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WARTA KERAJAAN PERSEKUTUAN

FEDERAL GOVERNMENT GAZETTE

NOTIS PENENTUAN MUKTAMAD AFIRMATIF
PENYIASATAN DUTI ANTI-LAMBAKAN MENGENAI
IMPORT *CELLULOSE FIBRE REINFORCED CEMENT FLAT*
DAN *PATTERN SHEETS* YANG BERASAL ATAU DIEKSPORT
DARI THAILAND

*NOTICE OF AFFIRMATIVE FINAL DETERMINATION
OF AN ANTI-DUMPING DUTY INVESTIGATION WITH
RESPECT TO IMPORTS OF CELLULOSE FIBRE REINFORCED
CEMENT FLAT AND PATTERN SHEETS ORIGINATING OR
EXPORTED FROM THE KINGDOM OF THAILAND*



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 *CELLULOSE FIBRE REINFORCED CEMENT FLAT* DAN
PATTERN SHEETS YANG BERASAL ATAU DIEKSPORT DARI THAILAND

(AD 04/13)

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) bahawa—

- (a) suatu margin lambakan wujud mengenai *cellulose fibre reinforced cement flat* dan *pattern sheets* dan khususnya mengecualikan *external roofing* yang dikelaskan di bawah Kod Sistem yang Diharmonikan (Kod H.S.) 6811.82.100 dan 6811.82.900 dan Tatanama Tarif Berharmonis ASEAN (AHTN) 6811.82.9010 dan 6811.82.9090 (“dagangan subjek”) yang berasal atau dieksport dari Thailand; 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 dieksport dari Thailand ke dalam Malaysia.

Sebab bagi penentuan

2. Sebab bagi penentuan muktamad afirmatif adalah seperti yang berikut:

- (a) harga eksport dagangan subjek yang berasal atau dieksport dari Thailand ke dalam Malaysia adalah kurang daripada nilai normalnya;
- (b) industri dalam negeri di Malaysia yang mengeluarkan keluaran serupa telah mengalami kemudahan material yang boleh dengan semunasabahnya dikaitkan dengan pengimportan dagangan subjek itu yang berasal atau dieksport dari Thailand ke dalam Malaysia; dan

- (c) margin lambakan yang didapati wujud melalui kegiatan lambakan oleh pengeluar atau pengeksport daripada Thailand adalah seperti yang berikut:

Pengeluar/Pengeksport	Margin lambakan
Thailand	
Mahaphant Fibre-Cement Public Company Limited	31.14%
The Siam Fibre-Cement Co. Ltd.	9.15%
Conwood Co. Ltd.	Nil
Lain-lain	31.14%

Duti anti-lambakan

3. Duti anti-lambakan yang akan dikenakan hendaklah sebagaimana yang dinyatakan dalam Jadual.

Sebab bagi duti anti-lambakan

4. Sebab bagi duti anti-lambakan di bawah perenggan 3 adalah untuk mencegah kemudaran 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 5 tahun dari 30 Mac 2014.

JADUAL

[Perenggan 3]

DUTI ANTI-LAMBAKAN

Pengeluar/Pengeksport	Kadar duti [% daripada nilai Kos, Insurans dan Tambang (KIT)]
Thailand	
Mahaphant Fibre-Cement Public Company Limited	31.14%
The Siam Fibre-Cement Co. Ltd.	9.15%
Conwood Co. Ltd.	Nil
Lain-lain	31.14%

Bertarikh 20 Mac 2014

[MITI:ID/(S)/AP/AD/045/35; PN(PU2)529/XIV]

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 RESPECT TO IMPORTS OF CELLULOSE FIBRE REINFORCED
CEMENT FLAT AND PATTERN SHEETS ORIGINATING OR EXPORTED FROM THE
KINGDOM OF THAILAND

(AD 04/13)

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) that—

- (a) a dumping margin exists with respect to the cellulose fibre reinforced cement flat and pattern sheets and specifically excluding external roofing classified under Harmonised System Code (H.S. Code) 6811.82.100 and 6811.82.900 and ASEAN Harmonised Tariff Nomenclature (AHTN) 6811.82.9010 and 6811.82.9090 (“subject merchandise”) originating or exported from the Kingdom of Thailand; 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 or exported from the Kingdom of Thailand into Malaysia.

Reasons for determination

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

- (a) the export price of the subject merchandise originating or exported from the Kingdom of Thailand 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 or exported from the Kingdom of Thailand into Malaysia; and

- (c) the dumping margin found to exist through the dumping activities by producers or exporters from the Kingdom of Thailand are as follows:

Producers/Exporters	Dumping margin
Thailand	
Mahaphant Fibre-Cement Public Company Limited	31.14%
The Siam Fibre-Cement Co. Ltd.	9.15%
Conwood Co. Ltd.	Nil
Others	31.14%

Anti-dumping duties

3. The anti-dumping duties to be imposed shall be as specified in the Schedule.

Reason for anti-dumping duties

4. The reason for the 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 5 years from 30 March 2014.

SCHEDULE

[Paragraph 3]

ANTI-DUMPING DUTIES

Producers/Exporters	Rate of duty [% of the Cost, Insurance and Freight (CIF) value]
Thailand	
Mahaphant Fibre-Cement Public Company Limited	31.14%
The Siam Fibre-Cement Co. Ltd.	9.15%
Conwood Co. Ltd.	Nil
Others	31.14%

Dated 20 March 2014

[MITI:ID/(S)/AP/AD/045/35; PN(PU2)529/XIV]

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