



17 Mac 2020
17 March 2020
P.U. (B) 177

WARTA KERAJAAN PERSEKUTUAN

FEDERAL GOVERNMENT GAZETTE

NOTIS PEMULAAN PENYIASATAN DUTI
ANTI-LAMBAKAN MENGENAI 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

*NOTICE OF INITIATION 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*

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

AKTA DUTI TIMBAL BALAS DAN ANTI-LAMBAKAN 1993

NOTIS PEMULAAN PENYIASATAN DUTI ANTI-LAMBAKAN MENGENAI 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

(AD 01/20)

MENURUT seksyen 20 Akta Duti Timbal Balas dan Anti-Lambakan 1993 [*Akta 504*] dan peraturan 7 Peraturan-Peraturan Duti Timbal Balas dan Anti-Lambakan 1994 [*P.U. (A) 233/1994*], Kerajaan telah menerima suatu petisyen yang mengatakan bahawa import produk gulungan rata keluli bukan aloi disadur atau disalut aluminium dan zink yang berasal atau diekспорт dari Republik Rakyat China, Republik Korea dan Republik Sosialis Viet Nam sedang dilambakkan di Malaysia dan menyebabkan kemudaratan material kepada industri dalam negeri di Malaysia yang mengeluarkan keluaran serupa (“industri Malaysia”).

Petisyen

2. Petisyen itu telah dibuat oleh—

NS Bluescope Malaysia Sdn. Bhd.
Aras 11, Tower 8, UOA Business Park,
No. 1, Jalan Pengaturcara U1/51A, Seksyen U1,
40150 Shah Alam, Selangor Darul Ehsan
Malaysia

pengeluar dalam negeri produk gulungan rata keluli bukan aloi disadur atau disalut aluminium dan zink bagi pihak industri Malaysia.

Dagangan subjek

3. Dagangan subjek yang dikatakan sedang dilambakkan ialah produk gulungan rata keluli bukan aloi disadur atau disalut aluminium dan zink yang 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 90, 7212.50.29 10 dan 7212.50.29 90. Kod H.S. dan AHTN ini diberikan hanya untuk makluman dan tidak mempunyai kesan mengikat terhadap pengelasan dagangan subjek itu.

Pengataan lambakan

4. Pengataan lambakan adalah berdasarkan perbandingan antara nilai normal dagangan subjek di Republik Rakyat China, Republik Korea dan Republik Sosialis Viet Nam dengan harga eksport yang bersamaan dengannya apabila dagangan subjek itu dieksport ke Malaysia. Berdasarkan perbandingan ini, margin lambakan sebagaimana yang dikatakan oleh pempetisyen adalah signifikan bagi pengeluar atau pengeksporth itu.

Pengataan kemudaran

5. Pempetisyen telah menyatakan dan memberikan keterangan bahawa import dagangan subjek dari negara yang dikatakan itu telah meningkat dari segi kuantiti mutlak. Dikatakan selanjutnya bahawa industri Malaysia telah mengalami kemudaran melalui kesan lambakan iaitu, antara lain, pemotongan harga, kemelesetan harga, penyekatan harga, aliran tunai yang negatif dan pengurangan dalam pulangan pelaburan.

Tatacara

6. Setelah menentukan bahawa wujudnya keterangan yang mencukupi untuk mewajarkan suatu penyiasatan duti anti-lambakan dan bahawa penyiasatan sedemikian adalah demi kepentingan awam, Kerajaan memulakan suatu penyiasatan menurut subperaturan 7(1) Peraturan-Peraturan Duti Timbal Balas dan Anti-Lambakan 1994.

6.1 Soal selidik

Bagi mendapatkan maklumat yang disifatkan perlu bagi penyiasatannya, Kerajaan akan mengagihkan soal selidik kepada—

- (a) industri Malaysia dan mana-mana persatuan pengeluar di Malaysia;
- (b) pengeluar atau pengeksport di Republik Rakyat China, Republik Korea dan Republik Sosialis Viet Nam;
- (c) pengimport dan mana-mana persatuan pengimport yang dinamakan dalam petisyen; dan
- (d) Kerajaan Republik Rakyat China, Republik Korea dan Republik Sosialis Viet Nam.

Dalam apa-apa keadaan, semua pihak berkepentingan yang tidak dihubungi oleh Kementerian Perdagangan Antarabangsa dan Industri (MITI) dijemput untuk menghubungi MITI melalui faksimile atau e-mel bagi mengetahui sama ada mereka disenaraikan dalam petisyen itu. Jika perlu, pihak berkepentingan itu boleh memohon bagi suatu salinan soal selidik itu dengan mengenal pasti jenis aktiviti perniagaan mereka berhubung dengan penyiasatan ini.

6.2 Pengumpulan maklumat

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

Had masa

7. Had masa berhubung dengan soal selidik adalah seperti yang berikut:

7.1 Pihak yang memohon soal selidik

Semua pihak berkepentingan yang ingin memohon bagi soal selidik hendaklah berbuat demikian tidak lewat daripada lima belas hari selepas penyiaran notis ini dalam *Warta*.

7.2 Pihak yang mengemukakan jawapan soal selidik

Semua pihak berkepentingan mestilah menyatakan pandangan mereka secara bertulis dan mengemukakan jawapan soal selidik dalam masa tiga puluh hari selepas penyiaran notis ini dalam *Warta* sekiranya pandangan dan pengemukaan itu hendak diambil kira semasa penyiasatan, melainkan jika dinyatakan sebaliknya.

Pengemukaan maklumat, jawapan soal selidik dan surat-menyurat bertulis

8. (1) Semua pengemukaan maklumat, jawapan soal selidik dan surat-menyurat dan permintaan mestilah dibuat secara bertulis dan dihantar melalui pos, faksimile atau e-mel dan dengan jelas menyatakan nama, alamat, alamat e-mel, dan 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 4633/4634/4639/4642
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 awal atau muktamadnya berdasarkan fakta yang ada mengikut seksyen 41 Akta.

Bertarikh 13 Mac 2020
[MITI.600-2/2/6; PN(PU2)529/XXVI]

DATO' SERI MOHAMED AZMIN BIN ALI
Menteri Perdagangan Antarabangsa dan Industri

COUNTERVAILING AND ANTI-DUMPING DUTIES ACT 1993

NOTICE OF INITIATION 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

(AD 01/20)

PURSUANT to section 20 of the Countervailing and Anti-Dumping Duties Act 1993 [Act 504] and regulation 7 of the Countervailing and Anti-Dumping Duties Regulations 1994 [P.U. (A) 233/1994], the Government has received a petition alleging that 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 are being dumped in Malaysia and are causing material injury to the domestic industry in Malaysia producing the like product ("Malaysian industry").

Petition

2. The petition was lodged by—

NS Bluescope Malaysia Sdn. Bhd.
Aras 11, Tower 8, UOA Business Park,
No. 1, Jalan Pengaturcara U1/51A, Seksyen U1,
40150 Shah Alam, Selangor Darul Ehsan
Malaysia

the domestic producer of flat rolled product of non-alloy steel plated or coated with aluminium and zinc on behalf of the Malaysian industry.

Subject merchandise

3. The subject merchandise allegedly being dumped is the flat rolled product of non-alloy steel plated or coated with aluminium and zinc 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 90, 7212.50.29 10 and 7212.50.29 90. These H.S. Code and AHTN are given only for information and have no binding effect on the classification of the subject merchandise.

Allegation of dumping

4. The allegation of dumping is based on a comparison between the normal values of the subject merchandise in the People's Republic of China, the Republic of Korea and the Socialist Republic of Viet Nam with their corresponding export prices when the subject merchandise is exported to Malaysia. Based on this comparison, the dumping margins as alleged by the petitioner are significant for that producers or exporters.

Allegation of injury

5. The petitioner has stated and provided evidence that the imports of the subject merchandise from the alleged countries have increased in terms of absolute quantity. It was further alleged that the Malaysian industry has suffered injury through the effects of dumping that is, among others, price undercutting, price depression, price suppression, negative cash flow and reduction in return on investment.

Procedure

6. Having determined that sufficient evidence exists to warrant an anti-dumping duty investigation and that such an investigation is in the public interest, the Government initiates an investigation pursuant to subregulation 7(1) of the Countervailing and Anti-Dumping Duties Regulations 1994.

6.1 Questionnaire

In order to obtain information deemed necessary for its investigation, the Government will distribute questionnaires to—

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

- (b) the producers or exporters in the People's Republic of China, the Republic of Korea and the Socialist Republic of Viet Nam;
- (c) the importers and any association of importers named in the petition; and
- (d) the Governments of the People's Republic of China, the Republic of Korea and the Socialist Republic of Viet Nam.

In any event, all interested parties not contacted by the Ministry of International Trade and Industry (MITI) are invited to contact MITI by facsimile or e-mail in order to find out whether they are listed in the petition. If necessary, such interested parties may request for a copy of the questionnaires by identifying the nature of their business activities in relation to this investigation.

6.2 Collection of information

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

7. The time limit in relation to the questionnaires are as follows:

7.1 Parties requesting questionnaires

All interested parties requesting for questionnaires shall do so not later than fifteen days after the publication of this notice in the *Gazette*.

7.2 Parties submitting questionnaires responses

All interested parties must present their views in writing and submit the questionnaires responses within thirty days after the publication of this

notice in the *Gazette* if such views and submissions are to be taken into consideration during the investigation, unless otherwise specified.

Submissions of written information, questionnaires responses and correspondences

8. (1) All submissions of information, questionnaires responses and correspondences and requests must be made in writing and sent by post, facsimile or e-mail and with clear indication of the name, address, e-mail address, and 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 4633/4634/4639/4642
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 adequate form within the specified time limit, the Government may make its preliminary or final determination on the basis of available facts in accordance with section 41 of the Act.

Dated 13 March 2020
[MITI:600-2/2/6; PN(PU2)529/XXVI]

DATO' SERI MOHAMED AZMIN BIN ALI
Minister of International Trade and Industry