALOI
DISADUR ATAU DISALUT ALUMINIUM DAN ZINK YANG
BERASAL ATAU DIEKSPORT DARI TAN PHUOC KHANH
TRADING & MANUFACTURING COIL STEEL JSC DARI
REPUBLIK SOSIALIS VIET NAM

*NOTICE OF INITIATION OF ADMINISTRATIVE REVIEW OF
ANTI-DUMPING DUTIES WITH REGARD TO IMPORTS OF
FLAT ROLLED PRODUCT OF NON-ALLOY STEEL PLATED
OR COATED WITH ALUMINIUM AND ZINC ORIGINATING
OR EXPORTED FROM TAN PHUOC KHANH TRADING &
MANUFACTURING COIL STEEL JSC FROM
THE SOCIALIST REPUBLIC OF VIET NAM*

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 PRODUK GULUNGAN RATA KELULI BUKAN ALOI
DISADUR ATAU DISALUT ALUMINIUM DAN PRODUK ZINK YANG BERASAL ATAU
DIEKSPORT DARI TAN PHUOC KHANH TRADING & MANUFACTURING COIL STEEL JSC
DARI REPUBLIK SOSIALIS VIET NAM

(AD 01/20 – AR 01/22)

BERIKUTAN penyiaran Notis Penentuan Muktamad Afirmatif Penyiasatan Duti Anti-Lambakan berkenaan dengan Import Produk Gulungan Rata Keluli Bukan Aloi Disadur atau Disalut Aluminium dan Zink yang Berasal atau Dieksport dari Republik Rakyat China, Republik Korea dan Republik Sosialis Viet Nam [*P.U. (B) 679/2020*] pada 11 Disember 2020, Kerajaan telah menerima suatu permintaan dan mendapat maklumat bagi kajian semula pentadbiran terhadap pengenaan duti anti-lambakan berkenaan dengan import produk gulungan rata keluli bukan aloi disadur atau disalut aluminium dan zink yang berasal atau dieksport dari Tan Phuoc Khanh Trading & Manufacturing Coil Steel JSC dari Republik Sosialis Viet Nam (“dagangan subjek”) dan menurut perenggan 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.

Permintaan bagi kajian semula pentadbiran

1. Permintaan kajian semula pentadbiran itu telah dibuat oleh—

Tan Phuoc Khanh Trading & Manufacturing Coil Steel JSC
Phu My Industrial Zone 1, Phu My Ward,
Phu My Town, Bia Ria Vung Tau Province, Viet Nam

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) 7210.61.11 00, 7210.61.12 00, 7210.61.19 00, 7210.61.91 00, 7210.61.92 00, 7210.61.99 00, 7212.50.23 00, 7212.50.24 00 dan 7212.50.29 00.

(2) 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 ke atas dagangan subjek ialah duti anti-lambakan definitif di bawah Perintah Kastam (Duti Anti-Lambakan) (No. 3) 2020 [*P.U. (A) 348/2020*].

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 oleh Tan Phuoc Khanh Trading & Manufacturing Coil Steel JSC.

(2) Kerajaan berpuas hati bahawa permintaan dan maklumat 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 perenggan 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 itu, Kerajaan akan menghantar soal selidik kepada—

- (a) industri Malaysia dan mana-mana persatuan pengeluar di Malaysia;
- (b) pengeluar dan pengeksport dagangan subjek dari Tan Phuoc Khanh Trading & Manufacturing Coil Steel JSC;
- (c) pengimport dan mana-mana persatuan pengimport; dan
- (d) Kerajaan Republik Sosialis Viet Nam.

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

(3) Jika perlu, pihak berkepentingan itu boleh memohon bagi 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 berhasrat untuk 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 jawapan 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.

Pengemukaan maklumat, jawapan soal selidik dan surat-menyurat

9. (1) Semua pengemukaan maklumat, jawapan 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 Perdagangan Antarabangsa dan Industri (MITI)

Aras 9, Menara MITI

No. 7, Jalan Sultan Haji Ahmad Shah

50480 Kuala Lumpur

Malaysia

Nombor telefon : (603) 6208 4632/4641/4660

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 29 Disember 2022

[MITI.S:600-2/2/15; PN(PU2)529/JLD. 31]

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

COUNTERVAILING AND ANTI-DUMPING DUTIES ACT 1993

NOTICE OF INITIATION OF ADMINISTRATIVE REVIEW OF ANTI-DUMPING DUTIES
WITH REGARD TO IMPORTS OF FLAT ROLLED PRODUCT OF NON-ALLOY STEEL
PLATED OR COATED WITH ALUMINIUM AND ZINC ORIGINATING OR EXPORTED FROM
TAN PHUOC KHANH TRADING & MANUFACTURING COIL STEEL JSC FROM
THE SOCIALIST REPUBLIC OF VIET NAM

(AD 01/20 – AR 01/22)

FOLLOWING the publication of the Notice of Affirmative Final Determination of an Anti-Dumping Duty Investigation with regard to the Imports of Flat Rolled Product of Non-Alloy Steel Plated or Coated with Aluminium and Zinc Originating or Exported From the People's Republic of China, the Republic of Korea and the Socialist Republic of Viet Nam [*P.U. (B) 679/2020*] on 11 December 2020, 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 flat rolled product of non-alloy steel plated or coated with aluminium and zinc originating or exported from Tan Phuoc Khanh Trading & Manufacturing Coil Steel JSC from the Socialist Republic of Viet Nam ("subject merchandise") and pursuant to paragraph 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.

Request for administrative review

1. The request for administrative review was lodged by—

Tan Phuoc Khanh Trading & Manufacturing Coil Steel JSC
Phu My Industrial Zone 1, Phu My Ward,
Phu My Town, Bia Ria Vung Tau Province, Viet Nam

the foreign producer and 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) 7210.61.11 00, 7210.61.12 00, 7210.61.19 00, 7210.61.91 00, 7210.61.92 00, 7210.61.99 00, 7212.50.23 00, 7212.50.24 00 and 7212.50.29 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 is definitive anti-dumping duties imposed under the Customs (Anti-Dumping Duties) (No. 3) Order 2020 [*P.U. (A) 348/2020*].

Grounds for 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 by Tan Phuoc Khanh Trading & Manufacturing Coil Steel JSC.

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

Questionnaires

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

- (a) the Malaysian industry and any association of producers in Malaysia;
- (b) the producers and exporters of subject merchandise from Tan Phuoc Khanh Trading & Manufacturing Coil Steel JSC;
- (c) the importers and any association of importers; and
- (d) the Government of the Socialist Republic of Viet Nam.

(2) In any event, all interested parties not contacted by the Ministry of International 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 known in writing, in particular, by responding to the questionnaires addressed to them and by providing supporting evidence.

Time limit

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

(2) All interested parties must 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 response and correspondences

9. (1) All submission of information, questionnaire responses and correspondences 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 International Trade and Industry (MITI)
Level 9, Menara MITI
No. 7, Jalan Sultan Haji Ahmad Shah
50480 Kuala Lumpur
Malaysia

Telephone number : (603) 6208 4632/4641/4660
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 29 December 2022
[MITI:600-2/2/15; PN(PU2)529/JLD. 31]

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