



26 Jun 2012
26 June 2012
P.U. (B) 212

WARTA KERAJAAN PERSEKUTUAN

FEDERAL GOVERNMENT GAZETTE

NOTIS PERMULAAN PENYIASATAN DUTI ANTI-LAMBAKAN MENGENAI IMPORT ROD DAWAI KELULI YANG BERASAL ATAU DIEKSPORT DARI *CHINESE TAIPEI*, REPUBLIK INDONESIA, REPUBLIK KOREA, REPUBLIK RAKYAT CHINA DAN REPUBLIK TURKI

NOTICE OF INITIATION OF AN ANTI-DUMPING DUTY INVESTIGATION WITH REGARD TO IMPORTS OF STEEL WIRE RODS ORIGINATING OR EXPORTED FROM CHINESE TAIPEI, THE REPUBLIC OF INDONESIA, THE REPUBLIC OF KOREA, THE PEOPLE'S REPUBLIC OF CHINA AND THE REPUBLIC OF TURKEY



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

AKTA DUTI TIMBAL BALAS DAN ANTI-LAMBAKAN 1993

NOTIS PERMULAAN PENYIASATAN DUTI ANTI-LAMBAKAN MENGENAI IMPORT ROD DAWAI KELULI YANG BERASAL ATAU DIEKSPORT DARI *CHINESE TAIPEI*, REPUBLIK INDONESIA, REPUBLIK KOREA, REPUBLIK RAKYAT CHINA DAN REPUBLIK TURKI

(AD 01/12)

MENURUT subseksyen 20(8) Akta Duti Timbal Balas dan Anti Lambakan 1993 [*Akta 504*] dan Peraturan 8 Peraturan-Peraturan Duti Timbal Balas dan Anti-Lambakan 1994 [*P.U (A) 233/94*] Kerajaan Malaysia telah menerima suatu petisyen yang mengatakan bahawa import rod dawai keluli yang berasal atau dieksport dari *Chinese Taipei*, Republik Indonesia, Republik Korea, Republik Rakyat China dan Republik Turki sedang dilambakkan di Malaysia dan menyebabkan kemudaratan material kepada industri dalam negeri di Malaysia yang mengeluarkan keluaran serupa (“industri Malaysia”).

Petisyen

1. Petisyen itu telah dibuat oleh—

Amsteel Mills Sdn. Bhd.
Wisma Lion, Lot 2319
Kawasan Perindustrian Olak Lempit
Mukim Tanjung Dua Belas
42700 Banting
Selangor Darul Ehsan
MALAYSIA,

pengeluar dalam negeri rod dawai keluli bagi pihak industri Malaysia.

Keluaran

2. Dagangan subjek yang dikatakan sedang dilambakkan ialah rod dawai keluli yang dikelaskan di bawah Nombor Kod Sistem yang Diharmonikan (Kod H.S.) 7213.10.000, 7213.20.000, 7213.91.000 dan 7213.99.000 (“dagangan subjek”). Nombor Kod H.S. ini diberi hanya untuk makluman tetapi tidak mempunyai kesan mengikat terhadap pengelasan dagangan subjek.

Pengataan lambakan

3. Pengataan lambakan adalah berdasarkan perbandingan di antara nilai normal dagangan subjek di *Chinese Taipei*, Republik Indonesia, Republik Korea, Republik Rakyat China dan Republik Turki dengan harga eksport yang bersamaan dengannya apabila dieksportkan ke Malaysia. Berdasarkan perbandingan ini, margin lambakan sebagaimana yang dikatakan oleh pempetisyen adalah ketara bagi pengeluar/pengeksport tersebut.

Pengataan kemudaran

4. Pempetisyen telah menyatakan dan telah memberikan keterangan bahawa import dagangan subjek dari negara-negara yang dikatakan telah meningkat dari segi kuantiti mutlak. Adalah dikatakan selanjutnya bahawa industri Malaysia telah mengalami kemudaran melalui kesan lambakan, antara lain, pemotongan harga, penyekatan harga, kemelesetan harga, tahap pengeluaran dan penggunaan kapasiti yang rendah, penurunan kadar keuntungan, pengurangan dalam bilangan pekerja dan pulangan pelaburan yang negatif.

Tatacara

5. Setelah menentukan bahawa keterangan yang mencukupi wujud untuk mewajarkan suatu penyiasatan duti anti-lambakan dan bahawa penyiasatan itu adalah demi kepentingan awam, Kerajaan memulakan penyiasatan menurut subperaturan 7(1) Peraturan-Peraturan Duti Timbal Balas dan Anti-Lambakan 1994.

5.1 Senarai soalan

Bagi mendapatkan maklumat yang disifatkan perlu bagi penyiasatannya, Kerajaan akan menghantar senarai soalan kepada industri Malaysia dan mana-mana persatuan pengeluar di Malaysia, kepada pengeluar/pengeksport di *Chinese Taipei*, Republik Indonesia, Republik Korea, Republik Rakyat China dan Republik Turki, kepada pengimport, kepada mana-mana persatuan pengimport yang dinamakan dalam Petisyen, dan kepada Kerajaan *Chinese Taipei*, Republik Indonesia, Republik Korea, Republik Rakyat China dan Republik Turki.

Dalam apa-apa keadaan, semua pihak berkepentingan yang tidak dihubungi oleh Kementerian Perdagangan Antarabangsa dan Industri (MITI) adalah diminta untuk menghubungi MITI melalui faksimile atau e-mel bagi mengetahui sama ada mereka

disenaraikan dalam petisyen. Jika perlu, pihak berkepentingan itu boleh memohon suatu salinan senarai soalan dengan mengenal pasti sifat aktiviti perniagaan mereka yang berkaitan dengan penyiasatan ini.

5.2 *Pengumpulan maklumat*

Semua pihak berkepentingan diminta memberikan pandangan mereka secara bertulis, khususnya dengan menjawab senarai soalan yang dialamatkan kepada mereka dan dengan mengemukakan keterangan menyokong.

Had masa

6. 6.1 *Pihak memohon senarai soalan*

Semua pihak berkepentingan yang memohon suatu senarai soalan, hendaklah berbuat demikian, tidak lewat daripada 15 hari selepas penyiaran notis ini dalam *Warta Kerajaan Malaysia*.

6.2 *Pihak menjawab senarai soalan*

Semua pihak berkepentingan mestilah mengemukakan pandangan mereka secara bertulis dan mengemukakan jawapan senarai soalan dalam masa 40 hari dari tarikh penyiaran notis ini jika pandangan dan pengemukakan itu hendak diambil kira semasa penyiasatan, kecuali jika dinyatakan sebaliknya.

Pengemukakan bertulis, jawapan senarai soalan dan surat-menyurat

7. Semua pengemukakan dan permohonan mestilah dibuat secara bertulis dan mestilah dinyatakan nama, alamat, alamat e-mel, nombor telefon dan faksimile pihak berkepentingan itu kepada—

Pengarah

Seksyen Amalan Perdagangan

Kementerian Perdagangan Antarabangsa dan Industri (MITI)

Tingkat 14, Blok 8, Kompleks Pejabat Kerajaan

Jalan Duta

50622 Kuala Lumpur

MALAYSIA

Nombor Telefon: (603) 6200 0114

Nombor Faksimile: (603) 6201 6394

E-mel: alltps@miti.gov.my

Sekiranya pihak berkepentingan itu tidak memberikan maklumat yang diperlukan atau maklumat dan pandangan itu tidak diterima dalam bentuk yang mencukupi dalam had masa yang ditetapkan, Kerajaan boleh membuat penentuan awal atau muktamadnya berdasarkan fakta yang ada mengikut seksyen 41 Akta Duti Timbal Balas dan Anti-Lambakan 1993.

Bertarikh 25 Jun 2012

[MITI:ID/(S)/AP/AD/045/27; PN(PU2)529/X]

DATO' SRI MUSTAPA BIN MOHAMED
Menteri Perdagangan Antarabangsa dan Industri

COUNTERVAILING AND ANTI-DUMPING DUTIES ACT 1993

NOTICE OF INITIATION OF AN ANTI-DUMPING DUTY INVESTIGATION
WITH REGARD TO IMPORTS OF STEEL WIRE RODS ORIGINATING OR EXPORTED FROM
CHINESE TAIPEI, THE REPUBLIC OF INDONESIA, THE REPUBLIC OF KOREA, THE
PEOPLE'S REPUBLIC OF CHINA AND THE REPUBLIC OF TURKEY

(AD 01/12)

PURSUANT to subsection 20(8) of the Countervailing and Anti-Dumping Duties Act 1993 [*Act 504*] and regulation 8 of the Countervailing and Anti-Dumping Duties Regulations 1994 [*P.U. (A) 233/94*] the Government of Malaysia has received a petition alleging that imports of steel wire rods originating or exported from Chinese Taipei, the Republic of Indonesia, the Republic of Korea, the People's Republic of China and the Republic of Turkey are being dumped in Malaysia and are causing material injury to the domestic industry in Malaysia producing the like product (the "Malaysian industry").

Petition

1. The petition was lodged by—

Amsteel Mills Sdn. Bhd.
Wisma Lion, Lot 2319
Kawasan Perindustrian Olak Lempit
Mukim Tanjung Dua Belas
42700 Banting
Selangor Darul Ehsan
MALAYSIA,

the domestic producer of steel wire rods on behalf of the Malaysian industry.

Product

2. The subject merchandise allegedly being dumped are steel wire rods classified under Harmonized System Code (H.S. Code) Number 7213.10.000, 7213.20.000, 7213.91.000 and 7213.99.000 ("subject merchandise"). This H.S. Code Number is given only for information but have no binding effect on the classification of the subject merchandise.

Allegation of dumping

3. The allegation of dumping is based on a comparison of the normal values of the subject merchandise in Chinese Taipei, the Republic of Indonesia, the Republic of Korea, the People's Republic of China and the Republic of Turkey with their corresponding export prices when exported to Malaysia. Based on this comparison, the dumping margins as alleged by the petitioner are significant for that producers/exporters.

Allegation of injury

4. The petitioner has stated and has provided evidence that imports of the subject merchandise from the alleged countries have increased in terms of absolute quantity. It was further alleged that the Malaysian industry suffered through the effects of dumping, among others, price undercutting, price suppression, price depression, low production and capacity utilisation, decline in profitability, decrease in number of employment and negative return on investment.

Procedure

5. Having determined that there is sufficient evidence to warrant an anti-dumping duty investigation and that such an investigation is in the public interest, the Government initiates an investigation pursuant to subregulation 7(1) of the Countervailing and Anti-Dumping Duties Regulations 1994.

5.1 Questionnaires

In order to obtain information deemed necessary for its investigation, the Government will send questionnaires to the Malaysian industry and to any association of producers in Malaysia, to the producers/exporters in Chinese Taipei, the Republic of Indonesia, the Republic of Korea, the People's Republic of China and the Republic of Turkey, to the importers, to any association of importers named in the Petition, and to the Governments of Chinese Taipei, the Republic of Indonesia, the Republic of Korea, the People's Republic of China and the Republic of Turkey.

In any event, all interested parties not contacted by the Ministry of International Trade and Industry (MITI) are invited to contact MITI by facsimile or e-mail in order to find out whether they are listed in the petition. If necessary, such interested parties may request for a copy of the questionnaires by identifying the nature of their business

activities concerned with this investigation.

5.2 *Collection of information*

All interested parties are invited to make their views known in writing, in particular by replying to the questionnaires addressed to them and by providing supporting evidence.

Time limit

6. 6.1 *Parties requesting questionnaire*

All interested parties requesting for a questionnaire, shall do so, not later than 15 days after the publication of this notice in the *Government Gazette* of Malaysia.

6.2 *Parties submitting questionnaire response*

All interested parties must present their views in writing and submit questionnaire response within 40 days of the date of publication of this notice if such views and submissions are to be taken into consideration during the investigation, unless otherwise specified.

Written submissions, questionnaires responses and correspondences

7. All submissions and requests must be made in writing and must indicate the name, address, e-mail address, telephone and facsimile numbers of the interested parties to—

Director
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 0114

Facsimile Number: (603) 6201 6394

E-mail: alltps@miti.gov.my

If the interested parties do not provide the necessary information or the information and views are not received in adequate form within the specified time limit, the Government may make its preliminary or final determination on the basis of the facts available in accordance with section 41 of the Countervailing and Anti-Dumping Duties Act 1993.

Dated 25 June 2012

[MITI:ID/(S)/AP/AD/045/27; PN(PU2)529/X]

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