

NOTICE OF EXPIRY REVIEW OF ORDER

SILICON METAL

The Canadian International Trade Tribunal gives notice that, pursuant to subsection 76.03(1) of the *Special Import Measures Act* (SIMA), it will initiate an expiry review of its order made on August 22, 2019, in expiry review RR-2018-003, continuing, without amendment, its finding made on November 19, 2013, in inquiry NQ-2013-003, concerning the dumping and subsidizing of silicon metal containing at least 96.00 percent but less than 99.99 percent silicon by weight, and silicon metal containing between 89.00 percent and 96.00 percent silicon by weight that contains aluminum greater than 0.20 percent by weight, of all forms and sizes, originating in or exported from the People's Republic of China (the subject goods).

In this expiry review, the Canada Border Services Agency (CBSA) will first determine whether the expiry of the order in respect of the subject goods is likely to result in the continuation or resumption of dumping or subsidizing of the subject goods. If the CBSA determines that the expiry of the order in respect of any goods is likely to result in the continuation or resumption of dumping or subsidizing, the Tribunal will then determine if the continued or resumed dumping or subsidizing is likely to result in injury to the domestic industry. The CBSA will provide notice of its determinations within 150 days after receiving notice of the Tribunal's initiation of the expiry review, that is, no later than **November 21, 2024**. The Tribunal will issue its order and its statement of reasons no later than **April 30, 2025**.

Each person or government wishing to participate in this expiry review must file [Form I—Notice of Participation](#) with the Tribunal by **July 9, 2024**. **Regarding the importance of the deadline for filing a notice of participation, please read carefully the “Support by domestic producers” section below.** Each counsel who intends to represent a party in the expiry review must file [Form II—Notice of Representation](#) and [Form III—Declaration and Undertaking](#) with the Tribunal, by **July 9, 2024**. The Tribunal will issue a list of participants shortly thereafter.

On **January 13, 2025**, the Tribunal will distribute the record to participants. Counsel and self-represented participants are required to serve their respective submissions on each other on the dates outlined below. Public submissions are to be served on counsel and those participants who are not represented by counsel. Confidential submissions are to be served only on counsel who have access to the confidential record, and who have filed Form III—Declaration and Undertaking with the Tribunal. This information will be included in the list of participants. **One complete electronic version** of all submissions must be filed with the Tribunal.

The Tribunal will hold a public hearing relating to this expiry review commencing on **February 17, 2025**. The type of hearing will be communicated at a later date.

Written submissions, correspondence and requests for information regarding the Tribunal's portion of this expiry review should be addressed to the Registry, Secretariat to the Canadian International Trade Tribunal, at citt-tcce@tribunal.gc.ca or you may reach the Registry at 613-993-3595.

Ottawa, June 24, 2024

ADDITIONAL INFORMATION

BACKGROUND INFORMATION

In this expiry review, the CBSA will first conduct investigations to determine whether the expiry of the order in respect of the subject goods is likely to result in the continuation or resumption of dumping or subsidizing of the subject goods. To this end, the CBSA will send questionnaires to domestic producers, importers and foreign producers to gather information for its investigations. Further information regarding the CBSA's investigations can be obtained by contacting the CBSA SIMA Registry and Disclosure Unit, by telephone at 613-948-4605, or by email at simaregistry-depotlmsi@cbsa-asfc.gc.ca. A copy of the CBSA's investigations [schedule](#) is available on the CBSA's website.

If the CBSA determines that the expiry of the order in respect of any goods is likely to result in the continuation or resumption of dumping or subsidizing, the Tribunal will conduct its portion of the expiry review, pursuant to the provisions of SIMA and its [Expiry Review Guidelines](#), to determine if the continued or resumed dumping or subsidizing of the subject goods is likely to result in injury to the domestic industry. Upon receipt of the CBSA's determinations, if any, of a likelihood of continued or resumed dumping or subsidizing, the Tribunal will issue other questionnaires to domestic producers, certain importers, foreign producers, as well as any known trade unions that represent persons employed in the domestic industry, to gather information for the purposes of its expiry review.

The schedule for the Tribunal's expiry review follows.

SUPPORT BY DOMESTIC PRODUCERS

Subsection 76.03(2) of SIMA provides that the Tribunal may terminate an expiry review at any time if, in the Tribunal's opinion, the review is not supported by domestic producers. The question as to whether the expiry review is supported by domestic producers will be assessed by the Tribunal based on the circumstances specific to this case. However, the Tribunal will typically consider that the failure of domestic producers to file notices of participation with the Tribunal or to substantially participate in the expiry review indicates that the review is not supported.

The Tribunal therefore requires that each person or government wishing to participate in this expiry review and, most importantly, domestic producers, file their notices of participation no later than 15 days after the issuance of this notice.

REQUESTS FOR PRODUCT EXCLUSIONS

The Tribunal's [Guidelines on Product Exclusion Requests](#) describe the procedure for filing requests for specific product exclusions. [Forms](#) are available on the Tribunal's website to facilitate the filing of product exclusion requests, responses and replies to responses.

PROCEDURE FOR E-FILING WITH THE TRIBUNAL

The public, counsel and self-represented participants may file documents electronically with the Tribunal through its [Secure E-filing Service](#). The information is fully encrypted from the sender to the Tribunal.

Form I—Notice of Participation, Form II—Notice of Representation and Form III—Declaration and Undertaking, should all be filed electronically through the Tribunal's Secure E-filing Service.

Following receipt of completed forms I, II and III, the Tribunal will send to counsel and self-represented participants a letter with information on the E-registry Service and the filing of documents.

CONFIDENTIALITY PROJECT

The Tribunal will be conducting a project in the context of this expiry review aiming to prevent inadvertent disclosure of confidential information. Public and confidential submissions will go through a review process, 24 hours before the filing deadline with the Tribunal, among counsel of record who have filed Form III — Declaration and undertaking. All counsel of record to this expiry review who filed a form III will be required to participate in the project. Additional information concerning the project and its deadlines will be communicated to counsel and self-represented participants following the receipt of completed forms I, II and III. The schedule appended to this notice has also been prepared to take into account the deadlines for service among counsel who signed a form III.

PUBLIC HEARING

The Tribunal will hold a public hearing relating to this expiry review commencing on **February 17, 2025**. The type of hearing will be communicated at a later date.

INTERPRETATION AT THE HEARING

To facilitate management of interpretation requirements:

- 25 days prior to the hearing, parties are to advise the Tribunal and all parties, in writing, which language(s) their counsel and witnesses will be using.
- 20 days prior to the hearing, parties are to advise the Tribunal and all parties, in writing, which interpretation services they and/or their witnesses require for the hearing and advise if the interpretation service is required for the entirety of the hearing or for specific testimonies and/or arguments.

OTHER INFORMATION

The [Canadian International Trade Tribunal Rules](#) govern these proceedings.

In accordance with section 46 of the [Canadian International Trade Tribunal Act](#), a person who provides information to the Tribunal and who wishes some or all of the information to be kept confidential must, among other things, submit a non-confidential edited version or summary of the information designated as confidential, or a statement indicating why such a summary cannot be made. Please consult the Tribunal's [Confidentiality Guidelines](#) for more information.

Written and oral communication with the Tribunal may be in English or in French.

Please consult the [Expiry Review Guidelines](#) for more information.

At the end of these proceedings, the Tribunal will issue a decision supported by a statement of reasons. The decision will be posted on its website and distributed to counsel and self-represented participants, as well as to organizations and persons that have registered to receive decisions of the Tribunal.

EXPIRY REVIEW SCHEDULE

June 24, 2024	Tribunal issues notice of expiry review and schedule
July 9, 2024	NEW – Notices of participation and representation, declarations and undertakings for the Tribunal’s portion of the expiry review
CBSA’s Investigations	
June 25, 2024	Initiation of the CBSA’s expiry review investigations and issuance of the CBSA questionnaires
November 21, 2024	CBSA’s determinations If determinations are affirmative, information pursuant to the <i>Canadian International Trade Tribunal Rules</i> is transferred to the Tribunal
December 6, 2024	CBSA statement of reasons issued
Tribunal’s Expiry Review	
November 22, 2024	Initiation of Tribunal’s portion of the expiry review (following affirmative determinations by the CBSA)
December 13, 2024	Replies to Tribunal expiry review questionnaires
January 13, 2025	Distribution of Tribunal exhibits, including information transferred from the CBSA, and investigation report
January 20, 2025, by noon, ET	Requests for product exclusions
January 21, 2025, by noon, ET	Requests for information (RFIs) Cases of parties in support of a continuation of the order
January 23, 2025, by noon, ET	Identification of language(s) to be used at the hearing
January 28, 2025, by noon, ET	Objections to RFIs Domestic producers’ responses to requests for product exclusions Requests for interpretation services during the hearing
January 29, 2025, by noon, ET	Cases of parties in opposition to a continuation of the order
January 31, 2025	Tribunal decisions on RFIs
February 5, 2025, by noon, ET	Requesters’ replies to domestic producers’ responses to requests for product exclusions

February 6, 2025, by noon, ET	Reply submissions of parties in support of a continuation of the order
February 10, 2025, by noon, ET	Replies to RFIs
February 17, 2025	Commencement of public hearing
April 30, 2025	Order and statement of reasons issued
June 9, 2025	If there are no applications for judicial review, certificates of destruction from counsel of record who have filed Form III – Declaration and Undertaking