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WARTA KERAJAAN PERSEKUTUAN

FEDERAL GOVERNMENT GAZETTE

NOTIS PEMULAAN KAJIAN SEMULA PENTADBIRAN DUTI ANTI-LAMBAKAN MENGENAI IMPORT *CELLULOSE FIBRE REINFORCED CEMENT FLAT* DAN *PATTERN SHEETS* YANG BERASAL ATAU DIEKSPORT DARI THAILAND BERKENAAN DENGAN MAHAPHANT FIBRE-CEMENT PUBLIC COMPANY LIMITED

NOTICE OF INITIATION OF ADMINISTRATIVE REVIEW OF AN ANTI-DUMPING DUTY WITH REGARD TO THE IMPORTS OF CELLULOSE FIBRE REINFORCED CEMENT FLAT AND PATTERN SHEETS ORIGINATING OR EXPORTED FROM THE KINGDOM OF THAILAND IN RESPECT OF MAHAPHANT FIBRE-CEMENT PUBLIC COMPANY LIMITED

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

AKTA DUTI TIMBAL BALAS DAN ANTI-LAMBAKAN 1993

NOTIS PEMULAAN KAJIAN SEMULA PENTADBIRAN DUTI ANTI-LAMBAKAN MENGENAI IMPORT *CELLULOSE FIBRE REINFORCED CEMENT FLAT* DAN *PATTERN SHEETS* YANG BERASAL ATAU DIEKSPORT DARI THAILAND BERKENAAN DENGAN MAHAPHANT FIBRE-CEMENT PUBLIC COMPANY LIMITED

(AR 01/16)

BERIKUTAN penyiaran Notis Penentuan Muktamad Afirmatif Penyiasatan Duti Anti-Lambakan mengenai Import *Cellulose Fibre Reinforced Cement Flat* dan *Pattern Sheets* yang Berasal atau Dieksport dari Thailand dalam P.U. (B) 99/2014 pada 25 Mac 2014, Kerajaan Malaysia telah menerima suatu permintaan bagi kajian semula pentadbiran terhadap pengenaan duti anti-lambakan bagi import *cellulose fibre reinforced cement flat* dan *pattern sheets* dan secara khususnya mengecualikan *external roofing* yang berasal atau dieskport dari Thailand berkenaan dengan Mahaphant Fibre-Cement Public Company Limited ("dagangan subjek") dan menurut perenggan 28(1)*(a)* Akta Duti Timbal Balas dan Anti-Lambakan 1993 [*Akta 504*] dan peraturan 34 Peraturan-Peraturan Duti Timbal Balas dan Anti-Lambakan 1994 [*P.U. (A) 233/1994*], Kerajaan Malaysia memulakan suatu kajian semula pentadbiran.

Permintaan bagi kajian semula

1. Permintaan itu telah dibuat oleh—

Mahaphant Fibre-Cement Public Company Limited
99 Moo 9 Petchakasem Road, Rhaikhing Sub-District
Sampran District, Nakornpathom 73210
Thailand,

pengeluar atau pengeksport luar negeri dagangan subjek.

Dagangan subjek

2. Dagangan subjek yang dikatakan sedang dilambakkan 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. 90 10 dan 6811.82. 90 90. Kod H.S. dan AHTN ini diberikan hanya untuk makluman dan tidak mempunyai kesan mengikat terhadap penjenisan dagangan subjek.

Duti anti-lambakan sedia ada

3. Duti anti-lambakan yang berkuat kuasa pada masa ini bagi dagangan subjek ialah duti anti-lambakan definitif yang dikenakan di bawah Perintah Kastam (Duti Anti-Lambakan) 2014 [*P.U. (A) 81/2014*].

Alasan bagi kajian semula

4. (1) Permintaan bagi kajian semula pentadbiran adalah berdasarkan alasan bahawa margin lambakan telah berubah secara substanstif bagi import dagangan subjek oleh Mahaphant Fibre-Cement Public Company Limited.

(2) Kerajaan berpuas hati bahawa permintaan itu mengandungi alasan yang mencukupi untuk memulakan suatu kajian semula.

Tatacara

5. Setelah menentukan bahawa keterangan yang mencukupi wujud untuk mewajarkan suatu kajian semula pentadbiran duti anti-lambakan mengenai import dagangan subjek, Kerajaan Malaysia memulakan kajian semula pentadbiran menurut perenggan 28(1)*(a)* Akta dan peraturan 34 Peraturan-Peraturan Duti Timbal Balas dan Anti-Lambakan 1994.

Soal selidik

6. (1) Kerajaan Malaysia akan menghantar soal selidik untuk mendapatkan maklumat yang disifatkan perlu bagi kajian semulanya kepada—

(a) industri Malaysia dan mana-mana persatuan pengeluar di Malaysia;

(b) Mahaphant Fibre-Cement Public Company Limited;

(c) pengimport dan mana-mana persatuan pengimport; dan

(d) Kerajaan Thailand.

(2) Dalam apa-apa keadaan, semua pihak berkepentingan yang tidak dihubungi oleh Kementerian Perdagangan Antarabangsa dan Industri (MITI) adalah diundang untuk menghubungi MITI melalui faksimili atau e-mel untuk mengetahui sama ada mereka disenaraikan dalam petisyen. Jika perlu, pihak berkepentingan itu boleh memohon bagi suatu salinan soal selidik itu dengan mengenal pasti sifat aktiviti perniagaan mereka yang berkaitan dengan kajian semula ini.

Pengumpulan maklumat

7. Semua pihak berkepentingan diundang untuk memberikan pandangan mereka secara bertulis, khususnya, dengan menjawab soal selidik yang dialamatkan kepada mereka dan dengan mengemukakan keterangan menyokong.

Had masa

8. (1) Semua pihak yang berkepentingan yang ingin memohon soal selidik hendaklah berbuat demikian tidak lewat daripada lima belas hari selepas penyiaran notis ini dalam *Warta*.

(2) Semua pihak berkepentingan mestilah mengemukakan pandangan mereka secara bertulis dan mengemukakan maklum balas terhadap soal selidik dalam masa tiga puluh hari dari tarikh penyiaran notis ini dalam *Warta* sekiranya pandangan dan maklum balas itu hendak diambil kira semasa kajian semula, melainkan jika dinyatakan sebaliknya.

Pengemukaan bertulis, maklum balas soal selidik dan surat-menyurat

9. Semua pengemukaan maklumat, maklum balas soal selidik dan surat-menyurat dan permintaan mestilah dibuat secara bertulis dan dihantar melalui pos atau faksimili dan dengan jelas menyatakan nama, alamat, alamat e-mel, nombor telefon dan faksimili pihak berkepentingan itu kepada—

Pengarah
Seksyen Amalan Perdagangan
Kementerian Perdagangan Antarabangsa dan Industri (MITI)
Tingkat 9, Menara MITI
No. 7, Jalan Sultan Haji Ahmad Shah
50480 Kuala Lumpur
MALAYSIA

Telefon : (603) 6208 4641/4639/4647
Faksimili : (603) 6211 4429
E-mel : alltps@miti.gov.my

Sekiranya pihak berkepentingan tidak memberikan maklumat yang perlu atau maklumat dan pandangan itu tidak diterima dalam bentuk yang memadai dalam had masa yang dinyatakan, Kerajaan boleh membuat penentuan berdasarkan fakta yang ada mengikut seksyen 41 Akta.

Bertarikh 17 Mac 2016
[MITI:ID/(S)/AP/AD/045/35-AR Jld.3; PN(PU2)529/XX]

DATO' SRI MUSTAPA BIN MOHAMED
Menteri Perdagangan Antarabangsa dan Industri

COUNTERVAILING AND ANTI-DUMPING DUTIES ACT 1993

NOTICE OF INITIATION OF ADMINISTRATIVE REVIEW OF AN ANTI-DUMPING DUTY WITH REGARD TO THE IMPORTS OF CELLULOSE FIBRE REINFORCED CEMENT FLAT AND PATTERN SHEETS ORIGINATING OR EXPORTED FROM THE KINGDOM OF THAILAND IN RESPECT OF MAHAPHANT FIBRE-CEMENT PUBLIC COMPANY LIMITED

(AR 01/16)

FOLLOWING the publication of the 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 in P.U. (B) 99/2014 on 25 March 2014, the Government of Malaysia has received a request for an administrative review on the imposition of an anti-dumping duty on the imports of cellulose fibre reinforced cement flat and pattern sheets and specifically excluding external roofing originating or exported from the Kingdom of Thailand in respect of Mahaphant Fibre-Cement Public Company Limited ("subject merchandise") and pursuant to paragraph 28(1)*(a)* of the Countervailing and Anti-Dumping Duties Act 1993 [*Act 504*] and regulation 34 of the Countervailing and Anti-Dumping Regulations 1994 [*P.U. (A) 233/1994*], the Government of Malaysia initiates an administrative review.

Request for review

1. The request was lodged by—

Mahaphant Fibre-Cement Public Company Limited
99 Moo 9 Petchakasem Road, Rhaikhing Sub-District
Sampran District, Nakornpathom 73210
Thailand,

the foreign producer or exporter of subject merchandise.

Subject merchandise

2. The subject merchandise allegedly being dumped is classified under the Harmonised System Code (H.S. Code) 6811.82 100 and 6811.82 900 and ASEAN Harmonized Tariff Nomenclature (AHTN) 6811.82. 90 10 and 6811.82. 90 90. These H.S. Code and AHTN are given only for information and have no binding effect on the classification of the subject merchandise.

Existing anti-dumping duties

3. The anti-dumping duties currently in force on the subject merchandise are definitive anti-dumping duties imposed under the Customs (Anti-Dumping Duties) Order 2014 [*P.U. (A) 81/2014*].

Grounds for review

4. (1) The request for administrative review is based on the grounds that there is a substantial change in the dumping margin for the imports of subject merchandise by Mahaphant Fibre-Cement Public Company Limited.

(2) The Government is satisfied that the request carries sufficient grounds to initiate a review.

Procedure

5. Having determined that there is sufficient evidence exists to warrant an administrative review of the anti-dumping duties with regard to the imports of subject merchandise, the Government of Malaysia initiates an administrative review pursuant to paragraph 28(1)*(a)* of the Act and regulation 34 of the Countervailing and Anti-Dumping Regulations 1994.

Questionnaires

6. (1) In order to obtain information deemed necessary for its review, the Government of Malaysia will send questionnaires to—

(a) the Malaysian industry and any association of producers in Malaysia;

(b) Mahaphant Fibre-Cement Public Company Limited;

(c) the importers and any association of importers; and

(d) the Government of Thailand.

(2) 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 to this review.

Collection of information

7. 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

8. (1) All interested parties requesting for a questionnaire shall do so not later than fifteen days after the publication of this notice in the *Gazette*.

(2) All interested parties must present their views in writing and submit questionnaire responses within thirty days from the date of publication of this notice in the *Gazette* if such views and responses are to be taken into consideration during the review, unless otherwise specified.

Written submissions, questionnaires responses and correspondences

9. (1) All submissions of information, questionnaires responses and correspondences and requests must be made in writing and sent by post or facsimile and with clear indication of 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 9, Menara MITI
No. 7, Jalan Sultan Haji Ahmad Shah
50480 Kuala Lumpur
MALAYSIA

Telephone	: (603) 6208 4641/4639/4647
Facsimile	: (603) 6211 4429
Email	: 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 determination on the basis of the facts available in accordance with section 41 of the Act.

Dated 17 March 2016
[MITI:ID/(S)/AP/AD/045/35-AR Jld.3; PN(PU2)529/XX]

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