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WARTA KERAJAAN PERSEKUTUAN

FEDERAL GOVERNMENT GAZETTE

**NOTIS PENENTUAN MUKTAMAD AFIRMATIF
PENYIASATAN DUTI ANTI-LAMBAKAN MENGENAI
IMPORT *CELLULOSE FIBRE REINFORCED CEMENT FLAT*
DAN *PATTERN SHEET* YANG BERASAL ATAU
DIEKSPORT DARI REPUBLIK INDONESIA**

***NOTICE OF AFFIRMATIVE FINAL DETERMINATION OF
AN ANTI-DUMPING DUTY INVESTIGATION WITH
REGARD TO THE IMPORTS OF CELLULOSE FIBRE
REINFORCED CEMENT FLAT AND PATTERN SHEET
ORIGINATING OR EXPORTED FROM
THE REPUBLIC OF INDONESIA***

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

AKTA DUTI TIMBAL BALAS DAN ANTI-LAMBAKAN 1993

NOTIS PENENTUAN MUKTAMAD AFIRMATIF PENYIASATAN DUTI ANTI-LAMBAKAN
MENGENAI IMPORT *CELLULOSE FIBRE REINFORCED CEMENT FLAT* DAN *PATTERN SHEET* YANG BERASAL ATAU DIEKSPORT DARI REPUBLIK INDONESIA

(AD 03/19)

PADA menjalankan kuasa yang diberikan oleh perenggan 25(4)(a) Akta Duti Timbal Balas dan Anti-Lambakan 1993 [*Akta 504*] dan peraturan 15 Peraturan-Peraturan Duti Timbal Balas dan Anti-Lambakan 1994 [*P.U. (A) 233/1994*], Kerajaan telah membuat penentuan muktamad di bawah subseksyen 25(1) Akta bahawa—

- (a) suatu margin lambakan wujud mengenai import *cellulose fibre reinforced cement flat* dan *pattern sheet* dan secara khususnya mengecualikan *external roofing* yang dikelaskan di bawah Kod Sistem yang Diharmonikan (Kod H.S.) 6811.82.20 00 dan 6811.82.90 00 yang berasal atau diekспорт dari Republik Indonesia (“dagangan subjek”); dan
- (b) kemudatan didapati wujud kerana industri dalam negeri di Malaysia yang mengeluarkan keluaran serupa telah mengalami kemudatan material disebabkan oleh pengimportan dagangan subjek ke dalam Malaysia.

Sebab bagi penentuan muktamad afirmatif

2. Sebab bagi penentuan muktamad 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 kemudatan 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 Indonesia seperti yang berikut:

(1) Negara	(2) Pengeluar/Pengeksport	(3) Margin Lambakan
Republik Indonesia	PT Etex Building Performance Indonesia Lain-lain	9.14% 108.10%

Duti anti-lambakan

3. Duti anti-lambakan yang akan dikenakan adalah sebagaimana yang dinyatakan dalam Jadual.

Sebab bagi pengenaan duti anti-lambakan

4. Sebab bagi pengenaan duti anti-lambakan di bawah perenggan 3 adalah untuk mencegah kemudaratan kepada industri dalam negeri di Malaysia yang mengeluarkan keluaran serupa.

Tempoh pengenaan duti anti-lambakan

5. Duti anti-lambakan yang dikenakan di bawah perenggan 3 hendaklah terpakai bagi tempoh lima tahun mulai 21 Mac 2020 hingga 20 Mac 2025.

JADUAL
[Perenggan 3]
DUTI ANTI LAMBAKAN

(1) Negara	(2) Pengeluar/Pengeksport	(3) Kadar Duti [Peratusan (%) daripada Nilai, Kos Insurans dan Tambang (KIT)]
Republik Indonesia	PT Etex Building Performance Indonesia Lain-lain	9.14% 108.10%

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

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

COUNTERVAILING AND ANTI-DUMPING DUTIES ACT 1993

NOTICE OF AFFIRMATIVE FINAL DETERMINATION OF AN ANTI-DUMPING DUTY
INVESTIGATION WITH REGARD TO THE IMPORTS OF CELLULOSE FIBRE REINFORCED
CEMENT FLAT AND PATTERN SHEET ORIGINATING OR EXPORTED FROM
THE REPUBLIC OF INDONESIA

(AD 03/19)

IN exercise of the powers conferred by paragraph 25(4)(a) of the Countervailing and Anti-Dumping Duties Act 1993 [*Act 504*] and regulation 15 of the Countervailing and Anti-Dumping Duties Regulations 1994 [*P.U. (A) 233/1994*], the Government has made a final determination under subsection 25(1) of the Act that—

- (a) a dumping margin exists with regard to the imports of cellulose fibre reinforced cement flat and pattern sheet and specifically excluding external roofing classified under the Harmonised System Code (H.S. Code) 6811.82.20 00 and 6811.82.90 00 originating or exported from the Republic of Indonesia (“subject merchandise”); and
- (b) an injury is found to exist because the domestic industry in Malaysia producing the like product has suffered a material injury by reason of the importation of the subject merchandise into Malaysia.

Reasons for affirmative final determination

2. The reasons for the affirmative final 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 a material injury that can be reasonably linked to the importation of the subject merchandise into Malaysia; and

(c) the dumping margin is found to exist through the dumping activities by the producers or exporters from the Republic of Indonesia as follows:

(1) Country	(2) Producer/Exporter	(3) Dumping Margin
Republic of	PT Etex Building Performance Indonesia	9.14%
Indonesia	Others	108.10%

Anti-dumping duties

3. The anti-dumping duties to be imposed shall be as specified in the Schedule.

Reason for imposition of anti-dumping duties

4. The reason for the imposition of anti-dumping duties under paragraph 3 is to prevent the injury to the domestic industry in Malaysia producing the like product.

Period of imposition of anti-dumping duties

5. The anti-dumping duties imposed under paragraph 3 shall apply for a period of five years from 21 March 2020 to 20 March 2025.

SCHEDULE

[Paragraph 3]

ANTI-DUMPING DUTIES

(1) Country	(2) Producer/Exporter	(3) Rate of Duty [Percentage (%) of the Cost, Insurance and Freight (CIF) Value]
Republic of	PT Etex Building Performance Indonesia	9.14%
Indonesia	Others	108.10%

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

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