



Australian Government  
Department of Industry,  
Innovation and Science

Anti-Dumping  
Commission



Application for the  
continuation of a dumping  
and/or  
countervailing notice  
or  
continuation of an undertaking

Silicon Metal exported from the People's Republic of  
China

---

# APPLICATION UNDER SECTION 269ZHC OF THE *CUSTOMS ACT 1901* FOR THE CONTINUATION OF A DUMPING AND/OR COUNTERVAILING DUTY NOTICE OR CONTINUATION OF AN UNDERTAKING

---

I hereby request, in accordance with section 269ZHC of the *Customs Act 1901* (the Act) that the Minister:

- continue a dumping duty notice, or
- continue a countervailing duty notice, or
- continue the undertaking given under the Act by

Simcoa Operations Pty Ltd

*(Name of company or organisation)*

in respect of the goods the subject of this application.

I believe that the information contained in this application:

- provides reasonable grounds for continuation of the anti-dumping measure; and
- is complete and correct to the best of my knowledge and belief.

Signature: **[sgd]**

Name:

██████████

Position:

██████████

Company:

Simcoa Operations Pty Ltd

ABN:

42 009 064 653

Date

10 June 2024

**Signature requirements**

Where the application is made:

*By a company* - the application must be signed by a director, servant or agent acting with the authority of the body corporate.

*By a joint venture* - a director, employee, agent of each joint venturer must sign the application. Where a joint venturer is not a company, the principal of that joint venturer must sign the application form.

*On behalf of a trust* - a trustee of the trust must sign the application.

*By a sole trader* - the sole trader must sign the application.

*In any other case* - contact the Commission's client support section for advice.

**Assistance with the application**

The Anti-Dumping Commission has published guidelines to assist applicants with the completion of this application. Please refer to the '*Instructions and Guidelines for applicants: Application for continuation*' on the Commission's website.

The Commission's client support section can provide information about dumping and countervailing procedures and the information required by the application form. Contact the team on:

**Phone:** 13 28 46

**Fax:** (03) 8539 2499

**Email:** [clientsupport@adcommission.gov.au](mailto:clientsupport@adcommission.gov.au)

Other information is available from the Commission's website at [www.adcommission.gov.au](http://www.adcommission.gov.au)

Small and medium enterprises (i.e., those with less than 200 full-time staff, which are independently operated and which are not a related body corporate for the purposes of the *Corporations Act 2001*), may obtain assistance, at no charge, from the Department of Industry, Innovation and Science's International Trade Remedies Advisory (ITRA) Service. For more information on the ITRA Service, visit [www.business.gov.au](http://www.business.gov.au) or telephone the ITRA Service Hotline on +61 2 6213 7267.

**Required information**

**1. Provide details of the name, street and postal address, of the applicant seeking the continuation.**

The Applicant seeking the continuation of anti-dumping measures on exports of silicon metal (**the subject goods** and/or **silicon metal**) to Australia from the People's Republic of China (**China**) is Simcoa Operations Pty Ltd (**Simcoa**). Simcoa's head office is located at:

973 Mariott Road  
WELLESLEY WESTERN AUSTRALIA 6233

Simcoa's postal address is:

P.O. Box 1389  
BUNBURY WESTERN AUSTRALIA 6233  
URL: <https://www.simcoa.com.au/>

**2. Provide details of the name of a contact person, including their position, telephone number and facsimile number, and e-mail address.**



Simcoa Operations Pty Ltd

Ph: [REDACTED]

Email: [REDACTED]

**3. Provide the names, addresses, telephone numbers and facsimile numbers of other parties likely to have an interest in this matter e.g. Australian manufacturers, importers, exporters, users.**

While there were no cooperating exporters as part of Continuation Inquiry No. 524, the following parties have been identified from Investigation No. 237 as potentially likely to have an interest in this matter:

Exporters

Xiamen K Metal Co., Ltd  
Room 1003-1004,  
No.1, Tong'an  
Building No 623  
Sishhui Road,  
Hull District Xiamen China  
Ph: 86 592 3102112  
Fax: 86 592 5560560  
URL: <http://www.kmetal.cn/en/index.html>

Guizhou Liping Linan Industry Co., Ltd  
Industry Area, Hongzhou Town  
Liping County  
Guizhou China  
Ph: 86 1386 0829816

Hua'an Linan Silicon Industry Co., Ltd  
Ganjiyuan, Xinwei Village  
Xinwei Town, Hua'an County  
Zhangzhou City, Fujian China  
Ph: 86 1360 5073777

Australian importers

Tomago Aluminium Company Pty Ltd  
638 Tomago Road  
Tomago NSW 2322  
Ph: 02 4966 9669  
URL: <https://www.tomago.com.au/>

4. **The application must include a detailed statement setting out reasons for seeking continuation of the anti-dumping measure. Applicants must provide evidence addressing whether, in the absence of measures, dumped or subsidised imports would cause material injury to the local industry producing like goods. Applicants should refer to the “Guidelines for Preparing an Application for Continuation of Measures” for assistance.**

Please refer Non-Confidential Attachment A.

5. **The applicant must provide details of the current anti-dumping measure(s) the subject of this continuation application, including:**
- **tariff classification**
  - **the countries or companies**
  - **specified date of publication of the measure**

Goods Description & Tariff Classification

The goods the subject of the anti-dumping measures are:

Silicon metal containing:

- at least 96.00 per cent but less than 99.99 per cent silicon by weight; and
- silicon metal containing between 89.00 per cent and 96.00 per cent silicon by weight that contains aluminium greater than 0.30 per cent by weight,

of all forms (i.e. lumps, granules, or powder) and sizes.

The tariff subheading and statistical code applicable to silicon metal is 2804.69.00 in Schedule 3 of the Customs Tariff Act 1995, statistical code 14.

Countries/companies the subject of the measures

The current anti-dumping measures, in the form of the below referenced Dumping Duty Notice, apply to the above-noted goods exported to Australia from China.

The Australian industry seeks continuation of the measures as they apply to all exporters of the goods exported to Australia from China.

Period of Review

Simcoa nominates a continuation inquiry period of the twelve months ending 31 March 2024.

Date of publication of the measures

The relevant *Dumping Duty Notice* is ADN No. 2015/71, published 3 June 2015.

**Provision of data**

Industry financial data must, wherever possible, be submitted in an electronic format.

- The data should be submitted on a media format compatible with Microsoft Windows.

- Microsoft Excel, or an Excel compatible format, is required.
- If the data cannot be presented electronically please contact the Commission's client support section for advice.

**Lodgement of the application**

This application, together with the supporting evidence, must be lodged in the manner approved by the Commissioner under subsection 269SMS(2) of the Act. The Commissioner has approved lodgement of this application by either:

- preferably, email, using the email address [clientsupport@adcommission.gov.au](mailto:clientsupport@adcommission.gov.au), or

- post to:

The Commissioner of the Anti-Dumping Commission  
GPO Box 2013  
Canberra ACT 2601, or

- facsimile, using the number (03) 8539 2499.

**Public Record**

During an investigation all interested parties are given the opportunity to defend their interests, by making a submission. The Commission maintains a public record of these submissions. The public record is available on the Commission's website at [www.adcommission.gov.au](http://www.adcommission.gov.au).

At the time of making the application both a confidential version (for official use only) and non-confidential version (public record) of the application must be submitted. Please ensure each page of the application is clearly marked "FOR OFFICIAL USE ONLY" or "PUBLIC RECORD". The non-confidential application should enable a reasonable understanding of the substance of the information submitted in confidence. If you cannot provide a non-confidential version, contact the Commission's client support section for advice.