

# **IMPOSITION OF ANTI DUMPING IMPORT DUTY HOT ROLLED PLATE (HRP) PRODUCT IMPORTED FROM THE STATE OF THE REPUBLIC OF PEOPLE OF CHINA, SINGAPORE, AND UKRAINA**

**(Regulation of the Minister of Finance of the Republic of Indonesia Number 50/PMK.010/2016, dated March 31, 2016)**

WITH THE BLESSING OF THE ONE AND ONLY GOD

MINISTER OF FINANCE OF THE REPUBLIC OF INDONESIA

Considering:

- a. Whereas, based on the provision in Article 2 paragraph (1) of Government Regulation Number 34 Year 2011, concerning Anti Dumping Action, Compensation Action, and Trading Safeguarding / Security Action, imported goods other than those being charged Import Duty is subject to Anti Dumping Import Duty if export price of the imported goods is less than its nominal value thus making loss;
- b. Whereas, the former Minister of Finance stipulated imposition of Anti Dumping Import Duty on imported product of Hot Rolled Plate (HRP) based on Regulation of the Minister of Finance Number 150/PMK.011/2012, concerning Imposition of Anti Dumping Import Duty on imported product of Hot Rolled Plate (Canai Lantain Dari Besi) or Baja Bukan Paduan Tidak Dalam Gulungan from the State of the Republic of China, Singapore, and Ukraina as amended by Regulation of the Minister of Finance Number 68/PMK.011/2013 which is valid until April 1, 2016;
- c. Whereas, based on the provisions in Article 34 and Article 35 paragraph (1) of Government Regulation Number 34 Year 2011, concerning Anti Dumping Action, Compensation Action, and Trading Safeguarding / Security Action, if the Indonesia Committee on Anti Dumping (KADI) receives application for sunset review to apply for extension of imposition of import duty and, KADI shall conduct sunset review investigation on probable dumping and whether the loss still continue to exist and/or dumping and loss shall reoccur or not, if imposition of dumping ceases;

- d. Whereas, the sunset review investigation on imposition of anti dumping import duty as stipulated in Regulation of the Minister of Finance Number 150/PMK.011/2012, concerning imposition of anti dumping import duty on imported product of Canai Lantaian Dari Besi Atau Baja Bukan Paduan Tidak Dalam Gulungan from the State of the Republic of People of China, Singapore, and Ukraina as amended by Regulation of the Minister of Finance Number 68/PMK.011/2013 has been conducted by KADI prior to expiry of the validity of the Regulation of the Minister of Finance;
- e. Whereas, based on the result of KADI investigation as referred to in letter d, it is proven that dumping is still exercised on product of Hot Rolled Plate (HRP) imported from the State of People of China, Singapore, and Ukraina resulting in loss to domestic industry and existence of potential rise in the volume of imported Hot Rolled Plate (HRP) that causes dumping on domestic market if no Anti Dumping Import Duty is charged;
- f. Whereas, in the context of follow-up action on the result of KADI investigation referred to in letter e, the Minister of Trade under Letter Number: 06/M-DAG/SD/1/2016, dated January 6, 2016 and Letter Number: 185/M-DAG/SD/2/2016, dated February 22, 2016 submitted proposal on Anti Dumping Import Duty on imported product of Hot Rolled Plate (HRP) from the State of People of China, Singapore, and Ukraina;
- g. Whereas, based on the consideration referred to in letter a, letter b, letter c, letter d, letter e, and letter f, and in implementing the provision in Article 23D paragraph (2) of Law Number 10 Year 1995, concerning Customs as amended by Law Number 17 Year 2006, it is necessary to stipulate Regulation of the Minister of Finance, concerning imposition of Anti Dumping Import Duty on product of Hot Rolled Plate (HRP) imported from the State of the People of China, Singapore, and Ukraina;

In view of:

- 1. Law Number 7 Year 1994, concerning Ratification of Agreement for Establishing World Trade Organization (Statute Book of the Republic of Indonesia Year 1994 Number 57, Supplement to Statute Book of the Republic of Indonesia Number 3564);
- 2. Law Number 10 Year 1995, concerning Customs (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 (Statute Book of the Republic of Indonesia• Year 2006 Number 93, Supplement to

Statute Book of the Republic of Indonesia Number 4661);

3. Government Regulation Number 34 Year 2011, concerning Anti Dumping Action, Compensation Action, and Trading Safeguarding / Security Action (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 from the Minister of Trade Number: 06/MDAG/SD/1/2016 dated January January 6, 2016, concerning request for consideration of KADI recommendation on extension to imposition of Anti Dumping Import Duty as the result of Sunset Review Investigation on import of product of Hot Rolled Plate (HRP) originating from the State of the People of China, Singapore, and Ukraina;
2. Letter from the Minister of Trade Number: 185/MDAG/SD/2/2016, dated February 22, 2016, concerning decision to extend imposition of Anti Dumping import duty on imported product of Hot Rolled Plate (HRP) originating from the State of the People of China, Singapore, and Ukraina;
3. Final Report on the result of Sunset Review Investigation on Imported Hot Rolled Plate (HRP) covered in Post Tariff 7208.51.00.00 and 7208.52.00.00 originates from the State of the People of China, Singapore, and Ukraina;

#### DECIDED:

To stipulate:

REGULATION OF MINISTER OF TRADE ON IMPOSITION OF ANTI DUMPING IMPORT DUTY ON IMPORTED PRODUCT OF HOT ROLLED PLATE (HRP) FROM THE STATE OF THE PEOPLE OF CHINA, SINGAPORE, AND UKRAINA.

#### Article 1

The imported goods are in the form of:

1. Hot rolled plate width 600 mm or above, hot rolled (dicanai panas), unwrapped, unplated or uncoated, non-rolled, not processed further other than hot rolled, with thickness exceeding 10 mm which is also covered in Post Tariff 7208. 51. 00. 00; and

2. Hot rolled plate (canai lantaian dari besi atau baja bukan paduan), with thickness 600 mm or more, is hot rolled, non-plated, non-rolled, not processed further other than hot rolled, with thickness 4,75 mm or more but not exceeding 10 mm that is covered in Post Tariff 7208.52.00.00, which originates from the State of the People of China, Singapore, and Ukraina, is subject to Anti Dumping Import Duty.

#### Article 2

The country of origin will be charged Anti Dumping Import Duty as referred to in Article 1 and the amount of Anti Dumping Import Duty shall be as follows:

No.	Country of Goods' Origin	Amount of Anti Dumping in Percentage (%) Import Duty
1.	Republic of People of China	10,47
2.	Singapore	12,50
3.	Ukraina	12,33

#### Article 3

(1) Imposition of Anti Dumping Import Duty referred to in Article 1 shall constitute:

- a. Supplement to normal import duty (Most Favoured Nation); or
- b. Supplement to preferenced import duty based on the prevailing Schemes in International Goods Trading Agreement, if import originates from a country that is covered in the Schemes in International Trading Agreement and that justifies with the Schemes in the International Goods Trading Agreement.

(2) Failure to comply with the provisions specified in the Schemes in International Goods Trading Agreement, imposition of Import Duty on Anti Dumping Import from any country that as mentioned in the Schemes in International Goods Trading Agreement as referred to in paragraph (1) letter b shall constitute additional Normal import duty (Most Favoured Nation).

#### Article 4

The tariff of Import Duty on Anti Dumping as referred to in Article 2 shall be applied fully on imported

product as referred to in Article 1 the notification of which import has obtained Registration Number from the Customs Office of the place of import effective as of this Regulation of the Minister comes to force..

**Article 5**

This Regulation of the Minister takes effect on April 2, 2016 and is valid for three (3) years effective as of the date this Regulation Minister comes to force.

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

Stipulated in Jakarta

Dated March 31, 2016

MINISTER OF FINANCE

OF THE REPUBLIC OF INDONESIA,

sgd.

BAMBANG P.S. BRODJONEGORO

Enacted in Jakarta

Dated April 1, 2016

DIRECTOR GENERAL OF STATUTORY REGULATION

OF THE MINISTRY OF LAW AND HUMAN RIGHTS

OF THE REPUBLIC OF INDONESIA,

sgd.

WIDODO EKATJAHJANA

STATE GAZETTE OF THE REPUBLIC OF INDONESIA

YEAR 2016 NUMBER 488

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