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WARTA KERAJAAN PERSEKUTUAN

FEDERAL GOVERNMENT GAZETTE

**NOTIS PENENTUAN MUKTAMAD AFIRMATIF
PENYIASATAN DUTI ANTI-LAMBAKAN MENGENAI
IMPORT *POLYETHYLENE TEREPHTHALATE* YANG
BERASAL ATAU DIEKSPORT DARI REPUBLIK RAKYAT
CHINA, REPUBLIK INDONESIA DAN REPUBLIK KOREA**

***NOTICE OF AFFIRMATIVE FINAL 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, REPUBLIC OF INDONESIA AND
REPUBLIC OF KOREA***



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 *POLYETHYLENE TEREPHTHALATE* YANG BERASAL ATAU
DIEKSPORT DARI REPUBLIK RAKYAT CHINA, REPUBLIK INDONESIA DAN REPUBLIK
KOREA

(AD 01/14)

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 *polyethylene terephthalate* dengan kelikatan intrinsik yang lebih daripada 0.70 desiliter/gram yang dikelaskan di bawah Kod Sistem yang Diharmonikan (Kod H.S.) 3907.60 000 dan Tatanama Tarif Berharmonis ASEAN (AHTN) 3907.60.20 00 yang berasal atau diekspor dari Republik Rakyat China, Republik Indonesia dan Republik Korea ke dalam Malaysia (“dagangan subjek”); dan
- (b) kemudaratan didapati wujud kerana industri dalam negeri di Malaysia yang mengeluarkan keluaran serupa telah mengalami kemudaratan material disebabkan oleh pengimportan dagangan subjek.

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 kemudaratan material yang boleh dengan semunasabahnya dikaitkan dengan pengimportan dagangan subjek; dan

(c) margin lambakan didapati wujud melalui kegiatan lambakan oleh pengeluar atau pengeksport dari Republik Rakyat China, Republik Indonesia dan Republik Korea seperti yang berikut:

	<i>Negara</i>	<i>Pengeluar/Pengeksport</i>	<i>Margin lambakan</i>
(i)	Republik Rakyat China	China Resources Packaging Materials Co., Ltd.	7.18%
		Far Eastern Industries (Shanghai) Ltd.	1.20%
		Guangdong IVL PET Polymer Co., Ltd.	14.91%
		Jiangsu Xingye Plastics Co., Ltd.	4.26%
		Jiangyin Xingyu New Materials Co., Ltd.	-2.19%
		Lain-lain	14.91%
(ii)	Republik Indonesia	PT Indorama Polypet Indonesia	7.21%
		PT Indo-Rama Synthetics Tbk	2.87%
		PT Indorama Ventures	5.72%
		Lain-lain	7.21%
(iii)	Republik Korea	Semua pengeluar/pengekspor	14.91%

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 14 Mac 2015 hingga 13 Mac 2020.

JADUAL

[Perenggan 3]

DUTI ANTI-LAMBAKAN

<i>Negara</i>	<i>Pengeluar/Pengeksport</i>	<i>Kadar Duti (Peratusan (%)) daripada Nilai Kos, Insurans dan Tambang (KIT))</i>
1. Republik Rakyat China	China Resources Packaging Materials Co., Ltd.	7.18%
	Far Eastern Industries (Shanghai) Ltd.	Nil
	Guangdong IVL PET Polymer Co., Ltd.	14.91%
	Jiangsu Xingye Plastics Co., Ltd.	4.26%
	Jiangyin Xingyu New Materials Co., Ltd.	Nil
	Lain-lain	14.91%
2. Republik Indonesia	PT Indorama Polypet Indonesia	7.21%
	PT Indo-Rama Synthetics Tbk	2.87%
	PT Indorama Ventures	5.72%
	Lain-lain	7.21%
3. Republik Korea	Semua pengeluar/pengekspport	14.91%

Bertarikh 10 Mac 2015

[MITI:ID/(S)/AP/AD/045/36; PN(PU2)529/XVII]

DATO' SRI MUSTAPA BIN MOHAMED
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 POLYETHYLENE
TEREPHTHALATE ORIGINATING OR EXPORTED FROM THE PEOPLE'S REPUBLIC OF
CHINA, REPUBLIC OF INDONESIA AND REPUBLIC OF KOREA

(AD 01/14)

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 polyethylene terephthalate with the intrinsic viscosity of more than 0.70 deciliter/gram classified under the Harmonised System Code (H.S. Code) 3907.60 000 and ASEAN Harmonised Tariff Nomenclature (AHTN) 3907.60.20 00 originating or exported from the People's Republic of China, Republic of Indonesia and Republic of Korea into Malaysia ("subject merchandise"); 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.

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 material injury that can be reasonably linked to the importation of the subject merchandise; and

- (c) the dumping margin is found to exist through the dumping activities by the producers or exporters from the People's Republic of China, Republic of Indonesia and Republic of Korea which are as follows:

	<i>Countries</i>	<i>Producers/Exporters</i>	<i>Dumping Margin</i>
(i)	People's Republic of China	China Resources Packaging Materials Co., Ltd.	7.18%
		Far Eastern Industries (Shanghai) Ltd.	1.20%
		Guangdong IVL PET Polymer Co., Ltd.	14.91%
		Jiangsu Xingye Plastics Co., Ltd.	4.26%
		Jiangyin Xingyu New Materials Co., Ltd.	-2.19%
		Others	14.91%
(ii)	Republic of Indonesia	PT Indorama Polypet Indonesia	7.21%
		PT Indo-Rama Synthetics Tbk	2.87%
		PT Indorama Ventures	5.72%
		Others	7.21%
(iii)	Republic of Korea	All producers/exporters	14.91%

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 14 March 2015 to 13 March 2020.

SCHEDULE

[Paragraph 3]

ANTI-DUMPING DUTIES

<i>Countries</i>	<i>Producers/Exporters</i>	<i>Rate of Duties (Percentage (%)) of the Cost, Insurance and Freight (CIF) Value)</i>
1. People's Republic of China	China Resources Packaging Materials Co., Ltd.	7.18%
	Far Eastern Industries (Shanghai) Ltd.	Nil
	Guangdong IVL PET Polymer Co., Ltd.	14.91%
	Jiangsu Xingye Plastics Co., Ltd.	4.26%
	Jiangyin Xingyu New Materials Co., Ltd.	Nil
	Others	14.91%
2. Republic of Indonesia	PT Indorama Polypet Indonesia	7.21%
	PT Indo-Rama Synthetics Tbk	2.87%
	PT Indorama Ventures	5.72%
	Others	7.21%
3. Republic of Korea	All producers/exporters	14.91%

Dated 10 March 2015
[MITI:ID/(S)/AP/AD/045/36; PN(PU2)529/XVII]

DATO' SRI MUSTAPA BIN MOHAMED
Minister of International Trade and Industry