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WARTA KERAJAAN PERSEKUTUAN

FEDERAL GOVERNMENT GAZETTE

NOTIS PENENTUAN AWAL AFIRMATIF PENYIASATAN
DUTI ANTI-LAMBAKAN BERKENAAN DENGAN IMPORT
POLYETHYLENE TEREPHTHALATE YANG BERASAL
ATAU DIEKSPORT DARI REPUBLIK RAKYAT CHINA DAN
REPUBLIK INDONESIA

*NOTICE OF AFFIRMATIVE PRELIMINARY
DETERMINATION OF AN ANTI-DUMPING DUTY
INVESTIGATION WITH REGARD TO IMPORTS OF
POLYETHYLENE TEREPHTHALATE ORIGINATING OR
EXPORTED FROM THE PEOPLE'S REPUBLIC OF CHINA AND
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
BERKENAAN DENGAN IMPORT POLYETHYLENE TEREPHTHALATE YANG BERASAL
ATAU DIEKSPORT DARI REPUBLIK RAKYAT CHINA DAN REPUBLIK INDONESIA

(AD 01/24)

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 *Polyethylene Terephthalate* yang dikelaskan di bawah Kod Sistem yang Diharmonikan (“Kod H.S.”) dan Tatanama Tarif Berharmonis ASEAN (“AHTN”) 3907.61.00 00 yang berasal atau dieksport dari Republik Rakyat China dan Republik Indonesia (“dagangan subjek”); dan
- (b) kemudatan didapati wujud kerana industri dalam negeri di Malaysia yang mengeluarkan keluaran serupa telah mengalami kemudatan 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 kemudatan 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 dan Republik Indonesia sebagaimana yang dinyatakan dalam Jadual 1.

Langkah sementara yang terpakai

3. Langkah sementara yang terpakai hendaklah dalam bentuk duti anti-lambakan sementara sebagaimana yang dinyatakan dalam Jadual 2.

Sebab bagi langkah sementara

4. Sebab bagi langkah sementara di bawah perenggan 3 adalah untuk mencegah kemudatan yang ditanggung oleh industri dalam negeri di Malaysia yang mengeluarkan keluaran serupa daripada berlaku secara berterusan semasa tempoh penyasatan.

Tempoh bagi membuat penentuan muktamad

5. Penentuan muktamad berhubung dengan penyasatan hendaklah dibuat dalam tempoh seratus dua puluh (120) hari mulai 7 Januari 2025.

Rekod penyasatan

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

Pusat Sumber

Kementerian Pelaburan, Perdagangan dan Industri (MITI)

Aras 2, Menara MITI

No. 7, Jalan Sultan Haji Ahmad Shah

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Bertarikh 2 Januari 2025
[MITI.S.600-2/2/32; PN(PU2)529/JLD.33]

TENGGU DATUK SERI UTAMA ZAFRUL BIN TENGGU ABDUL AZIZ
Menteri Pelaburan, Perdagangan 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 POLYETHYLENE
TEREPHTHALATE ORIGINATING OR EXPORTED FROM THE PEOPLE'S REPUBLIC
OF CHINA AND REPUBLIC OF INDONESIA

(AD 01/24)

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 Polyethylene Terephthalate classified under the Harmonised System Code (“H.S. Code”) and ASEAN Harmonised Tariff Nomenclature (“AHTN”) 3907.61.00 00 originating or exported from the People’s Republic of China and 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 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) dumping margin is found to exist through the dumping activities by producers or exporters from the People's Republic of China and the Republic of Indonesia as specified in Schedule 1.

Provisional measures applicable

3. The provisional measures applicable shall take the form of provisional anti-dumping duties as specified in Schedule 2.

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 7 January 2025.

Record of investigation

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

The Resource Centre
Ministry of Investment, Trade and Industry (MITI)
Level 2, Menara MITI
No. 7, Jalan Sultan Haji Ahmad Shah
50480 Kuala Lumpur
Malaysia

Telephone number : (603) 6208 4633/4636/4643/4635
Facsimile number : (603) 6211 4429
E-mail address : alltps@miti.gov.my

Dated 2 January 2025
[MITI.S.600-2/2/32; PN(PU2)529/JLD.33]

TENGGU DATUK SERI UTAMA ZAFRUL BIN TENGGU ABDUL AZIZ
Minister of Investment, Trade and Industry

JADUAL 1/*SCHEDULE 1*
[Perenggan 2/*Paragraph 2*]

KEGIATAN LAMBAKAN OLEH PENGELUAR ATAU PENGEKSSPORT/
DUMPING ACTIVITIES BY PRODUCERS OR EXPORTERS

Negara/ <i>Country</i>	Pengeluar/Pengeksport/ <i>Producer/Exporter</i>	Margin Lambakan/ <i>Dumping Margin</i>
Republik Rakyat China/ <i>The People's Republic of China</i>	i. Far Eastern Industries (Shanghai) Ltd.	6.33%
	ii. Jiangsu Hailun Petrochemical Co., Ltd.	11.74%
	iii. Jiangsu Xingye Plastic Co., Ltd	11.74%
	iv. Jiangyin Xingtai New Material Co., Ltd.	11.74%
	v. Lain-lain/ <i>Others</i>	11.74%
Republik Indonesia/ <i>The Republic of Indonesia</i>	Semua pengeluar atau pengeksport/ All producers or exporters	37.44%

JADUAL 2/*SCHEDULE 2*
[Perenggan 3/*Paragraph 3*]

DUTI ANTI-LAMBAKAN SEMENTARA/
PROVISIONAL ANTI-DUMPING DUTIES

Negara/ <i>Country</i>	Pengeluar/Pengeksport/ <i>Producer/Exporter</i>	Kadar Duti [Peratusan (%) daripada Nilai Kos, Insurans dan Tambang (KIT)]/ <i>Rate of Duty</i> [<i>Percentage (%) of the</i> <i>Cost, Insurance and</i> <i>Freight (CIF) Value</i>]
Republik Rakyat China/ <i>The People's</i> <i>Republic of</i> <i>China</i>	i. Far Eastern Industries (Shanghai) Ltd.	6.33%
	ii. Jiangsu Hailun Petrochemical Co., Ltd.	11.74%
	iii. Jiangsu Xingye Plastic Co., Ltd	11.74%
	iv. Jiangyin Xingtai New Material Co., Ltd.	11.74%
	v. Lain-lain/ <i>Others</i>	11.74%
Republik Indonesia/ <i>The Republic</i> <i>of Indonesia</i>	Semua pengeluar atau pengeksport/ All producers or exporters	37.44%