



13 November 2014
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P.U. (B) 505

WARTA KERAJAAN PERSEKUTUAN

FEDERAL GOVERNMENT GAZETTE

NOTIS PENENTUAN AWAL 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 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, 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 AWAL 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 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 mengenai *polyethylene terephthalate* dengan kelikatan intrinsik 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 diekспорт dari Republik Rakyat China, Republik Indonesia dan Republik Korea (“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 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 kemudaratan 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 dan Republik Korea seperti yang berikut:

	Pengeluar/Pengeksport	Margin lambakan
(i)	Republik Rakyat China	
	China Resources Packaging Materials Co., Ltd.	6.94%
	Far Eastern Industries (Shanghai) Ltd.	4.48%
	Guangdong IVL PET Polymer Co., Ltd.	20.09%
	Jiangsu Xingye Plastics Co., Ltd.	13.14%
	Jiangyin Xingyu New Material Co., Ltd.	13.11%
	Lain-lain	20.09%
(ii)	Republik Indonesia	
	PT Indorama Polypet Indonesia	8.90%
	PT Indo-Rama Synthetics Tbk	2.87%
	PT Indorama Ventures	8.56%
	Lain-lain	20.09%
(iii)	Republik Korea	
	Lain-lain	20.09%

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 masa bagi membuat penentuan muktamad

5. Penentuan muktamad berhubung dengan penyiasatan hendaklah dibuat dalam tempoh masa seratus dua puluh (120) hari mulai dari 14 November 2014.

Rekod penyiasatan

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

Bahagian Amalan Perdagangan
Kementerian Perdagangan Antarabangsa dan Industri (MITI)
Tingkat 14, Blok 8
Kompleks Pejabat-Pejabat Kerajaan
Jalan Duta
50622 Kuala Lumpur
MALAYSIA

Nombor Telefon : (603) 6200 0111/0115/0122

Nombor Faksimili : (603) 6203 1745

JADUAL

[Perenggan 3]

DUTI ANTI-LAMBAKAN SEMENTARA

	Kadar duti (peratusan (%)) nilai Kos, Insurans dan Tambang (KIT))
Pengeluar/Pengeksport	
1. Republik Rakyat China	
China Resources Packaging Materials Co., Ltd.	6.94%
Far Eastern Industries (Shanghai) Ltd.	4.48%
Guangdong IVL PET Polymer Co., Ltd.	20.09%
Jiangsu Xingye Plastics Co., Ltd.	13.14%
Jiangyin Xingyu New Material Co., Ltd.	13.11%
Lain-lain	20.09%

2.	Republik Indonesia	
	PT Indorama Polypet Indonesia	8.90%
	PT Indo-Rama Synthetics Tbk	2.87%
	PT Indorama Ventures	8.56%
	Lain-lain	20.09%
3.	Republik Korea	
	Lain-lain	20.09%

Bertarikh 6 November 2014
[MITI:ID/(S)/AP/AD/045/36; PN(PU2)529/XVI]

DATO' SRI MUSTAPA BIN MOHAMED
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 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 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 polyethylene terephthalate with 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 ("subject merchandise"); and
- (b) 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 is found to exist through the dumping activities by producers or exporters from the People's Republic of China, Republic of Indonesia and Republic of Korea which are as follows:

	Producers/Exporters	Dumping margin
(i)	People's Republic of China	
	China Resources Packaging Materials Co., Ltd.	6.94%
	Far Eastern Industries (Shanghai) Ltd.	4.48%
	Guangdong IVL PET Polymer Co., Ltd.	20.09%
	Jiangsu Xingye Plastics Co., Ltd.	13.14%
	Jiangyin Xingyu New Material Co., Ltd.	13.11%
	Others	20.09%
(ii)	Republic of Indonesia	
	PT Indorama Polypet Indonesia	8.90%
	PT Indo-Rama Synthetics Tbk	2.87%
	PT Indorama Ventures	8.56%
	Others	20.09%
(iii)	Republic of Korea	
	Others	20.09%

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.

Time period for making final determination

5. A final determination in relation to the investigation shall be made within the time period of one hundred and twenty (120) days from 14 November 2014.

Record of investigation

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

Trade Practices Division
 Ministry of International Trade and Industry (MITI)
 Level 14, Block 8
 Government Offices Complex
 Jalan Duta
 50622 Kuala Lumpur
 MALAYSIA

Telephone Number : (603) 6200 0111/0115/0122

Facsimile Number : (603) 6203 1745

SCHEDULE

[Paragraph 3]

PROVISIONAL ANTI-DUMPING DUTIES

Producers/Exporters	Rate of duty (percentage (%)) of the Cost, Insurance and Freight (CIF) value)
1. People's Republic of China	
China Resources Packaging Materials Co., Ltd.	6.94%
Far Eastern Industries (Shanghai) Ltd.	4.48%
Guangdong IVL PET Polymer Co., Ltd.	20.09%
Jiangsu Xingye Plastics Co., Ltd.	13.14%
Jiangyin Xingyu New Material Co., Ltd.	13.11%
Others	20.09%

2.	Republic of Indonesia	
	PT Indorama Polypet Indonesia	8.90%
	PT Indo-Rama Synthetics Tbk	2.87%
	PT Indorama Ventures	8.56%
	Others	20.09%
3.	Republic of Korea	
	Others	20.09%

Dated 6 November 2014
[MITI:ID/(S)/AP/AD/045/36; PN(PU2)529/XVI]

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