

# **IMPORT TAX CHARGED ON ANTI DUMPING BIAXIALLY ORIENTED POLYPROPYLENE IMPORTED GOODS FROM THE STATES OF THAILAND AND VIETNAM**

**(Regulation of Minister of Finance of the Republic of  
Indonesia Number 1/PMK.010/2017, dated January 9, 2017)**

WITH THE BLESSING OF THE ONE AND ONLY GOD

MINISTER OF FINANCE OF THE REPUBLIC OF INDONESIA,

Considering:

- a. That based on the provision in Article 2 paragraph (1) of Government Regulation Number 34 Year 2011, concerning Action against Anti Dumping, Action against Compensation, Action on Trading Safeguard on imported goods other than being charged Import Tax may be subject to Import Tax Anti Dumping if export price of the imported goods is lower than the nominal value thereof and is subject to loss (injury);
- b. That based on the result of investigation by the Committee of Anti Dumping of Indonesia it is evidenced that anti dumping takes place on imported goods of Biaxially Oriented Polypropylene exercised by the State of Thailand and Vietnam so as inflicting loss (injury) to local industry and it is also found out that there is inter-related clause (causal link) between dumping and loss encountered by local industry.
- c. that based on the result of investigation by the Committee of Anti Dumping Indonesia as referred to in letter b, in Letter of the Minister of Trade Number: 1238/M-DAG/SD/8/2016 and Letter of Minister of Trade Number: 1437/M-DAG/SD/10/2016, the Minister of Trade proposes that Anti Dumping Import Tax on be charged on Biaxially Oriented Polypropylene imported from the State of Thailand and Vietnam;
- d. That stipulation Anti Dumping Import Tax on impored Biaxially Oriented Polypropylene must overserve the provisions as governed in Government Regulation Number 34 Year 2011, concerning Action on Tindakan

Anti Dumping, Action on Compensation, and Action on Trading Safeguard and Law Number 30 Year 2014, concerning Government Administration;

- e. That based on the consideration referred to in letter a, letter b, letter c, and letter d, as well as to implement the provision in Article 23D paragraph (2) of Law Number 10 Year 1995 concerning Customs matter as amended by Law Number 17 Year 2006, concerning Amendment to Law Number 10 Year 1995, concerning Customs matter, it is necessary to stipulate Regulation of Minister of Finance on imposition of Anti Dumping Import Tax on imported Biaxially Oriented Polypropylene from the State of Thailand and Vietnam;

In view of:

1. Law Number 7 Year 1994, concerning ratification of Agreement Establishing the World Trade Organization (Statute Book of the State of the Republic of Indonesia Year 1994 Number 57, Supplement to Statute Book of the State of the Republic of Indonesia Number 3564);
2. Law Number 10 Year 1995, concerning Customs matter (Statute Book Of the Republic of Indonesia Year 1995 Number 75, Supplement to Statute Book Of the Republic of Indonesia Number 3612) as amended by Law Number 17 Year 2006, concerning Amendment to Law Number 10 Year 1995, concerning Customs matter (Statute Book of the Republic of Indonesia Year 2006 Number 93, Supplement to Statute Book of the Republic of Indonesia Number 4661);
3. Law Number 30 Year 2014, concerning Administration (Statute Book of the Republic of Indonesia Year 2014 Number 292, Supplement to Statute Book of the Republic of Indonesia Number 5601);
4. Government Regulation Number 34 Year 2011, concerning Action on Anti Dumping, Action against Compensation, and Action on Trading Safeguard (Statute Book of the Republic of Indonesia Year 2011 Number 66, Supplement to Statute Book of the Republic of Indonesia Number 5225);

With due observance of:

1. Letter of Minister of Trade Number: 1238/M-DAG/SD/8/2016, concerning Request for Consideration to Recommendation of the Committee of Anti Dumping of Indonesia on Imposition of Import Tax on Anti

Dumping on Imported Biaxially Oriented Polypropylene originating from the State of Thailand and Vietnam;

2. Letter from Minister of Trade Number: 1437/M-DAG/SD/10/2016, concerning Decision on imposition of Import Tax on Anti Dumping on Imported Biaxially Oriented Polypropylene originating from Thailand and Vietnam;
3. Final Report of the Committee of Anti Dumping of Indonesia on Investigation on Anti Dumping Tax on Imported Biaxially Oriented Polypropylene under Tariff Post 3920.20.10.00 and 3920.20.90.00 originating from Thailand and Vietnam;

### DECIDES:

To stipulate:

REGULATION OF MINISTER OF FINANCE ON IMPOSITION OF ANTI DUMPING IMPORT TAX ON IMPORTED BIAXIALLY ORIENTED POLYPROPYLENE FROM THE STATE OF THAILAND AND VIETNAM.

### Article 1

On imported goods in the form of:

1. Biaxially Oriented Polypropylene that is covered under Tariff Post 3920.20.10.00; and
2. Others: Biaxially Oriented Polypropylene in the form of plate, sheet, foil, and other forms that are covered under Tariff Post ex. 3920.20.90.00,

Originating from the State of Thailand and Vietnam, are subject to Anti Dumping Import Tax.

### Article 2

Country of origin and name of the company producing and/or exporting imported goods that are subject to Anti Dumping Import Tax as referred to in Article 1 and amount of Anti Dumping Import Tax are as shown below:

No.	Country of Origin Goods	Exporter Producer/ Exporter	Amount of Customs Duty of Anti Dumping Import Tax Anti Dumping Exported Goods Percentage (%)
1.	Thailand	A.J. Plast Public Company Limited	subject to Anti Dumping Import Tax
		Other Companies	28,4
2.	Vietnam	Formosa Industries Corporation	3,9
		Other Companies	3,9

### Article 3

(1) Imposition of Anti Dumping Import Tax as referred to in Article 1 shall be:

- a. Supplement to General Import Tax (Most Favoured Nation); or
- b. Supplement to Preference Import Tax based on the prevailing schemes in International Goods Trading Agreement if goods are imported from the countries as covered in the schemes of International Goods Trading Agreement as intended and complies with the schemes of International Goods Trading Agreement.

(2) If the provisions fail to comply with the Schemes of International Goods Trading Agreement, imposition of Anti Dumping Import Tax on imports from the countries covered in the Schemes of International Goods Trading Agreement as referred to in paragraph (1) letter b shall constitute Additional General Import Tax (Most Favoured Nation).

**Article 4**

Tarif of Anti Dumping Import Tax referred to in Article 2 is valid completely on imported goods as referred to in Article 1 which document of notification of import duty thereof has obtained Registration Number from the Customs Office of Port of Import as of the date this Regulation of Minister comes to force.

**Article 5**

This Regulation of Minister is valid for two (2) years effective as of this Regulation of Minister comes to force.

**Article 6**

This Regulation of the Minister comes to force in twenty-one days effective as of the date it is enacted.

For public recognition, this Regulation of the Minister shall be announced by placing it in the State Gazette of the Republic of Indonesia.

Stipulated in Jakarta

Dated January 9, 2017

MINISTER OF FINANCE OF THE REPUBLIC OF INDONESIA,

sgd.

SRI MULYANI INDRAWATI

Enacted in Jakarta

Dated January 9, 2017

DIRECTOR GENERAL OF STATUTORY REGULATION

MINISTRY OF LAW AND HUMAN RIGHTS

OF THE REPUBLIC OF INDONESIA,

sgd.

WIDODO EKATJAHJANA

STATE GAZETTE OF THE REPUBLIC OF INDONESIA YEAR 2017 NUMBER 55

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