



## AUSTRALIAN CUSTOMS DUMPING NOTICE NO. 2006/04

### Certain silicon - People's Republic of China - revocation and substitution of dumping duty notice - findings in relation to a dumping reinvestigation

The Australian Customs Service has completed its reinvestigation of a reviewable decision made by the Minister for Justice and Customs (Minister) to publish a dumping duty notice under paragraphs 269TG(1) and (2) of the *Customs Act 1901* (the Act) on 9 February 2005 in respect of certain silicon from the People's Republic of China (China).

A report has been submitted in accordance with s. 269ZZL(3) of the *Customs Act 1901*. Trade Measures Report No. 103 (the Report), sets out the findings made by an authorised delegate of the Chief Executive Officer of Customs as a result of the reinvestigation. The report also sets out the evidence and other material on which the findings are based and the reasons for the delegate's decision. The Report is available on request from the Trade Measures Branch, telephone 6275 6547 or on the internet at [www.customs.gov.au](http://www.customs.gov.au). The Report contains details about the reinvestigation and should be read in conjunction with this notice.

Following its reinvestigation, Customs affirms its original findings in respect of:

- the Australian industry suffered material injury in the period examined;
- dumping margins;
- price underselling; and
- the injury analysis period.

Customs makes the following new finding in respect of like goods:

- that "primary use" silicon manufactured by the Australian industry is not like goods to "secondary use" silicon imported from China.

On 6 February 2006 the Minister accepted the findings in the Report. As a result of these new findings measures apply to silicon containing more than:

- a) 97% by weight, but less than 99.99% by weight, of silicon; or
- b) a combined silicon and aluminium content of greater than 97% by weight but less than 99.99% by weight,

and with an impurity level of less than 0.4% iron and a calcium impurity level of less than 0.1% calcium in both the above instances exported from China.

The Minister has published a notice under section 269ZZM of the Act. The notice is in substitution for the "Public Notice under section 269TG(1) & (2) of the *Customs Act 1901*" published on 9 February 2005 in respect of certain silicon from China (the earlier notice). The notice revokes the earlier notice to the extent of any inconsistency.

Enquiries may be directed to the Director, Operations 3, on telephone number (02) 6275 6195 or by facsimile number (02) 6275 6990 or by email [tmops3@customs.gov.au](mailto:tmops3@customs.gov.au).

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13 February 2006