



24 Disember 2020
24 December 2020
P.U. (B) 710

WARTA KERAJAAN PERSEKUTUAN

FEDERAL GOVERNMENT GAZETTE

**NOTIS PENENTUAN AWAL AFIRMATIF
PENYIASATAN DUTI ANTI-LAMBAKAN
BERKENAAN DENGAN IMPORT *POLYETHYLENE
TEREPHTHALATE* YANG BERASAL ATAU DIEKSPORT DARI
REPUBLIK RAKYAT CHINA, REPUBLIK INDONESIA,
REPUBLIK KOREA DAN REPUBLIK SOSIALIS VIET NAM**

***NOTICE OF AFFIRMATIVE PRELIMINARY DETERMINATION OF
AN ANTI-DUMPING DUTY INVESTIGATION WITH REGARD
TO THE IMPORTS OF POLYETHYLENE TEREPHTHALATE
ORIGINATING OR EXPORTED FROM THE PEOPLE'S REPUBLIC
OF CHINA, THE REPUBLIC OF INDONESIA,
THE REPUBLIC OF KOREA AND 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 PENENTUAN AWAL AFIRMATIF PENYIASATAN DUTI ANTI-LAMBAKAN
BERKENAAN DENGAN IMPORT *POLYETHYLENE TEREPHTHALATE* YANG BERASAL
ATAU DIEKSPORT DARI REPUBLIK RAKYAT CHINA, REPUBLIK INDONESIA,
REPUBLIK KOREA DAN REPUBLIK SOSIALIS VIET NAM

(AD 03/20)

PADA menjalankan kuasa yang diberikan oleh subseksyen 23(3) Akta Duti Timbal Balas dan Anti-Lambakan 1993 [*Akta 504*] dan peraturan 12 Peraturan-Peraturan Duti Timbal Balas dan Anti-Lambakan 1994 [*P.U. (A) 233/1994*], Kerajaan telah membuat penentuan awal bahawa—

- (a) suatu margin lambakan wujud bagi *polyethylene terephthalate* dengan kelikatan intrinsik 0.70 desiliter/gram atau lebih, yang dikelaskan di bawah Kod Sistem yang Diharmonikan (Kod H.S.) dan Tatanama Tarif Berharmonis ASEAN (AHTN) 3907.61.00 00, 3907.69.10 00 dan 3907.69.90 00 (“dagangan subjek”) yang berasal atau diekспорт dari Republik Rakyat China, Republik Indonesia, Republik Korea dan Republik Sosialis Viet Nam; dan
- (b) kemudaran didapati wujud kerana industri dalam negeri di Malaysia yang mengeluarkan keluaran serupa telah mengalami kemudaran material disebabkan oleh pengimportan dagangan subjek ke dalam Malaysia.

Sebab bagi penentuan awal afirmatif

2. Sebab bagi penentuan awal afirmatif adalah seperti yang berikut:

- (a) harga eksport dagangan subjek adalah kurang daripada nilai normalnya;
- (b) industri dalam negeri di Malaysia yang mengeluarkan keluaran serupa telah mengalami kemudaran material yang boleh dengan semunasabahnya dikaitkan dengan pengimportan dagangan subjek ke dalam Malaysia; dan
- (c) margin lambakan didapati wujud melalui kegiatan lambakan oleh pengeluar atau pengeksport dari Republik Rakyat China, Republik Indonesia,

Republik Korea dan Republik Sosialis Viet Nam adalah sebagaimana yang dinyatakan dalam Jadual 1.

Langkah sementara yang terpakai

3. Langkah-langkah sementara yang terpakai hendaklah dalam bentuk duti anti-lambakan sementara sebagaimana yang dinyatakan dalam Jadual 2.

Sebab bagi langkah sementara

4. Sebab bagi langkah sementara di bawah perenggan 3 adalah untuk mencegah kemudaratan yang ditanggung oleh industri dalam negeri di Malaysia yang mengeluarkan keluaran serupa daripada berlaku secara berterusan semasa tempoh penyiasatan.

Tempoh bagi membuat penentuan muktamad

5. Penentuan muktamad berhubung dengan penyiasatan hendaklah dibuat dalam tempoh satu ratus dua puluh (120) hari mulai 26 Disember 2020.

Rekod penyiasatan

6. Salinan rekod penyiasatan boleh didapati oleh orang awam di—

Pusat Sumber

Kementerian Perdagangan Antarabangsa dan Industri (MITI)

Aras 2, Menara MITI

No. 7, Jalan Sultan Haji Ahmad Shah

50480 Kuala Lumpur

Malaysia

Nombor telefon : (603) 6208 4631/4632/4634/4647

Nombor faksimile : (603) 6211 4429

Alamat e-mel : alltps@miti.gov.my

COUNTERVAILING AND ANTI-DUMPING DUTIES ACT 1993

NOTICE OF AFFIRMATIVE PRELIMINARY DETERMINATION OF AN ANTI-DUMPING
DUTY INVESTIGATION WITH REGARD TO THE IMPORTS OF POLYETHYLENE
TEREPHTHALATE ORIGINATING OR EXPORTED FROM THE PEOPLE'S REPUBLIC OF
CHINA, THE REPUBLIC OF INDONESIA, THE REPUBLIC OF KOREA AND
THE SOCIALIST REPUBLIC OF VIET NAM

(AD 03/2020)

IN exercise of the powers conferred by subsection 23(3) of the
Countervailing and Anti-Dumping Duties Act 1993 [*Act 504*] and regulation 12
of the Countervailing and Anti-Dumping Duties Regulations 1994 [*P.U. (A) 233/1994*],
the Government has made a preliminary determination that —

- (a) a dumping margin exists with regard to the imports of polyethylene terephthalate with intrinsic viscosity of 0.70 decilitres/gram or more, classified under the Harmonised System Code (H.S. Code) and ASEAN Harmonised Tariff Nomenclature (AHTN) 3907.61.00 00, 3907.69.10 00 and 3907.69.90 00 (“subject merchandise”) originating or exported from the People’s Republic of China, the Republic of Indonesia, the Republic of Korea and the Socialist Republic of Viet Nam; and
- (b) an injury is found to exist because the domestic industry in Malaysia producing the like product has suffered material injury by reason of the importation of the subject merchandise into Malaysia.

Reasons for affirmative preliminary determination

2. The reasons for the affirmative preliminary determination are as follows:

- (a) the export price of the subject merchandise is less than its normal value;
- (b) the domestic industry in Malaysia producing the like product has suffered material injury that can be reasonably linked to the importation of the subject merchandise into Malaysia; and

- (c) the dumping margin found to exist through the dumping activities by producers or exporters from the People's Republic of China, the Republic of Indonesia, the Republic of Korea and the Socialist Republic of Viet Nam are as specified in Schedule 1.

Provisional measures applicable

3. The provisional measures applicable shall take the form of provisional anti-dumping duties as specified in Schedule 2.

Reason for provisional measures

4. The reason for the provisional measures under paragraph 3 is to prevent the injury sustained by the domestic industry in Malaysia producing the like product from continuing to occur during the period of investigation.

Period for making final determination

5. A final determination in relation to the investigation shall be made within the period of one hundred and twenty (120) days from 26 December 2020.

Record of investigation

6. Copies of the record of investigation are available to the public at —

Resource Centre

Ministry of International Trade and Industry (MITI)

Level 2, Menara MITI

No. 7, Jalan Sultan Haji Ahmad Shah

50480 Kuala Lumpur

Malaysia

Telephone number : (603) 6208 4631/4632/4634/4647

Facsimile number : (603) 6211 4429

E-mail address : alltps@miti.gov.my

JADUAL 1/SCHEDULE 1

[Perenggan 2/Paragraph 2]

KEGIATAN LAMBAKAN OLEH PENGELUAR ATAU PENGEKSPORT/
DUMPING ACTIVITIES BY PRODUCERS OR EXPORTERS

Negara/ <i>Country</i>	Pengeluar atau Pengeksport/ <i>Producers or Exporters</i>	Margin Lambakan/ <i>Dumping Margin</i>
(i) Republik Rakyat China/ <i>The People's Republic of China</i>	Far Eastern Industries (Shanghai) Ltd. Jiangyin Xingtai New Material Co., Ltd. Jiangyin Xinyu New Material Co., Ltd. Lain-lain/ <i>Others</i>	2.84% -6.75% -2.84% 29.18%
(ii) Republik Indonesia/ <i>The Republic of Indonesia</i>	Semua pengeluar atau pengeksport/ <i>All producers or exporters</i>	57.75%
(iii) Republik Korea/ <i>The Republic of Korea</i>	SK Chemicals Co., Ltd. Lain-lain/ <i>Others</i>	15.49% 15.49%
(iv) Republik Sosialis Viet Nam/ <i>The Socialist Republic of Viet Nam</i>	Far Eastern Polytex (Vietnam) Limited Formosa Industries Corporation Lain-lain/ <i>Others</i>	3.38% -8.79% 21.25%

JADUAL 2/SCHEDULE 2

[Perenggan 3/Paragraph 3]

DUTI ANTI-LAMBAKAN SEMENTARA/PROVISIONAL ANTI-DUMPING DUTIES

Negara/ <i>Country</i>	Pengeluar atau Pengeksport/ <i>Producers or Exporters</i>	Kadar Duti [Peratusan (%) daripada Nilai Kos, Insurans dan Tambang (KIT)]/ <i>Rate of Duty (Percentage (%) of the Cost, Insurance and Freight (CIF) Value)</i>
(i) Republik Rakyat China/ <i>The People's Republic of China</i>	Far Eastern Industries (Shanghai) Ltd. Jiangyin Xingtai New Material Co., Ltd. Jiangyin Xinyu New Material Co., Ltd. Lain-lain/ <i>Others</i>	2.84% Nil Nil 29.18%
(ii) Republik Indonesia/ <i>The Republic of Indonesia</i>	Semua pengeluar atau pengeksport/ <i>All producers or exporters</i>	57.75%
(iii) Republik Korea/ <i>The Republic of Korea</i>	SK Chemicals Co., Ltd. Lain-lain/ <i>Others</i>	15.49% 15.49%
(iv) Republik Sosialis Viet Nam/ <i>The Socialist Republic of Viet Nam</i>	Far Eastern Polytex (Vietnam) Limited Formosa Industries Corporation Lain-lain/ <i>Others</i>	3.38% Nil 21.25%

Bertarikh 9 Disember 2020

Dated 9 December 2020

[MITI: 600-2/2/7; PN(PU2)529/XXVIII]

DATO' SERI MOHAMED AZMIN BIN ALI
*Menteri Kanan Perdagangan Antarabangsa dan Industri/
Senior Minister of International Trade and Industry*