HARDIE JAMES INDUSTRIES NV Form SC 13G July 12, 2007

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# UNITED STATES SECURITIES AND EXCHANGE COMMISSION Washington, D.C. 20549

#### **SCHEDULE 13G**

Under the Securities Exchange Act of 1934 (Amendment No. \_\_)\*

James Hardie Industries NV
(Name of Issuer)
Common Stock
(Title of Class of Securities)
013810150
(CUSIP Number)
July 05, 2007
(Date of Event Which Requires Filing of this Statement)

Check the appropriate box to designate the rule pursuant to which this Schedule is filed:

- o Rule 13d-1(b)
- b Rule 13d-1(c)
- o Rule 13d-1(d)

The information required in the remainder of this cover page shall not be deemed to be filed for the purpose of Section 18 of the Securities Exchange Act of 1934 ( Act ) or otherwise subject to the liabilities of that section of the Act but shall be subject to all other provisions of the Act (however, see the Notes).

<sup>\*</sup> The remainder of this cover page shall be filled out for a reporting person s initial filing on this form with respect to the subject class of securities, and for any subsequent amendment containing information which would alter the disclosures provided in a prior cover page.

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CUSIP No. 13 G 013810150 Page of 7 pages NAMES OF REPORTING PERSONS: 1 I.R.S. IDENTIFICATION NOS. OF ABOVE PERSONS (ENTITIES ONLY): Commonwealth Bank of Australia CHECK THE APPROPRIATE BOX IF A MEMBER OF A GROUP (SEE INSTRUCTIONS): 2 (a) o (b) o SEC USE ONLY: 3 CITIZENSHIP OR PLACE OF ORGANIZATION: 4 Australia **SOLE VOTING POWER:** 5 NUMBER OF 0 **SHARES** SHARED VOTING POWER: **BENEFICIALLY** OWNED BY 44,186,708 **EACH** SOLE DISPOSITIVE POWER: 7 **REPORTING PERSON** 0 WITH: SHARED DISPOSITIVE POWER: 8 44,186,708 AGGREGATE AMOUNT BENEFICIALLY OWNED BY EACH REPORTING PERSON:

44,186,708

CHECK IF THE AGGREGATE AMOUNT IN ROW (9) EXCLUDES CERTAIN SHARES (SEE INSTRUCTIONS):

o

PERCENT OF CLASS REPRESENTED BY AMOUNT IN ROW (9):

11

9.45%

TYPE OF REPORTING PERSON (SEE INSTRUCTIONS):

12

CO

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Item 1.(a) Name of Issuer

Item 1.(b) Address of Issuer s Principal Executive Offices

Item 2.(a) Name of Persons Filing

Item 2.(b) Address of Principal Business Office or, if none, Residence

Item 2.(c) Citizenship

Item 2.(d) Title of Class of Securities

Item 2.(e) CUSIP Number

Item 3. If this statement is filed pursuant to §§240.13d-1(b) or 240.13d-2(b) or (c), check

whether the person filing is a:

Item 4.Ownership

Item 5. Ownership of Five Percent or Less of a Class

Item 6. Ownership of More than Five Percent on Behalf of Another Person

Item 7. Identification and Classification of the Subsidiary Which Acquired the Security Being Reported

on By the Parent Holding Company

Item 8. Identification and Classification of Members of the Group

Item 9. Notice of Dissolution of Group

Item 10. Certification

**SIGNATURE** 

EX-99.A: IDENTIFICATION AND CLASSIFICATION OF SUBSIDIARY

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#### Item 1.(a) Name of Issuer

James Hardie Industries NV

# Item 1.(b) Address of Issuer s Principal Executive Offices

Level 8,

Atrium, Unit 04-07

Strawinskylaan 3077

Amsterdam, 1077 ZX

Netherlands

# Item 2.(a) Name of Persons Filing

Commonwealth Bank of Australia

# Item 2.(b) Address of Principal Business Office or, if none, Residence

48 Martin Place, Level 2, Sydney NSW 2000, Australia

# Item 2.(c) Citizenship

Australia

# Item 2.(d) Title of Class of Securities

Common Stock, No Par.

# Item 2.(e) CUSIP Number

013810150

# Item 3. If this statement is filed pursuant to §§240.13d-1(b) or 240.13d-2(b) or (c), check whether the person filing is a:

N/A

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#### Item 4.Ownership.

Provide the following information regarding the aggregate number and percentage of the class class of securities of the issuer identified in Item 1.

(a) Amount beneficially owned:

44,186,708

(b) Percent of class:

9.45%

- (c) Number of shares as to which the person has:
  - (i) Sole power to vote or to direct the vote:

0

(ii) Shared power to vote or to direct the vote:

44,186,708

(iii) Sole power to dispose or to direct the disposition of :

0

(iv) Shared power to dispose or to direct the disposition of :

44,186,708

The information contained in Items 5-11 of the cover page is incorporated herein by reference. The reporting person (CBA) may be deemed to beneficially own 49,909,67259,520,26 shares of Common Stock of James Hardie Industries NV (JHX) as a result of the aggregate holdings of certain of its wholly owned subsidiaries. The shares of JHX are traded on the Australian Stock Exchange (the ASX). The shares were acquired on the ASX by Colonial First State Investment Group Limited (Colonial First State), First State Investment Management (UK) Limited, all of which are wholly owned subsidiaries of CBA (collectively, the CBA Fund Managers). The CBA Fund Managers hold the shares for clients who have shared voting and dispositive power with the CBA Fund Managers over the shares. Additionally, Colonial First State Investments Limited, as the responsible entity under Australian law of the First Choice funds, had outsourced, to external managers unrelated to CBA, certain voting and dispositive functions over securities acquired by these external managers and held in these funds, including James Hardie Industries NV. Under these outsourcing arrangements, external managers unrelated to CBA have acquired 3,237,800 of JHX, on behalf of Colonial First State.

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Item 5. Ownership of Five Percent or Less of a Class

N/A

Item 6. Ownership of More than Five Percent on Behalf of Another Person.

Clients of the CBA Fund Managers have the ultimate right to receive any dividends from the common stock beneficially owned by the Reporting Person and the proceeds from the sale of such securities.

Item 7. Identification and Classification of the Subsidiary Which Acquired the Security Being Reported on By the Parent Holding Company

See Exhibit A.

Item 8. Identification and Classification of Members of the Group

N/A

Item 9. Notice of Dissolution of Group

Item 10. Certification

By signing below I certify that, to the best of my knowledge and belief, the securities referred to above were not acquired and are not held for the purpose of or with the effect of changing or influencing the control of the issuer of the securities and were not acquired and are not held in connection with or as a participant in any transaction having that purpose or effect.

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# **SIGNATURE**

After reasonable inquiry and to the best of my knowledge and belief, I certify that the information set forth in this statement is true, complete and correct.

July 10, 2007 COMMONWEALTH BANK OF AUSTRALIA

By: /s/ John Damien Hatton Name: John Damien Hatton Title: Company Secretary

COLONIAL FIRST STATE INVESTMENTS

LIMITED

By: /s/ John Paull Name: John Paull

Title: Head of Operations