



22 November 2019  
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P.U. (B) 606

# WARTA KERAJAAN PERSEKUTUAN

## *FEDERAL GOVERNMENT GAZETTE*

**NOTIS PENENTUAN AWAL 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 PRELIMINARY 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 AWAL 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 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 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.) dan Tatanama Tarif Berharmonis ASEAN (AHTN) 6811.82.20 00 dan 6811.82.90 00 yang berasal atau diekспорт dari Republik Indonesia (“dagangan subjek”); 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 Indonesia seperti yang berikut:

Negara	Pengeluar/Pengeksport	Margin Lambakan
Republik Indonesia	PT Etex Building Performance Indonesia	35.43%
Indonesia	Lain-lain	108.10%

### **Langkah sementara yang terpakai**

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

### **Sebab bagi langkah sementara**

4. Sebab bagi langkah sementara di bawah perenggan 3 adalah untuk mencegah kemudaran 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 seratus dua puluh (120) hari mulai 22 November 2019.

### **Rekod penyiasatan**

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

Seksyen Amalan Perdagangan

Kementerian Perdagangan Antarabangsa dan Industri (MITI)

Aras 9, Menara MITI

No. 7, Jalan Sultan Haji Ahmad Shah

50480 Kuala Lumpur

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## JADUAL

[Perenggan 3]

## DUTI ANTI-LAMBAKAN SEMENTARA

Negara	Pengeluar/Pengeksport	Kadar Duti [Peratusan (%) daripada Nilai Kos, Insurans dan Tambang (KIT)]
Republik Indonesia	PT Etex Building Performance Indonesia Lain-lain	35.43% 108.10%

Bertarikh 19 November 2019  
[MITI(R).600-2/2/3; PN(PU2)529/XXVII]

IGNATIUS DARELL LEIKING  
*Menteri Perdagangan Antarabangsa dan Industri*

COUNTERVAILING AND ANTI-DUMPING DUTIES ACT 1993

NOTICE OF AFFIRMATIVE PRELIMINARY 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 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 cellulose fibre reinforced cement flat and pattern sheet and specifically excluding external roofing which are classified under the Harmonised System Code (H.S. Code) and ASEAN Harmonised Tariff Nomenclature (AHTN) 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 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 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 producers or exporters from the Republic of Indonesia as follows:

Country	Producer/Exporter	Dumping Margin
Republic of Indonesia	PT Etex Building Performance Indonesia	35.43%
Indonesia	Others	108.10%

### **Provisional measures applicable**

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

### **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 22 November 2019.

### **Record of investigation**

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

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 4631/4636/4633/4646  
 Facsimile number : (603) 6211 4429  
 E-mail : alltps@miti.gov.my

## SCHEDULE

[Paragraph 3]

## PROVISIONAL ANTI-DUMPING DUTIES

Country	Producer/Exporter	Rate of Duty [Percentage (%) of the Cost, Insurance and Freight (CIF) Value]
Republic of Indonesia	PT Etex Building Performance Indonesia	35.43%
	Others	108.10%

Dated 19 November 2019  
[MITI(R).600-2/2/3; PN(PU2)529/XXVII]

IGNATIUS DARELL LEIKING  
*Minister of International Trade and Industry*