



21 Disember 2012
21 December 2012
P.U. (B) 419

WARTA KERAJAAN PERSEKUTUAN

FEDERAL GOVERNMENT GAZETTE

NOTIS PENENTUAN AWAL AFIRMATIF
PENYIASATAN DUTI ANTI-LAMBAKAN MENGENAI
IMPORT FILEM-FILEM *BIAXIALLY ORIENTED*
POLYPROPYLENE YANG BERASAL ATAU DIEKSPORT DARI
CHINESE TAIPEI, THAILAND, REPUBLIK RAKYAT CHINA,
REPUBLIK INDONESIA DAN REPUBLIK SOSIALIS
VIET NAM

*NOTICE OF AFFIRMATIVE PRELIMINARY DETERMINATION
OF AN ANTI-DUMPING DUTY INVESTIGATION WITH
REGARD TO IMPORTS OF BIAXIALLY ORIENTED
POLYPROPYLENE FILMS ORIGINATING OR EXPORTED
FROM CHINESE TAIPEI, THAILAND, THE PEOPLE'S
REPUBLIC OF CHINA, THE REPUBLIC OF INDONESIA 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 PENENTUAN AWAL AFIRMATIF PENYIASATAN DUTI ANTI-LAMBAKAN
MENGENAI IMPORT FILEM-FILEM *BIAXIALLY ORIENTED POLYPROPYLENE* YANG
BERASAL ATAU DIEKSPORT DARI *CHINESE TAIPEI*, THAILAND, REPUBLIK RAKYAT
CHINA, REPUBLIK INDONESIA DAN REPUBLIK SOSIALIS VIET NAM

(AD 03/12)

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 Malaysia telah membuat penentuan awal bahawa—

- (a) suatu margin lambakan wujud berkenaan dengan import filem-filem *biaxially oriented polypropylene* yang dikelaskan di bawah Nombor Kod Sistem yang Diharmonikan (Kod H.S.) 3920.20.200 and Tatanama Tarif Berharmonis ASEAN (AHTN) 3920.20.10.00 (“dagangan subjek”) yang berasal atau diekспорт dari *Chinese Taipei*, Thailand, Republik Rakyat China, Republik Indonesia dan Republik Sosialis Viet Nam; dan
- (b) kemudahan didapati wujud kerana industri dalam negeri di Malaysia yang mengeluarkan keluaran serupa telah mengalami kemudahan material disebabkan oleh pengimportan dagangan subjek itu yang berasal atau diekспорт dari *Chinese Taipei*, Thailand, Republik Rakyat China, Republik Indonesia dan Republik Sosialis Viet Nam ke dalam Malaysia.

Sebab-sebab bagi penentuan

2. Sebab-sebab bagi penentuan awal afirmatif adalah seperti yang berikut:

- (a) harga eksport dagangan subjek yang berasal atau diekспорт dari *Chinese Taipei*, Thailand, Republik Rakyat China, Republik Indonesia dan Republik Sosialis Viet Nam ke dalam Malaysia 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 itu yang berasal atau dieksport dari *Chinese Taipei*, Thailand, Republik Rakyat China, Republik Indonesia dan Republik Sosialis Viet Nam ke dalam Malaysia; dan

- (c) margin lambakan yang didapati wujud melalui kegiatan lambakan oleh pengeluar atau pengeksport dari *Chinese Taipei*, Thailand, Republik Rakyat China, Republik Indonesia dan Republik Sosialis Viet Nam adalah seperti yang berikut:

	Pengeluar/Pengeksport	Margin lambakan
(i)	<i>Chinese Taipei</i>	
	Lain-lain	20.42%
(ii)	Thailand	
	A.J. Plast Public Company Limited	<i>de minimis</i>
	Thai Film Industries Public Company Limited	<i>de minimis</i>
	Lain-lain	9.41%
(iii)	Republik Rakyat China	
	Guangzhou Shunlung Industrial Corporation	6.87%
	Zhejiang Kinlead Innovative Materials Co., Ltd	<i>de minimis</i>
	Lain-lain	17.63%
(iv)	Republik Indonesia	
	Lain-lain	12.55%
(v)	Republik Sosialis Viet Nam	
	Formosa Industries Corporation	10.41%
	Lain-lain	21.43%

Langkah-langkah sementara yang terpakai

3. Langkah-langkah sementara yang terpakai adalah duti anti-lambakan sementara yang dinyatakan dalam Jadual.

Sebab bagi langkah-langkah sementara

4. Sebab bagi langkah-langkah sementara di bawah perenggan 3 adalah untuk mencegah dari berlakunya kemudaratan yang berterusan terhadap industri dalam negeri di Malaysia yang mengeluarkan keluaran serupa dalam tempoh penyiasatan.

Had masa bagi penentuan muktamad

5. Had masa bagi penentuan muktamad penyiasatan adalah seratus dua puluh hari dari 24 Disember 2012.

Rekod penyiasatan

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

Seksyen 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 0111/0124/0113

Nombor Faksimili : (603) 6201 6394

JADUAL

[Perenggan 3]

DUTI ANTI-LAMBAKAN SEMENTARA

Pengeluar/Pengeksport		Kadar duti [% daripada nilai kos, Insurans dan Tambang KIT)]
(i)	<i>Chinese Taipei</i>	
	Lain-lain	20.42%
(ii)	Thailand	
	A.J. Plast Public Company Limited	Nil
	Thai Film Industries Public Company Limited	Nil
	Lain-lain	9.41%
(iii)	Republik Rakyat China	
	Guangzhou Shunlung Industrial Corporation	6.87%
	Zhejiang Kinlead Innovative Materials Co., Ltd	Nil
	Lain-lain	17.63%
(iv)	Republik Indonesia	
	Lain-lain	12.55%
(v)	Republik Sosialis Viet Nam	
	Formosa Industries Corporation	10.41%
	Lain-lain	21.43%

Bertarikh 15 Disember 2012

[MITI:ID/(S)/AP/AD/045/26; PN(PU2)529/X]

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 IMPORTS OF BIAXIALY ORIENTED
POLYPROPYLENE FILMS ORIGINATING OR EXPORTED FROM CHINESE TAIPEI,
THAILAND, THE PEOPLE'S REPUBLIC OF CHINA, THE REPUBLIC OF INDONESIA AND
THE SOCIALIST REPUBLIC OF VIET NAM

(AD 03/12)

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 respect to the biaxially oriented polypropylene classified under Harmonised System Code (H.S. Code) 3920.20.200 and ASEAN Harmonised Tariff Nomenclature (AHTN) 3920.20.10.00 (“subject merchandise”) originating in or exported from Chinese Taipei, Thailand, the People’s Republic of China, the Republic of Indonesia and the Socialist Republic of Viet Nam; 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 originating in or exported from Chinese Taipei, Thailand, the People’s Republic of China, the Republic of Indonesia and the Socialist Republic of Viet Nam into Malaysia.

Reasons for determination

2. The reasons for the affirmative preliminary determination are as follows:

- (a) the export price of the subject merchandise originating in or exported from Chinese Taipei, Thailand, the People’s Republic of China, the Republic of Indonesia and the Socialist Republic of Viet Nam into Malaysia was 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 originating in or exported from Chinese Taipei, Thailand, the People's Republic of China, the Republic of Indonesia and the Socialist Republic of Viet Nam; and
- (c) the dumping margin found to exist through the dumping activities by producers or exporters from Chinese Taipei, Thailand, the People's Republic of China, the Republic of Indonesia and the Socialist Republic of Viet Nam are as follows:

	Producer/Exporter	Dumping margin
(i)	<i>Chinese Taipei</i>	
	Others	20.42%
(ii)	Thailand	
	A.J. Plast Public Company Limited	<i>de minimis</i>
	Thai Film Industries Public Company Limited	<i>de minimis</i>
	Others	9.41%
(iii)	People's Republic of China	
	Guangzhou Shunlung Industrial Corporation	6.87%
	Zhejiang Kinlead Innovative Materials Co., Ltd	<i>de minimis</i>
	Others	17.63%
(iv)	Republic of Indonesia	
	Others	12.55%
(v)	Socialist Republic of Viet Nam	
	Formosa Industries Corporation	10.41%
	Others	21.43%

Provisional measures applicable

3. The provisional measures applicable shall be 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 limit for final determination

5. The time limit for the final determination of the investigation shall be one hundred and twenty days from 24 December 2012.

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 14, Block 8
Government Offices Complex
Jalan Duta
50622 Kuala Lumpur
MALAYSIA
Telephone Number : (603) 6200 0111/0124/0113
Nombor Faksimili : (603) 6201 6394

SCHEDULE

[Paragraph 3]

PROVISIONAL ANTI-DUMPING DUTIES

Producer/Exporter		Rate of duty [% of the Cost, Insurance and Freight (CIF) value]
(i)	Chinese Taipei	
	Others	20.42%
(ii)	Thailand	
	A.J. Plast Public Company Limited	Nil
	Thai Film Industries Public Company Limited	Nil
	Others	9.41%
(iii)	People's Republic of China	
	Guangzhou Shunlung Industrial Corporation	6.87%
	Zhejiang Kinlead Innovative Co., Ltd	Nil
	Others	17.63%
(iv)	Republic of Indonesia	
	Others	12.55%
(v)	Socialist Republic of Viet Nam	
	Formosa Industries Corporation	10.41%
	Others	21.43%

Dated 15 December 2012

[MITI:ID/(S)/AP/AD/045/26; PN(PU2)529/X]

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