

# FORM 6-K

## SECURITIES AND EXCHANGE COMMISSION

Washington, D.C. 20549

Report of Foreign Private Issuer

Pursuant to Rule 13a-16 or 15d-16  
of the Securities Exchange Act of 1934

August 16, 2004

# JAMES HARDIE INDUSTRIES N.V.

(Exact name of Registrant as specified in its charter)

4th Level, Atrium, unit 04-07  
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 by furnishing the information contained in this  
Form, the registrant 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 Statement**

The exhibit attached to this Form 6-K contains forward-looking statements. 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, which are further discussed in our reports submitted to the Securities and Exchange Commission on Forms 20-F and 6-K and in our other filings, include but are not limited to: competition and product pricing in the markets in which we operate; general economic and market conditions; compliance with, and possible changes in, environmental and health and safety laws; dependence on cyclical construction markets; the supply and cost of raw materials; our reliance on a small number of product distributors; the consequences of product failures or defects; exposure to environmental or other legal proceedings; and risks of conducting business internationally. 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 contained 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>
99.1	Statement on Funding Asbestos Compensation – Filed with the Australian Stock Exchange on August 12, 2004

**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: August 16, 2004

By: /s/ W. (Pim) Vlot  
W. (Pim) Vlot  
Secretary

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99.1	Statement on Funding Asbestos Compensation – Filed with the Australian Stock Exchange on August 12, 2004

## company statement

12 August 2004

For media enquiries please contact Chris Falvey on  
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For investor/analyst enquiries please  
contact Steve Ashe on  
Tel: 61 2 8274 5246 or Mob: 0408 164 011

### **Statement on Funding Asbestos Compensation**

On 14 July the Board of JHI NV announced that it was prepared to recommend to shareholders funding of an appropriate NSW statutory scheme to ensure compensation for asbestos injuries for claimants against the former James Hardie subsidiary companies.

In submissions to the Special Commission of Inquiry into the Medical Research and Compensation Foundation (MRCF) today James Hardie provided more details in relation to the scheme that it was proposing.

James Hardie's counsel, Mr Tony Meagher SC, said that the scheme proposed by James Hardie is based on the same numbers of claimants as assumed by KPMG Actuaries in arriving at its central estimate as at 30 June 03, and at the levels of compensation current at that time.

The proposal outlined by counsel also assumes that compensation payments will keep pace with wage inflation.

The principal savings which would come from the introduction of a statutory scheme would come from a reduction in legal costs, and a reduction in superimposed inflation.

The Board of James Hardie continues to affirm the company's legal position, but believes that the proposal will be in the best interest of asbestos claimants and their families, as well as in the best interests of James Hardie shareholders.

Ends

*NB: The Commission posts daily transcripts on its website:  
[http://www.lawlink.nsw.gov.au/Lawlink/Corporate/ll\\_corporate.nsf/pages/MRCF\\_index](http://www.lawlink.nsw.gov.au/Lawlink/Corporate/ll_corporate.nsf/pages/MRCF_index)*

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***Disclaimer***

*Company statements can contain forward-looking statements. 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, which are further discussed in our reports submitted to the Securities and Exchange Commission on Forms 20-F and 6-K and in our other filings, include but are not limited to: competition and product pricing in the markets in which we operate; general economic and market conditions; compliance with, and possible changes in, environmental and health and safety laws; dependence on cyclical construction markets; the supply and cost of raw materials; our reliance on a small number of product distributors; the consequences of product failures or defects; exposure to environmental or other legal proceedings; and risks of conducting business internationally. 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 contained in forward-looking statements. Forward-looking statements speak only as of the date they are made.*

**Statement on Funding Asbestos Compensation**