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

### FORM 6-K

Report of Foreign Private Issuer Pursuant to Rule 13a-16 or 15d-16 under the Securities Exchange Act of 1934

For the Month of December, 2010

1-15240 (Commission File Number)

## **JAMES HARDIE INDUSTRIES SE**

(Translation of registrant's name into English)

Second Floor, Europa House Harcourt Centre, Harcourt Street Dublin 2, Ireland (Address of principal executive offices)

Indicate by check mark whether the registrant files or will file annual reports under cover Form 20-F or Form 40-F.

Form 20-F ☑ Form 40-F□

Indicate by check mark if the registrant is submitting the Form 6-K in paper as permitted by Regulation S-T Rule 101(b)(1): Not Applicable

Indicate by check mark if the registrant is submitting the Form 6-K in paper as permitted by Regulation S-T Rule 101(b)(7): Not Applicable

Indicate by check mark whether the registrant by furnishing the information contained in this Form is also thereby furnishing the information to the Commission pursuant to Rule 12g3-2(b) under the Securities Exchange Act of 1934.

Yes 🗆 No 🗹

If "Yes" is marked, indicate below the file number assigned to the registrant in connection with Rule 12g3-2(b): Not Applicable

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#### Safe Harbor Statements

This 6K contains forward-looking statements. James Hardie may from time to time make forward-looking statements in its periodic reports filed with or furnished to the United States Securities and Exchange Commission on Forms 20-F and 6-K, in the annual reports to shareholders, in offering circulars, invitation memoranda and prospectuses, in media releases and other written materials and in oral statements made by the Company's officers, directors or employees to analysts, institutional investors, existing and potential lenders, representatives of the media and others. Statements that are not historical facts are forward-looking statements and such forward-looking statements made pursuant to the Safe Harbor Provisions of the Private Securities Litigation Reform Act of 1995. Examples of forward-looking statements include:

- statements about the Company's future performance;
- projections of the Company's results of operations or financial condition;
- statements regarding the Company's plans, objectives or goals, including those relating to its strategies, initiatives, competition, acquisitions, dispositions and/or its products;
- expectations concerning the costs associated with the suspension or closure of operations at any of the Company's plants and future plans with respect to any such plants;
- expectations that the Company's credit facilities will be extended or renewed;
- expectations concerning dividend payments;
- statements concerning the Company's corporate and tax domiciles and potential changes to them, including potential tax charges;
- statements regarding tax liabilities and related audits, reviews and proceedings;
- statements as to the possible consequences of proceedings brought against the Company and certain of its former directors and officers by the ASIC;
- expectations about the timing and amount of contributions to the AICF, a special purpose fund for the compensation of proven Australian asbestos-related personal injury and death claims;
- expectations concerning indemnification obligations;
- statements about product or environmental liabilities; and
- statements about economic conditions, such as the levels of new home construction, unemployment levels, the availability of mortgages and other financing, mortgage and other interest rates, housing affordability and supply, the levels of foreclosures and home resales, currency exchange rates and consumer confidence.

Words such as "believe," "anticipate," "plan," "expect," "intend," "target," "estimate," "project," "predict," "forecast," "guideline," "aim," "will," "should," "likely," "continue" and similar expressions are intended to identify forward-looking statements but are not the exclusive means of identifying such statements. Readers are cautioned not to place undue reliance on these forward-looking statements and all such forward-looking statements are qualified in their entirety by reference to the following cautionary statements.

Forward-looking statements are based on the Company's current expectations, estimates and assumptions and because forward-looking statements address future results, events and conditions, they, by their very nature, involve inherent risks and uncertainties, many of which are unforeseeable and beyond the Company's control. Such known and unknown risks, uncertainties and other factors may cause the Company's actual results, performance or other achievements to differ materially from the anticipated results, performance or achievements expressed, projected or implied by these forward-looking statements. These factors, some of which are discussed under "Key Information - Risk Factors" beginning on page 6 of the Form 20-F filed with the US Securities and Exchange Commission on 30 June 2010, include, but are not limited to: all matters relating to or arising out of the prior manufacture of products that contained asbestos by current and former James Hardie subsidiaries; required contributions to the AICF, any shortfall in the AICF and the effect of currency exchange rate movements on the amount recorded in the Company's financial statements as an asbestos liability; compliance with and changes in tax laws and treatments; competition and product pricing in the markets in which the Company operates; seasonal fluctuations in the demand for our products; the consequences of product failures or defects; exposure to environmental, asbestos or other legal proceedings; general economic and market conditions; the supply and cost of raw materials; the success of research and development efforts; the potential that competitors could copy our products; reliance on a small number of customers; a customer's inability to pay; compliance with and changes in environmental and health and safety laws; risks of conducting business internationally; compliance with and changes in laws and regulations; the effect of the Company's transfer of its corporate domicile from The Netherlands to Ireland to become an Irish SE including employee relations, changes in corporate governance, potential tax benefits and the effect of any negative publicity; currency exchange risks; the concentration of the Company's customer base on large format retail customers, distributors and dealers; the effect of natural disasters; changes in the Company's key management personnel; inherent limitations on internal controls; use of accounting estimates; and all other risks identified in the Company's reports filed with Australian, Irish and US securities agencies and exchanges (as appropriate). The Company cautions that the foregoing list of factors is not exhaustive and that other risks and uncertainties may cause actual results to differ materially from those in forward-looking statements. Forward-looking statements speak only as of the date they are made and are statements of the Company's current expectations concerning future results, events and conditions.



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#### SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned, thereunto duly authorized.

Date: Friday, 17 December 2010

#### James Hardie Industries SE

By: <u>/s/ Marcin Firek</u> Marcin Firek Company Secretary

Exhibit No.	Description
99.1	Appendix 3B (15 December 2010)
99.2	Appendix 3B (16 December 2010)
99.3	Insider Trading Policy

99.4 Appendix 3B (17 December 2010)

99.5 ASIC Proceedings

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#### Exhibit 99.1

### **Appendix 3B**

# New issue announcement, application for quotation of additional securities and agreement

Information or documents not available now must be given to ASX as soon as available. Information and documents given to ASX become ASX's property and may be made public.

Introduced 1/7/96. Origin: Appendix 5. Amended 1/7/98, 1/9/99, 1/7/2000, 30/9/2001, 11/3/2002, 1/1/2003, 24/10/2005.

Name of entity	
James Hardie Industries SE	
ARBN	

2,000 ordinary shares/CUFS issued on exercise of options

197 829 895 Incorporated in Ireland. The liability of members is limited.
ar uza usa meupulateu in neianu. The liability of members is infliteu.

We (the entity) give ASX the following information.

#### Part 1 — All issues

You must complete the relevant sections (attach sheets if there is not enough space).

1	+Class of +securities issued or to be issued	Ordinary shares/CUFS
2	Number of +securities issued or to be issued (if known) or maximum number which may be issued	2,000 ordinary shares/CUFS

3	Principal terms of the +securities (eg, if options, exercise price and expiry date; if
	partly paid +securities, the amount outstanding and due dates for payment; if
	+convertible securities, the conversion price and dates for conversion)

#### James Hardie Industries SE

+ See chapter 19 for defined terms

4	Do the +securities rank equally in all respects from the date of allotment with an existing +class of quoted +securities?	Yes, rank equally with issued ordinary shares/CUFS	
	If the additional securities do not rank equally, please state:		
	<ul> <li>the date from which they do</li> <li>the extent to which they participate for the next dividend, (in the case of a trust, distribution) or interest payment</li> <li>the extent to which they do not rank equally, other than in relation to the next dividend, distribution or interest payment</li> </ul>		
5	Issue price or consideration	Allotment of ordinary shares/CUFS on a	exercise of options:
		2,000 at \$5.99	
6	Purpose of the issue (If issued as consideration for the acquisition of assets, clearly identify those assets)	Exercise of options	
7	Dates of entering +securities into uncertificated holdings or despatch of certificates	15 December 2010	
		Number	+Class
8	Number and +class of all +securities quoted on ASX ( <i>including</i> the securities in clause 2 if applicable)	435,834,363	Ordinary shares/CUFS
Jam	es Hardie Industries SE		
+ See	chapter 19 for defined terms		Appendix 3B — Page 2

9	Number and +class of all +securities not quoted on ASX ( <i>including</i> the securities in clause 2 if applicable)	12,302,182 5,287,809 No Options or Restricted Stock Units have been cancelled.	Options Restricted Stock Units
10	Dividend policy (in the case of a trust, distribution policy) on the increased capital (interests)	Rank for dividends equally with issued of	ordinary shares/CUFS
Part	2 — Bonus issue or pro rata issue		
11	Is security holder approval required?	Not applicable	
12	Is the issue renounceable or non-renounceable?	Not applicable	
13	Ratio in which the +securities will be offered	Not applicable	
14	+Class of +securities to which the offer relates	Not applicable	
15	+Record date to determine entitlements	Not applicable	

Number

Not applicable

Not applicable

+Class

- 16 Will holdings on different registers (or subregisters) be aggregated for calculating entitlements?
- 17 Policy for deciding entitlements in relation to fractions

James Hardie Industries SE

+ See chapter 19 for defined terms

18	Names of countries in which the entity has +security holders who will not be sent new issue documents	Not applicable
	Note: Security holders must be told how their entitlements are to be dealt with.	
	Cross reference: rule 7.7.	
19	Closing date for receipt of acceptances or renunciations	Not applicable
20	Names of any underwriters	Not applicable
21	Amount of any underwriting fee or commission	Not applicable
22	Names of any brokers to the issue	Not applicable
23	Fee or commission payable to the broker to the issue	Not applicable
24	Amount of any handling fee payable to brokers who lodge acceptances or renunciations on behalf of +security holders	Not applicable
25	If the issue is contingent on +security holders' approval, the date of the meeting	Not applicable
26	Date entitlement and acceptance form and prospectus or Product Disclosure Statement will be sent to persons entitled	Not applicable
27	If the entity has issued options, and the terms entitle option holders to participate on exercise, the date on which notices will be sent to option holders	Not applicable
28	Date rights trading will begin (if applicable)	Not applicable

James Hardie Industries SE

+ See chapter 19 for defined terms

### Appendix 3B

New issue Announcement

29	Date rights trading will end (if applicable)	Not applicable
30	How do +security holders sell their entitlements in full through a broker?	Not applicable
31	How do +security holders sell $part$ of their entitlements through a broker and accept for the balance?	Not applicable
32	How do +security holders dispose of their entitlements (except by sale through a broker)?	Not applicable
33	+Despatch date	Not applicable

#### Part 3 — Quotation of securities

You need only complete this section if you are applying for quotation of securities

34	Type of securities ( <i>tick one</i> )	
(a)		Securities described in Part 1

(b) 🗖 A	Il other securities
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Example: restricted securities at the end of the escrowed period, partly paid securities that become fully paid, employee incentive share securities when restriction ends, securities issued on expiry or conversion of convertible securities

#### Entities that have ticked box 34(a)

#### Additional securities forming a new class of securities

Tick to indicate you are providing the information or documents

If the +securities are +equity securities, the names of the 20 largest holders of the additional+securities, and the number and percentage of additional +securities held by those holders
 If the +securities are +equity securities, a distribution schedule of the additional+securities setting out the number of holders in the categories

 If the +securities are +equity securities, a distribution schedule of the additional+securities setting out the number of holders in the categories

 If the +securities are +equity securities, a distribution schedule of the additional+securities setting out the number of holders in the categories

 I = 1,000
 I,001 = 5,000
 S,001 = 10,000
 I0,001 = 100,000
 I00,001 and over

James Hardie Industries SE

+ See chapter 19 for defined terms

A copy of any trust deed for the additional+securities 37 

#### Entities that have ticked box 34(b)

38	Number of securities for which +quotation is sought			
39	Class of +securities for which quotation is sought			
40	Do the +securities rank equally in all respects from the date of allotment with an existing +class of quoted +securities?			
	If the additional securities do not rank equally, please state:			
	<ul> <li>the date from which they do</li> <li>the extent to which they participate for the next dividend, (in the case of a trust, distribution) or interest payment</li> <li>the extent to which they do not rank equally, other than in relation to the next dividend, distribution or interest payment</li> </ul>			
41	Reason for request for quotation now			
	Example: In the case of restricted securities, end of restriction period			
	(if issued upon conversion of another security, clearly identify that other security)			
		Number	+Class	
42	Number and +class of all +securities quoted on ASX ( <i>including</i> the securities in clause 38)			
James	s Hardie Industries SE			

+ See chapter 19 for defined terms

#### **Quotation agreement**

- 1 +Quotation of our additional +securities is in ASX's absolute discretion. ASX may quote the+securities on any conditions it decides.
- 2 We warrant the following to ASX.
  - The issue of the +securities to be quoted complies with the law and is not for an illegal purpose.
  - There is no reason why those + securities should not be granted + quotation.
  - An offer of the +securities for sale within 12 months after their issue will not require disclosure under section 707(3) or section 1012C(6) of the Corporations Act.

Note: An entity may need to obtain appropriate warranties from subscribers for the securities in order to be able to give this warranty

- Section 724 or section 1016E of the Corporations Act does not apply to any applications received by us in relation to any +securities to be quoted and that noone has any right to return any +securities to be quoted under sections 737, 738 or 1016F of the Corporations Act at the time that we request that the+securities be quoted.
- If we are a trust, we warrant that no person has the right to return the+securities to be quoted under section 1019B of the Corporations Act at the time that we request that the +securities be quoted.

Date: 15 December 2010

- 3 We will indemnify ASX to the fullest extent permitted by law in respect of any claim, action or expense arising from or connected with any breach of the warranties in this agreement.
- 4 We give ASX the information and documents required by this form. If any information or document not available now, will give it to ASX before quotation of the +securities begins. We acknowledge that ASX is relying on the information and documents. We warrant that they are (will be) true and complete.

Sign here:	/s/ Marcin Firek		
	Company Secretary		
Print name:	Marcin Firek		

#### James Hardie Industries SE

+ See chapter 19 for defined terms

#### Exhibit 99.2

### **Appendix 3B**

# New issue announcement, application for quotation of additional securities and agreement

Information or documents not available now must be given to ASX as soon as available. Information and documents given to ASX become ASX's property and may be made public.

Introduced 1/7/96. Origin: Appendix 5. Amended 1/7/98, 1/9/99, 1/7/2000, 30/9/2001, 11/3/2002, 1/1/2003, 24/10/2005.

Name of entity		
James Hardie Industries SE		
ARBN		

Ordinary shares/CUFS

68,283 ordinary shares/CUFS

68,283 ordinary shares/CUFS issued on exercise of options

We (the entity) give ASX the following information.

#### Part 1 — All issues

You must complete the relevant sections (attach sheets if there is not enough space).

- 2 Number of +securities issued or to be issued (if known) or maximum number which may be issued
- 3 Principal terms of the +securities (eg, if options, exercise price and expiry date; if partly paid +securities, the amount outstanding and due dates for payment; if +convertible securities, the conversion price and dates for conversion)

James Hardie Industries SE

+ See chapter 19 for defined terms

4	Do the +securities rank equally in all respects from the date of allotment with an existing +class of quoted +securities?	Yes, rank equally with issued ordinary s	shares/CUFS
	If the additional securities do not rank equally, please state:		
	<ul> <li>the date from which they do</li> <li>the extent to which they participate for the next dividend, (in the case of a trust, distribution) or interest payment</li> <li>the extent to which they do not rank equally, other than in relation to the next dividend, distribution or interest payment</li> </ul>		
5	Issue price or consideration	Allotment of ordinary shares/CUFS on	exercise of options:
		68,283 at \$5.0586	
6	Purpose of the issue (If issued as consideration for the acquisition of assets, clearly identify those assets)	Exercise of options	
7	Dates of entering +securities into uncertificated holdings or despatch of certificates	16 December 2010	
		Number	+Class
8	Number and +class of all +securities quoted on ASX ( <i>including</i> the securities in clause 2 if applicable)	435,902,646	Ordinary shares/ CUFS
Jam	es Hardie Industries SE		
+ See	chapter 19 for defined terms		Appendix 3B — Page 2

		Number	+Class
9	Number and +class of all +securities not quoted on ASX ( <i>including</i> the securities in clause 2 if applicable)	12,233,899 5,287,809	Options Restricted Stock Units
		No Options or Restricted Stock Units have been cancelled.	
10	Dividend policy (in the case of a trust, distribution policy) on the increased capital (interests)	Rank for dividends equally with issued of	ordinary shares/CUFS
Part	2 — Bonus issue or pro rata issue		
11	Is security holder approval required?	Not applicable	
12	Is the issue renounceable or non-renounceable?	Not applicable	
13	Ratio in which the +securities will be offered	Not applicable	
14	+Class of +securities to which the offer relates	Not applicable	
15	+Record date to determine entitlements	Not applicable	
16	Will holdings on different registers (or subregisters) be aggregated for calculating entitlements?	Not applicable	
17	Policy for deciding entitlements in relation to fractions	Not applicable	
Jame	es Hardie Industries SE		
+ See	chapter 19 for defined terms		Appendix 3B — Page 3

18	Names of countries in which the entity has +security holders who will not be sent new issue documents	Not applicable
	Note: Security holders must be told how their entitlements are to be dealt with.	
	Cross reference: rule 7.7.	
19	Closing date for receipt of acceptances or renunciations	Not applicable
20	Names of any underwriters	Not applicable
21	Amount of any underwriting fee or commission	Not applicable
22	Names of any brokers to the issue	Not applicable
23	Fee or commission payable to the broker to the issue	Not applicable
24	Amount of any handling fee payable to brokers who lodge acceptances or renunciations on behalf of +security holders	Not applicable
25	If the issue is contingent on +security holders' approval, the date of the meeting	Not applicable
26	Date entitlement and acceptance form and prospectus or Product Disclosure Statement will be sent to persons entitled	Not applicable
27	If the entity has issued options, and the terms entitle option holders to participate on exercise, the date on which notices will be sent to option holders	Not applicable
28	Date rights trading will begin (if applicable)	Not applicable
Jame	es Hardie Industries SE	

+ See chapter 19 for defined terms

#### Appendix 3B

New issue Announcement

29	Date rights trading will end (if applicable)	Not applicable		
30	How do +security holders sell their entitlements in full through a broker?	Not applicable		
31	How do +security holders sell <i>part</i> of their entitlements through a broker and accept for the balance?	Not applicable		
32	How do +security holders dispose of their entitlements (except by sale through a broker)?	Not applicable		
33	+Despatch date	Not applicable		
Part	Part 3 — Quotation of securities			

You need only complete this section if you are applying for quotation of securities

34	Type ( (tick o	of securities one)	
(a)	$\checkmark$	Securities described in Part 1	

### (b) All other securities

Example: restricted securities at the end of the escrowed period, partly paid securities that become fully paid, employee incentive share securities when restriction ends, securities issued on expiry or conversion of convertible securities

#### Entities that have ticked box 34(a)

#### Additional securities forming a new class of securities

Tick to indicate you are providing the information or documents

If the +securities are +equity securities, the names of the 20 largest holders of the additional+securities, and the number and percentage of additional +securities held by those holders
 If the +securities are +equity securities, a distribution schedule of the additional+securities setting out the number of holders in the categories

1 — 1,000 1,001 — 5,000 5,001 — 10,000 10,001 — 100,000 100,001 and over

James Hardie Industries SE

+ See chapter 19 for defined terms

#### Entities that have ticked box 34(b)

37	$\square$ A copy of any trust deed for the additional <sub>+</sub> securities			
38	Number of securities for which +quotation is sought			
39	Class of +securities for which quotation is sought			
40	Do the +securities rank equally in all respects from the date of allotment with an existing +class of quoted +securities?			
	If the additional securities do not rank equally, please state:			
	<ul> <li>the date from which they do</li> <li>the extent to which they participate for the next dividend, (in the case of a trust, distribution) or interest payment</li> <li>the extent to which they do not rank equally, other than in relation to the next dividend, distribution or interest payment</li> </ul>			
41	Reason for request for quotation now			
	Example: In the case of restricted securities, end of restriction period			
	(if issued upon conversion of another security, clearly identify that other security)			
		Number	+Class	
42	Number and <sup>+</sup> class of all <sup>+</sup> securities quoted on ASX ( <i>including</i> the securities in clause 38)			
Jame	es Hardie Industries SE			

+ See chapter 19 for defined terms

#### **Quotation agreement**

- 1 +Quotation of our additional +securities is in ASX's absolute discretion. ASX may quote the+securities on any conditions it decides.
- 2 We warrant the following to ASX.
  - The issue of the +securities to be quoted complies with the law and is not for an illegal purpose.
  - There is no reason why those + securities should not be granted + quotation.
  - An offer of the +securities for sale within 12 months after their issue will not require disclosure under section 707(3) or section 1012C(6) of the Corporations Act.

Note: An entity may need to obtain appropriate warranties from subscribers for the securities in order to be able to give this warranty

- Section 724 or section 1016E of the Corporations Act does not apply to any applications received by us in relation to any +securities to be quoted and that noone has any right to return any +securities to be quoted under sections 737, 738 or 1016F of the Corporations Act at the time that we request that the +securities be quoted.
- If we are a trust, we warrant that no person has the right to return the+securities to be quoted under section 1019B of the Corporations Act at the time that we request that the +securities be quoted.
- 3 We will indemnify ASX to the fullest extent permitted by law in respect of any claim, action or expense arising from or connected with any breach of the warranties in this agreement.
- 4 We give ASX the information and documents required by this form. If any information or document not available now, will give it to ASX before quotation of the +securities begins. We acknowledge that ASX is relying on the information and documents. We warrant that they are (will be) true and complete.

Sign here:	/s/ Marcin Firek	Date:	16 December 2010
	Company Secretary		
Print name:	Marcin Firek		

#### James Hardie Industries SE

+ See chapter 19 for defined terms



#### 1 Introduction

This Insider Trading Policy of the Company outlines the conditions under which Insiders and their Associates may Deal in Company Securities and in Securities of other companies with which the James Hardie Group has relationships (eg, with which the James Hardie Group conducts business). It also contains a prohibition against providing Advice about transactions in Company Securities and a prohibition against Disclosing Inside Information.

This Policy has been adopted by the Company in order to preserve the confidence of the Securities market in the fairness of trading in the Company's shares and other Company Securities and in order to reduce the likelihood that persons associated with the Company may contravene applicable insider trading laws and thereby harm the Company's commercial reputation.

The Company expects Insiders and their Associates to comply with the spirit as well as the letter of the Policy and to have proper regard for its purpose. The Company will treat a contravention of the Policy as a matter of the utmost seriousness and as a breach of the Insider's obligations to the Company.

The Policy is in addition to, and does not limit or reduce, the obligations of each Insider and Associate under applicable law. Insiders and Associates are expected to make themselves familiar with this Policy and those legal obligations and to comply fully with both the Policy and those legal obligations.

Capitalised terms have special meanings and are defined in Section 17 below. The appendices to this Policy summarise certain provisions of Australian, US and Irish laws that apply to the conduct of Insiders and their Associates.

#### 2 Prohibitions

#### Black-out Period

Subject to Section 6, an Insider and his or her Associates must not, and must not procure another person to, Deal in Company securities during a Black-Out Period.

#### General Dealing Prohibition

Subject to Section 3, an Insider and his or her Associates must not, and must not procure another person to, do the following in relation to Securities covered by this Policy:

- (a) Deal in Company Securities or specific Securities (where applicable), except in accordance with this Policy;
- (b) Advise about Company Securities or specific Securities (where applicable); or
- (c) Disclose any Inside Information.

#### Specific Dealing Prohibition

The Compliance Officer may prohibit some or all Insiders and their Associates from Dealing in specific Securities (for instance because the Company is undertaking a transaction which may be price sensitive for the Securities of another company) or Company Securities.

#### Short Swing Profit and Hedging Transaction Prohibition

An Insider (other than a Designated Person) or one of his or her Associates must not engage in:

- (a) a Hedging Transaction of <u>unvested</u> shares, options, restricted stock units or any other instrument provided as employee equity-based compensation at any time.
- (b) a Hedging Transaction of <u>vested</u> shares, options, restricted stock units, any other instrument provided as employee equity-based compensation or Company Securities, except as permitted in Section 3.
- A Designated Person or one of his or her Associates must not engage in Dealings undertaken for Short Swing Profit or Hedging Transactions at any time.

#### **3 General Exemptions to Prohibitions**

#### Dealings in Open Period

- An Insider and his or her Associates may Deal in Company Securities during an Open Period, but only if at that time:
- (a) the Insider or Associate is not in possession of Inside Information; and
- (b) the Compliance Officer has not prohibited such Insider or Associates from Dealing in the Company Securities.

#### <u>Hedging</u>

An Insider or one of his or her Associates (other than a Designated Person) wishing to Deal in Company Securities through a Hedging Transaction of <u>vested</u> shares, options, restricted stock units, any other instrument provided as employee equity-based compensation or Company Securities may only do so if such Dealing is within the Open Period and the Insider or his or her Associate notifies the Compliance Officer of such Dealing within 7 days after such Dealing.

#### Equity Grants and Exercises

An Insider who is an employee of the James Hardie Group, or a trustee for employees of the James Hardie Group, may:

- (a) apply for Company Securities under a superannuation scheme, pension fund, option plan, restricted stock unit plan or other scheme established solely or primarily for the benefit of employees of the James Hardie Group; or
- (b) Deal in Company Securities by exercising options or selling vested restricted shares or any other instrument provided solely or primarily for the benefit of employees of the James Hardie Group;

#### provided that:

(i) the date of the application or disposal takes effect during a Open Period;

- (ii) the Dealing (or group of Dealings) is reviewed and approved in writing in advance by the Compliance Officer;
- (iii) with respect to clause (b) above, the Insider is not in possession of Inside Information; and
- (iv) the transaction is permitted by and in compliance with applicable securities laws.

Exemptions required as part of employee's responsibilities

If the Company is purchasing its own Securities through a Buy-back, an employee of the James Hardie Group may Deal in Company Securities only:

- (a) if the Company is not in a Black-out Period; and
- (b) provided that:
  - (i) such employee is not in possession of Inside Information;
  - (ii) such employee's Dealing is not during a period in which the Compliance Officer has imposed a restriction on Dealing; and
  - (iii) such employee's Dealing is otherwise in accordance with this Policy and applicable securities laws.

An employee of the James Hardie Group may Advise about Company Securities or Disclose Inside Information, provided such actions are strictly required to provide information about the Company (1) as part of his or her duties and responsibilities under the terms of his or her employment or other engagement by the Company or applicable law and/or (2) to comply with applicable laws and the Company's policies (including the Market Communication Policy).

#### 4 Persons to Whom this Policy Applies

This Policy extends to Insiders and their Associates.

If an Insider serves in the position of trustee, such person is advised to inform his or her co-trustees and the beneficiaries of the trust of the limitations on their ability to Deal in particular Securities.

Each Insider must inform his or her Associates of their obligations under this Policy.

#### **5 Securities to Which this Policy Applies**

This Policy applies to all Company Securities and any other Securities designated by the Compliance Officer from time to time. For a complete list of Securities to which this Policy applies at any given time, please contact the Compliance Officer.

#### **6 Specific Exemptions to Prohibitions**

An employee of the James Hardie Group may request a specific exemption from the prohibitions in Section 2, setting out their reasons and providing the information required under Section 7. An exemption will only be granted if the Company is satisfied that there are good reasons that a prohibition should be waived, for instance employee hardship, and such approval will not undermine the underlying spirit of the Policy and applicable securities laws.

An exemption may be approved by the CFO or General Counsel, or in the case of an exemption for a Director or direct report to the CEO, by the Chairman of the Board or Audit Committee.

Any specific exemptions granted will be reported to the Board.

Other than those provided by applicable securities laws and expressly approved by the Company in accordance with this Policy, there are no exceptions to this Policy.

#### 7 Pre-Clearance of Dealings by Designated Persons and their Associates

Designated Persons must advise the Company in writing directed to the Compliance Officer of any intended Dealing in Company Securities by such Designated Persons or their Associates, including any Dealing during any Open Period, not less than five Australian Securities Exchange trading days before the date of that intended Dealing. This notice must contain a complete description of the intended Dealing, including the identity and number of Company Securities, and the date and the stock exchange on which the intended Dealing is proposed to occur.

A Designated Person can conduct the intended Dealing only if the Compliance Officer approves that Dealing in writing. If the Compliance Officer approves the intended Dealing, such Dealing must take place within the Open Period following the approval (or such other period specified by the Compliance Officer), at which time the Dealing must comply with this Policy and applicable securities laws in all other respects.

Subsequent confirmation of the Dealing must be provided to the Compliance Officer.

#### 8 Obligation of Certain Persons to Provide Notice of Dealings

All Directors must also notify the Company within two Australian Securities Exchange trading days of any changes to their relevant interest in Company Securities so that the Company can notify the Australian Securities Exchange of such changes through lodgment of an Appendix 3Y.

#### 9 Company Compliance Officer

The Compliance Officer will keep a record of all notifications of Dealings supplied in accordance with Sections 3 (where applicable), 7 and 8. The Compliance Officer administers this Policy, may appoint assistants and must provide a periodic report to the Board. The Compliance Officer may further prohibit one or more groups of Insiders and Associates from Dealing in Securities during certain periods, including Open Periods.

The Compliance Officer must keep a register including the following data:

- (a) the names of people to whom the Policy applies (or classes of such people);
- (b) all notifications of Dealings of Securities received pursuant to Sections 3, 7 and 8;
- (c) all decisions by the Compliance Officer prohibiting one or more groups of Insiders from Dealing in Securities during any period;
- (d) all requests for a clearance to Deal and all clearances granted; and
- (e) all notifications to any applicable government body.

Insiders may inspect data included in the register to the extent that it concerns them. The Chairman of the Board may inspect the register at any time.

#### 10 Clearance

If in doubt, an Insider must apply to the Compliance Officer for pre-clearance to Deal in Securities or Advise or Disclose Inside Information. The Compliance Officer may, in his or her absolute discretion, either grant (including on conditions, with which the Insider must comply) or refuse permission to do so.

#### 11 Legal Obligations of Insiders

This Policy is in addition to, and does not in any way limit, any obligation of any Insider under applicable law. Applicable law may vary according to the jurisdiction in which the Company operates and where the Insider and his or her Associates undertake any actions. The jurisdictions and applicable laws therein of significance to most of the Company's employees as at April 2010 include (but may not be limited to):

- Australia: Corporations Act 2001 (Cth): Insider Trading Prohibited Conduct (1043A), Prohibition on Improper Use of Information (ss 182-183), Market Manipulation (ss1041A), False and Misleading Statements (s 1041E); and
- United States: US Securities Exchange Act of 1934; US Securities Act of 1933; the rules and regulations thereunder, and case law interpreting the same.

Summaries of the provisions in these two countries are provided in the Appendices to this Policy. These laws may change over time or may be subject to new interpretations by relevant courts or administrative bodies. The Company will not necessarily update Insiders about such changes. Insiders are expected to have made themselves familiar with their legal obligations and to fully comply with those obligations.

If required, Insiders should obtain their own legal advice (it not being the role of the Compliance Officer to advise Insiders or their Associates about these laws generally or their application to any particular action or proposed action by an Insider or his or her Associates).

#### 12 Acknowledgment of Receipt and Understanding of this Policy

All Designated Persons and others as determined by the Compliance Officer must execute the certification at the end of this Policy in written or email form. Each Designated Person and others determined by the Compliance Officer who have executed the certification must inform his or her Associates of their obligations under this Policy.

All other Insiders will not be required to execute the certification, but their obligations under this Policy are included in the Code of Business Conduct and Ethics.

#### 13 Sanction for Breach

In addition to sanctions that may be imposed under any applicable law (sanctions can include significant fines and/or imprisonment), the James Hardie Group has the right to impose disciplinary action for any breach of this Policy. These sanctions may include, but are not limited to:

- (a) terminating or suspending an Insider's employment contract, and, if applicable, any such termination shall constitute a termination "for cause" under such contract; or
- (b) declaring the Insider ineligible for future participation in the James Hardie Group's equity incentive plans.

#### 14 Amendment of this Policy

The Board may amend this Policy at any time.

#### 15 Lodging Policy with Government Agency

This Policy will be lodged with any government agency where the law in that particular jurisdiction requires it.

#### **16 Definitions**

In this Policy, the following definitions apply unless the context requires otherwise:

Advise means to give any advice based on Inside Information to another person about Securities and includes, but is not limited to, recommending a Dealing in Securities based on Inside Information.

Associate means, in relation to an Insider:

- (a) a family member of the Insider who is likely to act on an Insider's instructions or Advice about Dealing in Securities;
- (b) a member of the Insider's family sharing the Insider's household;
- (c) a family company of the Insider (ie, a company in which an Insider, his or her domestic partner, a relative or family trust is a director, shareholder or adviser); or
- (d) any trust or estate in which an Insider is a trustee, beneficiary or a director of a trustee or an adviser.

Black-out Period means the period of time from the end of a reporting period until two Australian Securities Exchange trading days after any results announcement by the Company, or such other time as determined by the Board from time to time.

Board means the board of the Company.

Buy-back means an on-market buy-back of Company Securities by the Company on the Australian Securities Exchange.

Buy-back Period means the period during which a Buy-back is able to be undertaken.

Code of Business Conduct and Ethics means the Company code setting out the expected behaviour of Directors and Employees of the James Hardie Group in conducting the James Hardie Group's business activities, as determined by the Board from time to time.

Company means James Hardie Industries SE.

Company Securities means Securities of any member of the James Hardie Group.

Compliance Officer means the General Counsel of the Company, or, if he or she is not available, the Company Secretary of the Company.

**Deal** means buying, selling or otherwise trading in, and gifting, pledging, accepting or exercising Securities, including (in certain circumstances) through a 401(k) plan or personal deferred compensation plans, such as a personal IRA.

#### Designated Persons means:

(a) all Directors; and

(b) employees of the James Hardie Group who have been designated as a Designated Person by or on behalf of the General Counsel or the Compliance Officer.

Designated Persons include the persons with the titles Chief Executive Officer, Chief Financial Officer, Financial Controller and Vice President.

Director means a director of the Company.

Disclose means to disclose to or make available Inside Information to a person who is:

- (a) a Director or employee of the James Hardie Group but whose responsibilities do not require him or her to receive that Inside Information; or
- (b) not employed by the James Hardie Group and whose relationship or dealings with the James Hardie Group does not require disclosure of that Inside Information to them, unless the recipient of the Inside Information already possesses it or the Disclosure is properly authorised under this Policy.

Hedging Transaction means Dealing in call or put options involving Company Securities or in other derivative Company Securities that provide a means to limit the economic risk of Company Securities.

Inside Information means information directly or indirectly related to:

- (a) the issuer of Securities; or
- (b) such Securities or trading in such Securities,

that has not been made public and (1) there is a reasonable likelihood that it would be considered important to an investor in making an investment decision regarding the purchase or sale of such Securities, or (2) if made public, could reasonably be expected to have a significant influence on the price of such Securities.

For example, Inside Information may include, but is not limited to:

- Financial results and projections of future earnings or losses.
- Changes in dividend policy, stock splits or new equity or debt offerings.
- A pending or proposed merger, acquisition or disposition.
- Pending product announcements of a significant nature or product defects.
- Exposure to significant litigation or threatened litigation.
- A significant change in senior management.

Insider means all employees of the James Hardie Group, as well as consultants and contractors of the James Hardie Group who are designated as Insiders by the Compliance Officer.

James Hardie Group means the Company and its subsidiaries and any other entity which the Company or its subsidiaries controls.

**Open Period** means the period of four weeks following a quarterly profit announcement by the Company (such four-week period not beginning until two Australian Securities Exchange trading days after the announcement has been released to the market), or such other time as approved by the Board from time to time. The Company has the right to modify the Open Period as it thinks fit.

Policy means this insider trading policy of the Company and includes the appendices hereto.

Securities means, in relation to any entity, financial instruments, including securities in or issued by that entity or financial instruments whose value is partly determined by the value of securities in or issued by that entity, including, but not limited to:

- (a) ordinary shares;
- (b) American Depository Receipts or CHESS units of foreign securities;
- (c) employee shares, restricted stock units, Scorecard LTI or options; and
- (d) derivatives.

Short Swing Profit means any profit realised or expected to be realised by any Designated Person or any of his or her Associates from any purchase and sale, or any sale and purchase, of Company Securities within any period of less than six months.

In this Policy, other forms of speech and grammatical forms of a word or phrase defined in this Policy have a corresponding meaning.

#### ACKNOWLEDGMENT OF RECEIPT AND UNDERSTANDING OF THIS POLICY

Kindly indicate your agreement to comply with the provisions of this Policy by signing the duplicate of this letter in the space provided, and returning it to the attention of the General Counsel, c/o the Compliance Officer, at James Hardie Industries SE, Europa House, 2<sup>nd</sup> Floor Harcourt Centre, Harcourt Street Dublin, Ireland. Should you require any further information, please do not hesitate to contact the General Counsel.

I understand and agree to comply with the provisions of this Policy.

Signed:	
Name:	
Dated:	

#### Exhibit 99.4

### **Appendix 3B**

# New issue announcement, application for quotation of additional securities and agreement

Information or documents not available now must be given to ASX as soon as available. Information and documents given to ASX become ASX's property and may be made public.

Introduced 1/7/96. Origin: Appendix 5. Amended 1/7/98, 1/9/99, 1/7/2000, 30/9/2001, 11/3/2002, 1/1/2003, 24/10/2005.

Name of entity		
James Hardie Industries SE		
ARBN		

We (the entity) give ASX the following information.

#### Part 1 — All issues

You must complete the relevant sections (attach sheets if there is not enough space).

1	+Class of +securities issued or to be issued	Ordinary shares/CUFS
2	Number of +securities issued or to be issued (if known) or maximum number which may be issued	Restricted Stock Units Vesting: 167,939 ordinary shares/CUFS
3	Principal terms of the +securities (eg, if options, exercise price and expiry date; if partly paid +securities, the amount outstanding and due dates for payment; if +convertible securities, the conversion price and dates for conversion)	Restricted Stock Units Vesting: 167,939 ordinary shares/CUFS issued on exercise of RSUs

James Hardie Industries SE

+ See chapter 19 for defined terms

4	Do the +securities rank equally in all respects from the date of allotment with an existing +class of quoted +securities?	Yes, rank equally with issued ordina	ry shares/CUFS
	If the additional securities do not rank equally, please state:		
	<ul> <li>the date from which they do</li> <li>the extent to which they participate for the next dividend, (in the case of a trust, distribution) or interest payment</li> <li>the extent to which they do not rank equally, other than in relation to the next dividend, distribution or interest payment</li> </ul>		
5	Issue price or consideration	Vesting of Restricted Stock Units: 10	57,939. No amount payable
6	Purpose of the issue (If issued as consideration for the acquisition of assets, clearly identify those assets)	Vesting of Restricted Stock Units	
7	Dates of entering +securities into uncertificated holdings or despatch of certificates	17 December 2010	
		Number	+Class
8	Number and +class of all +securities quoted on ASX ( <i>including</i> the securities in clause 2 if applicable)	436,070,585	Ordinary shares/CUFS
Jam	es Hardie Industries SE		
+ Se	chapter 19 for defined terms		Appendix 3B — Page 2

		Number	+Class
9	Number and +class of all +securities not quoted on ASX ( <i>including</i> the securities in clause 2 if applicable)	12,179,899 5,119,870	Options Restricted Stock Units
		The following Options have been cancelled at each price:	
		40,000 at \$8.90 14,000 at \$8.40	
		No Restricted Stock Units have been cancelled.	
10	Dividend policy (in the case of a trust, distribution policy) on the increased capital (interests)	Rank for dividends equally with issued of	ordinary shares/CUFS
Part	2 — Bonus issue or pro rata issue		
11	Is security holder approval required?	Not applicable	
12	Is the issue renounceable or non-renounceable?	Not applicable	
13	Ratio in which the +securities will be offered	Not applicable	
14	+Class of +securities to which the offer relates	Not applicable	
15	+Record date to determine entitlements	Not applicable	
16	Will holdings on different registers (or subregisters) be aggregated for calculating entitlements?	Not applicable	
17	Policy for deciding entitlements in relation to fractions	Not applicable	
Jame	s Hardie Industries SE		

 $^{\rm +}$  See chapter 19 for defined terms

18	Names of countries in which the entity has +security holders who will not be sent new issue documents	Not applicable
	Note: Security holders must be told how their entitlements are to be dealt with.	
	Cross reference: rule 7.7.	
19	Closing date for receipt of acceptances or renunciations	Not applicable
20	Names of any underwriters	Not applicable
21	Amount of any underwriting fee or commission	Not applicable
22	Names of any brokers to the issue	Not applicable
23	Fee or commission payable to the broker to the issue	Not applicable
24	Amount of any handling fee payable to brokers who lodge acceptances or renunciations on behalf of +security holders	Not applicable
25	If the issue is contingent on +security holders' approval, the date of the meeting	Not applicable
26	Date entitlement and acceptance form and prospectus or Product Disclosure Statement will be sent to persons entitled	Not applicable
27	If the entity has issued options, and the terms entitle option holders to participate on exercise, the date on which notices will be sent to option holders	Not applicable
28	Date rights trading will begin (if applicable)	Not applicable
Jame	es Hardie Industries SE	

 $^{\rm +}$  See chapter 19 for defined terms

29	Date rights trading will end (if applicable)	Not applicable
30	How do +security holders sell their entitlements in full through a broker?	Not applicable
31	How do +security holders sell <i>part</i> of their entitlements through a broker and accept for the balance?	Not applicable
32	How do +security holders dispose of their entitlements (except by sale through a broker)?	Not applicable
33	+Despatch date	Not applicable

#### Part 3 — Quotation of securities

You need only complete this section if you are applying for quotation of securities

34	Type o (tick o	ne)
(a)	$\checkmark$	Securities described in Part 1
(b)		All other securities
		Example: restricted securities at the end of the escrowed period, partly paid securities that become fully paid, employee incentive share securities when restriction ends, securities issued on expiry or conversion of convertible securities
Enti	ities tha	t have ticked box 34(a)
Add	litional	securities forming a new class of securities
Tick	to indic	ate you are providing the information or documents
35		If the +securities are +equity securities, the names of the 20 largest holders of the additional+securities, and the number and percentage of additional +securities held by those holders
36		If the +securities are +equity securities, a distribution schedule of the additional+securities setting out the number of holders in the categories $1 - 1,000$
		1,001 - 5,000 5,001 - 10,000
		10,001 - 100,000
		100,001 and over

James Hardie Industries SE

+ See chapter 19 for defined terms

### Appendix 3B

New issue Announcement

37 

A copy of any trust deed for the additional+securities

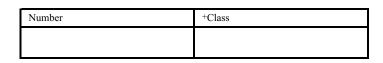
#### Entities that have ticked box 34(b)

Number of securities for which +quotation is sought 38 39 Class of +securities for which quotation is sought 40 Do the +securities rank equally in all respects from the date of allotment with an existing +class of quoted +securities? If the additional securities do not rank equally, please state: the date from which they do ٠ the extent to which they participate for the next dividend, (in the case of a trust, distribution) or interest payment the extent to which they do not rank equally, other than in relation to the • next dividend, distribution or interest payment 41 Reason for request for quotation now Example: In the case of restricted securities, end of restriction period (if issued upon conversion of another security, clearly identify that other security)

42 Number and +class of all +securities quoted on ASX (including the securities in clause 38)

James Hardie Industries SE

+ See chapter 19 for defined terms



#### **Quotation agreement**

- 1 +Quotation of our additional +securities is in ASX's absolute discretion. ASX may quote the+securities on any conditions it decides.
- 2 We warrant the following to ASX.
  - The issue of the +securities to be quoted complies with the law and is not for an illegal purpose.
  - There is no reason why those + securities should not be granted + quotation.
  - An offer of the +securities for sale within 12 months after their issue will not require disclosure under section 707(3) or section 1012C(6) of the Corporations Act.

Note: An entity may need to obtain appropriate warranties from subscribers for the securities in order to be able to give this warranty

- Section 724 or section 1016E of the Corporations Act does not apply to any applications received by us in relation to any +securities to be quoted and that noone has any right to return any +securities to be quoted under sections 737, 738 or 1016F of the Corporations Act at the time that we request that the +securities be quoted.
- If we are a trust, we warrant that no person has the right to return the+securities to be quoted under section 1019B of the Corporations Act at the time that we request that the +securities be quoted.

Date: 17 December 2010

- 3 We will indemnify ASX to the fullest extent permitted by law in respect of any claim, action or expense arising from or connected with any breach of the warranties in this agreement.
- 4 We give ASX the information and documents required by this form. If any information or document not available now, will give it to ASX before quotation of the +securities begins. We acknowledge that ASX is relying on the information and documents. We warrant that they are (will be) true and complete.

Sign here: /s/ Marcin Firek Company Secretary

Print name: Marcin Firek

#### James Hardie Industries SE

+ See chapter 19 for defined terms



17 December 2010

For analyst and media enquiries please call Sean O'Sullivan on: (02) 8274 5239

#### ASIC proceedings

The New South Wales Court of Appeal today delivered its judgment in the appeal by James Hardie Industries SE (JHISE, or the Company), and the related cross-appeal by the Australian Securities & Investments Commission (ASIC), from the judgment delivered by his Honour Justice Gzell in April 2009.

The Court of Appeal dismissed the Company's appeal and ASIC's cross-appeal and ordered that the Company pay 90% of the costs incurred by ASIC in respect of the Company's appeal.

The Company notes the Court's decision in the Company's appeal and ASIC's cross-appeal and is currently considering the judgment.

The Company also notes the Court's decisions in the appeals brought by certain former directors and officers of ABN60 Pty Limited (formerly James Hardie Industries Limited) (ABN60) and in the related cross-appeals brought by ASIC.

The Company does not propose to comment further upon the decisions.

#### Background

In February 2007, ASIC commenced civil proceedings in the Supreme Court of New South Wales against the Company, ABN60 and ten then-present or former officers and directors of the James Hardie Group in relation to the creation and funding of the Medical Research and Compensation Foundation in February 2001. While the subject matter of the allegations varied between individual defendants, the allegations against the Company were ultimately confined to alleged contraventions of provisions of the Australian Corporations Act relating to continuous disclosure and engaging in misleading or deceptive conduct in respect of a security.

The proceedings commenced on 29 September 2008 before his Honour Justice Gzell. On 23 April 2009, Justice Gzell delivered judgment, making certain findings against the Company and the ten former officers and directors of the Company. All defendants other than two commenced appeals from Justice Gzell's judgment, and ASIC responded by commencing cross-appeals from the judgment. The appeals brought by the former directors and officers were heard in April 2010 and the appeal brought by the Company was heard in May 2010.

Readers are referred to Note 9 in the Company's Consolidated Financial Statements for the period ended 30 September 2010 for further information about the ASIC proceedings.

#### End

James Hardie Industries SE, ARBN 097 829 895 Incorporated in Ireland, with registered office at Second Floor, Europa House, Harcourt Centre, Harcourt Street, Dublin 2, Ireland and registered number 485719. The liability of its members is limited.

#### Media/Analyst Enquiries:

Sean O'Sullivan - Vice President, Investor and Media Relations

Telephone:	+61 2 8274 5239
Email:	media@jameshardie.com.au

#### Disclaimer

This company statement contains forward-looking statements. James Hardie may from time to time make forward-looking statements in its periodic reports filed with or furnished to the United States Securities and Exchange Commission on Forms 20-F and 6-K, in the annual reports to shareholders, in offering circulars, invitation memoranda and prospectuses, in media releases and other written materials and in oral statements made by the Company's officers, directors or employees to analysts, institutional investors, existing and potential lenders, representatives of the media and others. Statements that are not historical facts are forward-looking statements and such forward-looking statements are statements made pursuant to the Safe Harbor Provisions of the Private Securities Litigation Reform Act of 1995. Examples of forward-looking statements include:

- statements about the Company's future performance;
- projections of the Company's results of operations or financial condition;
- statements regarding the Company's plans, objectives or goals, including those relating to its strategies, initiatives, competition, acquisitions, dispositions and/or its products;
- expectations concerning the costs associated with the suspension or closure of operations at any of the Company's plants and future plans with respect to any such plants;
- expectations that the Company's credit facilities will be extended or renewed;
- expectations concerning dividend payments;
- statements concerning the Company's corporate and tax domiciles and potential changes to them, including potential tax charges;
- statements regarding tax liabilities and related audits, reviews and proceedings;
- statements as to the possible consequences of proceedings brought against the Company and certain of its former directors and officers by the ASIC;
- expectations about the timing and amount of contributions to the AICF, a special purpose fund for the compensation of proven Australian asbestos-related personal injury and death claims;
- expectations concerning indemnification obligations;
- statements about product or environmental liabilities; and
- statements about economic conditions, such as the levels of new home construction, unemployment levels, the availability of mortgages and other financing, mortgage and other interest rates, housing affordability and supply, the levels of foreclosures and home resales, currency exchange rates and consumer confidence.

Words such as "believe," "anticipate," "plan," "expect," "intend," "target," "estimate," "project," "predict," "forecast," "guideline," "aim," "will," "should," "likely," "continue" and similar expressions are intended to identify forward-looking statements but are not the exclusive means of identifying such statements. Readers are cautioned not to place undue reliance on these forward-looking statements and all such forward-looking statements are qualified in their entirety by reference to the following cautionary statements.

Forward-looking statements are based on the Company's current expectations, estimates and assumptions and because forward-looking statements address future results, events and conditions, they, by their very nature, involve inherent risks and uncertainties, many of which are unforeseeable and beyond the Company's control. Such known and unknown risks, uncertainties and other factors may cause the Company's actual results, performance or other achievements to differ materially from the anticipated results, performance or achievements expressed, projected or implied by these forward-looking statements. These factors, some of which are discussed under "Key Information - Risk Factors" beginning on page 6 of the Form 20-F filed with the US Securities and Exchange Commission on 30 June 2010, include, but are not limited to: all matters relating to or arising out of the prior manufacture of products that contained asbestos by current and former James Hardie subsidiaries; required contributions to the AICF, any shortfall in the AICF and the effect of currency exchange rate movements on the amount recorded in the Company's financial statements as an asbestos liability; compliance with and changes in tax laws and treatments; competition and product pricing in the markets in which the Company operates; seasonal fluctuations in the demand for our products; the consequences of product failures or defects; exposure to environmental, asbestos or other legal proceedings; general economic and market conditions; the supply and cost of raw materials; the success of research and development efforts; the potential that competitors could copy our products; reliance on a small number of customers; a customer's inability to pay; compliance with and changes in environmental and health and safety laws; risks of conducting business internationally; compliance with and changes in laws and regulations; the effect of the Company's transfer of its corporate domicile from The Netherlands to Ireland to become an Irish SE including employee relations, changes in corporate governance, potential tax benefits and the effect of any negative publicity; currency exchange risks; the concentration of the Company's customer base on large format retail customers, distributors and dealers; the effect of natural disasters; changes in the Company's key management personnel; inherent limitations on internal controls; use of accounting estimates; and all other risks identified in the Company's reports filed with Australian, Irish and US securities agencies and exchanges (as appropriate). The Company cautions that the foregoing list of factors is not exhaustive and that other risks and uncertainties may cause actual results to differ materially from those in forward-looking statements. Forward-looking statements speak only as of the date they are made and are statements of the Company's current expectations concerning future results, events and conditions.

#### James Hardie Industries SE, ARBN 097 829 895

Incorporated in Ireland, with registered office at Second Floor, Europa House, Harcourt Centre, Harcourt Street, Dublin 2, Ireland and registered number 485719. The liability of its members is limited.