
**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
of the Securities Exchange Act of 1934**

For the Month of September, 2006

1-15240
(Commission File Number)

JAMES HARDIE INDUSTRIES N.V.

(Exact name of Registrant as specified in its charter)

**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 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](#)
[Exhibit Index](#)
[Signatures](#)

[3](#)
[4](#)
[5](#)

Safe Harbor Statement

The exhibit attached to this Form 6-K contains 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 and prospectuses, in media releases and other written materials and in oral statements made by our officers, directors or employees to analysts, institutional investors, representatives of the media and others. Examples of forward-looking statements include:

- expectations that the conditions precedent to the Final Funding Agreement will be satisfied;
- expectations about payments to a special purpose fund for the compensation of proven asbestos-related personal injury and death claims;
- expectations concerning the Australian Tax Office amended assessment;
- expectations that our credit facilities will be extended or renewed;
- projections of our operating results 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 “Risk Factors” beginning on page 6 of our Form 20-F filed on 7 July 2005 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; 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; our reliance on a small number of product distributors; 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 successful implementation of new software systems; and the successful implementation of the internal control over financial reporting requirements of Section 404 of the Sarbanes-Oxley Act of 2002, as codified by Item 308 of regulation S-K. 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

Exhibit No.	Description
99.1	Update on Implementation of Final Funding Agreement — Filed with the Australian Stock Exchange on September 15, 2006.

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: September 21, 2006

By: /s/ Benjamin Butterfield

Benjamin Butterfield

Secretary

EXHIBIT INDEX

<u>Exhibit No.</u>	<u>Description</u>
99.1	Update on Implementation of Final Funding Agreement — Filed with the Australian Stock Exchange on September 15, 2006.

company statement

15 September 2006

For media enquiries, please call Cameron Hamilton on:

Tel: (02) 8274 5304 or Mob: 0425 344 688.

For analyst enquiries, please call Steve Ashe on:

Tel: (02) 8274 5246; Mob: 0408 164 011.

Update on Implementation of Final Funding Agreement

James Hardie today provided an update on discussions with the NSW Government and Australian Taxation Office (ATO) aimed at resolving outstanding matters relating to the Final Funding Agreement (FFA) signed between James Hardie and the NSW Government in December 2005.

Since the ATO's decision in late June to refuse to endorse the fund established for asbestos claimants as a charity, James Hardie has been involved in ongoing discussions with the NSW Government and ATO regarding the tax treatment of the Special Purpose Fund (SPF).

The company is currently in discussions with the NSW Government in relation to potential and limited amendments to the FFA and related agreements to achieve a satisfactory outcome for all stakeholders which would enable the substantive obligations agreed in the FFA to be implemented in full. The company is working in co-operation with the NSW Government and progress is being made towards achieving such an outcome.

The company has also held meetings with the ATO to seek fresh binding rulings in relation to the tax treatment of the SPF, once the proposed amendments have been agreed. The ATO has been co-operative and has indicated it will treat the determination of the tax treatment as a priority.

James Hardie and the NSW Government are devoting significant time and resources towards resolving these issues and there is goodwill among all stakeholders to removing any remaining barriers to the implementation of the FFA.

On the assumption that a satisfactory outcome is achieved with the NSW Government and the ATO confirms the parties' understanding of the tax outcomes, the company expects an extraordinary general meeting of shareholders would be held within 10 weeks of an agreement being reached.

Work to satisfy the other conditions precedent to the FFA is well advanced, including the preparation of an independent expert's report, an Explanatory Memorandum for shareholders, discussions with lenders and an updated actuarial report by KPMG Actuaries Pty Limited.

James Hardie has received indications that the MRCF currently has sufficient funds to pay asbestos claims until early 2007. James Hardie has begun investigating options for providing interim assistance to the MRCF to obtain funding if negotiations with the NSW Government and ATO are more protracted than is currently expected and, as a result, the existing funding available to the MRCF is exhausted before the FFA is implemented in full.

END

Media Enquiries:

Cameron Hamilton

Telephone: 61 2 8274 5304
Mobile: 61 425 344 688
Email: media@jameshardie.com.au
Facsimile: 61 2 8274 5218

Investor and Analyst Enquiries:

Steve Ashe — Vice President Investor Relations

Telephone: 61 2 8274 5246
Mobile: 61 408 164 011
Email: steve.ashe@jameshardie.com.au
Facsimile: 61 2 8274 5218

www.jameshardie.com**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 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, representatives of the media and others. Examples of forward-looking statements include:

- *expectations that the conditions precedent to the Final Funding Agreement will be satisfied;*
- *expectations about payments to a special purpose fund for the compensation of proven asbestos-related personal injury and death claims;*
- *expectations concerning the company's Australian Tax Office amended assessment;*
- *expectations that the company's credit facilities will be extended or renewed;*
- *projections of operating results or financial condition;*
- *statements regarding plans, objectives or goals, including those relating to competition, acquisitions, dispositions and products;*
- *statements about 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. The company cautions 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 include, but are not limited to, the risk factors discussed under "Risk Factors" beginning on page 6 of the Form 20-F filed on 7 July 2005, and: all matters relating to or arising out of the prior manufacture of products that contained asbestos by current and former James Hardie subsidiaries; compliance with and changes in tax laws and treatments; competition and product pricing in the markets in which the company operates; 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; reliance on a small number of product distributors; 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 successful implementation of new software systems and the successful implementation of the internal control over financial reporting requirements of Section 404 of the Sarbanes-Oxley Act of 2002, as codified by Item 308 of Regulation S-K. The company cautions 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.

Released by James Hardie Industries NV; ARBN 097 829 895.