

**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, 2008**

**1-15240  
(Commission File Number)**

**JAMES HARDIE INDUSTRIES N.V.**

(Translation of registrant's name into English)

Atrium, 8th floor  
Strawinskylaan 3077  
1077 ZX Amsterdam, The Netherlands  
(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

---

---

**TABLE OF CONTENTS**

<a href="#">Safe Harbor Statement</a>	3
<a href="#">Exhibit Index</a>	4
<a href="#">Signatures</a>	5
<a href="#">EXHIBIT 99.1</a>	
<a href="#">EXHIBIT 99.2</a>	

### Safe Harbor Statement

The exhibits attached to this Form 6-K contain forward-looking statements. We may from time to time make forward-looking statements in our periodic reports filed with or furnished to the United States Securities and Exchange Commission on Forms 20-F and 6-K, in our annual reports to shareholders, in offering circulars, invitation memoranda and prospectuses, in media releases and other written materials and in oral statements made by our officers, directors or employees to analysts, institutional investors, lenders and potential lenders, representatives of the media and others. Examples of forward-looking statements include:

- expectations about the timing and amount of payments to the Asbestos Injuries Compensation Fund (AICF), a special purpose fund for the compensation of proven asbestos-related personal injury and death claims;
- statements regarding tax liabilities and related audits and proceedings;
- statements as to the possible consequences of proceedings brought against us and certain of our former directors and officers by the Australian Securities and Investments Commission;
- expectations concerning indemnification obligations;
- expectations concerning the costs associated with the suspension or closure of operations at any of our plants and future plans with respect to any such plants;
- expectations that our credit facilities will be extended or renewed;
- expectations concerning dividend payments;
- projections of our results of operations or financial condition;
- statements regarding our plans, objectives or goals, including those relating to competition, acquisitions dispositions and our products;
  
- statements about our future performance; and
- statements about product or environmental liabilities.

Words such as “believe,” “anticipate,” “plan,” “expect,” “intend,” “target,” “estimate,” “project,” “predict,” “forecast,” “guideline,” “should,” “aim” and similar expressions are intended to identify forward-looking statements but are not the exclusive means of identifying such statements.

Forward-looking statements involve inherent risks and uncertainties. We caution you that a number of important factors could cause actual results to differ materially from the plans, objectives, expectations, estimates and intentions expressed in such forward-looking statements. These factors, some of which are discussed under “Key Information – Risk Factors” beginning on page 6 of our Form 20-F filed on July 8, 2008 with the Securities and Exchange Commission, 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 and the effect of foreign exchange rates on the amount recorded in our financial statements as an asbestos liability; compliance with and changes in tax laws and treatments; competition and product pricing in the markets in which we operate; 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 our research and development efforts; the concentration of James Hardie’s customer base on large format retail customers, distributors and dealers; compliance with and changes in environmental and health and safety laws; risks of conducting business internationally; compliance with and changes in laws and regulations; foreign exchange risks; the effect of natural disasters and changes in our key management personnel. We caution you that the foregoing list of factors is not exclusive 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.

**EXHIBIT INDEX**

<b>Exhibit No.</b>	<b>Description</b>
Exhibit 99.1	Letter to ASX re price query
Exhibit 99.2	Letter from ASX to JH re price query

The information set forth in Exhibits 99.1 and 99.2 of this Report on Form 6-K is hereby incorporated by reference in to the Registrant's Registration Statements on Forms S-8, Registration Nos. 333-14036 and 333-153446.

**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.

**James Hardie Industries N.V.**

Date: December 9, 2008

By: /s/ Russell Chenu

Russell Chenu  
Chief Financial Officer

**EXHIBIT INDEX**

<u>Exhibit No.</u>	<u>Description</u>
Exhibit 99.1	Letter to ASX re price query
Exhibit 99.2	Letter from ASX to JH re price query



8 December 2008

**James Hardie Industries N.V.**  
 ARBN 097 829 895  
 Dutch Registration Number: 34106455  
 Incorporated in The Netherlands  
 The liability of members is limited

Ms Stephanie Yong  
 Senior Advisor  
 Australian Securities Exchange Limited  
 20 Bridge Street  
 SYDNEY NSW 2000

Atrium 8<sup>th</sup> Floor  
 Strawinskyiaan 3077  
 1077 ZX Amsterdam,  
 The Netherlands

Telephone: 31-20-301 2980  
 Fax: 31-20-404 2544

Dear Ms Yong

We refer to your letter dated 5 December 2008 in relation to recent changes in the price of the Company's securities and respond as follows in line with the numbering of your letter.

1. Is the Company aware of any information concerning it that has not been announced which, if known, could be an explanation for recent trading in the securities of the Company?

No.

2. If the answer to question 1 is yes, can an announcement be made immediately? If not, why not and when is it expected that an announcement will be made?

Not applicable.

3. Is there any other explanation that the Company may have for the price change in the securities of the Company?

The Company would like to bring the following points to the attention of the Australian Securities Exchange (the Exchange):

- The Company's stock price is strongly correlated with sentiment towards the US housing market, as are movements in listed US homebuilder stocks. To put the Company's stock price increase of 5.09% on 5 December into context, the stock prices of some US homebuilder stocks increased by the following amounts on the preceding day in the US (4 December 2008):

DR Horton	+ 7.97%
Toll Brothers	+ 6.86%
Pulte	+ 4.13%
KB Homes	+ 3.86%
Lennar	+ 9.96%
Centex	+ 9.04%
<u>Hovnanian</u>	<u>+ 6.02%</u>
Average	+ 6.83%

---

- The movement in US building stocks followed the release (prior to the ASX opening on 4 December 2008) of data compiled by the US Mortgage Bankers Association showing applications to refinance existing loans more than doubling and mortgage applications to buy a home rising about 38%, last week from the week before. Approximately 80% of the Company's net sales are sourced in the US.
  - The upward movement in the Company's share price in recent days should be viewed in the context of a broader decline in its share price in recent months.
  - Daily volatility in building stocks has increased due to the uncertainty created by the global economic crisis.
  - The Company also brings to the Exchange's attention statements made at the time of its 2<sup>d</sup> quarter results announcement on 17 November 2008, advising of confidential settlement negotiations with the Australian Tax Office in regard to 2002 and 2004- 2006 audits. These negotiations are ongoing.
4. Please confirm that the Company is in compliance with the listing rules and, in particular, Listing Rule 3.1.

The Company confirms that it is in compliance with the Listing Rules, and Listing Rule 3.1.

Yours faithfully

A handwritten signature in blue ink, appearing to read "Robert Cox". The signature is stylized and cursive.

Robert Cox  
**Company Secretary**





5 December 2008

Mr Marcin Firek  
Company Secretary  
Level 3  
22 Pitt Street  
Sydney NSW 2000

By Email

Dear Marcin

ASX Markets Supervision Pty Ltd  
ABN 26 087 780 489  
20 Bridge Street  
Sydney NSW 2000  
PO Box H224  
Australia Square  
NSW 1215

Telephone 61 2 9227 0602  
Facsimile 61 2 9241 7620

[www.asx.com.au](http://www.asx.com.au)

**James Hardie Industries N.V. (the "Company")**

**RE: PRICE QUERY**

We have noted a change in the price of the Company's securities from a low of \$3.49 on 3 December 2008 to a high of \$4.41 at the time of writing today.

In light of the price change, please respond to each of the following questions.

1. Is the Company aware of any information concerning it that has not been announced which, if known, could be an explanation for recent trading in the securities of the Company?

Please note that as recent trading in the Company's securities could indicate that information has ceased to be confidential, the Company is unable to rely on the exceptions to listing rule 3.1 contained in listing rule 3.1A when answering this question.

2. If the answer to question 1 is yes, can an announcement be made immediately? If not, why not and when is it expected that an announcement will be made?

Please note, if the answer to question 1 is yes and an announcement cannot be made immediately, you need to contact us to discuss this and you need to consider a trading halt (see below).

3. Is there any other explanation that the may have for the price change in the securities of the Company?
4. Please confirm that the Company is in compliance with the listing rules and, in particular, listing rule 3.1.

Your response should be sent to me by e-mail at [stephanie.yong@asx.com.au](mailto:stephanie.yong@asx.com.au) or by facsimile on facsimile number (02) 9241 7620. It should not be sent to the Company Announcements Office.

---

Unless the information is required immediately under listing rule 3.1, a response is requested as soon as possible and, in any event, not later than half an hour before the start of trading (ie **before 9.30 a.m. A.E.D.T.) on Monday, 8 December 2008.**

Under listing rule 18.7A, a copy of this query and your response will be released to the market, so your response should be in a suitable form and separately address each of the questions asked. If you have any queries or concerns, please contact me immediately.

#### **Listing rule 3.1**

Listing rule 3.1 requires an entity to give ASX immediately any information concerning it that a reasonable person would expect to have a material effect on the price or value of the entity's securities. The exceptions to this requirement are set out in listing rule 3.1A.

In responding to this letter you should consult listing rule 3.1 and Guidance Note 8 — Continuous Disclosure: listing rule 3.1.

If the information requested by this letter is information required to be given to ASX under listing rule 3.1 your obligation is to disclose the information immediately.

Your responsibility under listing rule 3.1 is not confined to, or necessarily satisfied by, answering the questions set out in this letter.

#### **Trading halt**

If you are unable to respond by the time requested, or if the answer to question 1 is yes and an announcement cannot be made immediately, you should consider a request for a trading halt in the 's securities. As set out in listing rule 17.1 and Guidance Note 16 — Trading Halts, we may grant a trading halt at your request. We may require the request to be in writing. We are not required to act on your request. You must tell us each of the following.

- The reasons for the trading halt.
- How long you want the trading halt to last.
- The event you expect to happen that will end the trading halt.
- That you are not aware of any reason why the trading halt should not be granted.
- Any other information necessary to inform the market about the trading halt, or that we ask for.

The trading halt cannot extend past the commencement of normal trading on the second day after the day on which it is granted. If a trading halt is requested and granted and you are still unable to reply to this letter before the commencement of trading, suspension from quotation would normally be imposed by us from the commencement of trading if not previously requested by you. The same applies if you have requested a trading halt because you are unable to release information to the market, and are still unable to do so before the commencement of trading.

If you have any queries regarding any of the above, please let me know.

Yours sincerely,

[Sent electronically without signature]

Stephanie Yong

**Senior Adviser, Issuers (Sydney)**