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# WARTA KERAJAAN PERSEKUTUAN

## *FEDERAL GOVERNMENT GAZETTE*

**NOTIS PENENTUAN AWAL AFIRMATIF  
PENYIASATAN DUTI ANTI-LAMBAKAN MENGENAI  
IMPORT KELULI TAHAN KARAT GULUNGAN SEJUK  
DALAM BENTUK GEGELUNG, KEPINGAN ATAU APA-APA  
BENTUK LAIN YANG BERASAL ATAU DIEKSPORT DARI  
REPUBLIC RAKYAT CHINA, REPUBLIK KOREA,  
*CHINESE TAIPEI* DAN THAILAND**

***NOTICE OF AFFIRMATIVE PRELIMINARY DETERMINATION  
OF AN ANTI-DUMPING DUTY INVESTIGATION WITH  
REGARD TO THE IMPORTS OF COLD ROLLED STAINLESS  
STEEL IN COILS, SHEETS OR ANY OTHER FORM  
ORIGINATING OR EXPORTED FROM THE PEOPLE'S  
REPUBLIC OF CHINA, THE REPUBLIC OF KOREA,  
CHINESE TAIPEI AND 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 AWAL AFIRMATIF PENYIASATAN DUTI ANTI-LAMBAKAN  
MENGENAI IMPORT KELULI TAHAN KARAT GULUNGAN SEJUK DALAM BENTUK  
GEGELUNG, KEPINGAN ATAU APA-APA BENTUK LAIN YANG BERASAL ATAU  
DIEKSPORT DARI REPUBLIK RAKYAT CHINA, REPUBLIK KOREA,  
*CHINESE TAIPEI* DAN THAILAND

(AD 01/17)

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 mengenai import keluli tahan karat gulungan sejuk dalam bentuk gegelung, kepingan atau apa-apa bentuk lain dengan ketebalan tidak lebih daripada 6.5 milimeter dan kelebaran tidak lebih daripada 1,600 milimeter yang dikelaskan di bawah Kod Sistem yang Diharmonikan (Kod H.S.) dan Tatanama Tarif Berharmonis ASEAN (AHTN) 7219.31.00 00, 7219.32.00 00, 7219.33.00 00, 7219.34.00 00, 7219.35.00 00, 7220.20.10 00 dan 7220.20.90 00 yang berasal atau diekспорт dari Republik Rakyat China, Republik Korea, *Chinese Taipei* dan Thailand (“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**

1. 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 kemudaran 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, Republik Korea, *Chinese Taipei* dan Thailand seperti yang berikut:

|       | <i>Negara</i>         | <i>Pengeluar/Pengeksport</i>             | <i>Margin Lambakan</i> |
|-------|-----------------------|--|------------------------|
| (i)   | Republik Rakyat China | Shanxi Taigang Stainless Steel Co., Ltd. | 14.64%                 |
|       |                       | Lain-lain                                | 23.95%                 |
| (ii)  | Republik Korea        | Hyundai BNG Steel Co., Ltd.              | -43.82%                |
|       |                       | Hyundai Steel Company                    | 0.70%                  |
|       |                       | POSCO                                    | -6.02%                 |
|       |                       | Lain-lain                                | 7.27%                  |
| (iii) | <i>Chinese Taipei</i> | Chia Far Industrial Factory Co., Ltd.    | 19.78%                 |
|       |                       | Chien Shing Stainless Steel Co., Ltd.    | 52.17%                 |
|       |                       | D&S Global Limited                       | 44.38%                 |
|       |                       | Tang Eng Iron Works Co., Ltd.            | 31.88%                 |
|       |                       | Walsin Lihwa Corporation                 | 13.77%                 |
|       |                       | Yieh United Steel Corporation            | 21.15%                 |
|       |                       | Lain-lain                                | 52.17%                 |
| (iv)  | Thailand              | POSCO-Thainox                            | 24.88%                 |
|       |                       | Lain-lain                                | 111.61%                |

### **Langkah sementara yang terpakai**

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

**Sebab bagi langkah sementara**

3. Sebab bagi langkah sementara di bawah perenggan 2 adalah untuk mencegah kemudatan yang ditanggung oleh industri dalam negeri di Malaysia yang mengeluarkan keluaran serupa daripada berlaku secara berterusan semasa tempoh penyiasatan.

**Tempoh bagi membuat penentuan muktamad**

4. Penentuan muktamad berhubung dengan penyiasatan hendaklah dibuat dalam tempoh seratus dua puluh (120) hari mulai 12 Oktober 2017.

**Rekod penyiasatan**

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

Bahagian Amalan Perdagangan

Kementerian Perdagangan Antarabangsa dan Industri (MITI)

Aras 2, Menara MITI

No. 7, Jalan Sultan Haji Ahmad Shah

50480 Kuala Lumpur

Malaysia

Nombor Telefon: (603) 6208 4631/4632/4635/4640

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## JADUAL

[Perenggan 2]

## DUTI ANTI-LAMBAKAN SEMENTARA

|       | <i>Negara</i>             | <i>Pengeluar/Pengeksport</i>             | <i>Kadar Duti<br/>(Peratusan (%)<br/>daripada Nilai Kos,<br/>Insurans dan<br/>Tambang (KIT))</i> |
|-------|---------------------------|--|--|
| (i)   | Republik                  | Shanxi Taigang Stainless Steel Co., Ltd. | 14.64%   |
|       | Rakyat<br>China           | Lain-lain                                | 23.95%   |
| (ii)  | Republik                  | Hyundai BNG Steel Co., Ltd.              | Nil  |
|       | Korea                     | Hyundai Steel Company                    | Nil  |
|       |                           | POSCO                                    | Nil  |
|       |                           | Lain-lain                                | 7.27%  |
| (iii) | <i>Chinese<br/>Taipei</i> | Chia Far Industrial Factory Co., Ltd.    | 19.78%   |
|       |                           | Chien Shing Stainless Steel Co., Ltd.    | 52.17%   |
|       |                           | D&S Global Limited                       | 44.38%   |
|       |                           | Tang Eng Iron Works Co., Ltd.            | 31.88%   |
|       |                           | Walsin Lihwa Corporation                 | 13.77%   |
|       |                           | Yieh United Steel Corporation            | 21.15%   |
|       |                           | Lain-lain                                | 52.17%   |
| (iv)  | Thailand                  | POSCO-Thainox                            | 24.88%   |
|       |                           | Lain-lain                                | 111.61%  |

Bertarikh 9 Oktober 2017  
[MITI.600-2/2/1; PN(PU2)529/XXII]

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 THE IMPORTS OF COLD ROLLED STAINLESS STEEL IN COILS, SHEETS OR ANY OTHER FORM ORIGINATING OR EXPORTED FROM THE PEOPLE'S REPUBLIC OF CHINA, THE REPUBLIC OF KOREA, CHINESE TAIPEI AND THE KINGDOM OF THAILAND

(AD 01/17)

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 cold rolled stainless steel in coils, sheets or any other form with the thickness of not more than 6.5 millimetres and width of not more than 1,600 millimetres classified under the Harmonised System Code (H.S. Code) and ASEAN Harmonised Tariff Nomenclature (AHTN) 7219.31.00 00, 7219.32.00 00, 7219.33.00 00, 7219.34.00 00, 7219.35.00 00, 7220.20.10 00 and 7220.20.90 00 originating or exported from the People's Republic of China, the Republic of Korea, Chinese Taipei and the Kingdom of Thailand ("subject merchandise"); and
- (b) an injury is found to exist because the domestic industry in Malaysia producing the like product has suffered a material injury by reason of the importation of the subject merchandise into Malaysia.

**Reasons for affirmative preliminary determination**

1. 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 a material injury that can be reasonably linked to the importation of the subject merchandise into Malaysia; and

(c) the dumping margin is found to exist through the dumping activities by producers or exporters from the People's Republic of China, the Republic of Korea, Chinese Taipei and the Kingdom of Thailand are as follows:

|       | <i>Countries</i>                 | <i>Producers/Exporters</i>                  | <i>Dumping Margin</i> |
|-------|----------------------------------|---|-----------------------|
| (i)   | People's<br>Republic<br>of China | Shanxi Taigang Stainless Steel Co.,<br>Ltd. | 14.64%                |
|       |                                  | Others                                      | 23.95%                |
|       |                                  |   |                       |
| (ii)  | Republic<br>of Korea             | Hyundai BNG Steel Co., Ltd.                 | -43.82%               |
|       |                                  | Hyundai Steel Company                       | 0.70%                 |
|       |                                  | POSCO                                       | -6.02%                |
|       |                                  | Others                                      | 7.27%                 |
| (iii) | Chinese<br>Taipei                | Chia Far Industrial Factory Co., Ltd.       | 19.78%                |
|       |                                  | Chien Shing Stainless Steel Co., Ltd.       | 52.17%                |
|       |                                  | D&S Global Limited                          | 44.38%                |
|       |                                  | Tang Eng Iron Works Co., Ltd.               | 31.88%                |
|       |                                  | Walsin Lihwa Corporation                    | 13.77%                |
|       |                                  | Yieh United Steel Corporation               | 21.15%                |
|       |                                  | Others                                      | 52.17%                |
| (iv)  | Kingdom of<br>Thailand           | POSCO-Thainox                               | 24.88%                |
|       |                                  | Others                                      | 111.61%               |

### **Provisional measures applicable**

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

**Reason for provisional measures**

3. The reason for the provisional measures under paragraph 2 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**

4. A final determination in relation to the investigation shall be made within the period of one hundred and twenty (120) days from 12 October 2017.

**Record of investigation**

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

Trade Practices Division

Ministry of International Trade and Industry (MITI)

Level 2, Menara MITI

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50480 Kuala Lumpur

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## SCHEDULE

[Paragraph 2]

## PROVISIONAL ANTI-DUMPING DUTIES

|       | <i>Countries</i>                 | <i>Producers/Exporters</i>               | <i>Rate of Duties<br/>(Percentage (%) of the<br/>Cost, Insurance and<br/>Freight (CIF) value)</i> |
|-------|----------------------------------|--|---|
| (i)   | People's<br>Republic<br>of China | Shanxi Taigang Stainless Steel Co., Ltd. | 14.64%  |
|       |                                  | Others                                   | 23.95%  |
| (ii)  | Republic<br>of Korea             | Hyundai BNG Steel Co., Ltd.              | Nil   |
|       |                                  | Hyundai Steel Company                    | Nil   |
|       |                                  | POSCO                                    | Nil   |
|       |                                  | Others                                   | 7.27%   |
| (iii) | Chinese<br>Taipei                | Chia Far Industrial Factory Co., Ltd.    | 19.78%  |
|       |                                  | Chien Shing Stainless Steel Co., Ltd.    | 52.17%  |
|       |                                  | D&S Global Limited                       | 44.38%  |
|       |                                  | Tang Eng Iron Works Co., Ltd.            | 31.88%  |
|       |                                  | Walsin Lihwa Corporation                 | 13.77%  |
|       |                                  | Yieh United Steel Corporation            | 21.15%  |
|       |                                  | Others                                   | 52.17%  |
| (iv)  | Kingdom of<br>Thailand           | POSCO-Thainox                            | 24.88%  |
|       |                                  | Others                                   | 111.61%   |

Dated 9 October 2017  
[MITI.600-2/2/1; PN(PU2)529/XXII]

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