

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

TABLE OF CONTENTS

Safe Harbor Statement	3
Exhibit Index	4
Signatures	5
EXHIBIT 99.1	

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

<u>Exhibit No.</u>	<u>Description</u>
99.1	Special Commission of Inquiry/Response to Commissioner's Qts – Filed with the Australian Stock Exchange on August 13, 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

EXHIBIT INDEX

Exhibit No.	Description
99.1	Special Commission of Inquiry/Response to Commissioner's Qts – Filed with the Australian Stock Exchange on August 13, 2004

13 August 2004

The Manager
Company Announcements Office
Australian Stock Exchange Limited
20 Bridge Street
SYDNEY NSW 2000

James Hardie Industries N.V.
ARBN 097 829 895
Incorporated in The Netherlands
The liability of members is limited

Level 3, 22 Pitt Street
SYDNEY NSW 2000

Telephone: (02) 8274 5274
Fax: (02) 8274 5217

GPO Box 3935
Sydney NSW 2001 Australia

Dear Sir

Special Commission of Inquiry

During proceedings at the Inquiry today, counsel for James Hardie Industries NV responded to various questions and undertook to provide a written statement in response to questions from the Commissioner, Mr David Jackson QC concerning James Hardie's proposed statutory scheme. The attached response will be provided to the Commission today.

The public hearings of the Inquiry are now concluded and the Commissioner has advised the final report is scheduled to be delivered to the NSW Governor on 21 September 2004.

Yours faithfully

/s/ Alan T. Kneeshaw

A T KNEESHAW
MANAGER SECRETARIAL SERVICES

Response to the Commissioner's questions concerning the scheme proposed by JHI NV

At T4044-4045, it was indicated that JHI NV wished to make a written response to the three aspects as stated by the Commissioner as follows:

COMMISSIONER: Well, so far as I'm concerned, am I right in understanding the position as being that I'm able to say that subject to approval by the board of JHI NV-

MEAGHER: And its shareholders.

COMMISSIONER: And its shareholders, that the proposal is that there be an endeavour to arrive at a scheme whereby all persons who might have claims from time to time against Amaca/Amaba arising from asbestos manufacture and so on and so on in the past, would be the subject of the scheme in the first place.

The second thing is that the scheme would be one, an endeavour of which would be to arrive at a relatively simple and expeditious way of assessing the claims and dealing with them and ensuring payment for victims as expeditiously as possible.

And a third aspect of it would be to the extent of which in any period such as a year, there might be a shortfall or a proposed likely shortfall that that sum would be one that would be made up by JHI NV.

As to the first aspect, JHI NV confirms that it proposes to ask its shareholders to approve a scheme which would apply to all persons who might have claims from time to time against Amaca and Amaba and JHIL arising from asbestos manufacture. The scheme would be funded by JHI NV in a manner to be agreed and JHI NV acknowledges that its obligation to do so may have to be secured in some way. In order to seek to quantify the magnitude of the proposal, JHI NV's proposal is based on:

- (A) the level of compensation to those claimants being the same as that assumed by the KPMG report as at 30 June 2003 indexed so as to maintain value in real terms, and
- (B) the anticipated number of claimants being that given by the KPMG report.

As to the second aspect, JHI NV confirms that it seeks to have put in place a simple and expeditious administrative process of assessing the claims, dealing with them and providing payment for victims as expeditiously as possible. The expense and stresses of litigation would be removed or considerably reduced.

As to the third aspect, JHI NV recognises the possibility that the number of legitimate claimants may ultimately exceed the number projected in arriving at the KPMG central estimate. It accepts that any scheme will have to accommodate that possibility and that

those additional claims would have to be funded. It expects that this question would be addressed in discussions concerning the working out of the detail of the scheme and in that context JHI NV accepts that it may have to fund the claims of those additional claimants.

As has been stated by Counsel, the board of JHI NV must be satisfied that the funding of such a scheme is affordable and the proposal must be approved by the shareholders.