

**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 May 2022

1-15240  
(Commission File Number)

**JAMES HARDIE INDUSTRIES plc**  
(Translation of registrant's name into English)

Europa House, Second Floor  
Harcourt Centre  
Harcourt Street, Dublin 2, D02, WR20, 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..X.... 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

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## *Forward-Looking Statements*

This Form 6-K contains forward-looking statements. James Hardie Industries plc (the “company”) may from time to time make forward-looking statements in its periodic reports filed with or furnished to the Securities and Exchange Commission, on Forms 20-F and 6-K, in its 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 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 concerning the costs associated with the significant capital expenditure projects at any of the company’s plants and future plans with respect to any such projects;
- expectations regarding the extension or renewal of the company’s credit facilities including changes to terms, covenants or ratios;
- expectations concerning dividend payments and share buy-backs;
- statements concerning the company’s corporate and tax domiciles and structures and potential changes to them, including potential tax charges;
- uncertainty from the discontinuance of LIBOR and transition to any other interest rate benchmark;
- statements regarding the effect and consequences of the COVID-19 public health crisis;
- statements regarding tax liabilities and related audits, reviews and proceedings;
- statements regarding the possible consequences and/or potential outcome of legal proceedings brought against us and the potential liabilities, if any, associated with such proceedings;
- expectations about the timing and amount of contributions to AICF, a special purpose fund for the compensation of proven Australian asbestos-related personal injury and death claims;
- expectations concerning the adequacy of the company’s warranty provisions and estimates for future warranty-related costs;
- statements regarding the company’s ability to manage legal and regulatory matters (including but not limited to product liability, environmental, intellectual property and competition law matters) and to resolve any such pending legal and regulatory matters within current estimates and in anticipation of certain third-party recoveries; and
- statements about economic or housing market conditions in the regions in which we operate, including but not limited to, the levels of new home construction and home renovations, unemployment levels, changes in consumer income, changes or stability in housing values, 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 builder and consumer confidence.

Words such as “believe,” “anticipate,” “plan,” “expect,” “intend,” “target,” “estimate,” “project,” “predict,” “forecast,” “guideline,” “aim,” “will,” “should,” “likely,” “continue,” “may,” “objective,” “outlook” 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 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 "Risk Factors" in Section 3 of the Form 20-F filed with the Securities and Exchange Commission on 17 May 2022, 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 Company subsidiaries; required contributions to AICF, any shortfall in AICF funding 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; the consequences of product failures or defects; exposure to environmental, asbestos, putative consumer class action or other legal proceedings; general economic and market conditions; the supply and cost of raw materials; possible increases in competition and the potential that competitors could copy the Company's products; compliance with and changes in environmental and health and safety laws; risks of conducting business internationally; compliance with and changes in laws and regulations; currency exchange risks; dependence on customer preference and the concentration of the Company's customer base; dependence on residential and commercial construction markets; the effect of adverse changes in climate or weather patterns; use of accounting estimates; risk and uncertainties arising out of the COVID-19 public health crisis, including the impact of COVID-19 on our business, sales, results of operations and financial condition and all other risks identified in the Company's reports filed with Australian, Irish and US securities regulatory agencies and exchanges (as appropriate). The Company cautions you that the foregoing list of factors is not exhaustive and that other risks and uncertainties may cause actual results to differ materially from those referenced in the Company's 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. The Company assumes no obligation to update any forward-looking statements or information except as required by law.

## EXHIBIT INDEX

<b>Exhibit No.</b>	<b>Description</b>
<a href="#">99.1</a>	Results for Announcement to the Market
<a href="#">99.2</a>	ASX Cover 31 March 2022
<a href="#">99.3</a>	Media Release
<a href="#">99.4</a>	Management's Analysis of Results
<a href="#">99.5</a>	Management Presentation
<a href="#">99.6</a>	Consolidated Financial Statements
<a href="#">99.7</a>	KPMG Actuarial Report

**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: 17 May 2022

**James Hardie Industries plc**  
By: /s/ Joseph C. Blasko

Joseph C. Blasko  
General Counsel, Chief Compliance Officer  
and Company Secretary

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T: +353 (0) 1 411 6924  
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17 May 2022

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

Dear Sir/Madam

**Results for Announcement to the Market**

James Hardie announced today its results for the 4th quarter and year ended 31 March 2022 and has filed the following documents with the ASX:

- Appendix 4E: Preliminary Final Report for the year ended 31 March 2022
- Media Release
- Management's Analysis of Results for the year ended 31 March 2022
- Management Presentation
- Consolidated Financial Statements for the year ended 31 March 2022
- KPMG Actuarial Report for the year ended 31 March 2022

Copies of these documents are available on James Hardie's investor relations website at <https://ir.jameshardie.com.au/>.

Yours faithfully  
James Brennan-Chong  
Director of Investor Relations and Market Intelligence

*This announcement has been authorized for release by the Board of Directors of James Hardie Industries plc.*

James Hardie Industries plc is a limited liability company incorporated in Ireland with its registered office at Europa House 2<sup>nd</sup> Floor, Harcourt Centre, Harcourt Street, Dublin 2, D02 WR20, Ireland.

**Directors:** Michael Hammes (Executive Chairman, USA), Persio Lisboa (USA), Anne Lloyd (USA), Rada Rodriguez (Sweden), Suzanne B. Rowland (USA), Nigel Stein (UK).

**Interim Chief Executive Officer and Director:** Harold Wiens (USA)

**Company number:** 485719

**ARBN:** 097 829 895



## Results for Announcement to the Market

### James Hardie Industries plc

ARBN 097 829 895

<b>Appendix 4E - Preliminary Final Report Year Ended 31 March 2022</b>				
Key Information	Year Ended 31 March			
	FY 2022 US\$M	FY 2021 US\$M	Movement	
Net Sales From Ordinary Activities	3,614.7	2,908.7	Up	24%
Profit From Ordinary Activities After Tax Attributable to Shareholders	459.1	262.8	Up	75%
Net Profit Attributable to Shareholders	459.1	262.8	Up	75%
Net Tangible Assets per Ordinary Share	US\$2.18	US\$1.52	Up	43%

#### Dividend Information

- A FY2022 first half ordinary dividend ("**FY2022 first half dividend**") of US40.0 cents per security was paid to CUFS holders on 17 December 2021.
- The record date to determine entitlements to the FY2022 first half dividend was 19 November 2021 (on the basis of proper instruments of transfer received by the Company's registrar, Computershare Investor Services Pty Ltd, Level 4, 60 Carrington Street, Sydney NSW 2000, Australia, by 5:00pm if securities are not CHES approved, or security holding balances established by 5:00pm or such later time permitted by ASTC Operating Rules if securities are CHES approved).
- The FY2022 first half dividend and future dividends will be unfranked for Australian taxation purposes.
- The Company was required to deduct Irish DWT of 25% of the gross dividend amount from this dividend and will be required to for future dividends, unless the beneficial owner has completed and returned a non-resident declaration form (DWT Form).
- The Australian currency equivalent amount of the FY2022 first half dividend paid to CUFS holders was 54.9280 Australian cents.
- No dividend reinvestment plan was in operation for the FY2022 first half ordinary dividend.
- The FY2021 special dividend ("**FY2021 special dividend**") of US0.70 cents per security was paid to CUFS holders on 30 April 2021.

#### Movements in Controlled Entities during the full year Ended 31 March 2022

There were no movements in controlled entities during the full year ended 31 March 2022.

#### Associates and Joint Venture Entities

FELS Recycling GmbH (51%); Aplicaciones Minerales S.A. (28%)

#### Audit

The results and information included within this Preliminary Final Report have been prepared using US GAAP and have been subject to an independent audit by external auditors.

#### Results for the Fourth Quarter and Year Ended 31 March 2022

##### Contents

1. Media Release
2. Management's Analysis of Results
3. Management Presentation
4. Consolidated Financial Statements

James Hardie Industries plc is incorporated under the laws of Ireland with its corporate seat in Dublin, Ireland. The liability of members is limited. The information contained in the above documents should be read in conjunction with the James Hardie 2022 Annual Report which can be found on the company website at <https://ir.jameshardie.com.au/>.

## **James Hardie Industries Announces Fourth Quarter And Fiscal Year 2022 Results**

**Global Net Sales +20% to US\$968.2 Million for the Fourth Quarter**

**Adjusted Net Income +42% to US\$177.5 Million for the Fourth Quarter**

**Global Net Sales +24% to US\$3.6 Billion for the Fiscal Year**

**Adjusted Net Income +36% to US\$620.7 Million for the Fiscal Year**

**Reaffirms Fiscal Year 2023 Adjusted Net Income Guidance Range  
of US\$740 Million and US\$820 Million**

**James Hardie Industries plc (ASX: JHX; NYSE: JHX)**, the world's #1 producer and marketer of high-performance fiber cement and fiber gypsum building solutions, today announced results for its fourth quarter and full year ending 31 March 2022.

### **Fourth Quarter Fiscal Year 2022 Highlights, Compared to Fourth Quarter Fiscal Year 2021, as Applicable:**

- North America Fiber Cement Segment Net Sales increased +25% to US\$694.0 million and EBIT increased +35% to US\$206.1 million, with an EBIT margin of 29.7%
- Asia Pacific Fiber Cement Segment Net Sales increased +23% to A\$200.5 million and EBIT increased +21% to A\$52.8 million, with an EBIT margin of 26.3%
- Europe Building Products Segment Net Sales increased +10% to €115.0 million and EBIT increased 3% to €16.1 million, with an EBIT margin of 14.0%
- Global Adjusted EBIT increased +30% to US\$225.3 million, with an Adjusted EBIT margin of 23.3%
- Global Net Sales increased +20% on Global Volume growth of +9%, as all three regions continue to deliver on the global strategy of driving high value product mix penetration

In the fourth quarter, we continued to deliver growth above market and strong returns. As outlined during our investor day in May 2021, we described our three critical strategic initiatives for fiscal year 2022 through fiscal year 2024: (1) market directly to homeowners to accelerate demand creation, (2) penetrate and drive profitable growth in existing and new segments, especially in Repair & Remodel, and (3) commercialize global innovations by expanding into new categories. Further, we discussed our focus on driving a high value product mix in all three regions.

Speaking to the fourth quarter result, James Hardie Interim CEO Harold Wiens said, “I am delighted to report that the James Hardie team has continued to deliver strong execution of our global strategy. This is reflected in strong Price/Mix growth in all three regions, including North America Price/Mix growth of +12%, Asia Pacific Price/Mix growth of +11% and Europe Price/Mix growth of +14%. The global team’s success in delivering high value products, is the result of (1) enabling our customers to make more money by selling more James Hardie products and, (2) marketing directly to the homeowners to create demand of our high value products through our customers.”

Mr. Wiens continued, “The team’s execution on delivering our high value product mix strategy resulted in fourth quarter Global Net Sales increasing +20% to US\$968.2 million with Global volume growth of +9%. Global Adjusted EBIT increased +30% to US\$225.3 million. The focus on a high value product mix combined with the execution of LEAN, has enabled us to absorb high input cost pressures and invest significantly in marketing, innovation and talent.”

Mr. Wiens concluded, “I believe our strategy, along with the depth in our world class leadership team and 5,000 committed and hard-working employees, will drive James Hardie to meet our mission of being a high-performance global company that delivers organic growth above market with strong returns.”

#### **Fourth Quarter Fiscal Year 2022 Results Compared to Fourth Quarter Fiscal Year 2021 Results**

*Global:* Global Net Sales increased +20% to US\$968.2 million, while Global Adjusted EBIT increased +30% to US\$225.3 million. Global Adjusted Net Income increased +42% to US\$177.5 million, compared to US\$124.9 million in the prior period. Global Adjusted EBIT margin of 23.3% was achieved through continued operational improvements and the delivery of a high value product mix, partially offset by high inflation and our ongoing reinvestment in growth initiatives.

*North America Fiber Cement Segment:* Net Sales increased +25% to US\$694.0 million, driven by ongoing execution of our high value product mix strategy that delivered Price/Mix growth of +12%, with strong volume growth of +13% in the quarter. In addition to high value product mix, LEAN manufacturing initiatives continued to generate improved performance across the Company’s North American manufacturing network, helping to deliver +35% EBIT growth to US\$206.1 million. Our EBIT margin expanded 220 basis points to 29.7%, an exceptional result underpinned by delivery of a high value product mix that helped to offset high inflation and ongoing reinvestment in growth initiatives.

North America President, Sean Gadd remarked, “Our North America business delivered another outstanding quarter of Net Sales and EBIT growth, led by the team’s execution of the high value product mix strategy. By partnering with customers to drive shared growth goals, focusing on creating demand by marketing directly to the homeowner, and the additional capacity provided by our on-time ramp up of the Prattville facility, we are well positioned to sustain growth above market and deliver strong returns. I am particularly pleased with the 10% Price/Mix growth achieved in Fiscal Year 2022. I believe our North America business remains well positioned to deliver strong Net Sales and EBIT growth in Fiscal Year 2023.”

*Asia Pacific Fiber Cement Segment:* Net sales increased +23% to A\$200.5 million. EBIT increased +21% to A\$52.8 million, at an EBIT margin of 26.3%. The strong EBIT margin of 26.3% was achieved through the delivery of high value product mix offset by the impact of high inflation and our ongoing reinvestment in growth initiatives.

Mr. Wiens remarked, “The APAC team has delivered another strong set of results. The team’s focus on the high value product mix strategy and partnering closely with our customers allowed the business to deliver 11% Price/Mix growth.” During the quarter, the team successfully acquired land in Victoria. The greenfield site in Melbourne is part of the group’s global strategic capacity expansion program and will be the fourth manufacturing site within James Hardie’s Asia Pacific manufacturing network. Mr. Wiens continued, “Adding a manufacturing site in the State of Victoria enables James Hardie to continue to meet the strong demand for our high value products in the Asia Pacific region. As we continue our strategic focus on marketing directly to the homeowner and commercializing market-led innovations, this site will help us not only meet this demand but enable the manufacturing of new innovations and existing high value products.”

*Europe Building Products Segment:* Net sales increased +10% to €115.0 million, as we partnered with our customers to drive a high value product mix, which resulted in Price/Mix growth of +14%. Fiber cement Net Sales grew +18% and Fiber Gypsum Net Sales grew +9%. EBIT increased 3% to €16.1 million, with an EBIT margin of 14.0%. The EBIT margin was reduced by 100 basis points, due to the impact of inflation on key energy prices.

Chief Financial Officer, Jason Miele remarked, “The European team’s execution on our high value product mix strategy is resulting in strong Price/Mix growth that is transforming the business. Momentum in EBIT margin expansion has returned in the fourth quarter as EBIT margin returned to 14.0%, as guided to in the third quarter results call, as the team’s mitigation efforts have offset inflationary pressures. The European business is well positioned for continued Net Sales and EBIT growth in fiscal year 2023.”

### **Capital Resources**

Fiscal Year 2022 represented the second straight year of delivering excellent Operating Cash Flow at a step-changed level. Strong operating cash flow generation of US\$757.2 million in fiscal year 2022 was driven by continuous improvement in our LEAN manufacturing performance, strong profitable organic sales growth and the integration of our supply chain with our customers.

James Hardie CFO, Jason Miele, stated, “Our strong cash flow generation the past two fiscal years, totaling over US\$1.5 billion, has enabled us to redeem senior unsecured notes, declare dividends totaling US\$623 million, including a second half dividend of US\$0.30 cents per share announced today, and contribute over US\$400 million to the AICF during this two year period, while also announcing a significant global capacity expansion plan.”

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## Sustainability

At James Hardie, we are all committed to Building Sustainable Communities. This commitment is to 1) the smallest of communities - the individual household, 2) the James Hardie community, 3) the local communities in which we live and operate and 4) the largest of all communities, the global ecosystem. To build sustainable communities, we aim to transform the way the world builds with products that are, safer, higher performing, more beautiful and more sustainable. Commenting on sustainability, Mr. Wiens stated “Sustainability and ESG are a part of our strategy, it is not a separate and distinct initiative, but rather it is woven into how we operate and core to our strategy.”

For more on our commitment to Sustainability including our goals, see our FY21 Sustainability Report at <https://ir.jameshardie.com.au/esg/sustainability>

Our FY22 Sustainability Report will be published and available in July 2022.

## Outlook and Earnings Guidance

Based on the continued, strong execution of the global strategy across all three regions management reaffirms fiscal year 2023 Adjusted Net Income guidance range of US\$740 million and US\$820 million. The comparable prior year Adjusted Net Income for fiscal year 2022 was US\$620.7 million.

James Hardie's guidance is based on current estimates and assumptions and is subject to several known and unknown uncertainties and risks, including those related to the COVID-19 pandemic.

### Key Financial Information

	Q4 FY22	Q4 FY21	Change	FY22	FY21	Change
<b>Group (US\$ millions)</b>						
Net Sales	968.2	807.0	20%	3,614.7	2,908.7	24%
Adjusted EBIT	225.3	173.1	30%	815.6	629.0	30%
Adjusted EBIT Margin	23.3%	21.4%	1.9 pts	22.6%	21.6%	1.0 pts
Adjusted Net Income	177.5	124.9	42%	620.7	458.0	36%
Operating Cash Flow				757.2	786.9	-4%
<b>North America Fiber Cement (US\$ millions)</b>						
Net Sales	694.0	555.3	25%	2,551.3	2,040.2	25%
Adjusted EBIT	206.1	152.9	35%	741.2	588.0	26%
Adjusted EBIT Margin	29.7%	27.5%	2.2 pts	29.1%	28.8%	0.3 pts
<b>Asia Pacific Fiber Cement (A\$ millions)</b>						
Net Sales	200.5	162.6	23%	777.7	635.2	22%
Adjusted EBIT	52.8	43.7	21%	217.4	177.3	23%
Adjusted EBIT Margin	26.3%	26.9%	-0.6 pts	28.0%	28.0%	Flat
<b>Europe Building Products (€ millions)</b>						
Net Sales	115.0	104.6	10%	420.5	350.6	20%
Adjusted EBIT	16.1	15.7	3%	54.2	35.9	51%
Adjusted EBIT Margin	14.0%	15.0%	-1.0 pts	12.9%	10.4%	2.5 pts

### Further Information

Readers are referred to the Company's Consolidated Financial Statements and Management's Analysis of Results for the full year ended 31 March 2022 for additional information regarding the Company's results, including information regarding income taxes, the asbestos liability and contingent liabilities.

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### Management Briefing for Analysts, Investors and Media

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James Hardie will conduct a teleconference and audio webcast for analysts, investors, and media on Tuesday 17 May 2022, 8:30am Sydney, Australia time (Monday 16 May 2022, 6:30pm New York City, USA time). Analysts, investors, and media can access the management briefing via the following:

All participants wishing to join the teleconference will need to pre-register by navigating to:

<https://s1.c-conf.com/diamondpass/10021188-ayw3r7.html>

Once registered, you will receive a calendar invite with dial-in numbers and a unique PIN which will be required to join the call.

Webcast Replay: Will be available two hours after the Live Webcast concludes at <https://ir.jameshardie.com.au>

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### Use of Non-GAAP Financial Information; Australian Equivalent Terminology

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This Media Release includes financial measures that are not considered a measure of financial performance under generally accepted accounting principles in the United States (GAAP), such as Adjusted net income and Adjusted EBIT. These non-GAAP financial measures should not be considered to be more meaningful than the equivalent GAAP measure. Management has included such measures to provide investors with an alternative method for assessing its operating results in a manner that is focused on the performance of its ongoing operations and excludes the impact of certain legacy items, such as asbestos adjustments. Additionally, management uses such non-GAAP financial measures for the same purposes. However, these non-GAAP financial measures are not prepared in accordance with GAAP, may not be reported by all of the Company's competitors and may not be directly comparable to similarly titled measures of the Company's competitors due to potential differences in the exact method of calculation. The Company is unable to forecast the comparable US GAAP financial measure for future periods due to, amongst other factors, uncertainty regarding the impact of actuarial estimates on asbestos-related assets and liabilities in future periods. For additional information regarding the non-GAAP financial measures presented in this Media Release, including a reconciliation of each non-GAAP financial measure to the equivalent GAAP measure, see the section titled "Non-GAAP Financial Measures" included in the Company's Management's Analysis of Results for the full year ended 31 March 2022.

In addition, this Media Release includes financial measures and descriptions that are considered to not be in accordance with GAAP, but which are consistent with financial measures reported by Australian companies, such as EBIT and EBIT margin. Since the Company prepares its Consolidated Financial Statements in accordance with GAAP, the Company provides investors with definitions and a cross-reference from the non-GAAP financial measure used in this Media Release to the equivalent GAAP financial measure used in the Company's Consolidated Financial Statements. See the section titled "Non-GAAP Financial Measures" included in the Company's Management's Analysis of Results for the full year ended 31 March 2022.

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**Forward-Looking Statements**

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This Media Release contains forward-looking statements and information that are necessarily subject to risks, uncertainties and assumptions. Many factors could cause the actual results, performance or achievements of James Hardie to be materially different from those expressed or implied in this release, including, among others, the risks and uncertainties set forth in Section 3 “Risk Factors” in James Hardie’s Annual Report on Form 20-F for the year ended 31 March 2022; changes in general economic, political, governmental and business conditions globally and in the countries in which James Hardie does business; changes in interest rates; changes in inflation rates; changes in exchange rates; the level of construction generally; changes in cement demand and prices; changes in raw material and energy prices; changes in business strategy and various other factors. Should one or more of these risks or uncertainties materialize, or should underlying assumptions prove incorrect, actual results may vary materially from those described herein. James Hardie assumes no obligation to update or correct the information contained in this Media Release except as required by law.

This media release has been authorized by the James Hardie Board of Directors.

END

**Investor/Media/Analyst Enquiries:**

James Brennan-Chong  
Director of Investor Relations and Market Intelligence

**Telephone:** +61 2 9638 9205  
**Email:** [media@jameshardie.com.au](mailto:media@jameshardie.com.au)

James Hardie Industries plc is a limited liability company incorporated in Ireland with its registered office at Europa House, 2nd Floor, Harcourt Centre, Harcourt Street, Dublin 2, D02 WR20, Ireland



## Management's Analysis of Results

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This Management's Analysis of Results forms part of a package of information about James Hardie Industries plc's results. It should be read in conjunction with the other parts of this package, including the Media Release, the Management Presentation and the Consolidated Financial Statements. Except as otherwise indicated in this Management's Analysis of Results, James Hardie Industries plc is referred to as "JHI plc." JHI plc, together with its direct and indirect wholly-owned subsidiaries, are collectively referred to as "James Hardie," the "Company," "we," "our," or "us." Definitions for certain capitalized terms used in this Management's Analysis of Results can be found in the section titled "Non-GAAP Financial Measures."

This Management's Analysis of Results includes financial measures that are not considered a measure of financial performance under generally accepted accounting principles in the United States ("GAAP"). These non-GAAP financial measures should not be considered to be more meaningful than the equivalent GAAP measures. Management has included such measures to provide investors with an alternative method for assessing its financial condition and operating results in a manner that is focused on the performance of its ongoing operations. These measures exclude the impact of certain legacy items, such as asbestos adjustments, or significant non-recurring items, such as asset impairments, restructuring expenses, as well as adjustments to tax expense. In addition, management provides an adjusted effective tax rate, which excludes the tax impact of the pre-tax special items (items listed above) and tax special items. Management believes that this non-GAAP tax measure provides an ongoing effective rate which investors may find useful for historical comparisons and for forecasting and is an alternative method of assessing the economic impact of taxes on the Company, as it more closely approximates payments to taxing authorities. Management uses such non-GAAP financial measures for the same purposes. These non-GAAP measures should not be considered a substitute for, or superior to, measures of financial performance prepared in accordance with GAAP. These non-GAAP financial measures are not prepared in accordance with GAAP, may not be reported by all of the Company's competitors and may not be directly comparable to similarly titled measures of the Company's competitors due to potential differences in the exact method of calculation. For additional information regarding the non-GAAP financial measures presented in this Management's Analysis of Results, including a reconciliation of each non-GAAP financial measure to the equivalent GAAP measure, see the section titled "Non-GAAP Financial Measures." In addition, this Management's Analysis of Results includes financial measures and descriptions that are considered to not be in accordance with GAAP, but which are consistent with financial measures reported by Australian companies. Since James Hardie prepares its consolidated financial statements in accordance with GAAP, the Company provides investors with definitions and a cross-reference from the non-GAAP financial measure used in this Management's Analysis of Results to the equivalent GAAP financial measure used in the Company's Consolidated Financial Statements. See the section titled "Non-GAAP Financial Measures."

These documents, along with an audio webcast of the Management Presentation on 17 May 2022, are available from the Investor Relations area of our website at [ir.jameshardie.com.au](http://ir.jameshardie.com.au)

### Investor/Media/Analyst Inquiries:

James Brennan-Chong  
Director of Investor Relations and Market Intelligence

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**Email:** [media@jameshardie.com.au](mailto:media@jameshardie.com.au)

## Overview

James Hardie Industries plc is a world leader in the manufacturing of fiber cement building solutions, and a market leader in fiber gypsum and cement-bonded boards in Europe. Our fiber cement building materials include a wide-range of products for both external and internal use across a broad range of applications. We have four reportable segments: North America Fiber Cement, Asia Pacific Fiber Cement, Europe Building Products and Research and Development.

## Full Year Financial Highlights

US\$ Millions (except per share data)	Full Year Ended 31 March		
	FY22	FY21	Change
Net sales	\$ 3,614.7	\$ 2,908.7	24%
Gross margin (%)	36.3	36.2	0.1 pts
EBIT	682.6	472.8	44%
EBIT margin (%)	18.9	16.3	2.6 pts
Adjusted EBIT <sup>1</sup>	815.6	629.0	30%
Adjusted EBIT margin (%) <sup>1</sup>	22.6	21.6	1.0 pts
Net income	459.1	262.8	75%
Adjusted Net income <sup>1</sup>	620.7	458.0	36%
Earnings per share - diluted	\$ 1.03	\$ 0.59	
Adjusted earnings per share - diluted <sup>1</sup>	\$ 1.39	\$ 1.03	

<sup>1</sup> See section titled "Non-GAAP Financial Measures" for a reconciliation to the equivalent GAAP measure

- **Net sales** increased 24% to US\$3,614.7 million, driven by Price/Mix growth of 10% as we continue to execute our global strategy of driving high value product mix, and volume growth of 14%. Our Price/Mix is the result of 1) enabling our customers to drive an increase in revenue by selling more James Hardie products and, 2) marketing directly to homeowners to create demand for our high value products through our customers.
- **Adjusted EBIT** increased 30% to US\$815.6 million with an adjusted EBIT margin of 22.6%. On a global basis, the shift to driving growth with a high value product mix combined with the continued execution of LEAN, enabled us to absorb very high input cost pressures in fiscal year 2022, while investing significantly in marketing and innovation which led to an increase in SG&A of 18%.

The Company's critical strategic initiatives for the next three years remain unchanged and our global management team is committed to executing our strategies which include: (1) marketing directly to homeowners to accelerate demand creation, (2) penetrating and driving profitable growth in existing and new segments, especially Repair and Remodel, and (3) commercializing global innovations by expanding into new categories.

As part of our commercializing global innovations strategic initiative, we previously announced the release of our Hardie™ Architectural Collection, which includes the launch of two new products, Hardie® Architectural Panel - Sculpted Clay and Hardie® Architectural Panel - Sea Grass.

The full year consolidated results delivered strong results and growth above market, as we are continuing to deliver on these stated strategic goals.

## North America Fiber Cement Segment

Operating results for the North America Fiber Cement segment were as follows:

US\$ Millions	Full Year Ended 31 March		
	FY22	FY21	Change
Volume (mmsf)	3,112.2	2,713.4	15%
Fiber cement net sales	2,551.3	2,040.2	25%
Gross profit			26%
Gross margin (%)			0.3 pts
EBIT	741.2	585.5	27%
EBIT margin (%)	29.1	28.7	0.4 pts
Restructuring expenses	—	2.5	(100)%
Adjusted EBIT	741.2	588.0	26%
Adjusted EBIT margin (%)	29.1	28.8	0.3 pts

### FY22 vs FY21

Net sales increased 25% on the strength of exteriors volume growth of 17% and an increase in our Price/Mix of 10% resulting from the execution of our strategy to drive a high value product mix combined with our strategic pricing increases during the year.

Gross margin increased as a result of the following components:

Higher average net sales price	5.2 pts
Higher production and distribution costs	(4.9 pts)
<b>Total percentage point change in gross margin</b>	<b>0.3 pts</b>

Higher production and distribution costs resulted from higher input costs, primarily pulp, freight costs and start-up costs related to our Prattville and Summerville plants.

SG&A expenses increased 27%, driven by our strategy to market directly to homeowners and strategic investments in growth initiatives, compared to cost containment actions taken in the prior year. As a percentage of sales, SG&A expenses increased 0.1 percentage point.

Restructuring expenses of US\$2.5 million in the prior year consist solely of severance costs related to a reduction in headcount across the region in order to strategically realign our resources.

EBIT margin increased 0.4 percentage points to 29.1%, driven by higher gross margin and lower restructuring expenses.

**Asia Pacific Fiber Cement Segment**

The Asia Pacific Fiber Cement segment is comprised of the following regions: (i) Australia; (ii) New Zealand; and (iii) the Philippines.

Operating results for the Asia Pacific Fiber Cement segment in US dollars were as follows:

US\$ Millions	Full Year Ended 31 March		
	FY22	FY21	Change
Volume (mmsf)	633.3	542.0	17%
Fiber cement net sales	574.9	458.2	25%
Gross profit			29%
Gross margin (%)			0.9 pts
EBIT	160.8	124.8	29%
EBIT margin (%)	28.0	27.2	0.8 pts
Restructuring expenses	—	3.4	(100)%
Adjusted EBIT	160.8	128.2	25%
Adjusted EBIT margin (%)	28.0	28.0	— pts

Operating results for the Asia Pacific Fiber Cement segment in Australian dollars were as follows:

A\$ Millions	Full Year Ended 31 March		
	FY22	FY21	Change
Volume (mmsf)	633.3	542.0	17%
Fiber cement net sales	777.7	635.2	22%
Gross profit			26%
Gross margin (%)			0.9 pts
EBIT	217.4	172.4	26%
EBIT margin (%)	28.0	27.2	0.8 pts
Restructuring expenses	—	4.9	(100)%
Adjusted EBIT	217.4	177.3	23%
Adjusted EBIT margin (%)	28.0	28.0	— pts

## FY22 vs FY21 (A\$)

Net sales increased 22%, driven by volume growth of 17% and Price/Mix growth of 5%. All three regions experienced strong volume growth, compared to lower volumes in the prior year due to the COVID-19 government enforced lockdowns in the Philippines and New Zealand. The 5% growth in Price/Mix was driven by our execution of our high value product mix strategy in Australia and New Zealand where Price/Mix increased 10%. This was offset by geographic mix, as a higher proportion of our sales were in the Philippines which has a lower average net sales price. Volumes in the Philippines increased 28%.

The increase in gross margin can be attributed to the following components:

Higher average net sales price	2.8 pts
Higher production and distribution costs	(1.9 pts)
<b>Total percentage point change in gross margin</b>	<b>0.9 pts</b>

Higher production and distribution costs were driven by higher input costs, and higher manufacturing costs related to producing a high value product mix. This increase was partially offset by favorable plant performance including LEAN manufacturing savings in Australia, the efficiencies realized from shifting to an import model for the New Zealand region and a higher proportion of sales in the Philippines which have a lower cost.

SG&A expenses increased 36%, primarily driven by higher marketing expenses and our investment in additional headcount to drive growth. As a percentage of sales, SG&A expenses increased 0.9 percentage points.

In the prior year, restructuring expenses of A\$4.9 million consist solely of severance costs, primarily associated with our strategic decision to shift our New Zealand regional production to our two Australia based plants, and a reduction in headcount across the region to realign our resources.

EBIT margin of 28.0% represents an increase of 0.8 percentage points, primarily driven by higher gross margin and lower restructuring expenses, partially offset by higher SG&A expenses as a percentage of sales.

## Europe Building Products Segment

The Europe Building Products segment is comprised of: (i) Europe Fiber Cement; and (ii) Europe Fiber Gypsum.

Operating results for the Europe Building Products segment in US dollars were as follows:

US\$ Millions	Full Year Ended 31 March		
	FY22	FY21	Change
Volume (mmsf)	952.6	876.0	9%
Fiber cement net sales	76.3	55.3	38%
Fiber gypsum net sales <sup>1</sup>	412.2	355.0	16%
Net sales	488.5	410.3	19%
Gross profit			13%
Gross margin (%)			(1.5 pts)
EBIT	62.9	37.6	67%
EBIT margin (%)	12.9	9.2	3.7 pts
Restructuring expenses	—	5.1	(100)%
Adjusted EBIT	62.9	42.7	47%
Adjusted EBIT margin (%)	12.9	10.4	2.5 pts

<sup>1</sup> Also includes cement bonded board net sales

Operating results for the Europe Building Products segment in Euros were as follows:

€ Millions	Full Year Ended 31 March		
	FY22	FY21	Change
Volume (mmsf)	952.6	876.0	9%
Fiber cement net sales	65.6	47.2	39%
Fiber gypsum net sales <sup>1</sup>	354.9	303.4	17%
Net sales	420.5	350.6	20%
Gross profit			14%
Gross margin (%)			(1.5 pts)
EBIT	54.2	31.4	73%
EBIT margin (%)	12.9	9.2	3.7 pts
Restructuring expenses	—	4.5	(100)%
Adjusted EBIT	54.2	35.9	51%
Adjusted EBIT margin (%)	12.9	10.4	2.5 pts

<sup>1</sup> Also includes cement bonded board net sales

## FY22 vs FY21 (€)

Net sales increased 20%, driven by increases in fiber cement and fiber gypsum of 39% and 17%, respectively. The increase in net sales is attributed to our continued execution of our push/pull strategy, the introduction of our new Hardie® VL Plank product and low volumes in Q1 of the prior year resulting from the COVID-19 government enforced shutdowns in the UK and France. Price/Mix increased 11%, due to our shift to a higher value mix in both our fiber cement and fiber gypsum product lines.

The decrease in gross margin is attributed to the following components:

Higher average net sales price	5.0 pts
Higher production and distribution costs	(6.5 pts)
<b>Total percentage point change in gross margin</b>	<b>(1.5 pts)</b>

Higher production and distribution costs were driven by higher input costs (primarily energy, paper and packaging costs). The unfavorable impact of energy costs, mainly related to the hyperinflation in natural gas, was approximately €9.4 million.

SG&A expenses decreased from prior year primarily due to the favorable impact of reversing a bad debt allowance, and a focus to moderate spending to neutralize the higher energy costs. These decreases more than offset our spend related to our growth initiatives, including talent and marketing. As a percentage of sales, SG&A expenses decreased 3.9 percentage points.

In the prior year, restructuring expenses of €4.5 million consist solely of severance costs, primarily associated with the reduction of headcount across the region to strategically realign our resources.

EBIT margin of 12.9% increased 3.7 percentage points, driven by the 14% increase in gross profit, lower SG&A expenses as a percentage of sales and lower restructuring expenses.

## General Corporate

Results for General Corporate were as follows:

US\$ Millions	Full Year Ended 31 March		
	FY22	FY21	Change %
General Corporate SG&A expenses	\$ 114.9	\$ 101.1	14
Asbestos:			
Asbestos adjustments loss	131.7	143.9	(8)
AICF SG&A expenses	1.3	1.2	8
General Corporate costs	\$ 247.9	\$ 246.2	1

General Corporate SG&A expenses increased US\$13.8 million primarily due to legal reserves recorded in the fourth quarter, investment in global growth initiatives, including talent and marketing investments, partially offset by lower stock compensation expenses.

Asbestos adjustments primarily reflect the annual actuarial adjustment recorded in line with KPMGA's actuarial report, as well as the non-cash foreign exchange re-measurement impact on asbestos related balance sheet items, driven by the change in the AUD/USD spot exchange rate from the beginning balance sheet date to the ending balance sheet date, for each respective period. In addition, these amounts are partially offset by gains and losses on foreign currency forward contracts related to future AICF payments.

The AUD/USD spot exchange rates are shown in the table below:

FY22		FY21	
31 March 2021	0.7601	31 March 2020	0.6177
31 March 2022	0.7482	31 March 2021	0.7601
Change (\$)	(0.0119)	Change (\$)	0.1424
Change (%)	(2)	Change (%)	23

Asbestos adjustments recorded by the Company were made up of the following components:

US\$ Millions	Full Year Ended March	
	FY22	FY21
Change in estimates	\$ 140.9	\$ 32.5
Effect of foreign exchange on Asbestos net liabilities	(13.2)	123.0
Loss (gain) on foreign currency forward contracts	5.3	(11.7)
Other	(1.3)	0.1
Asbestos adjustments loss	\$ 131.7	\$ 143.9

The increase in the actuarial adjustment for fiscal year 2022 is due to the annual inflation adjustment, increased claims sizes and expected mesothelioma claims activity.

Changes to the assumptions may be necessary in future periods should mesothelioma claims reporting escalate or decline. Potential variation in the estimated peak period of claims has an impact much greater than the other assumptions used to derive the discounted central estimate. In performing the sensitivity assessment of the estimated incidence pattern reporting for mesothelioma, if the pattern of incidence was shifted by two years, the central estimate could increase by approximately 21% on a discounted basis.

Readers are referred to Note 12 of our 31 March 2022 consolidated financial statements for further information on asbestos.



**Interest, net**

US\$ Millions	Full Year Ended 31 March		
	FY22	FY21	Change %
Gross interest expense	\$ 42.2	\$ 58.0	(27)
Capitalized interest	(1.9)	(9.5)	(80)
Interest income	(0.1)	(0.2)	(50)
Net AICF interest income	(0.9)	(0.5)	80
<b>Interest, net</b>	<b>\$ 39.3</b>	<b>\$ 47.8</b>	<b>(18)</b>

Gross interest expense decreased US\$15.8 million, primarily due to the redemption of our 2025 senior unsecured notes in the fourth quarter of fiscal year 2021. The decrease in capitalized interest is due to a lower average amount of accumulated capital expansion project spend, primarily due to the commissioning of our Prattville, Alabama plant.

**Income Tax**

	Full Year Ended 31 March		
	FY22	FY21	Change
Income tax expense (US\$ Millions)	184.0	149.2	23%
Effective tax rate (%)	28.6	36.2	(7.6 pts)
Adjusted income tax expense <sup>1</sup> (US\$ Millions)	154.5	109.7	41%
Adjusted effective tax rate <sup>1</sup> (%)	19.9	19.3	0.6 pts

<sup>1</sup> Includes tax adjustments related to the amortization benefit of certain US intangible assets, asbestos, and other tax adjustments

The effective tax rate decreased 7.6 percentage points, primarily due to Asbestos, partially offset by other tax adjustments.

The Adjusted effective tax rate increased 0.6 percentage point, primarily due to a change in geographic mix.

**Net Income**

US\$ Millions	Full Year Ended 31 March		
	FY22	FY21	Change %
<b>EBIT</b>			
North America Fiber Cement <sup>f</sup>	\$ 741.2	\$ 588.0	26
Asia Pacific Fiber Cement <sup>f</sup>	160.8	128.2	25
Europe Building Products <sup>1</sup>	62.9	42.7	47
Research and Development	(34.4)	(28.8)	(19)
General Corporate <sup>2</sup>	(114.9)	(101.1)	(14)
<b>Adjusted EBIT</b>	<b>815.6</b>	<b>629.0</b>	<b>30</b>
<b>Net income</b>			
Adjusted interest, net <sup>2</sup>	40.2	48.3	(17)
Other expense (income)	0.2	(0.1)	300
Loss on early extinguishment of debt	—	13.1	(100)
Adjusted income tax expense <sup>3</sup>	154.5	109.7	41
<b>Adjusted net income</b>	<b>\$ 620.7</b>	<b>\$ 458.0</b>	<b>36</b>

<sup>1</sup> Excludes restructuring expenses

<sup>2</sup> Excludes Asbestos-related expenses and adjustments

<sup>3</sup> Includes tax adjustments related to the amortization benefit of certain US intangible assets, asbestos and other tax adjustments

Adjusted net income of US\$620.7 million increased 36%, driven by strong performance in all operating segments, partially offset by higher adjusted income tax expense.

## Cash Flow

US\$ Millions	Full Year Ended 31 March			
	FY22	FY21	Change	Change %
Net cash provided by operating activities	\$ 757.2	\$ 786.9	\$ (29.7)	(4)
Net cash used in investing activities	348.2	120.4	227.8	189
Net cash used in financing activities	449.6	540.2	(90.6)	(17)

Significant sources and uses of cash during fiscal year 2022 included:

- Cash provided by operating activities:
  - Higher net sales and profitability in each of our regions led to net income, adjusted for non-cash items, of US\$849.9 million;
  - Working capital increased by US\$1.5 million; and
  - Asbestos claims paid of US\$118.8 million.
- Cash used in investing activities:
  - Capital expenditures of US\$257.8 million, including the following capacity expansion projects: Prattville Trim line, Prattville Sheet Machines #3 and #4, Massachusetts ColorPlus® finishing line, the Summerville restart and a deposit on land in Melbourne, Australia; and
  - AICF net investments of US\$88.5 million.
- Cash used in financing activities:
  - Dividend payments of US\$484.0 million;
  - Partially offset by US\$40.0 million net drawdowns on our revolving credit facility.

The 4% decrease in net cash provided by operating activities is primarily related to the US\$64.8 million CARES Act tax refund received in the prior year.

## Capacity Expansion

We are investing in a transformational global capacity expansion program, including brownfield and greenfield expansions in all three regions. Through the end of fiscal year 2026, we expect to commission the following:

### North America

- Trim finishing capacity in Prattville, Alabama
- ColorPlus® finishing capacity in Westfield, Massachusetts
- Sheet Machines #3 and #4 in Prattville, Alabama
- Fiber Cement greenfield capacity (location TBD)

### Asia Pacific

- Brownfield expansion in Carole Park, Australia
- Fiber Cement greenfield capacity in Melbourne, Australia

### Europe

- Fiber Gypsum brownfield expansion in Orejo, Spain
- Fiber Cement greenfield capacity (location TBD)

Over the next four years we anticipate investing between US\$1.6 billion to US\$1.8 billion in capital expenditures.

### Liquidity and Capital Allocation

Our cash position decreased by US\$83.5 million, from US\$208.5 million at 31 March 2021 to US\$125.0 million at 31 March 2022.

Our gross debt balance increased from US\$868.3 million at 31 March 2021 to US\$886.4 million at 31 March 2022. During the third quarter of fiscal year 2022, we entered into a new US\$600.0 million revolving credit facility maturing in December 2026, which replaced the prior revolving credit facility which was set to expire in December 2022. The new facility includes two optional one year extension periods. At 31 March 2022, we have US\$40.0 million drawn.

Based on our existing cash balances, together with anticipated operating cash flows and unutilized credit facilities, we anticipate we will have sufficient funds to meet our planned working capital and other expected cash requirements for the next twelve months.

### Capital Management

We periodically review our capital structure and capital allocation objectives and expect the following capital management focus in the short term:

- Preserve and enable strong liquidity position and financial flexibility;
- Invest in organic growth: capacity expansion, market driven innovation and marketing directly to the homeowner;
- Maintain leverage ratio of 1-2x; and
- Return capital to shareholders:
  - Returned US\$309.9 million through special dividend in April 2021; and
  - Returned US\$174.1 million through ordinary half-year dividend in December 2021.

### Other Asbestos Information

	Full Year Ended 31 March		
	FY22	FY21	Change %
Claims received	555	545	2
Direct claims	411	392	5
Cross claims	144	153	(6)
Actuarial estimate for the period	573	624	(8)
Difference in claims received to actuarial estimate	(18)	(79)	
Average claim settlement (A\$)	314,000	248,000	27
Actuarial estimate for the period (A\$)	312,000	296,000	5
Difference in claims paid to actuarial estimate	2,000	(48,000)	

For the full year ended 31 March 2022, we noted the following related to asbestos-related claims:

- Total claims received were 3% below actuarial expectations and 2% higher than prior year;
- Mesothelioma claims reported were 1% above actuarial expectations and 3% higher than prior year;
- Number of claims settled were 1% below actuarial expectations and 5% below prior year;
- Average claim settlement was 1% above actuarial expectations and 27% above prior year; and

- Average mesothelioma claim settlement sizes were higher than expected for three of the four age groups for direct claims and lower than expected for all age groups for cross claims.

### *AICF Funding*

We funded US\$248.5 million (A\$328.2 million) to AICF during fiscal year 2022, as provided under the AFFA. From the time AICF was established in February 2007 through the date of this Report, we have contributed approximately A\$1,899.2 million to the fund.

In accordance with the terms of the AFFA, the Company anticipates that it will contribute approximately A\$157.5 million (US\$117.8 million based on the exchange rate at 31 March 2022) to AICF during the fiscal year ending 31 March 2023.

Readers are referred to Notes 1 and 12 of our 31 March 2022 consolidated financial statements for further information on asbestos.

## Financial Measures - GAAP equivalents

This document contains the financial statement line item EBIT, which is considered to be non-GAAP, but is consistent with the term used by Australian companies. Because we prepare our consolidated financial statements under GAAP, the equivalent GAAP financial statement line item description used in our consolidated financial statements is Operating income (loss).

**EBIT** – Earnings before interest and tax.

**EBIT margin** – EBIT margin is defined as EBIT as a percentage of net sales.

## Non GAAP Financial Terms

This Management's Analysis of Results includes certain financial information to supplement the Company's consolidated financial statements which are prepared in accordance with accounting principles generally accepted in the United States ("GAAP"). These financial measures are designed to provide investors with an alternative method for assessing our performance from on-going operations, capital efficiency and profit generation. Management uses these financial measures for the same purposes. These financial measures include:

- Adjusted EBIT;
- North America Fiber Cement Segment Adjusted EBIT;
- Asia Pacific Fiber Cement Segment Adjusted EBIT;
- Europe Building Products Segment Adjusted EBIT;
- Adjusted EBIT margin;
- North America Fiber Cement Segment Adjusted EBIT margin;
- Asia Pacific Fiber Cement Segment Adjusted EBIT margin;
- Europe Building Products Segment Adjusted EBIT margin;
- Adjusted expense, net;
- Adjusted net income;
- Adjusted diluted earnings per share;
- Adjusted income before income taxes;
- Adjusted income tax expense;
- Adjusted effective tax rate; and
- Adjusted return on capital employed (Adjusted "ROCE")

These financial measures are or may be non-GAAP financial measures as defined in the rules of the U.S. Securities and Exchange Commission and may exclude or include amounts that are included or excluded, as applicable, in the calculation of the most directly comparable financial measures calculated in accordance with GAAP. These financial measures are not meant to be considered in isolation or as a substitute for comparable GAAP financial measures and should be read only in conjunction with the Company's consolidated financial statements prepared in accordance with GAAP. In evaluating these financial measures, investors should note that other companies reporting or describing similarly titled financial measures may calculate them differently and investors should exercise caution in comparing the Company's financial measures to similar titled measures by other companies.

## Definitions

**AFFA** – Amended and Restated Final Funding Agreement

**AICF** – Asbestos Injuries Compensation Fund Ltd

### Sales Volume

*mmsf* – million square feet, where a square foot is defined as a standard square foot of 5/16" thickness.

*msf* – thousand square feet, where a square foot is defined as a standard square foot of 5/16" thickness.

**Price/Mix** – The percentage growth in revenue attributable to price increases and shift in mix of products sold. Price/Mix is calculated as the Net Sales growth percentage less the Volume growth percentage.

**Energy Inflation (Europe)** – Hyperinflation in energy costs is defined as the increase in energy costs above normal energy inflation.

Normal Energy Inflation – Calculated based on average rates per unit from April 2021 - July 2021, compared to average rates per unit for the prior corresponding period.

Energy Hyperinflation – Calculated based on average rates per unit from August 2021 - March 2022, less Normal Energy Inflation (as defined above).

Financial Measures - GAAP equivalents

Adjusted EBIT

US\$ Millions	Three Months and Full Year Ended 31 March			
	Q4 FY22	Q4 FY21	FY22	FY21
<b>EBIT</b>	\$ 82.4	\$ 144.7	\$ 682.6	\$ 472.8
Asbestos:				
Asbestos adjustments loss	142.5	28.1	131.7	143.9
AICF SG&A expenses	0.4	0.3	1.3	1.2
Restructuring expenses	—	—	—	11.1
<b>Adjusted EBIT</b>	\$ 225.3	\$ 173.1	\$ 815.6	\$ 629.0
Net sales	968.2	807.0	3,614.7	2,908.7
<b>Adjusted EBIT margin</b>	<b>23.3%</b>	<b>21.4%</b>	<b>22.6%</b>	<b>21.6%</b>

North America Fiber Cement Segment Adjusted EBIT

US\$ Millions	Full Year Ended 31 March	
	FY22	FY21
<b>North America Fiber Cement Segment EBIT</b>	\$ 741.2	\$ 585.5
Restructuring expenses	—	2.5
<b>North America Fiber Cement Segment Adjusted EBIT</b>	\$ 741.2	\$ 588.0
North America Fiber Cement segment net sales	2,551.3	2,040.2
<b>North America Fiber Cement Segment Adjusted EBIT margin</b>	<b>29.1%</b>	<b>28.8%</b>

Asia Pacific Fiber Cement Segment Adjusted EBIT

US\$ Millions	Full Year Ended 31 March	
	FY22	FY21
<b>Asia Pacific Fiber Cement Segment EBIT</b>	\$ 160.8	\$ 124.8
Restructuring expenses	—	3.4
<b>Asia Pacific Fiber Cement Segment Adjusted EBIT</b>	\$ 160.8	\$ 128.2
Asia Pacific Fiber Cement segment net sales	574.9	458.2
<b>Asia Pacific Fiber Cement Segment Adjusted EBIT margin</b>	<b>28.0%</b>	<b>28.0%</b>

**Europe Building Products Segment Adjusted EBIT**

US\$ Millions	Full Year Ended 31 March	
	FY22	FY21
Europe Building Products Segment EBIT	\$ 62.9	\$ 37.6
Restructuring expenses	—	5.1
Europe Building Products Segment Adjusted EBIT	62.9	42.7
Europe Building Products segment net sales	488.5	410.3
Europe Building Products Segment Adjusted EBIT margin	12.9%	10.4%

**Adjusted interest, net**

US\$ Millions	Full Year Ended 31 March	
	FY22	FY21
Interest, net	\$ 39.3	\$ 47.8
AICF interest income, net	(0.9)	(0.5)
Adjusted interest, net	\$ 40.2	\$ 48.3

**Adjusted net income**

US\$ Millions	Three Months and Full Year Ended 31 March			
	Q4 FY22	Q4 FY21	FY22	FY21
Net income	\$ 52.2	\$ 98.0	\$ 459.1	\$ 262.8
Asbestos:				
Asbestos adjustments loss	142.5	28.1	131.7	143.9
AICF SG&A expenses	0.4	0.3	1.3	1.2
AICF interest income, net	(0.4)	(0.2)	(0.9)	(0.5)
Restructuring expenses	—	—	—	11.1
Tax adjustments <sup>1</sup>	(17.2)	(1.3)	29.5	39.5
Adjusted net income	\$ 177.5	\$ 124.9	\$ 620.7	\$ 458.0

<sup>1</sup> Includes tax adjustments related to the amortization benefit of certain US intangible assets, asbestos, and other tax adjustments



**Adjusted diluted earnings per share**

	Full Year Ended 31 March	
	FY22	FY21
<b>Adjusted net income (US\$ millions)</b>	<b>\$ 620.7</b>	<b>\$ 458.0</b>
Weighted average common shares outstanding - Diluted (millions)	445.9	445.4
<b>Adjusted diluted earnings per share</b>	<b>\$ 1.39</b>	<b>\$ 1.03</b>

**Adjusted effective tax rate**

US\$ Millions	Full Year Ended 31 March	
	FY22	FY21
<b>Income before income taxes</b>	<b>\$ 643.1</b>	<b>\$ 412.0</b>
Asbestos:		
Asbestos adjustments loss	131.7	143.9
AICF SG&A expenses	1.3	1.2
AICF interest income, net	(0.9)	(0.5)
Restructuring expenses	—	11.1
<b>Adjusted income before income taxes</b>	<b>\$ 775.2</b>	<b>\$ 567.7</b>
Income tax expense	184.0	149.2
Tax adjustments <sup>1</sup>	(29.5)	(39.5)
<b>Adjusted income tax expense</b>	<b>\$ 154.5</b>	<b>\$ 109.7</b>
Effective tax rate	28.6%	36.2%
<b>Adjusted effective tax rate</b>	<b>19.9%</b>	<b>19.3%</b>

<sup>1</sup> Includes tax adjustments related to the amortization benefit of certain US intangible assets, asbestos, and other tax adjustments

**Adjusted Return on Capital Employed ("Adjusted ROCE")**

US\$ Millions	Full Year Ended 31 March	
	FY22	FY21
<b>Numerator</b>		
Adjusted EBIT for ROCE <sup>1</sup>	\$ 815.6	\$ 629.0
<b>Denominator</b>		
Gross capital employed (GCE)	1,653.9	1,780.8
Adjustments to GCE <sup>2</sup>	(56.4)	(193.6)
<b>Adjusted gross capital employed</b>	\$ 1,597.5	\$ 1,587.2
<b>Adjusted ROCE</b>	51.1%	39.6%

<sup>1</sup> There were no adjustments as calculated according to ROCE stock compensation plan documents

<sup>2</sup> Calculated as Total Assets minus Current Liabilities as reported in our financial results; adjusted by (i) excluding balance sheet items related to legacy issues (such as asbestos adjustments) dividends payables and deferred taxes; (ii) adding back asset impairment charges in the relevant period, unless otherwise determined by the remuneration committee; and (iii) deducting all greenfield construction-in-progress, and any brownfield construction-in-progress projects involving capacity expansion that are individually greater than US\$20 million, until such assets reach commercial production and are transferred to the fixed asset register

This Management's Analysis of Results contains forward-looking statements. James Hardie Industries plc (the "Company") may from time to time make forward-looking statements in its periodic reports filed with or furnished to the Securities and Exchange Commission, on Forms 20-F and 6-K, in its 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 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 concerning the costs associated with the significant capital expenditure projects at any of the Company's plants and future plans with respect to any such projects;
- expectations regarding the extension or renewal of the Company's credit facilities including changes to terms, covenants or ratios;
- expectations concerning dividend payments and share buy-backs;
- statements concerning the Company's corporate and tax domiciles and structures and potential changes to them, including potential tax charges;
- uncertainty from the discontinuance of LIBOR and transition to any other interest rate benchmark;
- statements regarding the effect and consequences of the COVID-19 public health crisis;
- statements regarding tax liabilities and related audits, reviews and proceedings;
- statements regarding the possible consequences and/or potential outcome of legal proceedings brought against us and the potential liabilities, if any, associated with such proceedings;
- expectations about the timing and amount of contributions to AICF, a special purpose fund for the compensation of proven Australian asbestos-related personal injury and death claims;
- expectations concerning the adequacy of the Company's warranty provisions and estimates for future warranty-related costs;
- statements regarding the Company's ability to manage legal and regulatory matters (including but not limited to product liability, environmental, intellectual property and competition law matters) and to resolve any such pending legal and regulatory matters within current estimates and in anticipation of certain third-party recoveries; and
- statements about economic or housing market conditions in the regions in which we operate, including but not limited to, the levels of new home construction and home renovations, unemployment levels, changes in consumer income, changes or stability in housing values, 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 builder and consumer confidence.

Words such as "believe," "anticipate," "plan," "expect," "intend," "target," "estimate," "project," "predict," "forecast," "guideline," "aim," "will," "should," "likely," "continue," "may," "objective," "outlook" 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 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 "Risk Factors" in Section 3 of the Form 20-F filed with the Securities and Exchange Commission on 17 May 2022, 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 Company subsidiaries; required contributions to AICF, any shortfall in AICF funding 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; the consequences of product failures or defects; exposure to environmental, asbestos, putative consumer class action or other legal proceedings; general economic and market conditions; the supply and cost of raw materials; possible increases in competition and the potential that competitors could copy the Company's products; compliance with and changes in environmental and health and safety laws; risks of conducting business internationally; compliance with and changes in laws and regulations; currency exchange risks; dependence on customer preference and the concentration of the Company's customer base; dependence on residential and commercial construction markets; the effect of adverse changes in climate or weather patterns; use of accounting estimates; risk and uncertainties arising out of the COVID-19 public health crisis, including the impact of COVID-19 on our business, sales, results of operations and financial condition and all other risks identified in the Company's reports filed with Australian, Irish and US securities regulatory agencies and exchanges (as appropriate). The Company cautions you that the foregoing list of factors is not exhaustive and that other risks and uncertainties may cause actual results to differ materially from those referenced in the Company's 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. The Company assumes no obligation to update any forward-looking statements or information except as required by law.

Exhibit 99.5



# Q4 FY22 MANAGEMENT PRESENTATION

17 May 2022



# CAUTIONARY NOTE ON FORWARD-LOOKING STATEMENTS

## CAUTIONARY NOTE ON FORWARD-LOOKING STATEMENTS

This Management Presentation contains forward looking statements within the meaning of the Private Securities Litigation Reform Act of 1995. James Hardie Industries plc (the "Company") may from time to time make forward-looking statements in its periodic reports filed with or furnished to the Securities and Exchange Commission on Forms 20-F and 6-K, in its annual reports to shareholders, 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. Words such as "believe," "anticipate," "plan," "expect," "intend," "target," "estimate," "project," "predict," "forecast," "guideline," "aim," "will," "should," "likely," "continue," "may," "objective," "outlook" and similar expressions are intended to identify forward-looking statements but are not the exclusive means of identifying such statements. These forward-looking statements are based upon management's current expectations, estimates, assumptions and beliefs concerning future events and conditions. Readers are cautioned not to place undue reliance on any forward-looking statements.

Forward-looking statements are necessarily subject to risks, uncertainties and other factors, many of which are unforeseeable and beyond the Company's control. Many factors could cause actual results, performance or achievements to be materially different from those expressed or implied in this Management Presentation, including, among others, the risks and uncertainties set forth in Section 3 "Risk Factors" in James Hardie's Annual Report on Form 20-F for the year ended 31 March 2022; changes in general economic, political, governmental and business conditions globally and in the countries in which the Company does business, including the impact of COVID-19; changes in interest rates; changes in inflation rates; changes in exchange rates; the level of construction generally; changes in cement demand and prices; changes in raw material and energy prices; changes in business strategy and various other factors. Should one or more of these risks or uncertainties materialize, or should underlying assumptions prove incorrect, actual results may vary materially from those described herein. James Hardie assumes no obligation to update or correct the information contained in this Management Presentation except as required by law.

## USE OF NON-GAAP FINANCIAL INFORMATION; AUSTRALIAN EQUIVALENT TERMINOLOGY

This Management Presentation includes financial measures that are not considered a measure of financial performance under generally accepted accounting principles in the United States (GAAP). These financial measures are designed to provide investors with an alternative method for assessing our performance from on-going operations, capital efficiency and profit generation. Management uses these financial measures for the same purposes.

These financial measures are or may be non-GAAP financial measures as defined in the rules of the U.S. Securities and Exchange Commission and may exclude or include amounts that are included or excluded, as applicable, in the calculation of the most directly comparable financial measures calculated in accordance with GAAP. These non-GAAP financial measures should not be considered to be more meaningful than the equivalent GAAP measure. Management has included such measures to provide investors with an alternative method for assessing its operating results in a manner that is focused on the performance of its ongoing operations and excludes the impact of certain legacy items, such as asbestos adjustments. Additionally, management uses such non-GAAP financial measures for the same purposes. However, these non-GAAP financial measures are not prepared in accordance with GAAP, may not be reported by all of the Company's competitors and may not be directly comparable to similarly titled measures of the Company's competitors due to potential differences in the exact method of calculation. For additional information regarding the non-GAAP financial measures presented in this Management Presentation, including a reconciliation of each non-GAAP financial measure to the equivalent GAAP measure, see the slide titled "Non-GAAP Financial Measures" included in the Appendix to this Management Presentation.

In addition, this Management Presentation includes financial measures and descriptions that are considered to not be in accordance with GAAP, but which are consistent with financial measures reported by Australian companies, such as operating profit, EBIT and EBIT margin. Since the Company prepares its Consolidated Financial Statements in accordance with GAAP, the Company provides investors with definitions and a cross-reference from the non-GAAP financial measure used in this Management Presentation to the equivalent GAAP financial measure used in the Company's Consolidated Financial Statements. See the section titled "Non-GAAP Financial Measures" included in the Appendix to this Management Presentation.

# AGENDA

- Transformation Update
- Q4 FY22 Financial Results
- FY23 Strategy and Guidance
- Questions and Answers



Harold Wiens  
Interim CEO



Jason Miele  
CFO



Sean Gadd  
North America President



## TRANSFORMATION UPDATE



## STRATEGY IS UNCHANGED AND CONTINUES TO DRIVE PROFITABLE GROWTH GLOBALLY

1

Market to Homeowners to Create Demand

2

Penetrate and Drive Profitable Growth in Existing and New Segments

3

Commercialize Global Innovations by Expanding Into New Categories

### Continued Execution and Expansion of Foundational Initiatives:

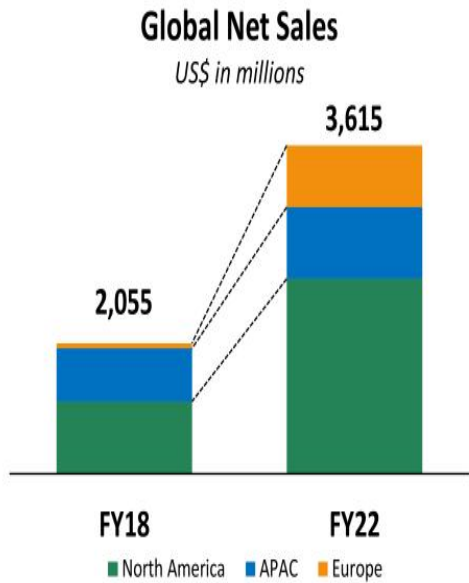
- i) LEAN Manufacturing
- ii) Customer Engagement
- iii) Supply Chain Integration



## Zero Harm & ESG



# A GLOBALLY TRANSFORMED JAMES HARDIE



**Successful Implementation of Global Foundational Initiatives...**



**Execution of HMOS**



**Engaging With Customers**



**Supply Chain Integration**

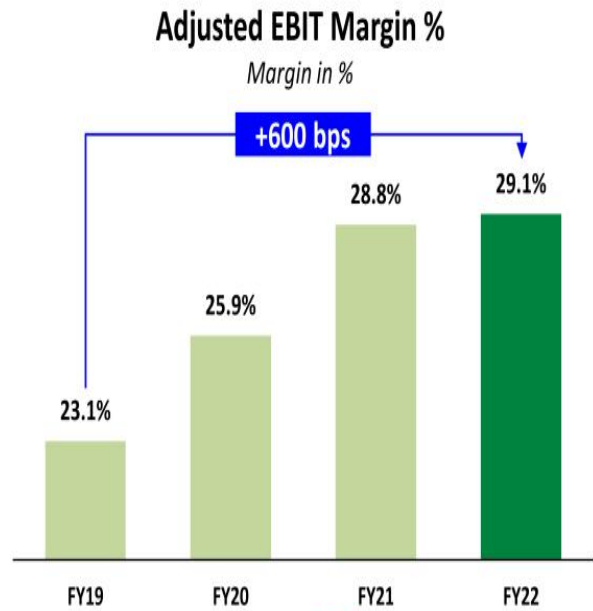
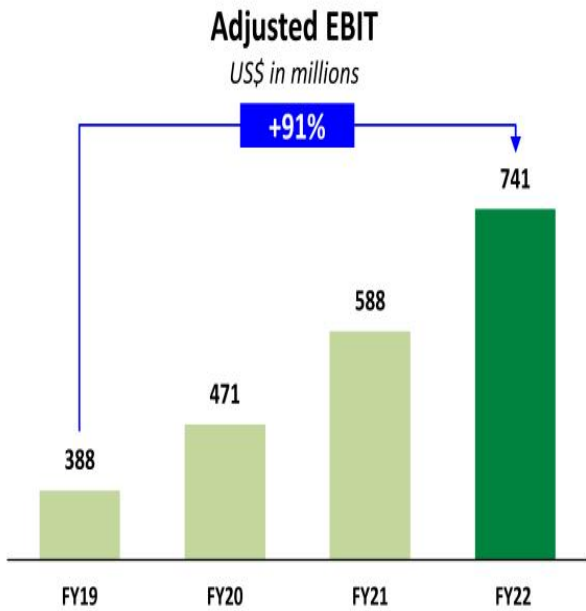
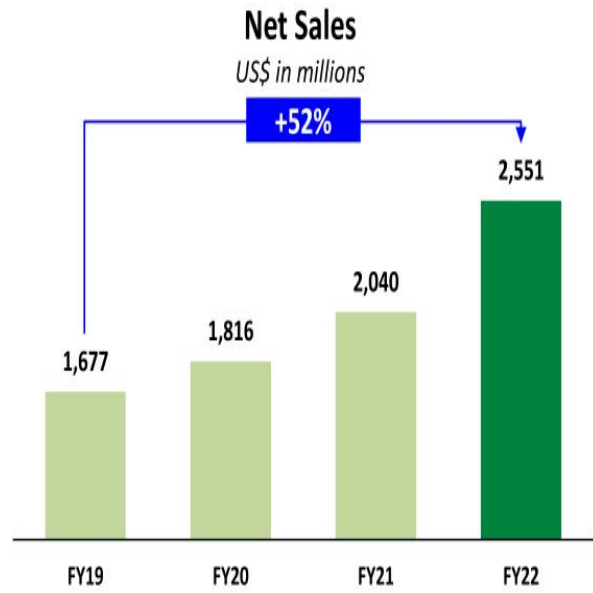
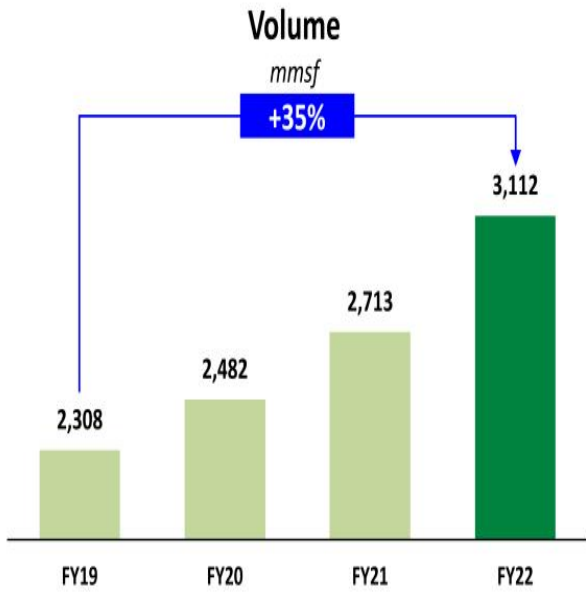
**EPS from 66 Cents/Share to 139 Cents/Share**

**Operating Cash Flow from US\$309 to US\$757 million**

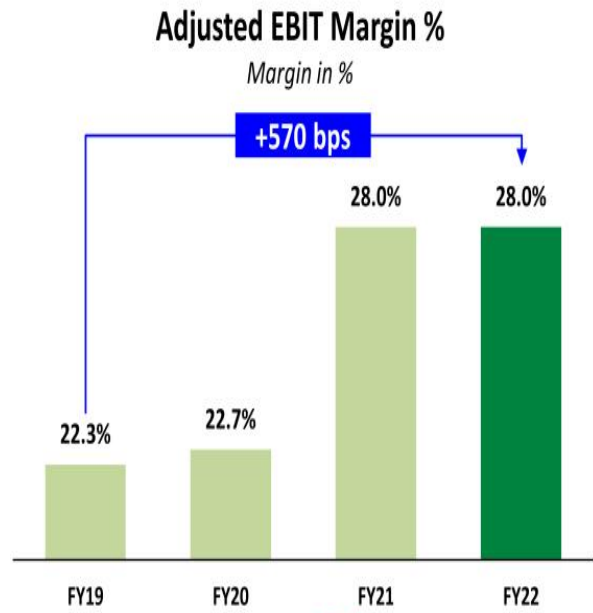
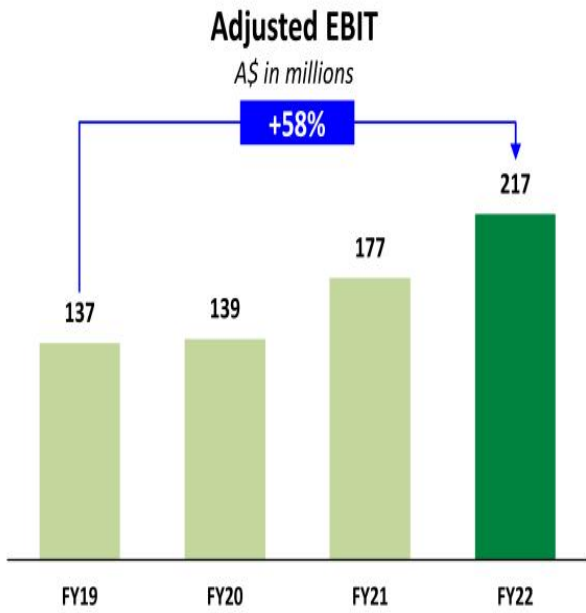
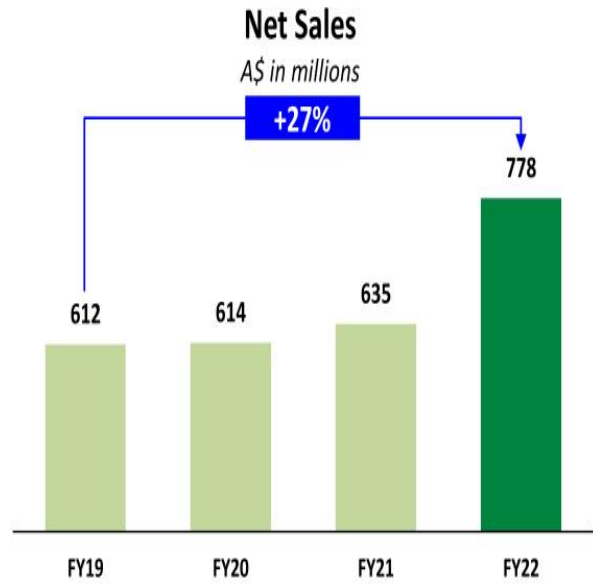
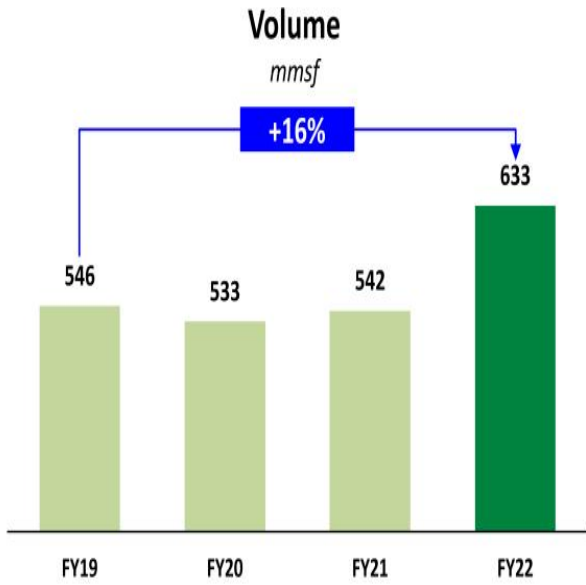
**...Leading to a Truly Global James Hardie**

*Note: EPS = Adjusted Diluted Earnings Per Share*

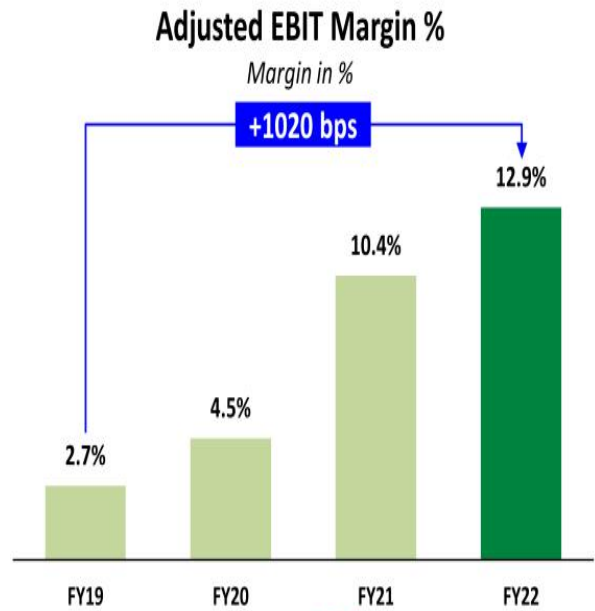
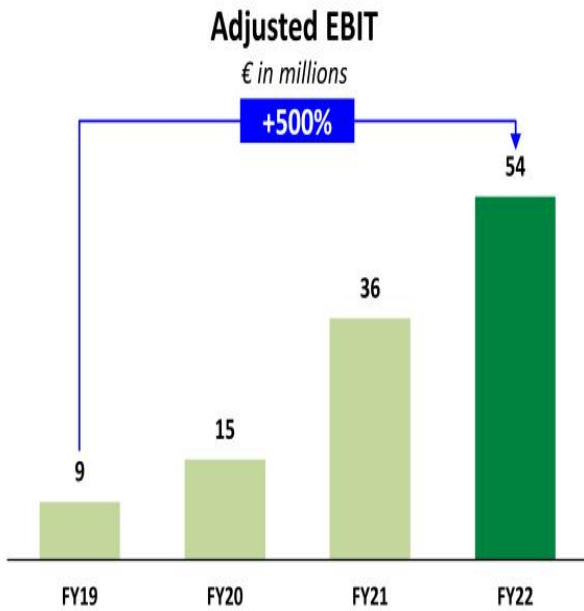
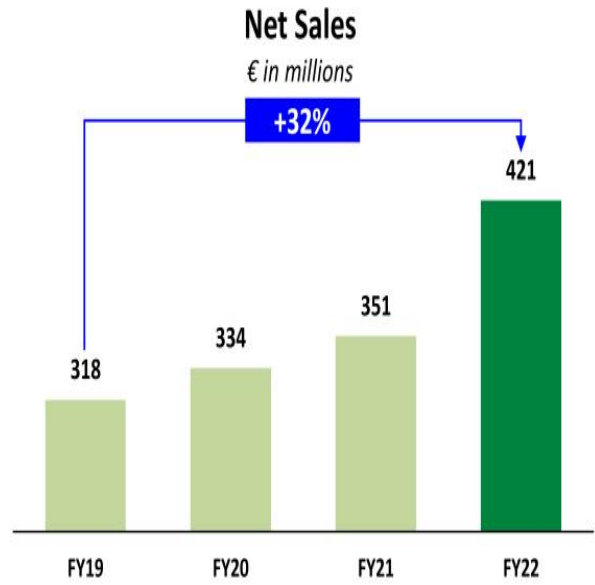
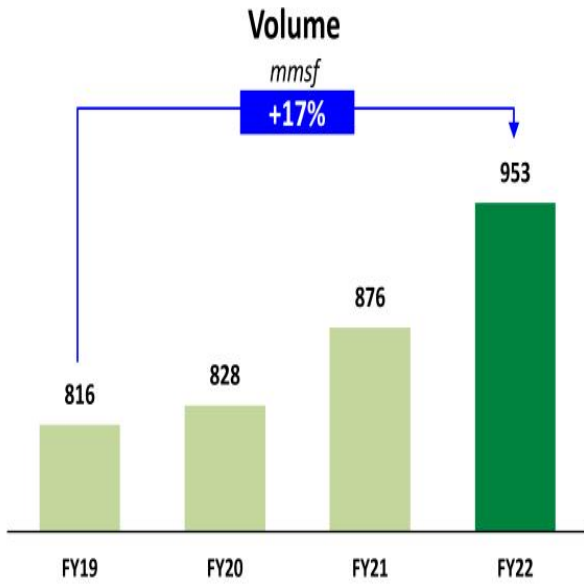
# NORTH AMERICA HISTORICAL PERFORMANCE



# APAC HISTORICAL PERFORMANCE



# EUROPE HISTORICAL PERFORMANCE



# A GLOBAL COMPANY ENABLED FOR CONTINUED GROWTH

## FY19-FY22 Strategic Transformation

LEAN Manufacturing



Customer Engagement



Supply Chain Integration



## Financial Strength to Enable Growth

### ✓ Step Changed P&L

- Net Sales = US\$3.6 Billion
- Adj. Net Income US\$ 621 Million
- EBIT Margin Long Term Guidance Raised in May 2021

### ✓ Step Changed Cash Flow

- Operating Cash Flow = US\$757 Million

### ✓ Improved Balance Sheet

- Leverage Improved to 0.8x

### ✓ Improved AICF Balance Sheet

- Cash and Investments = A\$350 Million

## Clear Go-Forward Strategy

Marketing to the Homeowner



Repair and Remodel Market



Global Innovation



Global Capacity Expansion





## **Q4 FY22 FINANCIAL RESULTS**



## GLOBAL RESULTS

	Q4 FY22	FY22
Sales Volume	1,219.7 mmsf +9%	4,698.1 mmsf +14%
Net Sales	US\$968.2 M +20%	US\$3,614.7 M +24%
Adjusted EBIT <sup>1</sup>	US\$225.3 M +30%	US\$815.6 M +30%
Adjusted Net Income <sup>2</sup>	US\$177.5 M +42%	US\$620.7 M +36%
Operating Cash Flow		US\$757.2 M -4%
Adjusted EBITDA Margin <sup>1</sup>	27.6 % 1.5 pts	27.0 % +0.7 pts

<sup>1</sup> Excludes asbestos related expenses and adjustments and FY21 restructuring expenses

<sup>2</sup> Excludes asbestos related expenses and adjustments, tax adjustments and FY21

restructuring expenses

- 20% increase in Q4 FY22 Group Net Sales
- All 3 regions are executing on the Global Strategy simultaneously:
  - Foundational initiatives: HMOS, Push/Pull and Integrated Supply Chain
  - Marketing Directly to the Homeowner
  - Penetrate and Drive Profitable Growth
  - Commercialize Global Innovations
- Adjusted Net Income increased 42% for the quarter and 36% for the fiscal year
- Operating cash flow of US\$757.2 million for the fiscal year

## NORTH AMERICA SUMMARY

	Q4 FY22	FY22
Sales Volume	815.5 mmsf +13%	3,112.2 mmsf +15%
Price/Mix	+12%	+10%
Net Sales	US\$694.0 M +25%	US\$2,551.3 M +25%
Adjusted EBIT <sup>1</sup>	US\$206.1 M +35%	US\$741.2 M +26%
Adjusted EBIT Margin <sup>1</sup>	29.7 % 2.2 pts	29.1 % 0.3 pts
Adjusted EBITDA Margin <sup>1</sup>	34.1 % 2.2 pts	33.5 % 0.3 pts
Exterior volume	+16%	+17%
Interior volume	-7%	+2%

<sup>1</sup> Excludes FY21 restructuring expenses

- 25% increase in Q4 FY22 Net Sales led by volume and Price/Mix growth
  - Execution in driving High Value Product penetration with our customers
  - FY22 Price/Mix of 10%
  - FY22 ColorPlus volumes +27% vs pcp
- 35% Adjusted EBIT growth in Q4 FY22 with strong Adjusted EBIT Margin of 29.7%
  - Execution of LEAN manufacturing
  - Strong Net Sales growth driven by both volume and Price/Mix
  - Inflationary pressure for key raw materials and freight
  - Significant investment in marketing, innovation and talent capability



## APAC SUMMARY

	Q4 FY22	FY22
Sales Volume	162.3 mmsf +12%	633.3 mmsf +17%
Price/Mix	+11%	5%
Net Sales	A\$200.5 M +23%	A\$777.7 M +22%
Adjusted EBIT <sup>1</sup>	A\$52.8 M +21%	A\$217.4 M +23%
Adjusted EBIT Margin <sup>1</sup>	26.3 % -0.5 pts	28.0 % Flat
Adjusted EBITDA Margin <sup>1</sup>	28.9 % -1.9 pts	30.3 % -0.6 pts

<sup>1</sup> Excludes FY21 restructuring expenses

- 23% increase in Q4 FY22 Net Sales driven by strong Price/Mix and volume growth
  - Continued execution in driving High Value Product penetration
  - Growth in high value innovations
- 21% increase in Q4 FY22 Adjusted EBIT
  - Execution of LEAN manufacturing
  - Strong Net Sales growth
  - Significant investment in marketing, innovation and talent capability

## EUROPE SUMMARY

	Q4 FY22	FY22
Sales Volume	241.9 mmsf -4%	952.6 mmsf +9%
Price/Mix	+14%	+11%
Net Sales	€115.0 M +10%	€420.5 M +20%
Adjusted EBIT <sup>1</sup>	€16.1 M +3%	€54.2 M +51%
Adjusted EBIT Margin <sup>1</sup>	14.0 % -1.0 pts	12.9 % +2.6 pts
Adjusted EBITDA Margin <sup>1</sup>	19.6 % -1.6 pts	19.0 % +1.9 pts
Fiber Cement Net Sales	+18%	+39%
Fiber Gypsum Net Sales	+9%	+17%

<sup>1</sup> Excludes FY21 restructuring expenses

- 10% increase in Q4 FY22 Net Sales underpinned by strong Price/Mix of 14%
  - Execution in driving High Value Product penetration, specifically strong Fiber Cement growth
  - Price increases to offset inflationary cost pressures
- 14% Adjusted EBIT margin in Q4 FY22
  - EBIT margins returned to first half FY22 levels, as price increases offset continued inflation
  - Natural gas prices remain elevated



## **FY23 STRATEGY UPDATE AND GUIDANCE**



## DRIVE HIGH VALUE PRODUCT MIX IN NORTH AMERICA

### FY22: Key Metrics

NA Net Sales



US\$2,551.3 million  
+25% YoY

NA Adj. EBIT



US\$741.2 million  
+26% YoY

### FY23: Key Metrics

Net Sales  
Growth



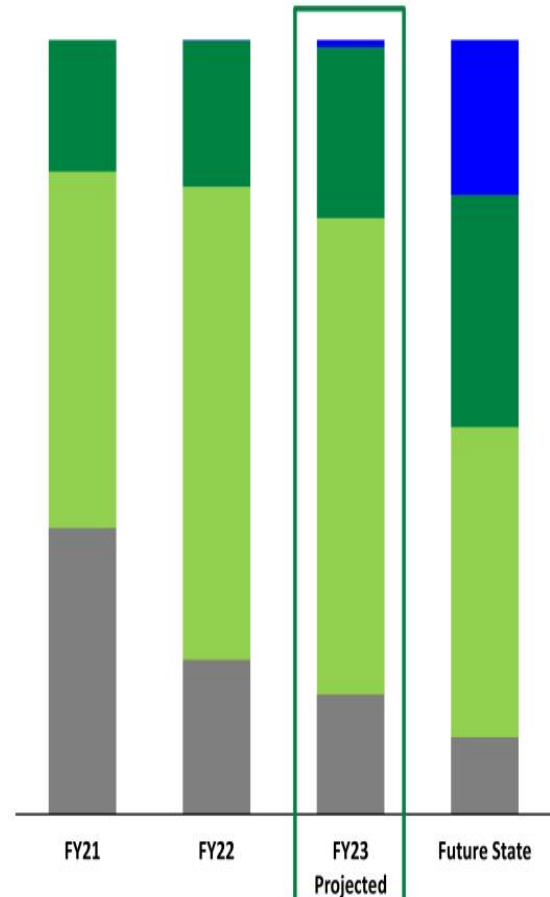
↑18-22%

Adj. EBIT  
Margin Target



30-33%

### NA Volume Mix



- Lower Value Products: Including Hardie® Backer Boards and Cemplank
- High Value Products: Hardie® Exteriors
- High Value Products: Hardie® Exteriors w/ ColorPlus® Technology
- High Value Products: Innovations



# NORTH AMERICA FY23 STRATEGIC FOCUS

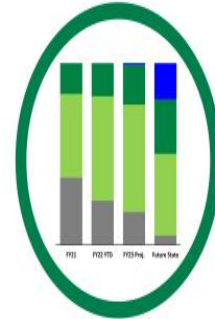
Capacity  
Expansion



Customer Engagement  
& Partnership



High Value  
Product Mix



HMOS/  
LEAN



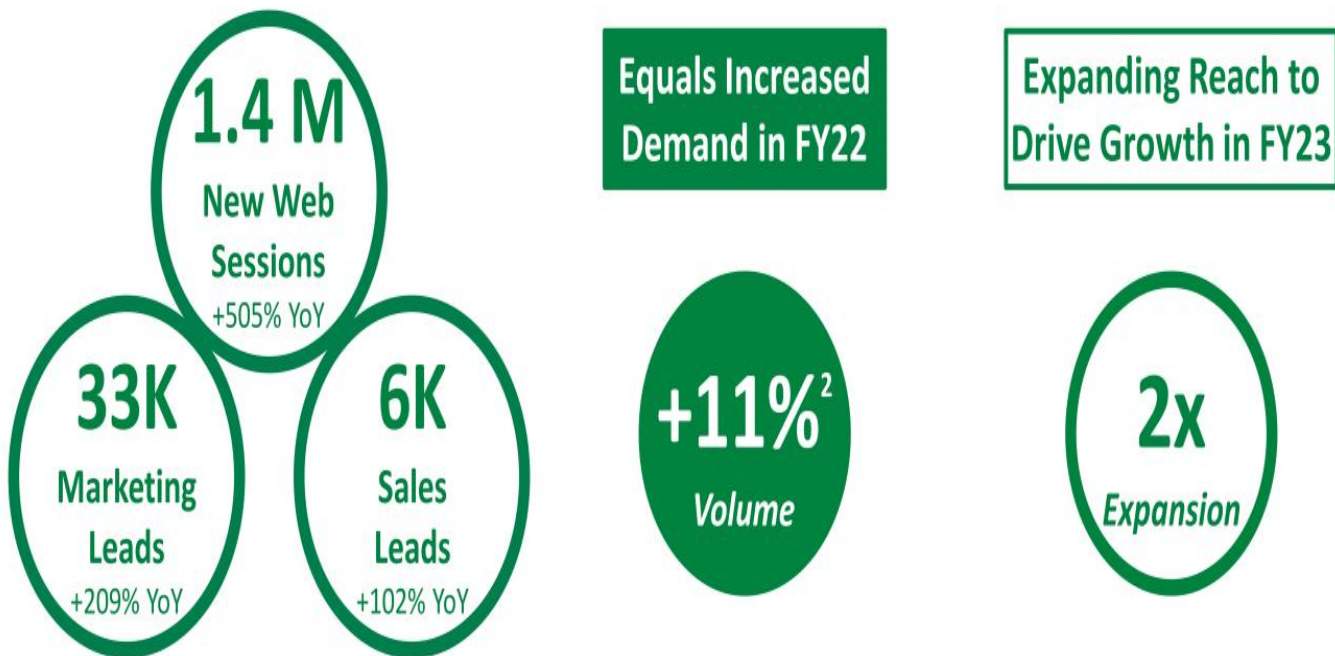
Marketing to the  
Homeowner



Repair and  
Remodel Market



## 360 DEGREE MARKETING PROGRAM DELIVERING SIGNIFICANT RESULTS IN FY22



- Targeted 3 Key Metros in the Northeast in FY22
- 360 Degree Marketing Campaign<sup>1</sup> Driving Homeowners to Engage with James Hardie and our Customers
- Demand in Three Target Regions Outpaced our Other ColorPlus® Markets
- Expand Marketing to 3 Additional Key Metros in Midwest and Northeast
- Continue to focus on R&R Market and Driving ColorPlus® Growth

<sup>1</sup> Statistics are for the period of May 2021 – March 2022 compared to pcp and are for the three targeted metro areas. Marketing campaign began in May 2021.

<sup>2</sup> Management calculation based on comparative growth of ColorPlus® customer sales volume for single family segment between July 2021 and February 2022, compared to pcp, in targeted campaign markets, as compared to non-targeted markets.

## FULL YEAR FISCAL YEAR 2023 GUIDANCE

Management reaffirms full year FY23 Adjusted Net Income<sup>1</sup> guidance of:

# US\$740 million and US\$820 million

a 26% increase at the mid point relative to FY22

### North America Guidance – Full Year FY23

Net Sales Growth                      18-22% growth versus FY22

Adj. EBIT margin                      30-33%

*James Hardie's guidance is based on current estimates and assumptions and is subject to a number of known and unknown uncertainties and risks, including those related to the COVID-19 pandemic and set forth in our Media Release in "Forward-Looking Statements."*

<sup>1</sup> Fiscal Year 2022 and 2023 Adjusted Net Income excludes asbestos related expenses and adjustments.



## QUESTIONS

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# APPENDIX

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# BUILDING SUSTAINABLE COMMUNITIES: ENVIRONMENTAL, SOCIAL AND GOVERNANCE

## Communities

**98%** of employees hired locally

**83%** of raw materials sourced within 100 miles of manufacturing facilities

**63%** of our products are shipped within 500 miles of manufacturing facilities



## Environment

**40%** Reduction<sup>1</sup> in Scope 1 and Scope 2 greenhouse gas intensity by 2030

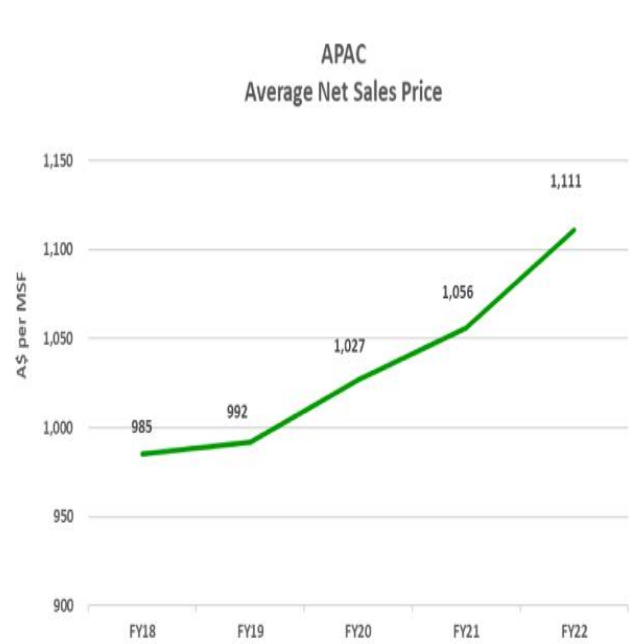
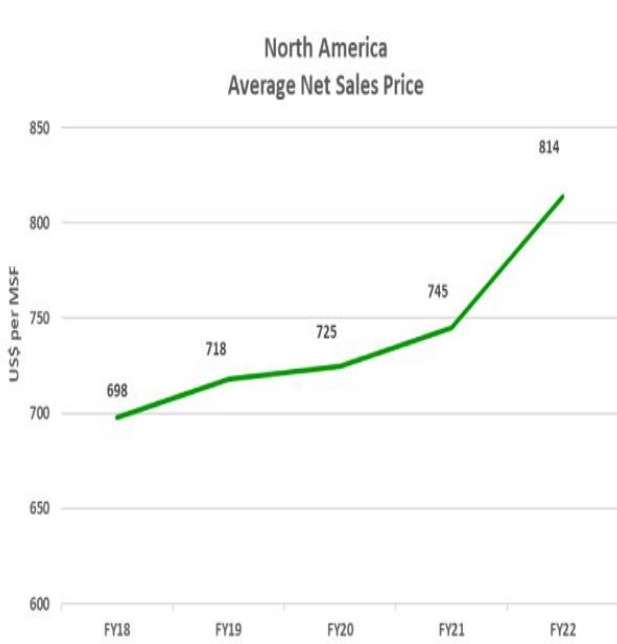
## Zero Harm

**Total Recordable Incident Rate (TRIR)** **21%** Improvement FY21 vs FY20 to **0.83** TRIR (vs. Industry Avg 4.2)

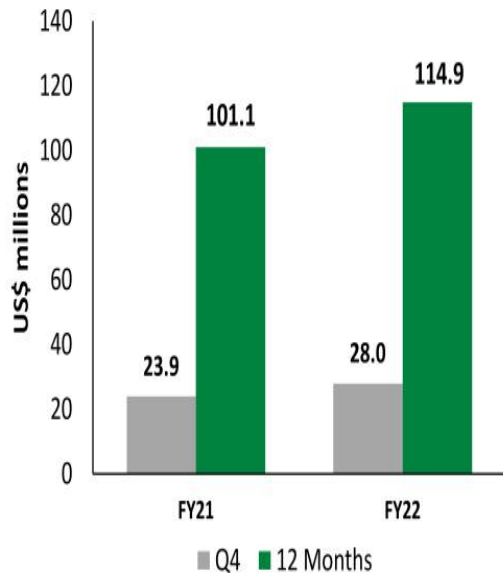
**Total Days Away, Restricted or Transferred Rate (DART)** **4%** Improvement FY21 vs FY20 to **0.51** DART (vs. Industry Avg 2.8)

<sup>1</sup> Intensity defined as Metric tons of CO2 equivalent per dollar of revenue, measured from a 2019 baseline

# DRIVING A HIGHER VALUE PRODUCT MIX – AVERAGE NET SALES PRICE



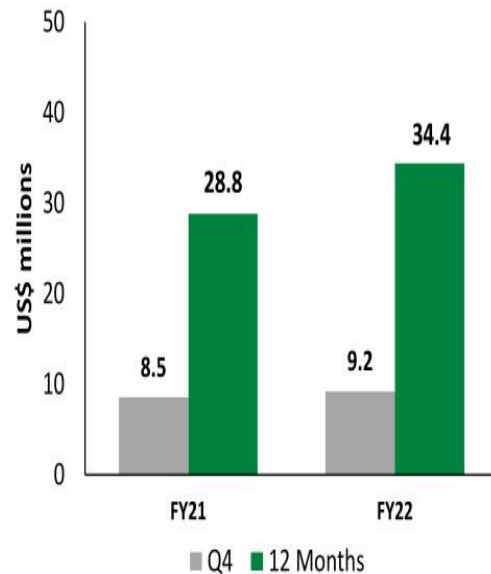
## GENERAL CORPORATE COSTS



- Full year FY23 up 11% versus pcp due to legal reserves recorded in the fourth quarter, investment in global growth initiatives including talent and marketing investments, partially offset by lower stock compensation expenses.
- Q4 corporate costs up 17% versus pcp due to legal reserves and investment in global growth initiatives including marketing investment, partially offset by lower stock compensation expenses.

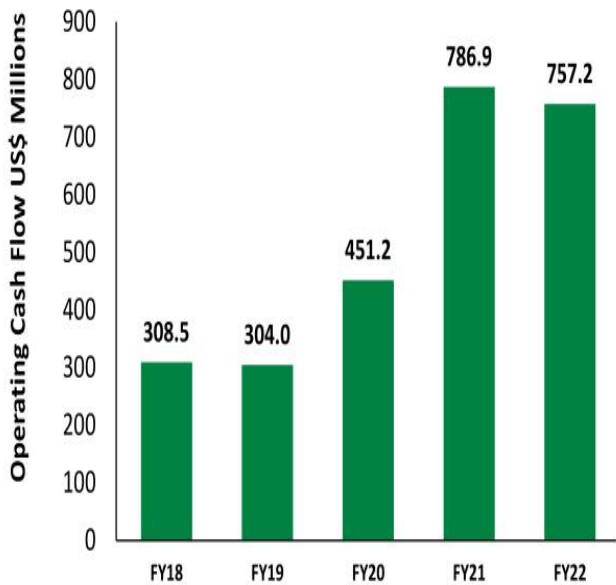
<sup>1</sup> Excludes asbestos related expenses and adjustments

## RESEARCH & DEVELOPMENT



- Customer Driven Innovation remains a core strategic initiative to drive organic profitable growth
- Q4 R&D costs up 8% versus pcp and +19% for 12 months FY22 vs pcp

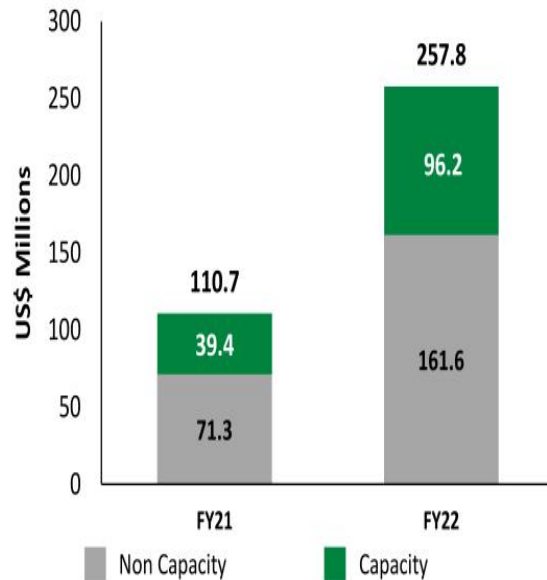
## OPERATING CASH FLOW



**Operating cash flow of US\$757.2 million for FY22, decrease of 4%**

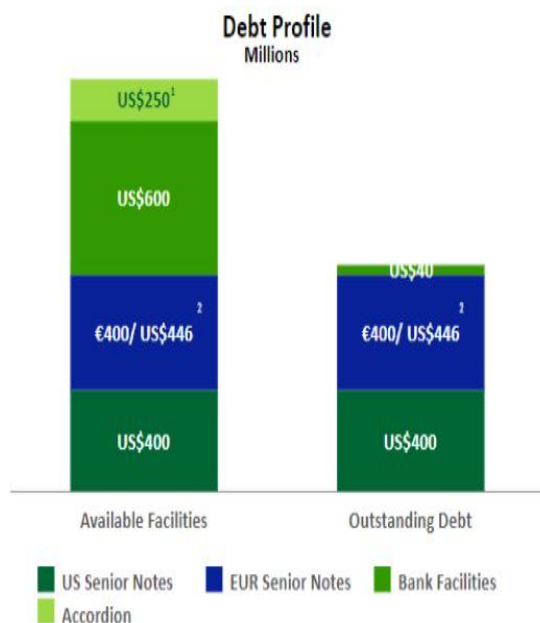
- Higher working capital improvement in the prior year driven by the initial non-repeatable reduction in inventory levels as we shifted to integrated supply chain with our customers
- FY21 included a one-time US CARES Act tax refunds of US\$64.8 million. Excluding this refund, operating cash flow was up 5%.

## CAPITAL EXPENDITURES



- Prattville Sheet machines #1 & #2 continue to ramp up well
- Summerville restart on-track

# LIQUIDITY PROFILE

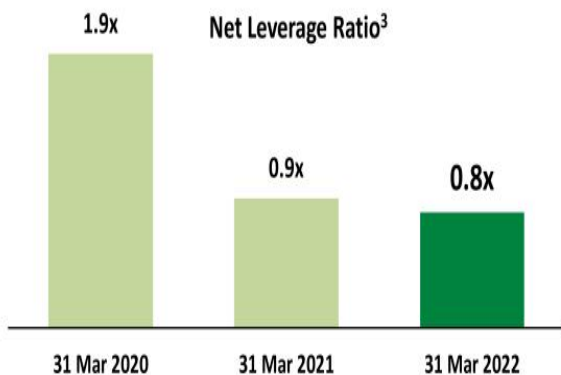


## Corporate debt structure

- €400 million (US\$446.4 million)<sup>2</sup> 3.625% senior unsecured notes, maturing 2026 (callable since October 2021)
- US\$400 million 5.00% senior unsecured notes maturing 2028 (callable in January 2023)
- US\$600 million unsecured RCF, maturing December 2026

## Net leverage and liquidity

- 0.8x leverage ratio<sup>3</sup> at 31 March 2022
- US\$677.5 million of liquidity on 31 March 2022



<sup>1</sup> Incremental liquidity of up to US\$250 million may be accessed via an accordion feature, which is provided for under the terms of the syndicated RCF agreement, but not credit approved. Do not anticipate accessing accordion feature.

<sup>2</sup> Based on exchange rate as of 31 March 2022

<sup>3</sup> Leverage ratio is based on bank covenant definition

## **CAPITAL ALLOCATION ALIGNED TO PROFITABLE GROWTH STRATEGY**

- Preserve strong liquidity and flexibility
- Invest in organic growth: capacity expansion, market driven innovation & marketing directly to the homeowner
- Maintain net leverage ratio of less than 2x
  - 0.8x leverage ratio as of 31 March 2022
- Return capital to shareholders

## DEPRECIATION AND AMORTIZATION

US\$ Millions	Three Months and Full Year Ended 31 March			
	Q4 FY22	Q4 FY21	FY22	FY21
<b>Depreciation and amortization</b>				
North America Fiber Cement	\$ 30.5	\$ 24.4	\$ 114.4	\$ 89.1
Asia Pacific Fiber Cement	3.8	4.9	13.6	13.9
Europe Building Products	7.2	7.9	29.8	28.0
Research and Development	0.3	0.3	1.2	1.2
General Corporate	0.5	0.4	2.8	2.8
<b>Total Depreciation and amortization</b>	<b>\$ 42.3</b>	<b>\$ 37.9</b>	<b>\$ 161.8</b>	<b>\$ 135.0</b>

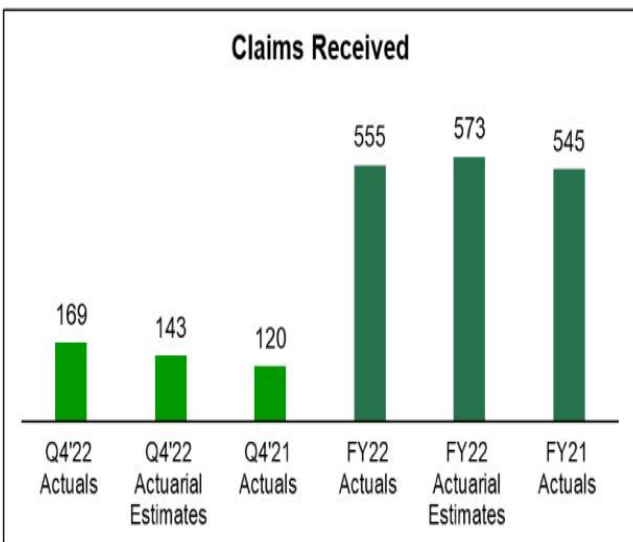
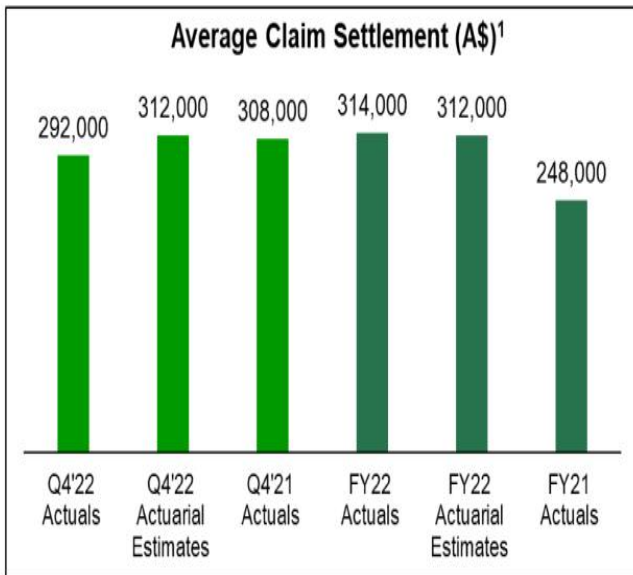


## ASBESTOS COMPENSATION

### KEY POINTS

- Updated actuarial report completed as of 31 March 2022
  - Undiscounted and uninflated estimate increased from A\$1,352 million to A\$1,390 million
- For fiscal year 2022, we noted the following related to asbestos-related claims experience:
  - Net cash outflow was 1% below actuarial expectations
  - Claims received were 3% below actuarial expectations
  - Average claim settlement was 1% above actuarial expectations
- Total contributions of US\$248.5 million were made to AICF during FY2022
- AICF has A\$349.7 million in cash and investments as of 31 March 2022
- We anticipate that we will make further contributions totaling approximately US\$117.8 million to AICF during FY2023

# ASBESTOS CLAIMS DATA



## Fiscal year ended 31 March 2022:

- Average claim settlement was 1% above actuarial estimates and 27% above pcg
- Number of claims settled were 1% below actuarial expectations and 5% below pcg
- Claims received were 3% below actuarial estimates and 2% above pcg
- Net cash outflow was 1% below actuarial expectations

<sup>1</sup> Average claim settlement is derived as the total amount paid divided by the number of non-nil claims

## NET POST-TAX UNFUNDED ASBESTOS LIABILITY

A\$ millions (except where stated)		
	FY22	FY21
Central Estimate - Undiscounted and Uninflated	\$ 1,389.9	\$ 1,351.9
Provision for claims handling costs of AICF	26.4	27.2
Cross claims and other	51.2	50.0
Net assets of AICF	(348.0)	(170.3)
Effect of tax	(540.1)	(529.8)
Net post-tax unfunded liability in A\$ millions	\$ 579.4	\$ 729.0
Exchange rate A\$ to US\$	0.7482	0.7601
<b>Net post-tax unfunded liability in US\$ millions</b>	<b>\$ 433.5</b>	<b>\$ 554.1</b>

## ASBESTOS CASH MOVEMENTS FOR FULL YEAR

### A\$ millions

AICF cash and investments - 31 March 2021	\$	173.1
Contributions to AFFA by James Hardie		328.2
Insurance recoveries		11.2
Claims paid		(159.5)
Operating costs		(3.3)
<b>AICF cash and investments - 31 March 2022</b>	<b>\$</b>	<b>349.7</b>

## NON-GAAP FINANCIAL MEASURES

This Management Presentation forms part of a package of information about the company's results. It should be read in conjunction with the other parts of this package, including the Management's Analysis of Results, Media Release and Consolidated Financial Statements

### Financial Measures – GAAP Equivalents

This document contains the financial statement line item EBIT, which is considered to be non-GAAP, but is consistent with the term used by Australian companies. Because we prepare our consolidated financial statements under GAAP, the equivalent GAAP financial Statement line item description used in our consolidated financial statements is Operating income (loss).

### Definitions

**EBIT** – Earnings before interest and tax

**EBIT margin** – EBIT margin is defined as EBIT as a percentage of net sales

**Price/Mix** – Price/Mix is defined as the percentage growth in revenue attributable to price increases and shift in mix of products sold. Price/Mix is calculated as the Net Sales growth percentage less the volume growth percentage.

### Sales Volume

**mmsf** – million square feet, where a square foot is defined as a standard square foot of 5/16" thickness

**msf** – thousand square feet, where a square foot is defined as a standard square foot of 5/16" thickness

### Non-financial Terms

**AFFA** – Amended and Restated Final Funding Agreement

**AICF** – Asbestos Injuries Compensation Fund Ltd

**Energy Inflation (Europe)** – Hyperinflation in energy costs is defined as the increase in energy costs above normal energy inflation.

*Normal Energy Inflation* – Calculated based on average rates per unit from April 2021 – July 2021, compared to average rates per unit for the prior corresponding period

*Energy Hyperinflation* – Calculated based on average rates per unit from August 2021 – March 2022, less Normal Energy Inflation (as defined above)

# NON-GAAP FINANCIAL MEASURES

## Adjusted EBIT and Adjusted EBITDA

US\$ Millions	Three Months and Full Year Ended 31 March			
	Q4'22	Q4'21	FY22	FY21
<b>EBIT</b>	\$ 82.4	\$ 144.7	\$ 682.6	\$ 472.8
Asbestos:				
Asbestos adjustments loss	142.5	28.1	131.7	143.9
AICF SG&A expenses	0.4	0.3	1.3	1.2
Restructuring expenses	-	-	-	11.1
<b>Adjusted EBIT</b>	\$ 225.3	\$ 173.1	\$ 815.6	\$ 629.0
Net sales	968.2	807.0	3,614.7	2,908.7
<b>Adjusted EBIT margin</b>	<b>23.3%</b>	<b>21.4%</b>	<b>22.6%</b>	<b>21.6%</b>
Depreciation and amortization	42.3	37.9	161.8	135.0
<b>Adjusted EBITDA</b>	\$ 267.6	\$ 211.0	\$ 977.4	\$ 764.0
Adjusted EBITDA Margin	27.6%	26.1%	27.0%	26.3%

## North America Fiber Cement Segment Adjusted EBIT and Adjusted EBITDA

US\$ Millions	Three Months and Full Year Ended 31 March			
	Q4'22	Q4'21	FY22	FY21
<b>North America Fiber Cement Segment EBIT</b>	\$ 206.1	\$ 152.9	\$ 741.2	\$ 585.5
Restructuring expenses	-	-	-	2.5
<b>North America Fiber Cement Segment Adjusted EBIT</b>	\$ 206.1	\$ 152.9	\$ 741.2	\$ 588.0
North America Fiber Cement Segment net sales	694.0	555.3	2,551.3	2,040.2
<b>North America Fiber Cement Segment Adjusted EBIT margin</b>	<b>29.7%</b>	<b>27.5%</b>	<b>29.1%</b>	<b>28.8%</b>
Depreciation and amortization	30.5	24.4	114.4	89.1
<b>North America Fiber Cement Segment Adjusted EBITDA</b>	\$ 236.6	\$ 177.3	\$ 855.6	\$ 677.1
North America Fiber Cement Segment Adjusted EBITDA Margin	34.1%	31.9%	33.5%	33.2%

## NON-GAAP FINANCIAL MEASURES

### Asia Pacific Fiber Cement Segment Adjusted EBIT and Adjusted EBITDA

US\$ Millions	Three Months and Full Year Ended 31 March			
	Q4'22	Q4'21	FY22	FY21
Asia Pacific Fiber Cement Segment EBIT	\$ 38.4	\$ 33.7	\$ 160.8	\$ 124.8
Restructuring expenses	-	-	-	3.4
Asia Pacific Fiber Cement Segment Adjusted EBIT	\$ 38.4	\$ 33.7	\$ 160.8	\$ 128.2
Asia Pacific Fiber Cement Segment net sales	145.4	125.7	574.9	458.2
Asia Pacific Fiber Cement Segment Adjusted EBIT margin	26.3%	26.9%	28.0%	28.0%
Depreciation and amortization	3.8	4.9	13.6	13.9
Asia Pacific Fiber Cement Segment Adjusted EBITDA	\$ 42.2	\$ 38.6	\$ 174.4	\$ 142.1
Asia Pacific Fiber Cement Segment Adjusted EBITDA Margin	28.9%	30.8%	30.3%	30.9%

### Europe Building Products Segment Adjusted EBIT and Adjusted EBITDA

US\$ Millions	Three Months and Full Year Ended 31 March			
	Q4'22	Q4'21	FY22	FY21
Europe Building Products Segment EBIT	\$ 18.0	\$ 18.9	\$ 62.9	\$ 37.6
Restructuring expenses	-	-	-	5.1
Europe Building Products Segment Adjusted EBIT	\$ 18.0	\$ 18.9	\$ 62.9	\$ 42.7
Europe Building Products Segment net sales	128.8	126.0	488.5	410.3
Europe Building Products Segment Adjusted EBIT margin	14.0%	15.0%	12.9%	10.4%
Depreciation and amortization	7.2	7.9	29.8	28.0
Europe Building Products Segment Adjusted EBITDA	\$ 25.2	\$ 26.8	\$ 92.7	\$ 70.7
Europe Building Products Segment Adjusted EBITDA Margin	19.6%	21.2%	19.0%	17.1%

# NON-GAAP FINANCIAL MEASURES

## Adjusted net income

US\$ Millions	Three Months and Full Year Ended 31 March			
	Q4'22	Q4'21	FY22	FY21
<b>Net income</b>	\$ 52.2	\$ 98.0	\$ 459.1	\$ 262.8
Asbestos:				
Asbestos adjustments loss	142.5	28.1	131.7	143.9
AICF SG&A expenses	0.4	0.3	1.3	1.2
AICF interest income, net	(0.4)	(0.2)	(0.9)	(0.5)
Restructuring expenses	-	-	-	11.1
Tax adjustments <sup>1</sup>	(17.2)	(1.3)	29.5	39.5
<b>Adjusted net income</b>	\$ 177.5	\$ 124.9	\$ 620.7	\$ 458.0

<sup>1</sup> Includes tax adjustments related to the amortization benefit of certain US intangible assets, asbestos, and other tax adjustments



## NON-GAAP FINANCIAL MEASURES

### Adjusted net income

US\$ Millions	Full Year Ended 31 March				
	FY22	FY21	FY20	FY19	FY18
<b>Net income</b>	<b>\$ 459.1</b>	<b>\$ 262.8</b>	<b>\$ 241.5</b>	<b>\$ 228.8</b>	<b>\$ 146.1</b>
Asbestos:					
Asbestos adjustments loss	131.7	143.9	58.2	22.0	156.4
AICF SG&A expenses	1.3	1.2	1.7	1.5	1.9
AICF interest income, net	(0.9)	(0.5)	(1.4)	(2.0)	(1.9)
Restructuring and product line discontinuation expenses	-	11.1	84.4	29.5	-
Fernacell acquisition costs	-	-	-	-	10.0
Loss on early debt extinguishment	-	-	-	1.0	26.1
Tax adjustments <sup>1</sup>	29.5	39.5	(31.6)	19.7	(47.3)
<b>Adjusted net income</b>	<b>\$ 620.7</b>	<b>\$ 458.0</b>	<b>\$ 352.8</b>	<b>\$ 300.5</b>	<b>\$ 291.3</b>

<sup>1</sup> Includes tax adjustments related to the amortization benefit of certain US intangible assets, asbestos, and other tax adjustments

### Adjusted diluted earnings per share

US\$ Millions	Full Year Ended 31 March				
	FY22	FY21	FY20	FY19	FY18
<b>Adjusted net income (millions of US dollars)</b>	<b>\$ 620.7</b>	<b>\$ 458.0</b>	<b>\$ 352.8</b>	<b>\$ 300.5</b>	<b>\$ 291.3</b>
Weighted average common shares outstanding - Diluted (millions)	445.9	445.4	444.1	443.0	442.3
<b>Adjusted diluted earnings per share (US dollars)</b>	<b>1.39</b>	<b>1.03</b>	<b>0.79</b>	<b>0.68</b>	<b>0.66</b>

# NON-GAAP FINANCIAL MEASURES

## Adjusted EBIT

US\$ Millions	Full Year Ended 31 March				
	FY22	FY21	FY20	FY19	FY18
<b>EBIT</b>	<b>\$ 682.6</b>	<b>\$ 472.8</b>	<b>\$ 342.5</b>	<b>\$ 351.6</b>	<b>\$ 229.2</b>
Asbestos:					
Asbestos adjustments	131.7	143.9	58.2	22.0	156.4
AICF SG&A expenses	1.3	1.2	1.7	1.5	1.9
Restructuring and product line discontinuation expenses	-	11.1	84.4	29.5	-
Fernacell acquisition costs	-	-	-	-	10.0
<b>Adjusted EBIT</b>	<b>\$ 815.6</b>	<b>\$ 629.0</b>	<b>\$ 486.8</b>	<b>\$ 404.6</b>	<b>\$ 397.5</b>

## North America Fiber Cement Segment Adjusted EBIT

US\$ Millions	Full Year Ended 31 March			
	FY22	FY21	FY20	FY19
<b>North America Fiber Cement Segment EBIT</b>	<b>\$ 741.2</b>	<b>\$ 585.5</b>	<b>\$ 429.3</b>	<b>\$ 382.5</b>
Restructuring and product line discontinuation expenses	-	2.5	41.2	5.4
<b>North America Fiber Cement Segment Adjusted EBIT</b>	<b>\$ 741.2</b>	<b>\$ 588.0</b>	<b>\$ 470.5</b>	<b>\$ 387.9</b>
North America Fiber Cement Segment net sales	2,551.3	2,040.2	1,816.4	1,676.9
<b>North America Fiber Cement Segment Adjusted EBIT margin</b>	<b>29.1%</b>	<b>28.8%</b>	<b>25.9%</b>	<b>23.1%</b>

## NON-GAAP FINANCIAL MEASURES

### Asia Pacific Fiber Cement Segment Adjusted EBIT

A\$ Millions	Full Year Ended 31 March			
	FY22	FY21	FY20	FY19
Asia Pacific Fiber Cement Segment EBIT	A\$ 217.4	A\$ 172.4	A\$ 80.8	A\$ 136.5
Restructuring expenses	-	4.9	58.3	-
Asia Pacific Fiber Cement Segment Adjusted EBIT	A\$ 217.4	A\$ 177.3	A\$ 139.1	A\$ 136.5
Asia Pacific Fiber Cement Segment net sales	777.7	635.2	614.1	612.2
Asia Pacific Fiber Cement Segment Adjusted EBIT margin	28.0%	28.0%	22.7%	22.3%

### Europe Building Products Segment Adjusted EBIT

€ in millions	Full Year Ended 31 March			
	FY22	FY21	FY20	FY19
Europe Building Products Segment EBIT	€ 54.2	€ 31.4	€ 10.0	€ 9.1
Restructuring expenses	-	4.5	4.9	-
Europe Building Products Segment Adjusted EBIT	€ 54.2	€ 35.9	€ 14.9	€ 9.1
Europe Building Products Segment net sales	420.5	350.6	334.2	318.0
Europe Building Products Segment Adjusted EBIT margin	12.9%	10.4%	4.5%	2.7%



# Q4 FY22 MANAGEMENT PRESENTATION

17 May 2022





# **James Hardie Industries plc**

**Consolidated Financial Statements  
as of and for the Year Ended 31 March 2022**

# James Hardie Industries plc

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## Report of Independent Registered Public Accounting Firm

To the Shareholders and the Board of Directors of James Hardie Industries plc

### Opinion on the Financial Statements

We have audited the accompanying consolidated balance sheets of James Hardie Industries plc (the Company) as of 31 March 2022 and 2021, the related consolidated statements of operations and comprehensive income, changes in shareholders' equity, and cash flows for each of the three years in the period ended 31 March 2022, and the related notes (collectively referred to as the "consolidated financial statements"). In our opinion, the consolidated financial statements present fairly, in all material respects, the financial position of the Company at 31 March 2022 and 2021, and the results of its operations and its cash flows for each of the three years in the period ended 31 March 2022, in conformity with U.S. generally accepted accounting principles.

### Basis for Opinion

These financial statements are the responsibility of the Company's management. Our responsibility is to express an opinion on the Company's financial statements based on our audits. We are a public accounting firm registered with the PCAOB and are required to be independent with respect to the Company in accordance with the U.S. federal securities laws and the applicable rules and regulations of the Securities and Exchange Commission and the PCAOB.

We conducted our audits in accordance with the standards of the PCAOB. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement, whether due to error or fraud. Our audits included performing procedures to assess the risks of material misstatement of the financial statements, whether due to error or fraud, and performing procedures that respond to those risks. Such procedures included examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements. Our audits also included evaluating the accounting principles used and significant estimates made by management, as well as evaluating the overall presentation of the financial statements. We believe that our audits provide a reasonable basis for our opinion.

### Critical Audit Matter

The critical audit matter communicated below is a matter arising from the current period audit of the financial statements that was communicated or required to be communicated to the audit committee and that: (1) relates to accounts or disclosures that are material to the financial statements and (2) involved our especially challenging, subjective or complex judgments. The communication of the critical audit matter does not alter in any way our opinion on the consolidated financial statements, taken as a whole, and we are not, by communicating the critical audit matter below, providing a separate opinion on the critical audit matter or on the accounts or disclosures to which it relates.



**Asbestos Liability Valuation**

*Description of the Matter*

At 31 March 2022, the aggregate asbestos liability was US\$1,143.7 million. As disclosed in Note 12 to the consolidated financial statements, the liability relates to an agreement to provide long-term funding to the Asbestos Injuries Compensation Fund ("AICF"), a special purpose fund established to provide compensation of proven Australian-related personal injuries.

Auditing management's estimate of the asbestos liability is challenging because the estimation process is based on actuarial estimates of projected future cash flows which are inherently uncertain. The projected cash flows are complex and use subjective assumptions including the projected number of claims, estimated cost of settlement per claim, inflation rates, legal costs, and timing of receipt of claims and settlements.

*How We Addressed the Matter in Our Audit*

We obtained an understanding, evaluated the design and tested the operating effectiveness of the Company's internal controls over the identification of claims, review of calculations performed by the Company's third-party actuary and management's review of the use of historical claim data and actuarial assumptions mentioned above to project the future liability.

To evaluate the estimate of the asbestos liability, our audit procedures included, among others, testing the underlying claims data used in the calculation to internal and external data on a sample basis. We involved our actuarial specialists to assist in evaluating the methodologies and key assumptions mentioned above to independently develop a range for the asbestos liability and compared that range to management's recorded liability. We also assessed the adequacy of the related disclosures in the Company's consolidated financial statements.

/s/ Ernst & Young LLP

We have served as the Company's auditor since 2008.  
Irvine, California  
17 May 2022

# James Hardie Industries plc

## Consolidated Balance Sheets

(Millions of US dollars)	31 March 2022	31 March 2021
<b>Assets</b>		
Current assets:		
Cash and cash equivalents	\$ 125.0	\$ 208.5
Restricted cash and cash equivalents	5.0	5.0
Restricted cash and cash equivalents - Asbestos	141.9	104.9
Restricted short-term investments - Asbestos	119.7	26.6
Accounts and other receivables, net	398.4	333.2
Inventories	279.7	218.3
Prepaid expenses and other current assets	43.2	38.9
Insurance receivable - Asbestos	7.9	6.6
Workers' compensation - Asbestos	3.2	1.6
Total current assets	1,124.0	943.6
Property, plant and equipment, net	1,457.0	1,372.3
Operating lease right-of-use-assets	57.8	46.4
Finance lease right-of-use-assets	2.3	2.7
Goodwill	199.5	209.3
Intangible assets, net	162.8	173.9
Insurance receivable - Asbestos	37.8	42.9
Workers' compensation - Asbestos	18.6	20.3
Deferred income taxes	819.2	906.8
Deferred income taxes - Asbestos	360.1	367.4
Other assets	4.1	3.4
Total assets	\$ 4,243.2	\$ 4,089.0
<b>Liabilities and Shareholders' Equity</b>		
Current liabilities:		
Accounts payable and accrued liabilities	\$ 458.0	\$ 307.0
Accrued payroll and employee benefits	116.6	112.5
Operating lease liabilities	12.5	7.8
Finance lease liabilities	1.1	1.0
Accrued product warranties	6.7	6.0
Income taxes payable	9.5	6.6
Asbestos liability	132.9	122.2
Workers' compensation - Asbestos	3.2	1.6
Dividends payable	—	303.7
Other liabilities	29.4	32.7
Total current liabilities	769.9	901.1
Long-term debt	877.3	858.6
Deferred income taxes	86.9	86.3
Operating lease liabilities	63.1	53.3
Finance lease liabilities	1.5	1.9
Accrued product warranties	31.0	33.6
Income taxes payable	2.3	4.7
Asbestos liability	1,010.8	1,013.6
Workers' compensation - Asbestos	18.6	20.3
Other liabilities	48.9	54.8
Total liabilities	2,910.3	3,028.2
Commitments and contingencies (Note 14)		
Shareholders' equity:		
Common stock, Euro 0.59 par value, 2.0 billion shares authorized; 445,348,933 shares issued and outstanding at 31 March 2022 and 444,288,874 shares issued and outstanding at 31 March 2021	232.1	231.4
Additional paid-in capital	230.4	224.6
Retained earnings	892.4	611.4
Accumulated other comprehensive loss	(22.0)	(6.6)
Total shareholders' equity	1,332.9	1,060.8
Total liabilities and shareholders' equity	\$ 4,243.2	\$ 4,089.0

The accompanying notes are an integral part of these consolidated financial statements.

**James Hardie Industries plc**  
**Consolidated Statements of Operations and Comprehensive Income**

(Millions of US dollars, except per share data)	Years Ended 31 March		
	2022	2021	2020
Net sales	\$ 3,614.7	\$ 2,908.7	\$ 2,606.8
Cost of goods sold	2,301.2	1,857.0	1,673.1
Gross profit	1,313.5	1,051.7	933.7
Selling, general and administrative expenses	461.2	389.6	415.8
Research and development expenses	38.0	34.3	32.8
Restructuring expenses	—	11.1	84.4
Asbestos adjustments loss	131.7	143.9	58.2
Operating income	682.6	472.8	342.5
Interest, net	39.3	47.8	54.4
Loss on early debt extinguishment	—	13.1	—
Other expense (income)	0.2	(0.1)	0.1
Income before income taxes	643.1	412.0	288.0
Income tax expense	184.0	149.2	46.5
Net income	\$ 459.1	\$ 262.8	\$ 241.5
Income per share:			
Basic	\$ 1.03	\$ 0.59	\$ 0.55
Diluted	\$ 1.03	\$ 0.59	\$ 0.54
Weighted average common shares outstanding (Millions):			
Basic	444.9	443.7	442.6
Diluted	445.9	445.4	444.1
Comprehensive income, net of tax:			
Net income	\$ 459.1	\$ 262.8	\$ 241.5
Pension adjustments	(0.7)	(0.4)	0.8
Currency translation adjustments	(14.7)	55.9	(32.6)
Comprehensive income	\$ 443.7	\$ 318.3	\$ 209.7

The accompanying notes are an integral part of these consolidated financial statements.

**James Hardie Industries plc**  
**Consolidated Statements of Cash Flows**

(Millions of US dollars)	Years Ended 31 March		
	2022	2021	2020
<b>Cash Flows From Operating Activities</b>			
Net income	\$ 459.1	\$ 262.8	\$ 241.5
Adjustments to reconcile net income to net cash provided by operating activities:			
Depreciation and amortization	161.8	135.0	131.5
Lease expense	23.2	17.0	18.1
Deferred income taxes	49.8	85.8	64.0
Stock-based compensation	9.0	18.0	10.3
Asbestos adjustments loss	131.7	143.9	58.2
Excess tax benefits from share-based awards	(2.4)	(3.5)	(0.4)
Restructuring expenses	—	—	77.4
Loss on early debt extinguishment	—	13.1	—
Other, net	17.7	20.3	17.2
Changes in operating assets and liabilities:			
Accounts and other receivables	(70.9)	46.4	(118.6)
Inventories	(64.3)	98.7	3.2
Lease assets and liabilities, net	(19.2)	(19.1)	(15.6)
Prepaid expenses and other assets	(5.7)	(14.2)	(2.6)
Insurance receivable - Asbestos	8.3	5.8	7.6
Accounts payable and accrued liabilities	136.7	25.0	45.1
Claims and handling costs paid - Asbestos	(118.8)	(106.4)	(105.6)
Income taxes payable	0.2	(14.7)	(11.0)
Other accrued liabilities	41.0	73.0	30.9
<b>Net cash provided by operating activities</b>	<b>\$ 757.2</b>	<b>\$ 786.9</b>	<b>\$ 451.2</b>
<b>Cash Flows From Investing Activities</b>			
Purchases of property, plant and equipment	\$ (257.8)	\$ (110.7)	\$ (193.8)
Proceeds from sale of property, plant and equipment	—	1.6	8.0
Capitalized interest	(1.9)	(9.5)	(9.5)
Purchase of restricted short-term investments - Asbestos	(114.6)	(25.0)	(75.5)
Proceeds from restricted short-term investments - Asbestos	26.1	23.2	67.0
<b>Net cash used in investing activities</b>	<b>\$ (348.2)</b>	<b>\$ (120.4)</b>	<b>\$ (203.8)</b>
<b>Cash Flows From Financing Activities</b>			
Proceeds from credit facilities	\$ 390.0	\$ —	\$ 330.0
Repayments of credit facilities	(350.0)	(130.0)	(350.0)
Repayment of senior unsecured notes	—	(400.0)	—
Call redemption premium paid to note holders	—	(9.5)	—
Debt issuance costs	(2.1)	—	—
Proceeds from issuance of shares	0.3	0.1	—
Repayment of finance lease obligations and borrowings	(1.0)	(0.8)	(0.4)
Dividends paid	(484.0)	—	(158.6)
Taxes paid related to net share settlement of equity awards	(2.8)	—	—
<b>Net cash used in financing activities</b>	<b>\$ (449.6)</b>	<b>\$ (540.2)</b>	<b>\$ (179.0)</b>
Effects of exchange rate changes on cash and cash equivalents, restricted cash and restricted cash - Asbestos	\$ (5.9)	\$ 6.3	\$ (6.2)
Net (decrease) increase in cash and cash equivalents, restricted cash and restricted cash - Asbestos	(46.5)	132.6	62.2
Cash and cash equivalents, restricted cash and restricted cash - Asbestos at beginning of period	318.4	185.8	123.6
<b>Cash and cash equivalents, restricted cash and restricted cash - Asbestos at end of period</b>	<b>\$ 271.9</b>	<b>\$ 318.4</b>	<b>\$ 185.8</b>
<b>Non-Cash Investing and Financing Activities</b>			
Capital expenditures incurred but not yet paid	\$ 32.3	\$ 18.0	\$ 8.3
<b>Supplemental Disclosure of Cash Flow Activities</b>			
Cash paid during the year for interest	\$ 37.0	\$ 56.4	\$ 61.5
Cash payment (refund) during the year for income taxes, net	\$ 92.7	\$ (3.7)	\$ 52.5
Cash paid to AICF	\$ 248.5	\$ 153.3	\$ 108.9

The accompanying notes are an integral part of these consolidated financial statements.

**James Hardie Industries plc**  
**Consolidated Statements of Changes in Shareholders' Equity**

(Millions of US dollars)	Common Stock	Additional Paid-in Capital	Retained Earnings	Accumulated Other Comprehensive (Loss) Gain	Total
<b>Balances as of 31 March 2019</b>	<b>\$ 230.0</b>	<b>\$ 197.6</b>	<b>\$ 577.1</b>	<b>\$ (30.3)</b>	<b>\$ 974.4</b>
Net income	—	—	241.5	—	241.5
Other comprehensive loss	—	—	—	(31.8)	(31.8)
Stock-based compensation	0.6	9.7	—	—	10.3
Adoption of ASU 2016-02	—	—	0.2	—	0.2
Dividends declared	—	—	(159.3)	—	(159.3)
<b>Balances as of 31 March 2020</b>	<b>\$ 230.6</b>	<b>\$ 207.3</b>	<b>\$ 659.5</b>	<b>\$ (62.1)</b>	<b>\$ 1,035.3</b>
Net income	—	—	262.8	—	262.8
Other comprehensive gain	—	—	—	55.5	55.5
Stock-based compensation	0.8	17.2	—	—	18.0
Issuance of ordinary shares	—	0.1	—	—	0.1
Dividends declared	—	—	(310.9)	—	(310.9)
<b>Balances as of 31 March 2021</b>	<b>\$ 231.4</b>	<b>\$ 224.6</b>	<b>\$ 611.4</b>	<b>\$ (6.6)</b>	<b>\$ 1,060.8</b>
Net income	—	—	459.1	—	459.1
Other comprehensive loss	—	—	—	(15.4)	(15.4)
Stock-based compensation	0.7	5.5	—	—	6.2
Issuance of ordinary shares	—	0.3	—	—	0.3
Dividends declared	—	—	(178.1)	—	(178.1)
<b>Balances as of 31 March 2022</b>	<b>\$ 232.1</b>	<b>\$ 230.4</b>	<b>\$ 892.4</b>	<b>\$ (22.0)</b>	<b>\$ 1,332.9</b>

The accompanying notes are an integral part of these consolidated financial statements.

## **1. Organization and Significant Accounting Policies**

### **Nature of Operations**

James Hardie Industries plc ("JHI plc") manufactures and sells fiber cement, fiber gypsum and cement-bonded building products for interior and exterior building construction applications, primarily in the United States, Australia, Europe, New Zealand and the Philippines.

### **Basis of Presentation**

The consolidated financial statements represent the financial position, results of operations and cash flows of JHI plc and its wholly-owned subsidiaries and variable interest entity ("VIE"). Unless the context indicates otherwise, JHI plc and its direct and indirect wholly-owned subsidiaries and VIE (as of the time relevant to the applicable reference) are collectively referred to as "James Hardie", the "James Hardie Group" or the "Company". The consolidated financial statements are prepared in accordance with accounting principles generally accepted in the United States of America ("US GAAP"). All intercompany balances and transactions have been eliminated in consolidation.

### **Summary of Significant Accounting Policies**

#### **Variable Interest Entities**

A VIE is an entity that is evaluated for consolidation using more than a simple analysis of voting control. The analysis is based on: (i) what party has the power to direct the most significant activities of the VIE that impact its economic performance; and (ii) what party has rights to receive benefits or is obligated to absorb losses that are significant to the VIE. The analysis of the party that consolidates a VIE is a continual assessment.

In February 2007, the Company's shareholders approved the Amended and Restated Final Funding Agreement (the "AFFA"), an agreement pursuant to which the Company provides long-term funding to Asbestos Injuries Compensation Fund ("AICF"), a special purpose fund that provides compensation for the Australian-related personal injuries for which certain former subsidiary companies of James Hardie in Australia (being Amaca Pty Ltd ("Amaca"), Amaba Pty Ltd ("Amaba") and ABN 60 Pty Limited ("ABN 60") (collectively, the "Former James Hardie Companies")) are found liable. JHI plc owns 100% of James Hardie 117 Pty Ltd (the "Performing Subsidiary"), which, under the terms of the AFFA, has an obligation to make payments to AICF on an annual basis subject to the provisions of the AFFA. JHI plc guarantees the Performing Subsidiary's obligation. Additionally, the Company appoints three AICF directors and the New South Wales ("NSW") Government appoints two AICF directors.

Although the Company has no ownership interest in AICF, for financial reporting purposes, the Company consolidates AICF, which is a VIE as defined under US GAAP, due to its pecuniary and contractual interests in AICF as a result of the funding arrangements outlined in the AFFA. The Company's consolidation of AICF results in AICF's assets and liabilities being recorded on its consolidated balance sheets and AICF's income and expense transactions being recorded in the consolidated statements of operations and comprehensive income. These items are Australian dollar-denominated and are subject to remeasurement into US dollars at each reporting date.

For the fiscal years ended 31 March 2022, 2021 and 2020, the Company did not provide financial or other support to AICF that it was not previously contractually required to provide.

### **Use of Estimates**

The preparation of financial statements in conformity with US GAAP requires management to make estimates and assumptions. These estimates and assumptions affect the reported amounts of assets and liabilities and the disclosure of contingent assets and liabilities at the date of the financial statements, and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from these estimates.

### **Foreign Currency Translation/Remeasurement**

All assets and liabilities are translated or remeasured into US dollars at current exchange rates while revenues and expenses are translated or remeasured at average exchange rates in effect for the period. The effects of foreign currency translation adjustments are included directly in other comprehensive income in shareholders' equity. Gains and losses arising from foreign currency transactions are recognized in income.

The Company has recorded on its balance sheet certain foreign assets and liabilities, including asbestos-related assets and liabilities under the terms of the AFFA, that are denominated in foreign currencies and subject to translation (foreign entities) or remeasurement (AICF entity and Euro denominated debt) into US dollars at each reporting date. Unless otherwise noted, the Company converts foreign currency denominated assets and liabilities into US dollars at the spot rate at the end of the reporting period; while revenues and expenses are converted using an average exchange rate for the period. The Company records gains and losses on its Euro denominated debt which are economically offset by foreign exchange gains and losses on loans between subsidiaries, resulting in a net immaterial translation gain or loss which is recorded in the *Selling, general and administrative expenses* in the consolidated statements of operations and comprehensive income.

### **Restricted Cash and Cash Equivalents**

Restricted cash and cash equivalents, other than those amounts directly related to the AICF, generally relate to amounts subject to letters of credit with insurance companies, which restrict the cash from use for general corporate purposes.

### **Accounts Receivable**

The Company evaluates the collectability of accounts receivable on an ongoing basis based on historical bad debts, customer credit-worthiness, current economic trends and changes in the Company's customer payment activity. An allowance for doubtful accounts is provided for known and estimated bad debts. Although credit losses have historically been within expectations, the Company cannot guarantee that it will continue to experience the same credit loss rates that it has had in the past.

### **Inventories**

Inventories are valued at the lower of cost or net realizable value. Cost is generally determined under the first-in, first-out method, except that the cost of raw materials and supplies is determined using actual or average costs. Cost includes the costs of materials, labor and applied factory overhead. On a regular basis, the Company evaluates its inventory balances for excess quantities and obsolescence by analyzing demand, inventory on hand, sales levels and other information. Based on these evaluations, inventory costs are adjusted to net realizable value, if necessary.

### **Property, Plant and Equipment**

Property, plant and equipment are stated at cost. Property, plant and equipment of businesses acquired are recorded at their estimated fair value at the date of acquisition. Depreciation of property, plant and equipment is computed using the straight-line method over the following estimated useful lives:

	Years
Buildings	10 to 50
Buildings Improvements	1 to 40
Leasehold Improvements	1 to 40
Machinery and Equipment	1 to 30

### **Leases**

At lease commencement, which is generally when the Company takes possession of the asset, the Company records a lease liability and a corresponding right-of-use ("ROU") asset. Lease liabilities represent the present value of minimum lease payments over the expected lease term, which includes options to extend the lease when it is reasonably certain those options will be exercised. Determining the lease term and amount of lease payments to include in the calculation of the ROU asset and lease liability for leases containing options requires the use of judgment to determine whether the exercise of an option is reasonably certain, and if the option period and payments should be included in the calculation of the associated ROU asset and liability. In making this determination, the Company considers all relevant economic factors that would compel the Company to exercise an option. The Company's leases generally do not provide a readily determinable implicit borrowing rate. As such, the discount rate used to calculate present value is the lessee's incremental borrowing rate, which is primarily based upon the periodic risk-adjusted interest margin and the term of the lease.

Minimum lease payments include base rent as well as fixed escalation of rental payments. In determining minimum lease payments, the Company separates non-lease components such as common area maintenance or other miscellaneous expenses that are updated based on landlord estimates for real estate leases. Additionally, many of the Company's transportation and equipment leases require additional payments based on the underlying usage of the assets such as mileage and maintenance costs. Due to the variable nature of these costs, the cash flows associated with these costs are expensed as incurred and not included in the lease payments used to determine the ROU asset and associated lease liability.

ROU assets represent the right to control the use of the leased asset during the lease term and are initially recognized as an amount equal to the lease liability. In addition, prepaid rent, initial direct costs, and adjustments for lease incentives are components of the ROU asset. Over the lease term, the lease expense is amortized on a straight-line basis beginning on the lease commencement date. ROU assets are assessed for impairment as part of the impairment of long-lived assets, which is performed whenever events or changes in circumstances indicate that the carrying amount of an asset or asset group may not be recoverable.

A ROU asset and lease liability are not recognized for leases with an initial term of 12 months or less, and the lease expense is recognized on a straight-line basis over the lease term.

### **Depreciation and Amortization**

The Company records depreciation and amortization under both *Cost of goods sold* and *Selling, general and administrative* expenses, depending on the asset's business use. All depreciation and amortization related to plant building, machinery and equipment is recorded in *Cost of goods sold*.



### **Goodwill and Other Intangible Assets**

Goodwill is the excess of purchase price over the fair value of tangible and identifiable intangible net assets acquired in various business combinations. Goodwill is not amortized but is tested at the reporting unit level for impairment annually, or more often if indicators of impairment exist. Factors that could cause an impairment in the future could include, but are not limited to, adverse macroeconomic conditions, deterioration in industry or market conditions, decline in revenue and cash flows or increases in costs and capital expenditures compared to projected results. A goodwill impairment charge is recorded for the amount by which the carrying value of the reporting unit exceeds the fair value of the reporting unit.

Intangible assets from acquired businesses are recognized at their estimated fair values at the date of acquisition and consist of trademarks, customer relationships and other intangible assets. Finite-lived intangibles are amortized to expense over the applicable useful lives, ranging from 2 to 13 years, based on the nature of the asset and the underlying pattern of economic benefit as reflected by future net cash inflows.

The Company performs an impairment test of goodwill and intangibles annually, or whenever events or changes in circumstances indicate their carrying value may be impaired. During the third quarter of fiscal year 2022, the Company performed its annual test noting no impairment.

### **Impairment of Long-Lived Assets**

Long-lived assets, such as property, plant and equipment, are evaluated each quarter for events or changes in circumstances that indicate that an asset might be impaired because the carrying amount of the asset may not be recoverable. These include, without limitation, a significant adverse change in the extent or manner in which a long-lived asset or asset group is being used, a current period operating or cash flow loss combined with a history of operating or cash flow losses, a projection or forecast that demonstrates continuing losses associated with the use of a long-lived asset or asset group and/or a current expectation that it is more likely than not that a long lived asset or asset group will be sold or otherwise disposed of significantly before the end of its previously estimated useful life.

When such indicators of potential impairment are identified, recoverability is tested by grouping long-lived assets that are used together and represent the lowest level for which cash flows are identifiable and distinct from the cash flows of other long-lived assets, which is typically at the production line or plant facility level, depending on the type of long-lived asset subject to an impairment review.

Recoverability is measured by a comparison of the carrying amount of the asset group to the estimated undiscounted future cash flows expected to be generated by the asset group. If the carrying amount exceeds the estimated undiscounted future cash flows, an impairment charge is recognized at the amount by which the carrying amount exceeds the estimated fair value of the asset group.

The methodology used to estimate the fair value of the asset group is based on a discounted cash flow analysis or a relative, market-based approach based on purchase offers or appraisals received from third parties, that considers the asset group's highest and best use that would maximize the value of the asset group. In addition, the estimated fair value of an asset group also considers, to the extent practicable, a market participant's expectations and assumptions in estimating the fair value of the asset group. If the estimated fair value of the asset group is less than the carrying value, an impairment loss is recognized at an amount equal to the excess of the carrying value over the estimated fair value of the asset group.

### **Accrued Product Warranties**

An accrual for estimated future warranty costs is recorded based on an analysis by the Company, which includes the historical relationship of warranty costs to installed product at an estimated remediation cost per standard foot. Based on this analysis and other factors, the adequacy of the Company's warranty provision is adjusted as necessary.

### **Debt**

The Company's debt consists of senior unsecured notes and an unsecured revolving credit facility. Each of the Company's debt instruments is recorded at cost, net of any original issue discount or premium, where applicable. The related original issue discount, premium and debt issuance costs are amortized over the term of each respective borrowing using the effective interest method. Debt is presented as current if the liability is due to be settled within 12 months after the balance sheet date, unless the Company has the ability and intention to refinance on a long-term basis in accordance with US GAAP. See Fair Value Measurements below and Note 13 for the Company's fair value considerations.

In addition, the Company consolidates AICF which has a loan facility, which is included in Asbestos-related Accounting Policies below.

### **Revenue Recognition**

The Company recognizes revenues when the requisite performance obligation has been met, that is, when the Company transfers control of its products to customers, which depending on the terms of the underlying contract, is generally upon delivery. The Company records estimated reductions in sales for customer rebates and discounts including volume, promotional, cash and other discounts. Rebates and discounts are recorded based on management's best estimate when products are sold. The estimates are based on historical experience for similar programs and products. Management reviews these rebates and discounts on an ongoing basis and the related accruals are adjusted, if necessary, as additional information becomes available.

A portion of the Company's revenue is made through distributors under vendor managed inventory agreements whereby revenue is recognized upon the transfer of title and risk of loss to the distributors.

### **Advertising Costs**

Advertising costs are expensed as incurred and were US\$53.7 million, US\$27.2 million and US\$44.6 million for the fiscal years ended 31 March 2022, 2021 and 2020, respectively.

### **Income Taxes**

The Company accounts for income taxes under the asset and liability method. Under this method, deferred income taxes are recognized by applying enacted statutory rates applicable to future years to differences between the tax bases and financial reporting amounts of existing assets and liabilities. The effect on deferred taxes of a change in tax rates is recognized in income in the period that includes the enactment date. The realization of the US deferred tax assets is affected primarily by the continued profitability of the US business. A valuation allowance is provided when it is more likely than not that all or some portion of deferred tax assets will not be realized.

Income taxes payable represents taxes currently payable which are computed at statutory income tax rates applicable to taxable income derived in each jurisdiction in which the Company conducts business. Interest and penalties related to uncertain tax positions are recognized in *Income tax expense* on the consolidated statements of operations and comprehensive income.

The Company accrues for tax contingencies based upon its best estimate of the taxes ultimately expected to be paid, which it updates over time as more information becomes available. Such amounts are included in taxes payable or other non-current liabilities, as appropriate. If the Company ultimately determines that payment of these amounts is unnecessary, the Company reverses the liability and recognizes a tax benefit during the period in which the Company determines that the liability is no longer necessary. The Company records additional tax expense in the period in which it determines that the recorded tax liability is less than the ultimate assessment it expects.

Taxing authorities from various jurisdictions in which the Company operates are in the process of reviewing and auditing the Company's respective jurisdictional tax returns for various ranges of years. The Company accrues tax liabilities in connection with ongoing audits and reviews based on knowledge of all relevant facts and circumstances, taking into account existing tax laws, its experience with previous audits and settlements, the status of current tax examinations and how the tax authorities view certain issues.

### **Financial Instruments**

The Company calculates the fair value of financial instruments and includes this additional information in the notes to the consolidated financial statements. The estimated fair value amounts have been determined by the Company using available market information and appropriate valuation methodologies. However, considerable judgment is required in interpreting market data to develop the estimates of fair value. Accordingly, the estimates presented herein are not necessarily indicative of the amounts that the Company could realize in a current market exchange. The use of different market assumptions and/or estimation methodologies may have a material effect on the estimated fair value amounts.

Periodically, forward exchange contracts are used to manage market risks and reduce exposure resulting from fluctuations in foreign currency exchange rates. Changes in the fair value of financial instruments that are not designated as hedges are recorded in earnings within *Asbestos adjustments loss, Other expense, net* and *Selling, general and administrative expenses* at each measurement date. The Company does not use derivatives for trading purposes.

### **Fair Value Measurements**

Assets and liabilities of the Company that are carried or disclosed at fair value are classified in one of the following three categories:

- Level 1 Quoted market prices in active markets for identical assets and liabilities that the Company has the ability to access at the measurement date;
- Level 2 Observable market-based inputs or unobservable inputs that are corroborated by market data for the asset or liability at the measurement date;
- Level 3 Unobservable inputs that are not corroborated by market data used when there is minimal market activity for the asset or liability at the measurement date.

Fair value measurements of assets and liabilities are assigned a level within the fair value hierarchy based on the lowest level of any input that is significant to the fair value measurement in its entirety.

The carrying amounts of Cash and cash equivalents, Restricted cash and cash equivalents, Trade receivables, Trade payables and the revolving credit facility approximates their respective fair values due to the short-term nature of these instruments.

### **Stock-based Compensation**

Stock-based compensation expense represents the estimated fair value of equity-based and liability-classified awards granted to employees and is recognized as an expense over the vesting period. Forfeitures of stock-based awards are accounted for as they occur. Stock-based compensation expense is included in the line item *Selling, general and administrative* expenses on the consolidated statements of operations and comprehensive income.

Equity awards with vesting based solely on a service condition are typically subject to graded vesting, in that the awards outstanding generally vest as follows: 25% at the first anniversary date of the grant; 25% at the second anniversary date of the grant; and 50% at the third anniversary date of the grant. For equity awards subject to graded vesting, the Company has elected to use the accelerated recognition method. Accordingly, each vesting tranche is valued separately, and the recognition of stock-based compensation expense is more heavily weighted earlier in the vesting period. Stock-based compensation expense for equity awards that are subject to performance or market vesting conditions are based upon an estimate of the number of awards that are expected to vest and typically recognized ratably over the vesting period. The Company issues new shares to award recipients when the vesting condition for restricted stock units ("RSUs") has been satisfied.

For RSUs subject to a service vesting condition, the fair value is equal to the market value of the Company's common stock on the date of grant, adjusted for the fair value of estimated dividends as the restricted stock holder is not entitled to dividends over the vesting period.

For RSUs subject to a performance vesting condition, the vesting of these units is subject to a return on capital employed ("ROCE") performance hurdle being met and is subject to negative discretion by the Board. The Board's discretion will reflect the Board's judgment of the quality of the returns balanced against management's delivery of market share growth and a scorecard of key qualitative and quantitative performance objectives.

For RSUs subject to a market vesting condition, the vesting of these units is based on James Hardie's performance against its Peer Group for the 20 trading days preceding the test date. The fair value of each of these units is estimated using a binomial lattice model that incorporates a Monte Carlo simulation (the "Monte Carlo" method).

For cash settled units ("CSUs"), compensation expense is recognized based upon an estimate of the number of awards that are expected to vest and the fair market value of JHI plc's common stock on the date of the grant. The expense is recognized ratably over the vesting period and the liability is adjusted for subsequent changes in JHI plc's common stock price at each balance sheet date adjusted for the fair value of estimated dividends as the restricted stock unit holder is not entitled to dividends over the vesting period.

### **Loss Contingencies**

The Company recognizes a liability for asserted and unasserted claims in the period in which a loss becomes probable and estimable. The amount of a reasonably probable loss is dependent on a number of factors including, without limitation, the specific facts and circumstances unique to each claim, the existence of any co-defendants involved in defending the claim, the solvency of such co-defendants (including the ability of such co-defendants to remain solvent until the related claim is ultimately resolved), and the availability of claimant compensation under a government compensation scheme.

To the extent that it is probable and estimable, the estimated loss for these matters, incorporates assumptions that are subject to the foregoing uncertainties and are principally derived from, but not

exclusively based on, historical claims experience together with facts and circumstances unique to each claim. If the nature and extent of claims in future periods differ from historical claims experience, the Company's assessment of probable and estimable liability with respect to current asserted claims changes and/or actual liability is different to the estimates, then the actual amount of loss may be materially higher or lower than estimated losses accrued.

### **Asbestos-related Accounting Policies**

#### Asbestos Liability

The amount of the asbestos liability has been recognized by reference to (but not exclusively based upon) the most recent actuarial estimate of projected future cash flows as calculated by KPMG Actuarial ("KPMGA"), who are engaged and appointed by AICF under the terms of the AFFA. Based on their assumptions, KPMGA arrived at a range of possible total future cash flows and calculated a central estimate, which is intended to reflect a probability-weighted expected outcome of those actuarially estimated future cash flows projected by KPMGA to occur through 2073.

The Company recognizes the asbestos liability in the consolidated financial statements by reference to (but not exclusively based upon) the undiscounted and uninflated central estimate. The Company considered discounting when determining the best estimate under US GAAP. The Company has recognized the asbestos liability by reference to (but not exclusively based upon) the central estimate as undiscounted on the basis that the timing and amounts of such cash flows are not fixed or readily determinable. The Company considered inflation when determining the best estimate under US GAAP. It is the Company's view that there are material uncertainties in estimating an appropriate rate of inflation over the extended period of the AFFA. The Company views the undiscounted and uninflated central estimate as the best estimate under US GAAP.

Adjustments in the asbestos liability due to changes in the actuarial estimate of projected future cash flows and changes in the estimate of future operating costs of AICF are reflected in the consolidated statements of operations and comprehensive income during the period in which they occur. Claims paid by AICF and claims-handling costs incurred by AICF are treated as reductions in the Asbestos liability balances.

#### Insurance Receivable

The insurance receivable recorded by the Company has been recognized by reference to (but not exclusively based upon) the most recent actuarial estimate of recoveries expected from insurance policies and insurance companies with exposure to the asbestos claims, as calculated by KPMGA. The assessment of recoveries is based on the expected pattern of claims against such policies less an allowance for credit risk based on credit agency ratings. The insurance receivable generally includes these cash flows as undiscounted and uninflated, however, where the timing of recoveries has been agreed with the insurer, the receivables are recorded on a discounted basis. The Company records insurance receivables that are deemed probable of being realized.

Adjustments in the insurance receivable due to changes in the actuarial estimate, or changes in the Company's assessment of recoverability are reflected in the consolidated statements of operations and comprehensive income during the period in which they occur. Insurance recoveries are treated as a reduction in the insurance receivable balance.

Workers' Compensation

An estimate of the liability related to workers' compensation claims is prepared by KPMGA as part of the annual actuarial assessment. This estimate contains two components - amounts that will be met by a workers' compensation scheme or policy and amounts that will be met by the Former James Hardie Companies.

The estimated liability is included as part of the asbestos liability and adjustments to the estimate are reflected in the consolidated statements of operations and comprehensive income during the period in which they occur. Amounts that are expected to be paid by the workers' compensation schemes or policies are recorded as workers' compensation receivable. Adjustments to the workers' compensation liability result in an equal adjustment in the workers' compensation receivable recorded by the Company and have no effect on the consolidated statements of operations and comprehensive income.

Restricted Cash and Cash Equivalents

Cash and cash equivalents of AICF are reflected as restricted assets, as the use of these assets is restricted to the settlement of asbestos claims and payment of the operating costs of AICF. Since cash and cash equivalents are highly liquid, the Company classifies these amounts as a current asset on the consolidated balance sheets.

Restricted Short-Term Investments

Restricted short-term investments of AICF consist of highly liquid investments held in the custody of major financial institutions and are classified as available for sale. These restricted short-term investments are recorded in the financial statements at fair value based on quoted market prices using the specific identification method. Unrealized gains and losses on the fair value of these investments are included as a separate component of *Accumulated other comprehensive loss*. Realized gains and losses on these investments are recognized in *Asbestos adjustments loss* on the consolidated statements of operations and comprehensive income.

Short-Term Debt

AICF has access to a secured loan facility (the "AICF Loan Facility") made available by the NSW Government, which can be used by AICF to fund the payment of asbestos claims and certain operating and legal costs of AICF and Former James Hardie Companies (together, the "Obligors").

Interest accrues daily on amounts outstanding, is calculated based on a 365-day year and is payable monthly. AICF may, at its discretion, elect to accrue interest payable on amounts outstanding under the AICF Loan Facility on the date interest becomes due and payable.

Deferred Income Taxes

The Performing Subsidiary can claim a tax deduction for its contributions to AICF over a five-year period commencing in the year the contribution is incurred. Consequently, a deferred tax asset has been recognized equivalent to the anticipated tax benefit over the life of the AFFA.

Adjustments are made to the deferred income tax asset as adjustments to the asbestos-related assets and liabilities are recorded.

Asbestos Adjustments loss

The *Asbestos adjustments loss* reflected in the consolidated statements of operations and comprehensive income reflect the net change in the actuarial estimate of the asbestos liability and insurance receivables, and the change in the estimate of AICF claims handling costs. Additionally, as the asbestos-related assets and liabilities are denominated in Australian dollars, the reported values of these asbestos-related assets and liabilities in the Company's consolidated balance sheets in US dollars are subject to adjustment depending on the closing exchange rate between the two currencies at the balance sheet dates, the effect of which is also included in *Asbestos adjustments loss* in the consolidated statements of operations and comprehensive income. Further, changes in the fair value of forward exchange contracts entered into to reduce exposure to the change in foreign currency exchange rates associated with AICF payments are recorded in *Asbestos adjustments loss*.

**Accounting Pronouncements**

Adopted in Fiscal Year 2022

In December 2019, the Financial Accounting Standards Board ("FASB") issued Accounting Standards Update ("ASU") No. 2019-12, Income taxes (Topic 740). The amendments in the standard were issued to simplify the accounting for income taxes and were effective for fiscal years and interim periods within those fiscal years, beginning after 15 December 2020 with early adoption permitted. The Company adopted ASU No. 2019-12 starting with the fiscal year beginning 1 April 2021 and the adoption of this standard did not have a material impact on the Company's condensed consolidated financial statements.

**Earnings Per Share**

Basic earnings per share ("EPS") is calculated using net income divided by the weighted average number of common shares outstanding during the period. Diluted EPS is similar to basic EPS except that the weighted average number of common shares outstanding is increased to include the number of additional common shares calculated using the treasury method that would have been outstanding if the dilutive potential common shares, such as stock options and RSUs, had been issued.

Basic and dilutive common shares outstanding used in determining net income per share are as follows:

(Millions of shares)	Years Ended 31 March		
	2022	2021	2020
Basic common shares outstanding	444.9	443.7	442.6
Dilutive effect of stock awards	1.0	1.7	1.5
Diluted common shares outstanding	445.9	445.4	444.1

There were no potential common shares which would be considered anti-dilutive for the fiscal years ended 31 March 2022, 2021 and 2020.

Unless they are anti-dilutive, RSUs which vest solely based on continued employment are considered to be outstanding as of their issuance date for purposes of computing diluted EPS and are included in the calculation of diluted EPS using the Treasury Method. Once these RSUs vest, they are included in the basic EPS calculation on a weighted-average basis.

RSUs which vest based on performance or market conditions are considered contingent shares. At each reporting date prior to the end of the contingency period, the Company determines the number of contingently issuable shares to include in the diluted EPS calculation, as the number of shares that would be issuable under the terms of the RSU arrangement, if the end of the reporting period were the end of

the contingency period. Once these RSUs vest, they are included in the basic EPS calculation on a weighted-average basis.

Potential common shares of 0.7 million, 0.9 million and 1.5 million for the fiscal years ended 31 March 2022, 2021 and 2020, respectively, have been excluded from the calculation of diluted common shares outstanding as they are considered contingent shares which are not expected to vest.

## 2. Revenues

The following represents the Company's disaggregated revenues:

(Millions of US dollars)	Year Ended 31 March 2022			
	North America Fiber Cement	Asia Pacific Fiber Cement	Europe Building Products	Consolidated
Fiber cement revenues	\$ 2,551.3	\$ 574.9	\$ 76.3	\$ 3,202.5
Fiber gypsum revenues	—	—	412.2	412.2
<b>Total revenues</b>	<b>\$ 2,551.3</b>	<b>\$ 574.9</b>	<b>\$ 488.5</b>	<b>\$ 3,614.7</b>

(Millions of US dollars)	Year Ended 31 March 2021			
	North America Fiber Cement	Asia Pacific Fiber Cement	Europe Building Products	Consolidated
Fiber cement revenues	\$ 2,040.2	\$ 458.2	\$ 55.3	\$ 2,553.7
Fiber gypsum revenues	—	—	355.0	355.0
<b>Total revenues</b>	<b>\$ 2,040.2</b>	<b>\$ 458.2</b>	<b>\$ 410.3</b>	<b>\$ 2,908.7</b>

(Millions of US dollars)	Year Ended 31 March 2020				
	North America Fiber Cement	Asia Pacific Fiber Cement	Europe Building Products	Other Businesses	Consolidated
Fiber cement revenues	\$ 1,816.4	\$ 418.4	\$ 48.0	\$ —	\$ 2,282.8
Fiber gypsum revenues	—	—	323.4	—	323.4
Other revenues	—	—	—	0.6	0.6
<b>Total revenues</b>	<b>\$ 1,816.4</b>	<b>\$ 418.4</b>	<b>\$ 371.4</b>	<b>\$ 0.6</b>	<b>\$ 2,606.8</b>

The process by which the Company recognizes revenues is similar across each of the Company's reportable segments. Fiber cement and fiber gypsum revenues are primarily generated from the sale of siding and various boards used in external and internal applications, as well as accessories. Fiber gypsum revenues also includes the sale of cement-bonded boards in the Europe Building Products segment.

The Company recognizes revenues when the requisite performance obligation has been met, that is, when the Company transfers control of its products to customers, which depending on the terms of the underlying contract, is generally upon delivery. The Company considers shipping and handling activities that it performs as activities to fulfill the sales of its products, with amounts billed for such costs included in net sales and the associated costs incurred for such services recorded in cost of sales, in accordance with the practical expedient provided by Accounting Standards Codification ("ASC") 606.

Certain of the Company's customers receive discounts and rebates as sales incentives, amounts which are recorded as a reduction to revenue at the time the revenue is recognized. These amounts are an estimate recorded by the Company based on historical experience and contractual obligations, the underlying assumptions of which are periodically reviewed and adjusted by the Company, as necessary.



**James Hardie Industries plc**  
**Notes to Consolidated Financial Statements (continued)**

The Company's contracts are generally short-term in nature, generally not exceeding twelve months, with payment terms varying by the type and location of products or services offered; however, the period between invoicing and when payment is due is not significant.

**3. Cash and Cash Equivalents, Restricted Cash and Restricted Cash - Asbestos**

The following table provides a reconciliation of *Cash and cash equivalents, Restricted cash and Restricted cash - Asbestos* reported within the consolidated balance sheets that sum to the total of the same such amounts shown in the consolidated statements of cash flows:

(Millions of US dollars)	31 March	
	2022	2021
Cash and cash equivalents	\$ 125.0	\$ 208.5
Restricted cash	5.0	5.0
Restricted cash - Asbestos	141.9	104.9
Total cash and cash equivalents, restricted cash and restricted cash - Asbestos	<u>\$ 271.9</u>	<u>\$ 318.4</u>

**4. Accounts and Other Receivables**

*Accounts and other receivables* consist of the following components:

(Millions of US dollars)	31 March	
	2022	2021
Trade receivables	\$ 336.4	\$ 296.7
Income taxes receivable	29.8	25.4
Other receivables and advances	35.6	17.2
Provision for doubtful trade receivables	(3.4)	(6.1)
Total accounts and other receivables	<u>\$ 398.4</u>	<u>\$ 333.2</u>

The following are changes in the provision for doubtful trade receivables:

(Millions of US dollars)	31 March		
	2022	2021	2020
Balance at beginning of period	\$ 6.1	\$ 4.4	\$ 2.9
Adjustment to provision	(2.2)	3.1	1.7
Write-offs, net of recoveries	(0.5)	(1.4)	(0.2)
Balance at end of period	<u>\$ 3.4</u>	<u>\$ 6.1</u>	<u>\$ 4.4</u>

**5. Inventories**

*Inventories* consist of the following components:

(Millions of US dollars)	31 March	
	2022	2021
Finished goods	\$ 187.3	\$ 149.9
Work-in-process	16.2	17.9
Raw materials and supplies	82.1	60.4
Provision for obsolete finished goods and raw materials	(5.9)	(9.9)
<b>Total inventories</b>	<b>\$ 279.7</b>	<b>\$ 218.3</b>

**6. Goodwill and Other Intangible Assets**

Goodwill

The following are the changes in the carrying value of goodwill:

(Millions of US dollars)	Europe Building Products	
Balance - 31 March 2020	\$ 196.9	
Foreign exchange impact		12.4
Balance - 31 March 2021	\$ 209.3	
Foreign exchange impact		(9.8)
Balance - 31 March 2022	\$ 199.5	

Intangible Assets

The following are the net carrying amount of indefinite lived intangible assets other than goodwill:

(Millions of US dollars)	31 March	
	2022	2021
Tradenames	\$ 115.0	\$ 120.6
Other	7.4	7.4
<b>Total</b>	<b>\$ 122.4</b>	<b>\$ 128.0</b>

**James Hardie Industries plc**  
**Notes to Consolidated Financial Statements (continued)**

The following are the net carrying amount of amortizable intangible assets:

(Millions of US dollars)	Year Ended 31 March 2022		
	Gross Carrying Amount	Accumulated Amortization	Net Carrying Amount
Customer Relationships	\$ 52.9	\$ (12.5)	\$ 40.4
<b>Total</b>	<b>\$ 52.9</b>	<b>\$ (12.5)</b>	<b>\$ 40.4</b>

(Millions of US dollars)	Year Ended 31 March 2021		
	Gross Carrying Amount	Accumulated Amortization	Net Carrying Amount
Customer Relationships	\$ 55.2	\$ (9.3)	\$ 45.9
Other	10.9	(10.9)	—
<b>Total</b>	<b>\$ 66.1</b>	<b>\$ (20.2)</b>	<b>\$ 45.9</b>

The amortization of intangible assets was US\$3.5 million, US\$2.6 million and US\$3.1 million for the fiscal years ended 31 March 2022, 2021 and 2020, respectively.

At 31 March 2022, the estimated future amortization of intangible assets is as follows:

Years ended 31 March (Millions of US dollars):

2023	\$ 4.1
2024	\$ 4.4
2025	\$ 4.6
2026	\$ 4.7
2027	\$ 5.0

## 7. Property, Plant and Equipment

Property, plant and equipment consist of the following components:

(Millions of US dollars)	31 March	
	2022	2021
Land	\$ 83.6	\$ 85.2
Buildings	530.6	512.8
Machinery and equipment	1,880.0	1,775.5
Construction in progress	167.9	91.8
Property, plant and equipment, at cost	<b>2,662.1</b>	2,465.3
Less accumulated depreciation	<b>(1,205.1)</b>	(1,093.0)
Property, plant and equipment, net	<b>\$ 1,457.0</b>	<b>\$ 1,372.3</b>

Depreciation expense for the fiscal years ended 31 March 2022, 2021 and 2020 was US\$155.6 million, US\$129.6 million and US\$125.4 million, respectively.

The amount of capitalized interest was US\$1.9 million and US\$9.5 million for the years ended 31 March 2022 and 2021, respectively.

Impairment of Property, Plant & Equipment

The Company performs an asset impairment review on a quarterly basis in connection with its assessment of production capabilities and the Company's ability to meet market demand. The following table summarizes the impairment charges:

(Millions of US dollars)	Years Ended 31 March		
	2022	2021	2020
North America Fiber Cement	\$ 0.4	\$ 2.0	\$ 44.0
Asia Pacific Fiber Cement	—	—	15.0
Europe Building Products	—	—	5.5
	<u>\$ 0.4</u>	<u>\$ 2.0</u>	<u>\$ 64.5</u>

Charges recorded to *Restructuring expenses*

North America Fiber Cement segment

For the fiscal year ended 31 March 2020, impairment charges of US\$41.2 million were recorded in the North America Fiber Cement segment. Included in this total is US\$12.0 million related to the Company's decision to shut down its Summerville, South Carolina facility. This decision resulted from the potential impact of COVID-19 on future fiber cement sales volume. Assets were grouped and evaluated for impairment at the level for which there are identifiable cash flows, which in the case of the Summerville plant included the manufacturing equipment, land, building and right of use assets. In accordance with the applicable accounting guidance, the Company recorded an impairment charge for the difference between the carrying value of the asset group of US\$22.1 million and the fair value, based on a third party appraisal of land and buildings, less costs to sell of US\$10.1 million.

The remaining impairment charges of US\$29.2 million is related to a variety of non-core assets located at four plants across the network which will no longer be used and will be disposed. Due to the unique nature of the non-core fixed assets and the lack of history of selling manufacturing assets, management believes that there will be no future cash flows nor salvage value related to these assets and fully impaired them as of 31 March 2020.

Asia Pacific Fiber Cement segment

For the fiscal year ended 31 March 2020, the Company recorded impairment charges of US\$14.0 million in the Asia Pacific Fiber Cement segment due to the decision to shift to an import sales model rather than continue manufacturing in New Zealand, and US\$1.0 million due to its decision to exit the James Hardie Systems business on the determination that it no longer fits within the Company's core business. The US\$14.0 million charge relates to the full write-down of most of the machinery and equipment at the Penrose plant and the related excess spare parts which will not be utilized prior to shutdown. All the equipment and spare parts are unique to the Company and have immaterial resale or salvage values. The remaining net book value of the Penrose plant's assets at 31 March 2020 is US\$2.6 million.

Europe Building Products segment

For the fiscal year ended 31 March 2020, impairment charges of US\$5.5 million were recorded in the Europe Building Products segment relating to a variety of non-core assets which no longer provide economic benefit to the Company.

**James Hardie Industries plc**  
**Notes to Consolidated Financial Statements (continued)**

Charges recorded to *Cost of goods sold*

Other impairment charges in the North America Fiber Cement segment related to individual assets totaled US\$0.4 million, US\$2.0 million and US\$2.8 million during fiscal years ended 31 March 2022, 2021 and 2020, respectively.

**8. Leases**

The Company's lease portfolio consists primarily of real estate, forklifts at its manufacturing facilities and a fleet of vehicles primarily for sales representatives. The lease term for all of its leases includes the non-cancellable period of the lease plus any additional periods covered by either an option to extend (or not to terminate) the lease that the Company is reasonably certain to exercise, or an option to extend (or not to terminate) the lease controlled by the lessor. ASC 842 requires a lessee to discount its unpaid lease payments using the interest rate implicit in the lease or, if that rate cannot be readily determined, its incremental borrowing rate.

The following table represents the Company's ROU assets and lease liabilities:

(Millions of US dollars)	31 March	
	2022	2021
<b>Assets:</b>		
Operating leases, net	\$ 57.8	\$ 46.4
Finance leases, net	2.3	2.7
Total right-of-use assets	<u>\$ 60.1</u>	<u>\$ 49.1</u>
<b>Liabilities:</b>		
Operating leases:		
Current	\$ 12.5	\$ 7.8
Non-Current	63.1	53.3
Total operating lease liabilities	<u>\$ 75.6</u>	<u>\$ 61.1</u>
Finance leases:		
Current	\$ 1.1	\$ 1.0
Non-Current	1.5	1.9
Total finance lease liabilities	<u>\$ 2.6</u>	<u>\$ 2.9</u>
Total lease liabilities	<u>\$ 78.2</u>	<u>\$ 64.0</u>

The following table represents the Company's lease expense:

(Millions of US dollars)	Years Ended 31 March		
	2022	2021	2020
Operating leases	\$ 21.6	\$ 17.0	\$ 18.4
Short-term leases	1.7	2.1	1.0
Variable leases	—	—	0.1
Finance leases	1.0	0.9	0.3
Interest on lease liabilities	0.1	0.1	0.1
Total lease expense	<u>\$ 24.4</u>	<u>\$ 20.1</u>	<u>\$ 19.9</u>

**James Hardie Industries plc**  
**Notes to Consolidated Financial Statements (continued)**

The weighted-average remaining lease term of the Company's leases is as follows:

(In Years)	2022	31 March	
		2021	
Operating leases	8.0	7.8	
Finance leases	3.2	3.5	

The weighted-average discount rate of the Company's leases is as follows:

	2022	31 March	
		2021	
Operating leases	4.3 %	4.6 %	
Finance leases	4.1 %	4.5 %	

The following are future lease payments for non-cancellable leases at 31 March 2022:

Years ended 31 March (Millions of US dollars):	Operating Leases		Finance Leases		Total
2023	\$	14.6	\$	1.1	\$ 15.7
2024		15.7		0.6	16.3
2025		11.3		0.5	11.8
2026		9.5		0.3	9.8
2027		5.7		—	5.7
Thereafter		37.4		—	37.4
Total	\$	94.2	\$	2.5	\$ 96.7
Less: imputed interest					18.5
Total lease liabilities					\$ 78.2

Supplemental cash flow and other information related to leases were as follows:

(Millions of US dollars)	Years Ended 31 March	
	2022	2021
<b>Cash paid for amounts included in the measurement of lease liabilities:</b>		
Operating cash flows used for operating leases	\$ 23.8	\$ 19.2
Operating cash flows used for finance leases	0.1	0.1
Financing cash flows used for finance leases	1.0	0.8
<b>Non-cash ROU assets obtained in exchange for new lease liabilities</b>	<b>31.8</b>	<b>26.0</b>
<b>Non-cash remeasurements reducing ROU assets and lease liabilities</b>	<b>1.3</b>	<b>(5.1)</b>

## 9. Accounts Payable and Accrued Liabilities

Accounts payable and accrued liabilities consist of the following components:

(Millions of US dollars)	31 March	
	2022	2021
Trade creditors	\$ 273.6	\$ 174.0
Accrued interest	4.6	4.5
Accrued customer rebates	126.2	80.0
Other creditors and accruals	53.6	48.5
<b>Total accounts payable and accrued liabilities</b>	<b>\$ 458.0</b>	<b>\$ 307.0</b>

## 10. Long-Term Debt

(Millions of US dollars)	31 March	
	2022	2021
<b>Senior unsecured notes:</b>		
Principal amount 3.625% notes due 2026 (€400.0 million)	\$ 446.4	\$ 468.3
Principal amount 5.000% notes due 2028	400.0	400.0
<b>Total</b>	<b>846.4</b>	<b>868.3</b>
Unsecured revolving credit facility	40.0	—
Unamortized debt issuance costs:	(9.1)	(9.7)
<b>Total Long-term debt</b>	<b>\$ 877.3</b>	<b>\$ 858.6</b>
Weighted average interest rate of Long-term debt	4.2 %	4.3 %
Weighted average term of available Long-term debt	5.0 years	4.5 years
Fair value of Senior unsecured notes (Level 1)	\$ 845.1	\$ 904.7

### Senior Unsecured Notes

#### 2025 Senior Unsecured Notes

On 15 January 2021, the Company redeemed US\$400.0 million aggregate principal amount of its 4.750% senior notes due 2025 (the "2025 Notes") and recorded a loss on early debt extinguishment of US\$13.1 million, which included US\$9.5 million of call redemption premiums and US\$3.6 million of unamortized financing costs associated with these notes.

On 18 January 2021, the 2025 Notes were delisted from the Global Exchange Market which is operated by Euronext Dublin.

### Unsecured Revolving Credit Facility

In December 2021, James Hardie International Finance Designated Activity Company ("JHIF") and James Hardie Building Products Inc. ("JHBP"), each a wholly-owned subsidiary of JHI plc, entered into a new US\$600.0 million revolving credit facility with certain commercial banks and HSBC Bank USA, National Association, as administrative agent. The size of the revolving credit facility may be increased by up to US\$250.0 million through the exercise of an accordion option. The revolving credit facility, which will mature in December 2026 and may be extended for two additional one year terms, replaces the prior credit facility agreement of US\$500.0 million which was scheduled to mature in December 2022. Debt issuance costs in connection with the revolving credit facility will be amortized as interest expense over the stated term of five years.

Borrowings under the revolving credit facility bear interest at per annum rates equal to, at the borrower's option, either: (i) the London Interbank Offered Rate ("LIBOR") plus an applicable margin for LIBOR loans; or (ii) a base rate plus an applicable margin for base rate loans. For LIBOR Loans, the applicable margin ranges from 1.25% to 2.00%, and for base rate loans it ranges from 0.25% to 1.00%. Included in the revolving credit facility is a benchmark provision for the migration from LIBOR, which will be in effect no later than June 2023. The Company also pays a commitment fee of between 0.20% and 0.35% on the actual daily amount of the unutilized revolving loans.

### Guarantees and Compliance

The indenture governing the senior unsecured notes contain covenants that, among other things, limit the ability of the guarantors and their restricted subsidiaries to incur liens on assets, make certain restricted payments, engage in certain sale and leaseback transactions and merge or consolidate with or into other companies. These covenants are subject to certain exceptions and qualifications as described in the indenture. At 31 March 2022, the Company was in compliance with all of its requirements under the indenture related to the senior unsecured notes.

The senior unsecured notes are guaranteed by JHIGL, JHBP and JHTL, each of which are wholly-owned subsidiaries of JHI plc.

The revolving credit facility agreement contains certain covenants that, among other things, restrict JHIGL and its restricted subsidiaries' ability to incur indebtedness and grant liens other than certain types of permitted indebtedness and permitted liens, make certain restricted payments, and undertake certain types of mergers or consolidations actions. At 31 March 2022, the Company was in compliance with all covenants contained in the revolving credit facility agreement.

The revolving credit facility is guaranteed by each of JHIGL and James Hardie Technology Limited ("JHTL"), each of which are wholly-owned subsidiaries of JHI plc.

### Off Balance Sheet Arrangements

As of 31 March 2022, the Company had a total borrowing base capacity under the revolving credit facility of US\$600.0 million with outstanding borrowings of US\$40.0 million, and US\$7.5 million of issued but undrawn letters of credit and bank guarantees. These letters of credit and bank guarantees relate to various operational matters including insurance, performance bonds and other items, leaving the Company with US\$552.5 million of available borrowing capacity under the revolving credit facility.



## 11. Product Warranties

The Company offers various warranties on its products, including a 30-year limited warranty on certain fiber cement siding products in the United States. A typical warranty program requires the Company to replace defective products within a specified time period from the date of sale. It is possible that future warranty costs could differ from those estimates.

The following are the changes in the product warranty provision:

(Millions of US dollars)	2022	31 March	
		2021	2020
Balance at beginning of period	\$ 39.6	\$ 42.4	\$ 46.6
Increase in accrual	1.9	2.4	0.8
Settlements made in cash or in kind	(3.8)	(5.2)	(5.0)
Balance at end of period	<u>\$ 37.7</u>	<u>\$ 39.6</u>	<u>\$ 42.4</u>

## 12. Asbestos

The AFFA was approved by shareholders in February 2007 to provide long-term funding to AICF. For a discussion of the AFFA and the accounting policies utilized by the Company related to the AFFA and AICF, see Note 1.

### Asbestos Adjustments loss

The *Asbestos adjustments loss* included in the consolidated statements of operations and comprehensive income comprise the following:

(Millions of US dollars)	Years Ended 31 March		
	2022	2021	2020
Change in estimates:			
Change in actuarial estimate - asbestos liability	\$ 145.6	\$ 33.0	\$ 133.8
Change in actuarial estimate - insurance receivable	(5.3)	(2.0)	(5.7)
Change in estimate - AICF claims-handling costs	0.6	1.5	(0.1)
Subtotal - Change in estimates	<u>140.9</u>	<u>32.5</u>	<u>128.0</u>
Effect of foreign exchange on Asbestos net liabilities	(13.2)	123.0	(69.0)
Loss (gain) on foreign currency forward contracts	5.3	(11.7)	(0.8)
Other	(1.3)	0.1	—
<b>Asbestos adjustments loss</b>	<u>\$ 131.7</u>	<u>\$ 143.9</u>	<u>\$ 58.2</u>

### *Actuarial Study; Claims Estimate*

AICF commissioned an updated actuarial study of potential asbestos-related liabilities as of 31 March 2022. Based on KPMGA's assumptions, KPMGA arrived at a range of possible total cash flows and calculated a central estimate, which is intended to reflect a probability-weighted expected outcome of those actuarial estimated future cash flows.

**James Hardie Industries plc**  
**Notes to Consolidated Financial Statements (continued)**

The following table sets forth the central estimates, net of insurance recoveries, calculated by KPMGA as of 31 March 2022:

(Millions of US and Australian dollars, respectively)	Year Ended 31 March 2022	
	US\$	A\$
Central Estimate – Discounted and Inflated	1,213.8	1,622.3
Central Estimate – Undiscounted but Inflated	1,499.1	2,003.6
Central Estimate – Undiscounted and Uninflated	1,040.0	1,389.9

The asbestos liability has been revised to reflect the most recent undiscounted and uninflated actuarial estimate prepared by KPMGA as of 31 March 2022.

In estimating the potential financial exposure, KPMGA has made a number of assumptions, including, but not limited to, assumptions related to the peak period of claims, total number of claims that are reasonably estimated to be asserted through 2073, the typical cost of settlement (which is sensitive to, among other factors, the industry in which a plaintiff claims exposure, the alleged disease type, the age of the claimant and the jurisdiction in which the action is brought), the legal costs incurred in the litigation of such claims, the rate of receipt of claims, the settlement strategy in dealing with outstanding claims and the timing of settlements. Changes to the assumptions may be necessary in future periods should mesothelioma claims reporting escalate or decline.

Due to inherent uncertainties in the legal and medical environment, the number and timing of future claim notifications and settlements, the recoverability of claims against insurance contracts, and estimates of future trends in average claim awards, as well as the extent to which the above named entities will contribute to the overall settlements, the actual liability could differ materially from that which is currently recorded.

The potential range of costs as estimated by KPMGA is affected by a number of variables such as nil settlement rates, peak year of claims, past history of claims numbers, average settlement rates, past history of Australian asbestos-related medical injuries, current number of claims, average defense and plaintiff legal costs, base wage inflation and superimposed inflation. The potential range of losses disclosed includes both asserted and unasserted claims.

A sensitivity analysis was performed by KPMGA to determine how the actuarial estimates would change if certain assumptions (i.e., the rate of inflation and superimposed inflation, the average costs of claims and legal fees, and the projected numbers of claims) were different from the assumptions used to determine the central estimates. The sensitivity analysis performed in the actuarial report is directly related to the discounted but inflated central estimate and the undiscounted but inflated central estimate. The actual cost of the liabilities could be outside of that range depending on the results of actual experience relative to the assumptions made.

The following table summarizes the results of the analysis:

(Millions of US and Australian dollars, respectively)	As of 31 March 2022	
	US\$	A\$
Discounted (but inflated) - Low	932.8	1,246.7
Discounted (but inflated) - High	1,914.8	2,559.1
Undiscounted (but inflated) - Low	1,131.5	1,512.2
Undiscounted (but inflated) - High	2,471.2	3,302.8

**James Hardie Industries plc**  
**Notes to Consolidated Financial Statements (continued)**

Potential variation in the estimated peak period of claims has an impact much greater than the other assumptions used to derive the discounted central estimate. In performing the sensitivity assessment of the estimated incidence pattern reporting for mesothelioma, if the pattern of incidence was shifted by two years, the central estimate could increase by approximately 21% on a discounted basis.

*Claims Data*

The following table shows the activity related to the numbers of open claims, new claims and closed claims during each of the past five years and the average settlement per settled claim and case closed:

	2022	For the Years Ended 31 March			
		2021	2020	2019	2018
Number of open claims at beginning of period	360	393	332	336	352
Number of new claims					
Direct claims	411	392	449	430	422
Cross claims	144	153	208	138	140
Number of closed claims	550	578	596	572	578
Number of open claims at end of period	365	360	393	332	336
Average settlement amount per settled claim	A\$314,000	A\$248,000	A\$277,000	A\$262,000	A\$253,000
Average settlement amount per case closed <sup>1</sup>	A\$282,000	A\$225,000	A\$245,000	A\$234,000	A\$217,000
Average settlement amount per settled claim	US\$232,000	US\$178,000	US\$189,000	US\$191,000	US\$196,000
Average settlement amount per case closed <sup>1</sup>	US\$208,000	US\$162,000	US\$167,000	US\$171,000	US\$168,000

<sup>1</sup> The average settlement amount per case closed includes nil settlements.

During fiscal year 2022, mesothelioma claims reporting activity was 1% above actuarial expectations and 3% unfavorable compared to the prior corresponding period. Average claim sizes were higher than expectations for direct claims and lower than expectations for cross claims. Net cash outflow was 1% below actuarial expectations.

Under the terms of the AFFA, the Company has rights of access to actuarial information produced for AICF by the actuary appointed by AICF, which is currently KPMGA. The Company's disclosures with respect to claims statistics are subject to it obtaining such information, however, the AFFA does not provide the Company an express right to audit or otherwise require independent verification of such information or the methodologies to be adopted by the approved actuary. As such, the Company relies on the accuracy and completeness of the information provided by AICF to the approved actuary and the resulting information and analysis of the approved actuary when making disclosures with respect to claims statistics.

**James Hardie Industries plc**  
**Notes to Consolidated Financial Statements (continued)**

The following is a detailed rollforward of the Net Unfunded AFFA liability, net of tax, for the fiscal year ended 31 March 2022:

(Millions of US dollars)	Asbestos Liability	Insurance Receivables	Restricted Cash and Investments	Other Assets and Liabilities	Net Unfunded AFFA Liability	Deferred Tax Assets	Income Tax Payable	Net Unfunded AFFA Liability, net of tax
Opening Balance - 31 March 2021	\$ (1,135.8)	\$ 49.5	\$ 131.5	\$ (1.9)	\$ (956.7)	\$ 367.4	\$ 35.2	\$ (554.1)
Asbestos claims paid <sup>1</sup>	117.6	—	(117.6)	—	—	—	—	—
Payment received in accordance with AFFA	—	—	248.5	—	248.5	—	—	248.5
AICF claims-handling costs incurred (paid)	1.2	—	(1.2)	—	—	—	—	—
AICF operating costs paid - non claims-handling	—	—	(1.3)	—	(1.3)	—	—	(1.3)
Change in actuarial estimate	(145.6)	5.3	—	—	(140.3)	—	—	(140.3)
Change in claims handling cost estimate	(0.6)	—	—	—	(0.6)	—	—	(0.6)
Impact on deferred income tax due to change in actuarial estimate	—	—	—	—	—	42.3	—	42.3
Insurance recoveries	—	(8.3)	8.3	—	—	—	—	—
Movement in income tax payable	—	—	—	—	—	(43.3)	8.4	(34.9)
Other movements	—	—	(7.4)	1.0	(6.4)	0.1	—	(6.3)
Effect of foreign exchange	19.5	(0.8)	0.8	(0.2)	19.3	(6.4)	0.3	13.2
<b>Closing Balance - 31 March 2022</b>	<b>\$ (1,143.7)</b>	<b>\$ 45.7</b>	<b>\$ 261.6</b>	<b>\$ (1.1)</b>	<b>\$ (837.5)</b>	<b>\$ 360.1</b>	<b>\$ 43.9</b>	<b>\$ (433.5)</b>

1 Claims paid of US\$117.6 million reflects A\$159.1 million converted at the average exchange rate for the period based on the assumption that these transactions occurred evenly throughout the period.

*AICF Funding*

In accordance with the terms of the AFFA, the Company anticipates that it will contribute approximately A\$157.5 million (US\$117.8 million based on the exchange rate at 31 March 2022) to AICF during the fiscal year ending 31 March 2023.

During the fiscal years ended 31 March 2022, 2021 and 2020, the Company contributed US\$248.5 million (A\$328.2 million), US\$153.3 million (A\$220.9 million) and US\$108.9 million (A\$156.7 million), respectively, to AICF.

*Restricted Short-Term Investments*

AICF invests its excess cash in time deposits, which are classified as available-for-sale investments until maturity. The following table represents the investments entered into or maturing during the fiscal year ended 31 March 2022:

Date Invested	Maturity Date	Interest Rate	A\$ Millions
January 2022	25 January 2024	1.41%	30.0
January 2022	25 January 2023	0.79%	100.0
October 2021	6 October 2023	0.60%	30.0
October 2020	2 July 2021	0.59%	35.0

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At 31 March 2022, AICF's short-term investments were revalued resulting in a mark-to-market fair value adjustment of nil.

*AICF – NSW Government Secured Loan Facility*

AICF may borrow, subject to certain conditions, up to an aggregate amount of A\$320.0 million (US\$239.4 million, based on the exchange rate at 31 March 2022). The AICF Loan Facility is guaranteed by the Former James Hardie Companies and is available to be drawn for the payment of claims through 1 November 2030, at which point, all outstanding borrowings must be repaid. At 31 March 2022 and 2021, AICF had no amounts outstanding under the AICF Loan Facility.

**13. Derivative Instruments**

Foreign Currency Forward Contracts

The Company's foreign currency forward contracts are valued using models that maximize the use of market observable inputs including interest rate curves and both forward and spot prices for currencies and are categorized as Level 2 within the fair value hierarchy.

Derivative Balances

The following table sets forth the total outstanding notional amount and the fair value of the Company's derivative instruments held at 31 March 2022 and 2021:

(Millions of US dollars)	Notional Amount		Fair Value as of						
			31 March 2022			31 March 2021			
	31 March 2022	31 March 2021	Assets	Liabilities	Assets	Liabilities			
<b>Derivatives not accounted for as hedges</b>									
Foreign currency forward contracts	\$ 251.0	\$ 456.1	\$ 2.0	\$ 1.9	\$ 5.5	\$ 8.3			

The following table sets forth the gain and loss on the Company's foreign currency forward contracts recorded in the Company's consolidated statements of operations and comprehensive income as follows:

(Millions of US dollars)	2022	31 March 2021	2020
Asbestos adjustments loss (gain)	\$ 5.3	\$ (11.7)	\$ (0.8)
Selling, general and administrative expenses	(2.1)	7.2	1.3
<b>Total loss (gain)</b>	<b>\$ 3.2</b>	<b>\$ (4.5)</b>	<b>\$ 0.5</b>

## **14. Commitments and Contingencies**

### Legal Matters

The Company is involved from time to time in various legal proceedings and administrative actions related to the normal conduct of its business, including general liability claims, putative class action lawsuits and litigation concerning its products.

Although it is impossible to predict the outcome of any pending legal proceeding, management believes that such proceedings and actions should not, individually or in the aggregate, have a material adverse effect on the Company's consolidated financial position, results of operations or cash flows, except as they relate to asbestos and New Zealand weathertightness claims as described in these consolidated financial statements.

### New Zealand Weathertightness Claims

Since fiscal year 2002, the Company's New Zealand subsidiaries have been joined in a number of weathertightness claims in New Zealand that relate to residential buildings (single dwellings and apartment complexes) and a small number of non-residential buildings, primarily constructed from 1998 to 2004. The claims often involve multiple parties and allege that losses were incurred due to excessive moisture penetration of the buildings' structures. The claims typically include allegations of poor building design, inadequate certification of plans, inadequate construction review and compliance certification and deficient work by sub-contractors.

Historically, the Company's New Zealand subsidiaries have been joined to these claims as one of several co-defendants, including local government entities responsible for enforcing building codes and practices, resulting in the Company's New Zealand subsidiaries becoming liable for only a portion of each claim. In addition, the Company's New Zealand subsidiaries have had access to third-party recoveries to defray a portion of the costs incurred in resolving such claims.

In 2015, the Company and/or its subsidiaries were named as the sole defendants in four claims on behalf of multiple defendants, two of which are still pending and each of which allege that the New Zealand subsidiaries' products were inherently defective. The Company believes it has substantial factual and legal defenses to these claims and is defending the claims vigorously.

*Cridge, et al. (Case Nos. CIV-2015-485-594 and CIV-2015-485-773), In the High Court of New Zealand, Wellington Registry* (hereinafter the "Cridge litigation"). From August to December 2020, the trial of phase one of the Cridge litigation was held in Wellington, New Zealand solely to determine whether the Company's New Zealand subsidiaries had a duty to the plaintiffs and breached that duty. In August 2021, the Wellington High Court issued its decision finding in favor of the Company on all claims (the "Cridge Decision"). In September 2021, plaintiffs filed a notice of appeal of the trial court's decision, and subsequently the appellate court set an appeal hearing date in August 2022 scheduled for 10-days. The Company anticipates the appellate court to issue its decision no sooner than December 2022. As of 31 March 2022, the Company has not recorded a reserve related to the Cridge litigation as the chance of loss remains not probable following the Cridge Decision.

*Waitakere, et al. (Case No. CIV-2015-404-3080), In the High Court of New Zealand, Auckland Registry* (hereinafter the "Waitakere litigation"). The trial in the Waitakere litigation is currently not scheduled to begin until May 2023 in Auckland, New Zealand. As of 31 March 2022, the Company has not recorded a reserve related to the Waitakere litigation as the chance of loss is not probable and the amount of loss, if any, cannot be reasonably estimated.

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**Notes to Consolidated Financial Statements (continued)**

The other two claims filed in 2015 were resolved in the Company's favor. The litigation known as "The Hub" was voluntarily discontinued by the plaintiffs. The "White litigation" was settled on 3 August 2021 on terms favorable to the Company.

The resolution of one or more of the litigation matters by way of a court decision or settlement has the potential to impact the accounting treatment regarding the probability of a potential loss and the Company's ability to reasonably estimate a reserve with regards to the other litigation matters discussed above. Furthermore, an adverse judgement in one or more of these litigation matters could have a material adverse impact on our consolidated financial position, results of operations or cash flows.

Readers are referred to Note 1 for further information related to our policies related to asserted and unasserted claims.

Environmental

The operations of the Company, like those of other companies engaged in similar businesses, are subject to a number of laws and regulations on air, soil and water quality, waste handling and disposal. The Company's policy is to accrue for environmental costs when it is determined that it is probable that an obligation exists and the amount can be reasonably estimated.

**15. Income Taxes**

Income tax expense includes income taxes currently payable and those deferred because of temporary differences between the financial statement and tax bases of assets and liabilities. Income tax expense consists of the following components:

(Millions of US dollars)	Years Ended 31 March		
	2022	2021	2020
Income before income taxes:			
Domestic	\$ 295.0	\$ 241.9	\$ 209.6
Foreign	348.1	170.1	78.4
Income before income taxes:	<u>\$ 643.1</u>	<u>\$ 412.0</u>	<u>\$ 288.0</u>
Income tax expense:			
Current:			
Domestic	\$ 44.4	\$ 38.5	\$ 31.1
Foreign	53.9	(8.6)	(39.8)
Current income tax expense (benefit)	<u>98.3</u>	<u>29.9</u>	<u>(8.7)</u>
Deferred:			
Domestic	9.4	1.4	4.5
Foreign	76.3	117.9	50.7
Deferred income tax expense	<u>85.7</u>	<u>119.3</u>	<u>55.2</u>
Total income tax expense	<u>\$ 184.0</u>	<u>\$ 149.2</u>	<u>\$ 46.5</u>

Income tax expense computed at the statutory rates represents taxes on income applicable to all jurisdictions in which the Company conducts business, calculated at the statutory income tax rate in each jurisdiction multiplied by the pre-tax income attributable to that jurisdiction.

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**Notes to Consolidated Financial Statements (continued)**

Income tax expense is reconciled to the tax at the statutory rates as follows:

(Millions of US dollars)	Years Ended 31 March		
	2022	2021	2020
Income tax expense computed at the statutory tax rates	\$ 109.7	\$ 58.1	\$ 38.7
US state income taxes, net of the federal benefit	9.2	8.0	5.7
Asbestos - effect of foreign exchange	(3.5)	36.8	(20.9)
Expenses not deductible	1.9	2.0	5.5
Stock and executive compensation	(0.8)	5.5	1.7
Foreign taxes on domestic income	55.2	49.8	43.5
Prior year tax adjustments	(1.2)	(5.9)	0.4
Taxes on foreign income	9.9	1.6	(2.7)
US net operating loss carryback	—	(4.9)	(25.5)
Other items	3.6	(1.8)	0.1
Total income tax expense	<u>\$ 184.0</u>	<u>\$ 149.2</u>	<u>\$ 46.5</u>
Effective tax rate	<u>28.6 %</u>	<u>36.2 %</u>	<u>16.1 %</u>

Deferred tax balances consist of the following components:

(Millions of US dollars)	31 March	
	2022	2021
Deferred tax assets:		
Intangible assets	\$ 958.2	\$ 1,038.7
Asbestos liability	360.1	367.4
Tax credit carryforwards	118.7	122.1
Other provisions and accruals	73.3	62.2
Net operating loss carryforwards	66.2	61.0
Total deferred tax assets	<u>1,576.5</u>	<u>1,651.4</u>
Valuation allowance	<u>(261.2)</u>	<u>(262.7)</u>
Total deferred tax assets net of valuation allowance	<u>1,315.3</u>	<u>1,388.7</u>
Deferred tax liabilities:		
Depreciable and amortizable assets	(164.0)	(151.7)
Other	(59.0)	(49.1)
Total deferred tax liabilities	<u>(223.0)</u>	<u>(200.8)</u>
Total deferred taxes, net	<u>\$ 1,092.3</u>	<u>\$ 1,187.9</u>

At 31 March 2022, the Company had tax loss carry-forwards in Australia, New Zealand, Europe and the US of US\$66.2 million, that are available to offset future taxable income in the respective jurisdiction. Carry-forwards in Australia, New Zealand and Europe are not subject to expiration.

The Australian net operating loss carry-forwards primarily result from current and prior year tax deductions for contributions to AICF. James Hardie 117 Pty Limited, the performing subsidiary under the AFFA, is able to claim a tax deduction for its contributions to AICF over a five-year period commencing in the year the contribution is incurred. At 31 March 2022, the Company recognized a tax deduction of US\$144.8 million (A\$195.8 million) for the current year relating to total contributions to AICF of US\$715.9 million (A\$979.1 million) incurred in tax years 2018 through 2022.



The Company establishes a valuation allowance against a deferred tax asset if it is more likely than not that some portion or all of the deferred tax asset will not be realized.

At 31 March 2022, the Company had foreign tax credit carry-forwards of US\$113.9 million that are available to offset future taxes payable and against which there is a 100% valuation allowance. The Company also had US tax credit carry-forwards of US\$4.8 million that are available to offset future taxes payable which expire between tax years 2022 through 2025, and against which there is a partial valuation allowance of US\$4.0 million.

In determining the need for and the amount of a valuation allowance in respect of the Company's asbestos related deferred tax asset, management reviewed the relevant empirical evidence, including the current and past core earnings of the Australian business and forecast earnings of the Australian business considering current trends. Although realization of the deferred tax asset will occur over the life of the AFFA, which extends beyond the forecast period for the Australian business, Australia provides an unlimited carry-forward period for tax losses. Based upon managements' review, the Company believes that it is more likely than not that the Company will realize its asbestos related deferred tax asset and that no valuation allowance is necessary as of 31 March 2022. In the future, based on review of the empirical evidence by management at that time, if management determines that realization of its asbestos related deferred tax asset is not more likely than not, the Company may need to provide a valuation allowance to reduce the carrying value of the asbestos related deferred tax asset to its realizable value.

During the fiscal year ended 31 March 2022, total income tax and withholding tax paid, net of refunds received, was US\$92.7 million.

The US Coronavirus Aid, Relief, and Economic Security Act ("CARES Act") was enacted in March 2020 providing wide ranging economic relief for individuals and businesses. One component of the CARES Act provides the Company with an opportunity to carryback US net operating losses ("NOLs") arising during the years ended 31 March 2021 and 2020 to the prior five tax years. The Company has utilized and intends to further utilize these carryback provisions to obtain tax refunds. At 31 March 2022, the Company recorded current taxes receivable of US\$29.6 million.

The Company or its subsidiaries files income tax returns in various jurisdictions including Ireland, the United States, Australia and various jurisdictions in Europe and Asia Pacific. Due to the size and nature of its business, the Company is subject to ongoing audits and reviews by taxing jurisdictions on various tax matters, including by the Australian Taxation Office in Australia and the Internal Revenue Service ("IRS") in the US. The Company is no longer subject to general tax examinations in Ireland for the tax years prior to tax year 2018, Australia for tax years prior to tax year 2016 and in the US for tax years prior to tax year 2014.

#### Unrecognized Tax Benefits

For the fiscal years ended 31 March 2022, 2021, and 2020, the total amount of penalties and interest recorded in Income tax expense related to unrecognized tax benefits were immaterial. The liabilities associated with uncertain tax benefits are included in *Other liabilities* on the Company's consolidated balance sheets. At 31 March 2022, the total amount of unrecognized tax benefits and the total amount of interest and penalties accrued by the Company that, if recognized, would affect the effective tax rate were US\$0.7 million.

**16. Stock-Based Compensation**

Total stock-based compensation expense consists of the following:

(Millions of US dollars)	Years Ended 31 March		
	2022	2021	2020
Liability Awards	\$ 3.2	\$ 21.7	\$ 2.8
Equity Awards	9.0	18.0	10.3
<b>Total stock-based compensation expense</b>	<b>\$ 12.2</b>	<b>\$ 39.7</b>	<b>\$ 13.1</b>

As of 31 March 2022, the unrecorded future stock-based compensation expense related to outstanding equity awards was US\$10.4 million and will be recognized over an estimated weighted average amortization period of 1.5 years.

2001 Equity Incentive Plan

Under the Company's 2001 Equity Incentive Plan (the "2001 Plan"), which was amended and restated in August 2021 and approved by shareholders, the Company can grant equity awards in the form of nonqualified stock options, performance awards, restricted stock grants, stock appreciation rights, dividend equivalent rights, phantom stock or other stock-based benefits such as restricted stock units.

Long-Term Incentive Plan 2006

The Company's shareholders approved the establishment of a Long-Term Incentive Plan in 2006 (the "LTIP") to provide incentives to certain members of senior management ("Executives"). The Company determines the conditions or restrictions of any awards, which may include requirements of continued employment, individual performance or the Company's financial performance or other criteria. Currently, the plan only allows for RSUs to be granted under the LTIP.

The following table summarizes the Company's shares available for grant as options, RSUs or other equity instruments under the LTIP and 2001 Plan:

	Shares Available for Grant
<b>Balance at 31 March 2020</b>	<b>22,944,379</b>
Granted	(856,756)
<b>Balance at 31 March 2021</b>	<b>22,087,623</b>
Granted	(597,927)
<b>Balance at 31 March 2022</b>	<b>21,489,696</b>

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**Notes to Consolidated Financial Statements (continued)**

**RSUs**

The Company estimates the fair value of RSUs on the date of grant and recognizes this estimated fair value as compensation expense over the periods in which the RSU vests.

The following table summarizes the Company's RSU activity:

(Units)	Service Vesting (2001 Plan)	Performance Vesting (LTIP)	Market Conditions (LTIP)	Total	Weighted Average Fair Value at Grant Date (A\$)
<b>Outstanding at 31 March 2020</b>	<b>520,632</b>	<b>864,165</b>	<b>1,777,640</b>	<b>3,162,437</b>	<b>14.64</b>
Granted	371,806	190,376	294,574	856,756	26.56
Vested	(245,385)	(174,356)	(722,156)	(1,141,897)	13.03
Forfeited	(53,567)	(153,897)	(63,136)	(270,600)	17.05
<b>Outstanding at 31 March 2021</b>	<b>593,486</b>	<b>726,288</b>	<b>1,286,922</b>	<b>2,606,696</b>	<b>19.01</b>
Granted	233,443	141,015	223,469	597,927	41.73
Vested	(313,641)	(248,202)	(565,878)	(1,127,721)	14.96
Forfeited	(98,613)	(327,397)	(450,480)	(876,490)	27.73
<b>Outstanding at 31 March 2022</b>	<b>414,675</b>	<b>291,704</b>	<b>494,033</b>	<b>1,200,412</b>	<b>27.83</b>

The following table includes the assumptions used for RSU grants (market condition) valued:

<b>Vesting Condition:</b>	<b>Market FY22</b>	<b>Market FY22</b>	<b>Market FY21</b>	<b>Market FY21</b>
Date of grant	27 Aug 2021	9 Sep 2021	15 Sep 2020	5 Nov 2020
Dividend yield (per annum)	2.0 %	2.0 %	— %	1.3 %
Expected volatility	40.0 %	40.2 %	39.2 %	40.1 %
Risk free interest rate	0.4 %	0.4 %	0.2 %	0.2 %
Expected life in years	3.0	2.9	2.9	2.8
JHX stock price at grant date (A\$)	52.66	52.12	30.33	37.24
Number of restricted stock units	130,513	92,956	167,491	127,083

**Scorecard LTI – CSUs**

Under the terms of the LTIP, the Company grants scorecard LTI CSUs to executives and the vesting of awards is based on the individual's performance measured over a three year period against certain performance targets. These awards provide recipients a cash incentive based on an average 20 trading-day closing price of JHI plc's common stock price and each executive's scorecard rating.

The following represents the activity related to the CSUs:

	<b>FY22</b>	<b>FY21</b>
Granted	423,051	571,132
Vested	433,872	377,506
Cancelled	1,292,934	607,253

For the fiscal years ending 31 March 2022, 2021 and 2020, US\$15.2 million, US\$8.2 million and US\$2.0 million, respectively, was paid in cash upon vesting of CSU units.

## 17. Dividends

The following table summarizes the dividends declared or paid during the fiscal years 2022, 2021 and 2020:

(Millions of US dollars)	US Cents/Security	US\$ Millions Total Amount Paid	Announcement Date	Record Date	Payment Date
FY 2022 first half dividend	0.40	174.1	9 November 2021	19 November 2021	17 December 2021
FY 2021 special dividend	0.70	309.9	10 February 2021	19 February 2021	30 April 2021
FY 2020 first half dividend	0.10	44.7	7 November 2019	18 November 2019	20 December 2019
FY 2019 second half dividend	0.26	113.9	21 May 2019	6 June 2019	2 August 2019

## 18. Operating Segment Information and Concentrations of Risk

The Company reports its operating segment information in the format that the operating segment information is available to and evaluated by the Chief Operating Decision Maker. The North America Fiber Cement segment manufactures fiber cement interior linings, exterior siding products and related accessories in the United States; these products are sold in the United States and Canada. The Asia Pacific Fiber Cement segment includes all fiber cement products manufactured in Australia and the Philippines, and sold in Australia, New Zealand, Asia, the Middle East and various Pacific Islands. The Europe Building Products segment includes the Fermacell business and fiber cement product manufactured in the United States that is sold in Europe. The Other Businesses segment ceased to be an operating and reportable segment effective 31 March 2020 due to the Company's completion of its exit of its non-fiber cement manufacturing and sales activities in North America, including fiberglass windows. The Research and Development segment represents the cost incurred by the research and development centers. General Corporate primarily consist of *Asbestos adjustments loss*, officer and employee compensation and related benefits, professional and legal fees, administrative costs and rental expense on the Company's corporate offices. The Company does not report net interest expense for each segment as the segments are not held directly accountable for interest expense.

**James Hardie Industries plc**  
**Notes to Consolidated Financial Statements (continued)**

**Operating Segments**

The following is the Company's operating segment information:

(Millions of US dollars)	Net Sales Years Ended 31 March		
	2022	2021	2020
North America Fiber Cement	\$ 2,551.3	\$ 2,040.2	\$ 1,816.4
Asia Pacific Fiber Cement	574.9	458.2	418.4
Europe Building Products	488.5	410.3	371.4
Other Businesses	—	—	0.6
Worldwide total	\$ 3,614.7	\$ 2,908.7	\$ 2,606.8

(Millions of US dollars)	Operating Income Years Ended 31 March		
	2022	2021	2020
North America Fiber Cement	\$ 741.2	\$ 585.5	\$ 429.3
Asia Pacific Fiber Cement	160.8	124.8	58.5
Europe Building Products	62.9	37.6	11.2
Research and Development	(34.4)	(28.9)	(27.0)
Segments total	930.5	719.0	472.0
General Corporate	(247.9)	(246.2)	(129.5)
Total operating income	682.6	472.8	342.5

(Millions of US dollars)	Depreciation and Amortization Years ended 31 March		
	2022	2021	2020
North America Fiber Cement	\$ 114.4	\$ 89.1	\$ 88.7
Asia Pacific Fiber Cement	13.6	13.9	12.7
Europe Building Products	29.8	28.0	25.6
Other Businesses	—	—	0.2
General Corporate	2.8	2.8	3.2
Research and Development	1.2	1.2	1.1
Total	\$ 161.8	\$ 135.0	\$ 131.5

(Millions of US dollars)	Total Identifiable Assets 31 March	
	2022	2021
North America Fiber Cement	\$ 1,434.8	\$ 1,273.9
Asia Pacific Fiber Cement	429.1	371.0
Europe Building Products	745.2	762.1
Research and Development	13.5	10.3
Segments total	2,622.6	2,417.3
General Corporate <sup>1</sup>	1,620.6	1,671.7
Worldwide total	\$ 4,243.2	\$ 4,089.0

**James Hardie Industries plc**  
**Notes to Consolidated Financial Statements (continued)**

The following is the Company's geographical information:

(Millions of US dollars)	Net Sales Years Ended 31 March		
	2022	2021	2020
North America <sup>2</sup>	\$ 2,551.3	\$ 2,040.2	\$ 1,817.0
Australia	391.7	321.9	290.4
Germany	165.0	143.0	135.7
New Zealand	115.9	81.9	72.2
Other Countries <sup>3</sup>	390.8	321.7	291.5
Worldwide total	\$ 3,614.7	\$ 2,908.7	\$ 2,606.8

(Millions of US dollars)	Total Identifiable Assets 31 March	
	2022	2021
North America <sup>2</sup>	\$ 1,442.7	\$ 1,279.4
Australia	314.4	256.7
Germany	503.7	527.6
New Zealand	48.9	46.3
Other Countries <sup>3</sup>	312.9	307.3
Segments total	2,622.6	2,417.3
General Corporate <sup>1</sup>	1,620.6	1,671.7
Worldwide total	\$ 4,243.2	\$ 4,089.0

- 1 Included in General Corporate are deferred tax assets for each operating segment that are not held directly accountable for deferred income taxes and Asbestos-related assets.
- 2 The amounts disclosed for North America are substantially all related to the USA.
- 3 Included are all other countries that account for less than 5% of net sales and total identifiable assets individually, primarily in the Philippines, Switzerland and other European countries.

Research and development expenditures are expensed as incurred and are summarized by segment in the following table. Research and development segment operating income also includes *Selling, general and administrative expenses* of US\$4.1 million, US\$2.9 million and US\$3.0 million in fiscal years 2022, 2021 and 2020, respectively.

(Millions of US dollars)	Years Ended 31 March		
	2022	2021	2020
North America Fiber Cement	\$ 5.3	\$ 5.6	\$ 5.3
Asia Pacific Fiber Cement	1.5	1.1	1.8
Europe Building Products	0.9	1.6	1.7
Research and Development	30.3	26.0	24.0
	\$ 38.0	\$ 34.3	\$ 32.8

**James Hardie Industries plc**  
**Notes to Consolidated Financial Statements (continued)**

The following represents the Asset impairments by segment for the fiscal year ended 31 March 2020:

(Millions of US dollars)	North America Fiber Cement	Asia Pacific Fiber Cement	Europe Building Products	General Corporate	Total
Property, plant and equipment <sup>1</sup>	\$ 48.2	65.0	\$ 5.5	\$—	61.7
Right-of-use assets <sup>2</sup>	—	11.2	—	—	11.2
Intangible assets	—	—	—	1.4	1.4
Inventories <sup>3</sup>	—	2.9	—	—	2.9
Goodwill	—	0.2	—	—	0.2
Asset Retirement Obligations <sup>4</sup>	—	5.8	—	—	5.8
Other	—	1.2	—	—	1.2
	\$ 48.2	86.3	\$ 5.5	\$ 1.4	84.4

1 Excludes US\$2.8 million of impairment charges in North America Fiber Cement segment on individual assets that were included in *Cost of goods sold*. Refer to Note 7 for further details.

2 Relates to the closure of the Penrose, New Zealand plant.

3 The US\$2.9 million charge primarily relates to the estimated costs associated with pallets and raw materials, with the closing of the New Zealand plant and exit of James Hardie Systems.

4 The total Asset Retirement Obligation balance at 31 March 2020 of US\$8.0 million is recorded in the Asia Pacific Fiber Cement segment in *Other liabilities - non-current* and relates to the New Zealand plant. This balance is inclusive of the impairment amount above.

### Concentrations of Risk

The distribution channels for the Company's fiber cement products are concentrated. The Company has one customer who has contributed greater than 10% of net sales in each of the past three fiscal years. The following represents net sales generated by this customer, which is from the North America Fiber Cement segment:

(Millions of US dollars)	Years Ended 31 March					
	2022		2021		2020	
Customer A	\$ 418.3	12.0 %	\$ 347.3	12.0 %	\$ 306.0	12.0 %

Approximately 33%, 33% and 34% of the Company's net sales in fiscal year 2022, 2021 and 2020, respectively, were from outside the United States. Consequently, changes in the value of foreign currencies could significantly affect the consolidated financial position, results of operations and cash flows of the Company's non-US operations on translation into US dollars.

### 19. Accumulated Other Comprehensive Loss

*Accumulated other comprehensive loss* is comprised of the following at 31 March 2022:

(Millions of US dollars)	Cash Flow Hedges	Pension Actuarial Gain (Loss)	Foreign Currency Translation Adjustments	Total
Balance at 31 March 2021	\$ 0.2	\$ 0.4	\$ (7.2)	\$ (6.6)
Other comprehensive (loss) gain	—	(0.7)	(14.7)	(15.4)
<b>Balance at 31 March 2022</b>	<b>\$ 0.2</b>	<b>\$ (0.3)</b>	<b>\$ (21.9)</b>	<b>\$ (22.0)</b>

## **20. Employee Benefit Plan**

In the United States, the Company sponsors a defined contribution plan, the James Hardie Retirement and Profit Sharing Plan (the “401(k) Plan”) which is a tax-qualified retirement and savings plan covering all US employees, including the Senior Executive Officers, subject to certain eligibility requirements. In addition, the Company matches employee's contributions dollar for dollar up to a maximum of the first 6% of an employee's eligible compensation.

For the fiscal years ended 31 March 2022, 2021 and 2020, the Company made matching contributions of US\$14.1 million, US\$11.1 million and US\$11.1 million, respectively.

In January 2021, the Company established a deferred compensation plan for its executives whereby the plan assets are held in a rabbi trust. The deferred compensation is funded to the rabbi trust which holds investments directed by the participants and are accounted for as held for sale. The Company will match up to a maximum of the first 6% of an employee's eligible compensation that would not be eligible in the 401(k) Plan due to IRS contribution limits so long as the participant defers eligible compensation to the deferred compensation plan. As of 31 March 2022, the assets held in trust and related deferred compensation liability recorded in the accompanying consolidated balance sheets are immaterial.





# Valuation of Asbestos- Related Disease Liabilities of former James Hardie entities (“the Liable Entities”) to be met by the AICF Trust

Prepared for Asbestos Injuries Compensation Fund Limited  
 (“AICFL”)

As at 31 March 2022

17 May 2022





**KPMG Actuarial**

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17 May 2022

Narreda Grimley  
Chief Operations Officer  
Asbestos Injuries Compensation Fund Limited  
Suite 202, Level 2, 56 Clarence Street  
Sydney NSW 2000

Cc Jason Miele, Chief Financial Officer, James Hardie Industries plc  
Mark Hare, Director, Department of Premier and Cabinet, The State of New South Wales  
The Board of Directors, Asbestos Injuries Compensation Fund Limited

Dear Narreda

## Valuation of Asbestos-Related Disease Liabilities of former James Hardie entities ("The Liable Entities") to be met by the AICF Trust

We are pleased to provide you with our Annual Actuarial Report relating to the asbestos-related disease liabilities of the Liable Entities which are to be met by the AICF Trust.

The report is effective as at 31 March 2022 and has taken into account claims data and information provided to us by AICFL as at 31 March 2022.

If you have any questions with respect to the contents of this report, please do not hesitate to contact us.

Yours sincerely

Neil Donlevy MA FIA FIAA  
Executive, KPMG Financial Services  
Consulting Pty Ltd  
Fellow of the Institute of Actuaries (London)  
Fellow of the Institute of Actuaries of  
Australia

Jefferson Gibbs BSc FIA FIAA  
Executive, KPMG Financial Services  
Consulting Pty Ltd  
Fellow of the Institute of Actuaries (London)  
Fellow of the Institute of Actuaries of  
Australia



# Executive Summary

## Important Note: Basis of Report

This valuation report ("the Report") has been prepared by KPMG Actuarial, a division of KPMG Financial Services Consulting Pty Ltd (ABN 91 144 686 046) (hereafter collectively referred to as "KPMG") in accordance with an "Amended and Restated Final Funding Agreement in respect of the provision of long-term funding for compensation arrangements for certain victims of Asbestos-related diseases in Australia" (hereafter referred to as the "the Amended Final Funding Agreement") between James Hardie Industries NV (now known as James Hardie Industries plc) (hereafter referred to as "James Hardie"), James Hardie 117 Pty Limited, the State of New South Wales and Asbestos Injuries Compensation Fund Limited ("AICFL") which was signed on 21 November 2006.

This Report is intended to meet the requirements of the Amended Final Funding Agreement and values the asbestos-related disease liabilities of the Liable Entities to be met by the AICF Trust.

This Report is not intended to be used for any other purpose and may not be suitable, and should not be used, for any other purpose. Opinions and estimates contained in the Report constitute our judgment as of the date of the Report.

The information contained in this Report is of a general nature and is not intended to address the objectives, financial situation or needs of any particular individual or entity. It is provided for information purposes only and does not constitute, nor should it be regarded in any manner whatsoever as, advice and is not intended to influence a person in making a decision in relation to any financial product or an interest in a financial product. No one should act on the information contained in this Report without obtaining appropriate professional advice after a thorough examination of the accuracy and appropriateness of the information contained in this Report having regard to their objectives, financial situation and needs.

In preparing the Report, KPMG has relied on information supplied to it from various sources and has assumed that the information is accurate and complete in all material respects. KPMG has not independently verified the accuracy or completeness of the data and information used for this Report.

Except insofar as liability under statute cannot be excluded, KPMG, its executives, directors, employees and agents will not be held liable for any loss or damage of any kind arising as a consequence of any use of the Report or purported reliance on the Report including any errors in, or omissions from, the valuation models.

The Report must be read in its entirety. Individual sections of the Report, including the Executive Summary, could be misleading if considered in isolation. In particular, the opinions expressed in the Report are based on a number of assumptions and qualifications which are set out in the full Report.

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## Introduction

The Amended Final Funding Agreement requires the completion of an Annual Actuarial Report evaluating the potential asbestos-related disease liabilities of the Liable Entities to be met by the AICF Trust. KPMG has been retained by AICFL to provide this Annual Actuarial Report as required under the Amended Final Funding Agreement and this is detailed in our Engagement Letter dated 11 November 2021.

The Liable Entities are defined as being the following entities:

- Amaca Pty Ltd (formerly James Hardie & Coy);
- Amaba Pty Ltd (formerly Jsekarb, James Hardie Brakes and Better Brakes); and
- ABN60 Pty Ltd (formerly James Hardie Industries Ltd).

In addition, the liability for Baryulgil claims is deemed to be a liability of Amaca by virtue of the James Hardie (Civil Liability) Act 2005 (NSW). Under Part 4 of that Act, Amaca is liable for the "Marlew Asbestos Claims" or "Marlew Contribution Claims" as defined in that Act.

Our valuation is on a central estimate basis and is intended to be effective as at 31 March 2022. It has been based on claims data and information as at 31 March 2022 provided to us by AICFL.

## Overview of Recent Claims Experience and comparison with previous valuation projections

In this section we compare the actual experience in 2021/22 (referred to in the following tables as "FY22 Actual") with the projections for 2021/22 that were contained within our previous valuation report at 31 March 2021. We will refer to these projections for 2021/22 as "FY22 Expected" in the tables that follow.

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## Claim numbers

There have been 392 mesothelioma claims reported in 2021/22, a 3% increase compared to the 381 mesothelioma claims reported in 2020/21 and 1% above expectations for 2021/22 (390 claims).

Direct claims and cross claims were both broadly in line with expectations: both claim types were 1 claim above expectations.

For non-mesothelioma claims (excluding workers compensation claims), there have been 144 claims reported in 2021/22, in line with 144 claims reported in 2020/21.

The following table shows the comparison of actual experience with that which had been forecast at the previous valuation.

Table E.1. Comparison of claim numbers

	FY22 Actual	FY22 Expected	Ratio of Actual to Expected (%)	FY21 Actual
<b>Mesothelioma (direct claims)</b>	<b>301</b>	<b>300</b>	<b>100%</b>	<b>276</b>
<60	17	18	94%	19
60-70	56	58	97%	58
70-80	121	140	86%	113
80+	103	84	123%	86
age not known	4	0	n/a	0
<b>Mesothelioma (cross claims)</b>	<b>91</b>	<b>90</b>	<b>101%</b>	<b>105</b>
<60	2	2	100%	0
60-70	15	17	88%	15
70-80	36	43	84%	45
80+	38	28	136%	45
age not known	0	0	n/a	0
<b>Total</b>	<b>392</b>	<b>390</b>	<b>101%</b>	<b>381</b>

	FY22 Actual	FY22 Expected	Ratio of Actual to Expected (%)	FY21 Actual
Asbestosis	94	102	92%	94
Lung Cancer	17	21	81%	18
ARPD & Other	33	33	100%	32
Wharf	0	6	0%	0
Workers	19	21	90%	20
<b>Total</b>	<b>163</b>	<b>183</b>	<b>89%</b>	<b>164</b>

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### Average Claim Awards

Average claims awards in 2021/22 have been higher than expectations for three of the four age cohorts for direct mesothelioma claims (to differing degrees) and lower than expectations for all four age cohorts for cross mesothelioma claims (to differing degrees).

For the other disease types, average claim sizes have been higher than expectations for asbestosis and lung cancer. There were no wharf claims or workers compensation claims settled for non-nil amounts in 2021/22.

The following tables shows the comparison of actual experience with that which had been forecast at the previous valuation.

Table E.2. Comparison of average claim size of mesothelioma non-nil claims

	FY22 Actual (\$)	FY22 Expected (\$)	Ratio of Actual to Expected (%)	FY21 Actual (\$)
<b>Mesothelioma (direct claims)</b>				
<60	697,118	692,080	101%	456,602
60-70	492,003	507,455	97%	482,183
70-80	442,395	423,055	105%	417,598
80+	390,911	338,655	115%	304,596
<b>Mesothelioma (cross claims)</b>				
<60	147,875	243,705	61%	66,560
60-70	84,077	154,030	55%	94,769
70-80	85,751	101,280	85%	62,753
80+	57,668	96,005	60%	81,037
<b>Mesothelioma Large Claims (settled)</b>				
Number	4	3	133%	2
Average claim size	2,669,600	2,611,125	102%	1,887,600
Large claim expenditure	10,678,400	7,833,375	136%	3,775,200

Note: FY21 Actuals have been inflated (by 4%) to mid 2021/22 values

Note: FY22 large claims include "Werfel" for which judgment was entered in 2019/20 but was paid in 2021/22 following appeal.

Table E.3. Comparison of average claim size of non-mesothelioma non-nil claims

	FY22 Actual (\$)	FY22 Expected (\$)	Ratio of Actual to Expected (%)	FY21 Actual (\$)
Asbestosis	147,769	121,325	122%	136,563
Lung Cancer	159,179	121,325	131%	141,671
ARPD & Other	84,365	121,325	70%	123,294
Wharf	0	100,225	0%	67,670
Workers	0	158,250	0%	0

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#### Cashflow expenditure: gross and net

Gross cashflow expenditure, at \$164.4m, was marginally above expectations.

Net cashflow expenditure, at \$149.2m, was marginally below expectations.

Table E.4. Comparison of cashflow

	FY22 Actual (\$M)	FY22 Expected (\$M)	Ratio of Actual to Expected (%)	FY21 Actual (\$M)
<b>Gross Cashflow</b>	<b>164.4</b>	<b>163.7</b>	<b>100%</b>	<b>153.7</b>
Insurance and Other Recoveries	(11.4)	(12.4)	92%	(14.5)
Insurance recoveries from HIH and from commutations	(3.8)	0.0	n/a	0.0
<b>Net Cashflow</b>	<b>149.2</b>	<b>151.3</b>	<b>99%</b>	<b>139.2</b>

#### Liability Assessment

At 31 March 2022, our projected central estimate of the liabilities of the Liable Entities (the Discounted Central Estimate) to be met by the AICF Trust is \$1,622.3m (2021: \$1,762.6m).

We have not allowed for the future Operating Expenses of the AICF Trust or the Liable Entities in the liability assessment.

The following table shows a summary of our central estimate liability assessment and compares the current assessment with our previous valuation.

Table E.5. Comparison of central estimate of liabilities

	31 March 2022 \$m		31 March 2021 \$m	
	Gross of insurance recoveries	Insurance recoveries	Net of insurance recoveries	Net of insurance recoveries
Total uninflated and undiscounted cash-flows	1,447.9	58.0	1,389.9	1,351.9
Inflation allowance	625.8	12.1	613.7	681.8
<b>Total inflated and undiscounted cash-flows</b>	<b>2,073.7</b>	<b>70.1</b>	<b>2,003.6</b>	<b>2,033.7</b>
Discounting allowance	(392.4)	(11.1)	(381.3)	(271.1)
<b>Net present value</b>	<b>1,681.3</b>	<b>59.0</b>	<b>1,622.3</b>	<b>1,762.6</b>

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### Comparison with previous valuation

In the absence of any change to the claim projection assumptions from our 31 March 2021 valuation, other than allowing for the changes in the discount rate, we would have projected a Discounted Central Estimate liability of \$1,526.8m as at 31 March 2022.

The decrease of \$235.8m relative to the valuation result at 31 March 2021 is due to:

- A decrease of \$151.0m, being the net impact of expected claims payments (which reduce the liability) and the “unwind of discount”.
- A decrease of \$84.8m resulting from increases to the yield curve between 31 March 2021 and 31 March 2022.

Our liability assessment at 31 March 2022 of \$1,622.3m therefore represents an increase of \$95.5m arising from changes to the actuarial assumptions. The increase is principally a consequence of:

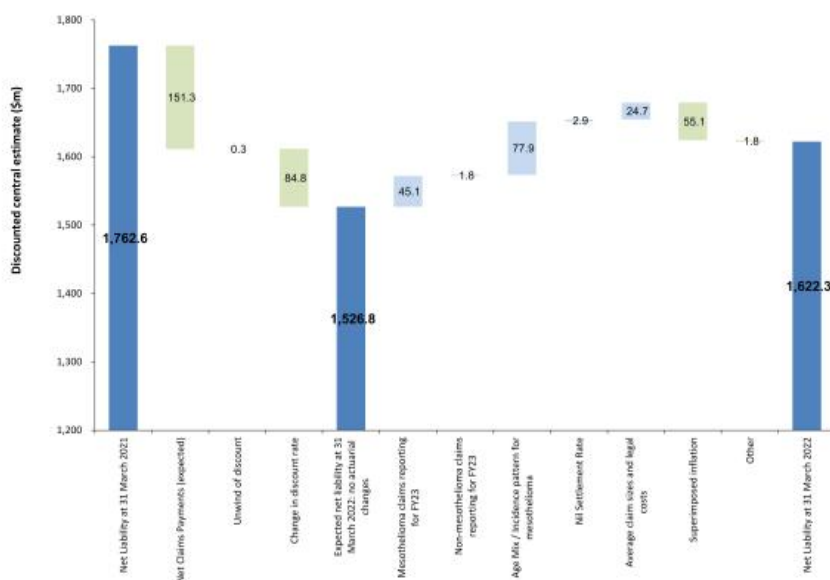
- Increases to the assumed number of mesothelioma claims for 2022/23;
- An increased allowance for future mesothelioma claims through a slight change in the latency assumptions and assumed future pattern of incidence of claims; and
- Increases in average claim sizes, primarily for mesothelioma direct claims;

offset by

- A reduction in the assumed future rate of superimposed inflation from 2.00% per annum to 1.50% per annum.

The following chart shows an analysis of the change in our liability assessment from 31 March 2021 to 31 March 2022 on a discounted basis.

Figure E.1. Analysis of change in central estimate liability (discounted basis)



Note: Green bars signal that this factor has given rise to a decrease in the liability whilst light blue bars signal that this factor has given rise to an increase in the liability.

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### Amended Final Funding Agreement calculations

The Amended Final Funding Agreement sets out the basis on which payments will be made to the AICF Trust.

Additionally, there are a number of other figures specified within the Amended Final Funding Agreement that we are required to calculate. These are:

- Discounted Central Estimate;
- Term Central Estimate; and
- Period Actuarial Estimate.

Table E.6. Amended Final Funding Agreement calculations

	\$m
Discounted Central Estimate (net of cross-claim recoveries, Insurance and Other Recoveries)	1,622.3
Period Actuarial Estimate (net of cross-claim recoveries, gross of Insurance and Other Recoveries) comprising:	503.8
<i>Discounted value of cashflow in 2022/23</i>	<i>172.7</i>
<i>Discounted value of cashflow in 2023/24</i>	<i>169.0</i>
<i>Discounted value of cashflow in 2024/25</i>	<i>162.2</i>
Term Central Estimate (net of cross-claim recoveries, Insurance and Other Recoveries)	1,598.3

The actual funding amount due at a particular date will depend upon a number of factors, including:

- the net asset position of the AICF Trust at that time;
- the free cash flow amount of the James Hardie Group in the preceding financial year; and
- the Period Actuarial Estimate in the latest Annual Actuarial Report.

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## Uncertainty

Estimates of asbestos-related disease liabilities are subject to considerable uncertainty, significantly more than personal injury liabilities in relation to other causes, such as CTP or Workers Compensation claims.

It should therefore be expected that the actual emergence of the liabilities will vary from any estimate. As indicated in Figure E.2, depending on the actual out-turn of experience relative to that currently forecast, the variation could potentially be substantial.

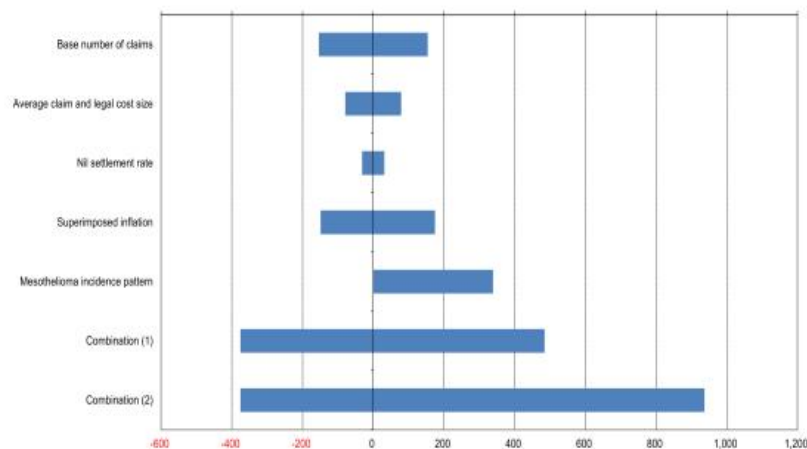
Thus, no assurance can be given that the actual liabilities of the Liable Entities to be met by the AICF Trust will not ultimately exceed the estimates contained in this Report. Any such variation may be significant.

We have performed sensitivity testing to identify the impact of different assumptions upon the size of the liabilities. The different scenarios selected are documented at Section 11.2 of this report.

We have not included a sensitivity test for the impact of changes in discount rates although, as noted in this Report, changes in discount rates can introduce significant volatility to the Discounted Central Estimate result reported at each year-end.

We note that these sensitivity test ranges are not intended to correspond to a specified probability of sufficiency, nor are they intended to indicate an upper bound or a lower bound of all possible outcomes.

Figure E.2. Sensitivity testing results – Impact around the Discounted Central Estimate (in \$m)



The single most sensitive assumption shown in the chart is the peak period of claims reporting against the Liable Entities. Shifting the pattern of incidence by 2 years could add approximately \$339m (21%) on a discounted basis to our valuation (as shown in the above chart by the scenario labelled “mesothelioma incidence pattern”).

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Table E.7. Summary results of sensitivity analysis (\$m)

	Undiscounted	Discounted
Central estimate	2,003.6	1,622.3
Low Scenario	1,512.2	1,246.7
High Scenario	3,302.8	2,559.1

Whilst the table above indicates a range around the discounted central estimate of liabilities of -\$376m to +\$937m, the actual cost of liabilities could fall outside that range depending on the actual experience.

#### [Executive Summary Not Report](#)

Please note that this executive summary is intended as a brief overview of our Report. To properly understand our analysis and the basis of our liability assessment requires examination of our Report in full.



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# 1. Scope and Purpose

## 1.1 Introduction

The Amended Final Funding Agreement requires the completion of an Annual Actuarial Report evaluating the potential asbestos-related disease liabilities of the Liable Entities to be met by the AICF Trust.

### 1.1.1 Liable Entities

The Liable Entities are defined as being the following entities:

- Amaca Pty Ltd (formerly James Hardie & Coy);
- Amaba Pty Ltd (formerly Jsekarb, James Hardie Brakes and Better Brakes); and
- ABN60 Pty Ltd (formerly James Hardie Industries Ltd).

In addition, the liability for Baryulgil claims is deemed to be a liability of Amaca by virtue of the James Hardie (Civil Liability) Act 2005 (NSW). Under Part 4 of that Act, Amaca is liable for “Marlew Asbestos Claims” or “Marlew Contribution Claims” as defined in that Act.

Baryulgil claims are discussed further in Section 5.8.

### 1.1.2 Personal asbestos claims

Under the Amended Final Funding Agreement, the liabilities to be met by the AICF Trust relate to personal asbestos-related disease liabilities of the Liable Entities.

The precise scope of the liabilities is documented in Section 1.2 and in Appendix C of this Report.

### 1.1.3 Purpose of report

KPMG has been retained by AICFL to provide an Annual Actuarial Report as required under the Amended Final Funding Agreement and this is detailed in our Engagement Letter dated 11 November 2021.

The prior written consent of KPMG is required for any other use of this Report or the information contained in it.

Our valuation is effective as at 31 March 2022 and has been based on claims data and information as at 31 March 2022 provided to us by AICFL.

## 1.2 Scope of report

We have been requested to provide an actuarial assessment as at 31 March 2022 of the asbestos-related disease liabilities of the Liable Entities to be met by the AICF Trust,

consistent with the terms of the Amended Final Funding Agreement.

KPMG | 1

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The assessment is on a central estimate basis and is based on the claims experience as at 31 March 2022.

A "central estimate" liability assessment is an estimate of the expected value of the range of potential future liability outcomes. In other words, if all the possible values of the liabilities are expressed as a statistical distribution, the central estimate is an estimate of the mean of that distribution.

It is of note that our liability assessment:

- Relates to the Liable Entities and Marlew (in relation to Marlew Claims arising from asbestos mining activities at Baryulgil).
- Is intended to cover:
  - The amount of settlements, judgments or awards for all Personal Asbestos Claims.
  - Claims Legal Costs incurred by the AICF Trust in connection with the settlement of Personal Asbestos Claims.
- Is not intended to cover:
  - Personal injury or death claims arising from exposure to asbestos which took place outside Australia.
  - Personal injury or death claims, arising from exposure to Asbestos, which are brought in Courts outside Australia.
  - Claims for economic loss, other than any economic loss forming part of an award for damages for personal injury and/or death.
  - Claims for loss of property, including those relating to land remediation.
  - The costs of asbestos or asbestos product removal relating to asbestos or asbestos products manufactured or used by or on behalf of the Liable Entities.
- Includes an allowance for:
  - Workers Compensation claims, being claims from former employees of the Liable Entities, but only to the extent that such liabilities are not met by a Workers Compensation Scheme or Policy (see section 1.2.1).
  - Compensation to the NSW Dust Diseases Authority ("DDA") or a Workers Compensation Scheme by way of a claim by such parties for contribution or reimbursement from the Liable Entities, but only to the extent that the cost of such claims is within the limits of funding for such claims as outlined within the Amended Final Funding Agreement.
- Assumes that the product and public liability insurance policies of the Liable Entities will continue to respond to claims as and when they fall due. We have not made any allowance for the impact of any disputation concerning Insurance Recoveries, nor for any legal costs that may be incurred in resolving such disputes.

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- Makes no allowance for:
  - Insurance Recoveries from insurance policies placed from 1986 onwards which were placed on a “claims made” basis.
  - the future Operating Expenses of the Liable Entities or the AICF Trust. Separate allowance for future Operating Expenses should be considered by the management of AICFL.
  - the inherent uncertainty of the liability assessment. That is, no additional provision (or risk margin) has been included in excess of a central estimate.

Readers of this Report may refer to our previous reports which are available at [www.ir.jameshardie.com.au](http://www.ir.jameshardie.com.au) and [www.aicf.org.au](http://www.aicf.org.au).

### 1.2.1 Workers Compensation

Workers Compensation claims are claims made by former employees of the Liable Entities. Such past, current and future reported claims were insured with, amongst others, Allianz Australia Limited, QBE and the various State-based Workers Compensation Schemes.

Under the Amended Final Funding Agreement, the part of a future Workers Compensation claim that is met by a Workers Compensation Scheme or Policy of the Liable Entities is outside of the AICF Trust. The AICF Trust is, however, to provide for any part of a claim not covered by a Workers Compensation Scheme or Policy (e.g. as a result of the existence of limits of indemnity and policy deductibles on those policies of insurance).

On this basis our liability assessment in relation to Workers Compensation claims and which relates to the AICF Trust, includes only the amount borne by the Liable Entities in excess of the anticipated recoveries due from a Workers Compensation Scheme or Policy.

In making our assessment we have assumed that the Workers Compensation insurance programme will continue to respond to claims by former employees of the Liable Entities as and when they fall due. To the extent that they were not to respond owing to (say) insurer insolvency, Insurer Guarantee Funds may be available to meet such obligations.

### 1.2.2 Dust Disease Authority and Other Reimbursements

The Amended Final Funding Agreement indicates that the AICF Trust is intended to meet Personal Asbestos Claims and that claims by the DDA or a Workers Compensation Scheme for reimbursement will only be met up to a certain specified limit (aggregated across the DDA and Workers Compensation Schemes), being:

- In the first financial year (2006/07) a limit of \$750,000 applied;
- In respect of each financial year thereafter, that limit is indexed annually in line with the Consumer Price Index. At 31 March 2022, the annual limit was \$1.05m;
- There is an overall unindexed aggregate cap of \$30m;
- At 31 March 2022, AICFL has paid out \$13.50m to the DDA.

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The cashflow and liability figures contained within this Report have already removed that component of any reimbursements that will not be met by the AICF Trust owing to the application of these limits and caps.

### 1.2.3 Risk Margins

Australian-licensed insurance companies are required to hold, and many non-insurance companies elect to hold, insurance and self-insurance claims provisions at a level above the central estimate basis to reflect the uncertainty attaching to the liability assessment and to include an allowance in respect of that uncertainty.

A risk margin is an additional amount held, above the central estimate, so as to increase the likelihood of adequacy of the provisions to meet the ultimate cost of settlement of those liabilities.

We note that the Amended Final Funding Agreement envisages the ongoing financing of the AICF Trust is to be based on a “central estimate” approach and that the Annual Actuarial Report should provide a Discounted Central Estimate valuation.

Accordingly, we have made no allowance for any risk margins within this Report.

## 1.3 Areas of potential exposure

As identified in Section 1.2, there are other potential sources of claims exposure beyond those directly considered within this Report. However, in a number of cases they are unquantifiable even if they have the potential to generate claims. This is especially the case for those sources of future claim where there has been no evidence of claims to date.

### 1.3.1 General areas of potential exposure

Areas of potential changes in claims exposure we have not explicitly allowed for in our valuation include, but are not limited to:

- Future significant individual landmark and precedent-setting judicial decisions;
- Significant medical advancements;
- Unimpaired claims, i.e. claims for fear, stress, pure nervous shock or psychological illness;
- A change in the basis of compensation for asymptomatic pleural plaques for which no associated physical impairment is exhibited;
- A proliferation (compared to past and current levels of activity) of “third-wave” claims, i.e. claims arising as a result of indirect exposure such as home renovation, washing clothes of family members that worked with asbestos, or from workers involved in the removal of asbestos or the demolition of buildings containing asbestos;
- Changes in legislation, especially those relating to tort reform for asbestos sufferers. Examples include the consultation by the Law Reform Commission in Western Australia in relation to damages for gratuitous services and provisional damages;
- Introduction of new, or elimination of existing, heads of damage;

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- Exemplary and aggravated or punitive damages (being damages awarded for personal injuries caused as a result of negligence or reckless conduct);
- Changes in the basis of apportionment of awards for asbestos-related diseases for claimants who have smoked;
- Changes to taxation; and
- Future bankruptcies of other asbestos claim defendants (i.e. other liable manufacturers or distributors).

Nonetheless, implicit allowance is made in respect of some of these items in the allowance for superimposed inflation included in our liability assessment. Furthermore, to the extent that some of these have emerged in past claims experience, they are reflected in our projections.

### 1.3.2 Third-wave claims

We have made allowance for so-called "third-wave" claims. These are defined as claims for personal injury and / or death arising from asbestos exposure during home renovations by individuals or to builders involved in such renovations. Such claims are allowed for within the projections to the extent to which they have arisen to date and to the extent our exposure model factors in these exposures in its projection.

We have not allowed for a significant additional surge in third-wave claims (over and above current levels of activity) in the future arising from renovations, but conversely we have not allowed for a tempering of those third-wave claims already included within our projection as a result of improved education of individuals as to the risks of such home renovations, or of any local Councils or State Governments passing laws in this regard.

It should be noted that claims for the cost of asbestos or asbestos product removal from homes and properties or any claims for economic loss arising from asbestos or asbestos products being within such homes and properties is not required to be met by the AICF Trust.

## 1.4 Data reliances and limitations

KPMG has relied upon the accuracy and completeness of the data with which it has been provided. KPMG has not verified the accuracy or completeness of the data, although we have undertaken steps to test its consistency with data previously received. However, KPMG has placed reliance on the data previously received, and currently provided, as being accurate and complete in all material respects.

## 1.5 Uncertainty

It must be understood that estimates of asbestos-related disease liabilities are subject to considerable uncertainty.

This is due to the fact that the ultimate disposition of future claims will be subject to the outcome of events that have not yet occurred. Examples of these events, as noted in Section 1.3, include jury decisions, court interpretations, legislative changes, epidemiological developments, medical advancements, public attitudes, potential additional third-wave exposures and social and economic conditions such as inflation.

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Therefore, it should be expected that the actual emergence of the liabilities will vary, perhaps materially, from any estimate. Thus, no assurance can be given that the actual liabilities of the Liable Entities to be met by the AICF Trust will not ultimately exceed the estimates contained herein. Any such variation may be significant.

## 1.6 Distribution and use

The purpose of this Report is as stated in Section 1.1.

This Report should not be used for any purpose other than those specified.

This Report will be provided to the Board and management of AICFL. This Report will also be provided to the Board and management of James Hardie, the NSW Government and to EY in their capacity as auditors to both James Hardie and AICFL.

We understand that this Report will be filed with the ASX and placed on James Hardie's website in its entirety.

We understand that this Report will also be placed on AICFL's website in its entirety.

KPMG consents to this Report being made available to the above-mentioned parties and for the Report to be distributed in the manner described above.

To the extent permitted by law, neither KPMG nor its Executives, directors or employees will be responsible to any third parties for the consequences of any actions they take based upon the opinions expressed with this Report, including any use of or purported reliance upon this Report not contemplated in Section 1.2. Any reliance placed is that party's sole responsibility.

Where distribution of this Report is permitted by KPMG, the Report may only be distributed in its entirety and judgements about the conclusions and comments drawn from this Report should only be made after considering the Report in its entirety and with necessary consultation with KPMG.

Readers are also advised to refer to the "Important Note: Basis of Report" section at the front of the Executive Summary of this Report.

## 1.7 Date labelling convention used in this Report

In our analyses throughout this Report (unless otherwise stated), the "year" we refer to aligns with the financial year of AICFL and James Hardie and runs from 1 April to 31 March.

A "2008" notified claim would be a claim notified in the period 1 April 2008 to 31 March 2009. This might also be referred to as "2008/09" or "FY09".

Similarly, a "2021" claim settlement would be a claim settled in the period 1 April 2021 to 31 March 2022. This might also be referred to as "2021/22" or "FY22".

## 1.8 Author of the report

This Report is authored by Neil Donlevy, an Executive of KPMG Financial Services Consulting Pty Ltd, a Fellow of the Institute of Actuaries (London) and a Fellow of the Institute of Actuaries of Australia.

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This Report is co-authored by Jefferson Gibbs, an Executive of KPMG Financial Services Consulting Pty Ltd, a Fellow of the Institute of Actuaries (London) and a Fellow of the Institute of Actuaries of Australia.

In relation to this Report, the primary regulator for both Neil Donlevy and Jefferson Gibbs is the Institute of Actuaries of Australia.

## 1.9 Professional standards and compliance

This Report details a valuation of the outstanding claims liabilities of entities which hold liabilities with features similar to general insurance liabilities.

In preparing this Report, we have complied with the Professional Standard 302 of the Institute of Actuaries of Australia ("PS302"), "Valuation of General Insurance Claims".

However, as we note in Section 1.2, this Report does not include an allowance for the future Operating Expenses of the AICF Trust (which are estimated by AICFL) and nor does it include any allowance for a risk margin to reflect the inherent uncertainty in the liability assessment.

## 1.10 Control processes and review

This valuation report and the underlying analyses have been subject to technical review and internal peer review.

The technical review focuses on ensuring that the valuation models and supporting claims experience analyses that are carried out are performed correctly and that the calculations are being correctly applied. The technical review also focuses on ensuring that the data that is being used has been reconciled insofar as possible.

Internal peer review involves a review of the approach, the methods, the assumptions selected and the professional judgments applied.

Both the technical review and internal peer review processes are applied to the Report as well as the valuation models.

## 1.11 Basis of preparation of Report

We have been advised by the management of AICFL to prepare the Report on a "going concern" basis (i.e. we should assume that AICFL will be able to meet any shortfall in the cost of the liabilities of the Liable Entities as they fall due).

The cashflow estimates contained in this Report assume that claims against the Liable Entities will continue to be paid in full as and when they fall due.

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# 2. Data

## 2.1 Data provided to KPMG

We have been provided with the following data by AICFL:

- Claims dataset at 31 March 2022 with individual claims listings;
- Accounting transactions dataset at 31 March 2022 (which includes individual claims payment details); and
- Detailed insurance bordereaux information (being a listing of claims filed with the insurers of the Liable Entities) as at 31 March 2022.

We have allowed for the benefits of the product and public liability insurance policies of the Liable Entities based on information provided to us by AICFL relating to the insurance programme's structure, coverage and layers.

We have also considered the claims data listings which formed the basis of our previous valuation assessments. The data structures provided for the claims and accounting datasets are consistent with those provided at previous valuations.

## 2.2 Data limitations

We have tested the consistency of the various data sets provided to us at different valuation dates. Section 2.3 outlines the nature of the testing undertaken.

However, we have not otherwise verified the data and have instead relied on the data provided as being complete and accurate in all material respects.

We have relied upon the robustness of AICFL's internal administration and systems as to the completeness of the data provided.

Consequently, should there be material errors or incompleteness in the data, our assessment could also be affected materially.

## 2.3 Data reconciliation and testing

We have performed a reconciliation of the data provided at 31 March 2022 with the data provided at 31 March 2021.

We have undertaken a number of tests and reconciliations to test the accuracy of the data to the extent possible, noting the limitations outlined above.

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### 2.3.1 Reconciliation with previous valuation's data

We have performed a reconciliation of the claims database as at 31 March 2022 with that provided at 31 March 2021.

Our findings are:

- Claims notifications: There has been one new claim reported that had a report date prior to 31 March 2021. No claims (that already had a notification date) changed notification date between the two databases.
- Portfolio category: There have been seven claims that have changed category. Two of these changed to mesothelioma.
- Settlement date: There has been one claim that previously had a settlement date prior to 31 March 2021 that has changed settlement date at the current valuation. In addition, there has been one claim that previously had a settlement date prior to 31 March 2021 that has had its settlement date removed at the current valuation.

Changing and developing data is not unexpected or to be considered as adverse. Indeed, changing data is common to all claims administration systems. We do not consider the number or extent of the changes noted above to be unreasonable, nor do we consider the changes to be material to the valuation.

### 2.3.2 Reconciliation of claims settlement amounts between claims and accounting databases

We have mapped the financial data between the claims and accounting databases into standardised groupings as follows:

Table 2.1: Grouping of financial data from claims and accounting databases

	CLAIMS DATABASE	ACCOUNTING DATABASE
Award	Damages (gross of cross-claims) <b>plus</b> DDB reimbursement <b>plus</b> Medicare (from Accounting Database)	Damages <b>plus</b> DDB reimbursements <b>plus</b> Medicare
Costs / Other	Costs <b>plus</b> Other <b>less</b> Medicare (from accounting database)	Costs <b>plus</b> Consulting
Defence legal costs	Defence legal costs	Defence legal costs

*Note: Recovery amounts are available from the accounting database*

We have compared the payment records between the claims database and the accounting database from the earliest date to the current file position.

The table below shows the results of this reconciliation for all claim transactions to date.

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Table 2.2: Comparison of amounts from claims and accounting databases (\$m)

CLAIMS DATABASE		ACCOUNTING DATABASE	
Damages (gross of recoveries, excluding medicare)	2,170.6	Damages (gross of recoveries)	2,173.0
Costs	66.3	Costs	67.6
DDB	17.3	DDB	17.3
Other (inc Medicare)	5.9	Consulting	2.2
		Medicare	3.2
		Interest	0.6
Defence legal costs	230.0	Defence legal costs	230.7
<b>Total Value</b>	<b>2,490.1</b>	<b>Total Value</b>	<b>2,494.7</b>
<b>Standardisation</b>			
Award plus Medicare plus DDB	2,191.1	Award plus Medicare plus DDB	2,193.6
Costs / Other	69.0	Costs / Other	70.4
Defence legal costs	230.0	Defence legal costs	230.7
<b>Total Value</b>	<b>2,490.1</b>	<b>Total Value</b>	<b>2,494.7</b>

Once the standardisation has been undertaken, the two datasets reconcile closely – with differences for claim awards totalling approximately \$2.5m (31 March 2021: \$2.8m).

Our approach for each claim record has been to take the maximum value of the two databases for each claim record. This results in the following overall totals being used in our analysis:

- \$2,194.4m for the claims award component;
- \$70.7m for the costs / other component; and
- \$230.8m for the defence legal costs component.

This approach, of taking the maximum value for each claims record, may result in some minor prudence in our overall analysis although the amount of prudence is not considered to be significant in the context of the size of the potential liabilities and the underlying uncertainty in any valuation estimating future claims costs over the next 40 years or more.

## 2.4 Data conclusion

We have not verified the underlying data nor have we undertaken “auditing at source”. No material data issues have been identified and notified to us by the Approved Auditor of AICFL (EY) during their testing.

We have tested the data for internal consistency with the data provided at the previous valuation (31 March 2021).

Based on that testing and reconciliation, and subject to the limitations described in Section 1.4, we have formed the view that:

- Generally, the data is consistent between valuations, with any differences in the data being readily explainable;
- The financial data appears to reconcile reasonably between the two data sources (the claims dataset and the accounting transactions datasets);
- Any data issues that have emerged are not significant in relation to the size of the liabilities; and
- The data is appropriate for use for the purpose of this Report.

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# 3. Valuation Methodology and Approach

## 3.1 Valuation methodology changes

We have maintained the core valuation methodology adopted at our previous valuation.

The most recent material change in the methodology took place at 31 March 2020 when we separated the portfolio of mesothelioma claims between direct claims and cross-claims and for each of the four age cohorts. This included deriving separate assumptions for direct claims and cross claims and for each of the four age cohorts for:

- estimated future claim numbers (including latency assumptions);
- average claim sizes (including incidence rates of large claims);
- average legal costs; and
- nil settlement rates (but only for direct and cross, without separate age-based assumptions).

## 3.2 Overview of current methodology

The methodology involves assessing the liabilities in two separate components, being:

- Allowance for the cost of settling claims which have already been reported but have not yet been settled ("pending claims"); and
- Allowance for the cost of settling claims which have not yet been reported ("Incurred But Not Reported" or "IBNR" claims).

For pending claims, we have used the case estimates (where available) with some adjustments to reflect the extent to which the case estimates (on average) tend to overstate the ultimate cost. For IBNR claims we have used an "average cost per claim method".

In brief, the overall methodology may be summarised as follows:

- Project the future number of claims expected to be reported in each future year by disease type (for product and public liability) and for Workers Compensation and wharf claims taking into account the expected future incidence of mesothelioma and other diseases and also the past rate of co-joining of the Liable Entities;
- Analyse past average attritional claim costs of non-nil claims in mid 2021/22 money terms. We have defined attritional claims to be claims which are less than \$1m in 2006/07

money terms. We estimate a baseline attritional non-nil average claim cost in mid

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2021/22 money terms. This represents the Liable Entities' share of a claim rather than the total claim settlement;

- Analyse past historical average plaintiff/other and defendant legal costs for non-nil claim settlements;
- Analyse past historical average defendant legal costs for nil claim settlements;
- Estimate a "large claims loading" for mesothelioma claims by estimating the frequency, or incidence rate, and average claim size and legal cost sizes of such claims (being claims which are in excess of \$1m in 2006/07 money terms);
- Project the pattern and incidence of future claims settlements from the claims reporting profile projected. This is done by using a settlement pattern derived from consideration of past experience of the pattern of delay between claim reporting and claim settlement for each disease type;
- Estimate the proportion of claims which will be settled with no liability against the Liable Entities by reference to past proportions of claims settled for nil claim cost (we refer to this as the "nil settlement rate");
- Inflate average claim, plaintiff/other and defence legal costs and large claim costs to the date of settlement of claims allowing for base inflation and (where applicable) superimposed inflation;
- Multiply the claims numbers which are expected to be settled for non-nil amounts in a period by the inflated average non-nil claim costs (including the "large claims loading") and plaintiff/other and defence legal costs for that period;
- Make allowance in defence legal costs for that proportion of settled claims which are expected to be settled for no liability but for which defence costs will be incurred;
- Inflate average defence legal costs of nil claims to the date of settlement of claims allowing for base inflation;
- Multiply the claims numbers which are expected to be settled for nil amounts in a period by the inflated average defence legal costs for nil claims for that period;
- Add the expected claims costs and legal payments relating to pending claims (after allowance for the potential savings on case estimates) after making allowance for the assumed settlement pattern of pending claims;
- This gives the projected future gross cashflow for each future financial year;
- Adjust the projected gross cashflow (where applicable) for the impact of the annual and aggregate caps on DDA reimbursements;
- Estimate the recoveries resulting from cross-claims made by the Liable Entities against other parties ("cross-claim recoveries");
- Project Insurance Recoveries to establish the net cashflows;

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- Discount the cashflows using a yield curve derived from yields on Commonwealth Government Fixed Interest Bonds at the valuation date to arrive at our present value liability assessment.

It should be noted that this description is an outline and is not intended to be exhaustive in consideration of all the stages we consider or all investigations we undertake. Those other stages are outlined in more detail elsewhere in this Report and readers are advised to refer to those sections for a more detailed understanding of the process undertaken.

As discussed elsewhere, the liabilities are established on a central estimate basis.

### 3.3 Disease type and class subdivision

#### 3.3.1 Claims records excluded from our analysis

We have excluded records that relate to cross-claims brought by the Liable Entities against other defendants. Where the cross-claim is brought as part of the main proceedings the claim is automatically counted in our analysis of the number of claims. However, where the cross-claim by the Liable Entities is severed from the main proceedings, the existence of a separate record in the claims dataset does not indicate an additional claim (or liability) against the Liable Entities. In these circumstances such records are not counted in our analysis.

We have also excluded "insurance recovery" claims records. This is because the insurance recovery record is a separate record that exists for claims records where an insurance recovery is due. In other words, the claim against the Liable Entity has already been included in our analysis and the insurance recovery record exists for operational purposes only.

#### 3.3.2 Categories of claim

We have sub-divided the remaining claims into the following groups:

- Product and Public Liability;
- Workers Compensation, being claims by former employees of the Liable Entities; and
- Wharf claims, being claims by individuals whose occupations involved working on the docks or wharves, or where part of their exposure related to wharves.

#### 3.3.3 Categories of disease

For product and public liability claims, we have separately analysed the individual disease types.

We have split the data by disease type for these claims, because there is sufficient volume of claims to do so, because different disease types display substantially different average claim sizes, and because the incidence pattern of future notifications is expected to vary between the different disease types.

We have not divided the Workers Compensation or wharf claims data by disease type, given their low financial significance and the reduced credibility of the data if sub-divided by disease type (given the low number of claims).

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For the purposes of our analysis, we have allocated each claim once and therefore to one disease only. We have selected the following order of priority, based on the relative severity of the disease:

- Mesothelioma;
- Lung cancer / Other cancer;
- Asbestosis; and then
- Asbestos-Related Pleural Disease and Other (“ARPD & Other”).

This means that if a product or public liability claim has mesothelioma as one of its listed diseases, it is counted as a mesothelioma claim. If a product or public liability claim has lung cancer or other cancer as one of its listed diseases (but not mesothelioma), it is counted as a lung cancer claim. If a product or public liability claim has asbestosis as one of its listed diseases, it is only counted as asbestosis if it has no reference to mesothelioma, lung cancer or other cancer as one of its diseases.

For mesothelioma, we have also separated claims based on the age of the claimant at the date of notification of the claim. We have used four age cohorts, namely:

- <60 years of age;
- 60-70 years of age;
- 70-80 years of age; and
- >80 years of age.

We have further separated mesothelioma claims between direct claims and cross claims.

### 3.4 Numbers of future claims notifications: mesothelioma

To project the pattern of incidence of claims against the Liable Entities, we have constructed a model which utilises the following inputs:

- The current Australian population by year of birth / current age and gender;
- Standard mortality rates by age and gender. This is used to project the population by year of birth / age at each future year;
- The relative risk-exposure (or incidence rates) between males and females;
- The relative risk-exposure by age of person at time of exposure;
- The exposure to asbestos in Australia;
- The statistical distribution of the latency period from average exposure separately for direct claims and cross claims, and by age of claimant, together with the underlying parameters (the mean and the standard deviation) of the latency model.

Detailed discussion of the approach taken is documented in our 31 March 2018 Annual Actuarial Report.

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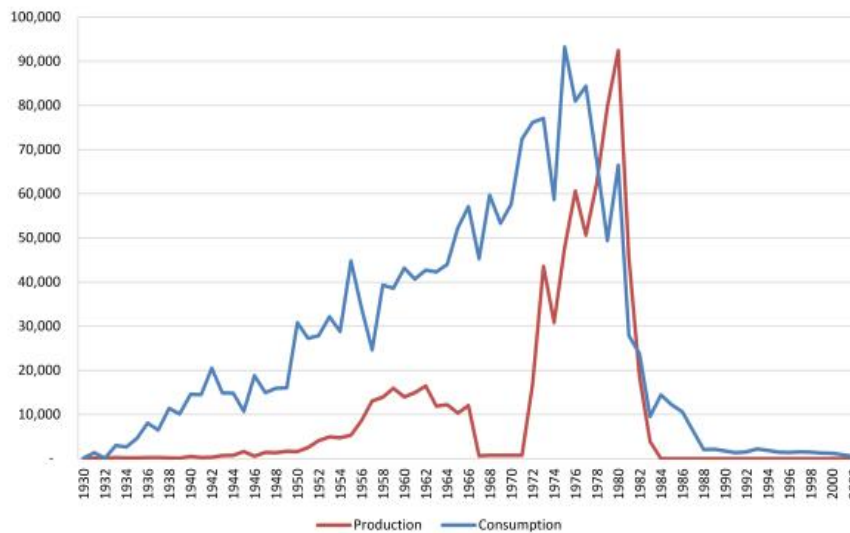
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### 3.4.1 Exposure model

We have constructed a proxy for exposure by reference to statistics showing the levels of Australian usage of asbestos. We do not have detailed individual exposure information for the Liable Entities, its products or where the products were used and how many people were exposed to those products.

However, given the market share of James Hardie over the years (through to 1987) and its relative stability, we have used a national pattern of usage as a reasonable proxy for the Liable Entities' exposure.

Figure 3.1: Consumption and production indices – Australia 1930-2002



Source: World Mineral Statistics Dataset, British Geological Survey, [www.mineralsuk.com](http://www.mineralsuk.com)  
R Virta, USGS Website Annual Yearbook

There is an implicit assumption within the use of the consumption to derive the level of future claim notifications that:

- the consumption of asbestos is directly correlated with, and is a suitable proxy for, the number (and extent of exposure) of people exposed to asbestos in any year; and
- the rate of incidence of individuals developing an asbestos-related disease arising from exposure to asbestos is the same for each exposure year and is independent of the type of asbestos used.

### 3.4.2 Latency model

We have continued to assume that the latency pattern (from the average date of exposure) is statistically distributed with a normal distribution.

We have derived separate latency assumptions for mesothelioma as between direct claims and cross claims. The model projection assumptions are shown in the table below. We have increased the assumption for mean latency for direct claims from 39 years to 40 years. Other assumptions are unchanged since the previous valuation.

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Table 3.1: Latency assumptions for mesothelioma claims

	Direct	Cross
Mean latency	40	41
Standard deviation of latency	9	10

The analysis supporting the selection of these parameters is summarised in Section 6.

### 3.4.3 Calibrating the curve index to current reporting experience

We take the claim curve index and then calibrate the number of notifications in each future year by reference to the recent levels of claims reporting and the number of claims we have assumed for the 2022/23 financial year. This approach implicitly assumes that:

- The future rate of incidence of asbestos-related diseases manifesting as a result of a past exposure to asbestos will remain stable;
- The pattern of diagnosis and the delay between diagnosis and reporting remain stable;
- The “propensity to claim” by individuals will remain stable; and
- The rate of co-joining the Liable Entities in common law claims will remain stable.

Changes to any of these factors over time will result in changes to the actual pattern of incidence of claims reporting.

The claim curve index also provides us with the proportions of the total number of claims reported in each future year that relate to each of the four age groups and separately for direct claims and cross claims for mesothelioma.

Our assumptions for the base number of claims projected to be reported in 2022/23 are summarised in Section 4.6 and Section 5.7.

### 3.5 Incidence of claim settlements from future claim notifications

We derive a settlement pattern by analysing triangulations of the numbers of settlements and claims payments by delay from the year of notification.

From these settlement pattern analyses, we have estimated the pace at which claims notified in the future will settle, and used this to project the future number, and monetary amount, of settlements in each financial year for each disease type.

Our analysis and assumptions selected are summarised in Section 9.5.

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## 3.6 Average claim costs of IBNR claims

### 3.6.1 Attritional claims

We define a large claim as one for which the award is greater than or equal to \$1m in 2006/07 money terms (which equates to approximately \$1.80m in mid 2021/22 money terms).

We define an attritional claim as a non-nil, non-large claim. We define a nil claim as one for which the award payable by the relevant Liable Entity is zero.

We have estimated the following five components to the average cost assessment:

- Average award (sometimes including plaintiff legal costs) of a non-nil "attritional" claim.
- Average plaintiff legal / other costs of a non-nil "attritional" claim.
- Average defence legal costs of a non-nil "attritional" claim.
- Average defence legal costs of a nil claim.
- Large claim awards and legal cost allowances.

All of our analyses have been constructed using past average awards, which have been inflated to mid 2021/22 money terms using a historical base inflation index (of 4% per annum). This allows for basic inflation effects when identifying trends in historical average settlements. We then determine a prospective average cost in mid 2021/22 money terms, including an explicit allowance for overseas exposures resulting from the decision in *Talifero vs Amaca*.

Our analysis and assumptions are summarised in Section 7.

### 3.6.2 Large claims loading

We analyse the historical incidence rate of large claims (being measured as the ratio of the number of large claims to the total number of non-nil claims), and the average claim size and legal costs of these claims.

We use these to arrive at a "per claim" loading (being the average large claim cost multiplied by the large claim incidence rate per claim), being the additional amount we need to add to our attritional average claim size to allow for large claims.

We have derived separate incidence rate and average claim size assumptions for each of the four age groups for mesothelioma.

Our analysis and assumptions are summarised in Section 7.8.

### 3.6.3 Future inflation of average claim sizes

Allowance for future claim cost inflation is made. This is modelled as a combination of base inflation plus superimposed inflation. This enables us to project future average settlement costs in each future year, which can then be applied to the IBNR claims numbers as they settle in each future year.

Our analysis and assumptions in relation to claims inflation are summarised in Section 9.2.

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### 3.7 Proportion of claims settled for nil amounts

We apply a “nil settlement rate” to the overall number of settlements to estimate the number of claims which will be settled for nil claim cost (i.e. other than in relation to defence legal costs) and those which will be settled for a non-nil claim cost.

The prospective nil settlement rate is estimated by reference to the analysis of past trends in the rate of nil settlements.

Our analysis and assumptions selected are summarised in Section 8.

### 3.8 Pending claims

#### 3.8.1 Definition of pending claims

At 31 March 2022, there were 417 claims for which claim awards have not yet been fully settled by the Liable Entities (254 of these are mesothelioma claims). Additionally, there are a number of other claims for which defence legal costs have not yet been settled, even though the awards have been settled.

#### 3.8.2 Evaluating the liability for pending claims

The excess amount of the liability for pending claims, over the case estimates held, is what the insurance industry terms Incurred But Not Enough Reported (“IBNER”).

Depending on the case estimation procedure of a company and the nature of the liabilities, IBNER can be either positive or negative, with a negative IBNER implying that the ultimate cost of settling claims will be less than case estimates, i.e. that there is some degree of redundancy in case estimates.

#### 3.8.3 Findings

The table below analyses the adequacy or otherwise of the previous year’s case estimates for claims reported through to 31 March 2021 relative to the current cost of those reported claims, after taking into account the 25% saving assumed on case estimates.

Table 3.2: Change in cost of claims during 2021/22 financial year (\$m) – claim award component only

Figures in \$ millions	Current year reported claims	Prior year reported claims	Total
Adopted estimates for pending claims at 31 March 2021 (undiscounted)	0.0	91.8	91.8
Paid in the year to 31 March 2022	77.7	77.5	155.2
Adopted estimates for pending claims at 31 March 2022 (undiscounted)	83.7	19.4	103.1
<b>Incurred Cost in the financial year</b>	<b>161.4</b>	<b>5.1</b>	<b>166.5</b>

The table above shows that there has been an increase of \$5.1m in the cost of claims that were reported prior to 31 March 2021 (31 March 2021: \$3.1m increase). Analysis shows this was primarily due to a small number (4) of larger claims that showed material upward development in the 2021/22 financial year.



We have maintained our assumption for the level of redundancy in case estimates on currently reported claims at 25% at this valuation. This assumption is only applied to the case estimates for the claim award.

### 3.9 Insurance Recoveries

Insurance Recoveries are defined as proceeds which are estimated to be recoverable under the product and public liability insurance policies of the Liable Entities, and therefore exclude any such proceeds from a Workers Compensation Scheme or Policy in which the Liable Entities participate or which the Liable Entities hold.

In applying the insurance programme we therefore consider only the projected gross cashflows relating to product and public liability claims.

Historical analysis of the claims data suggests that approximately 97.5% of all liability claims by cost have been product liability claims.

#### 3.9.1 Programme overview

Until 31 May 1986, the Liable Entities had in place product and public liability insurance policies that were placed on a claims occurring basis.

Product liability claims were insured under these insurance policies on an “in the aggregate” basis whilst public liability claims were insured on an “each and every loss” basis.

From 31 May 1986, the insurance policies were placed on a claims made basis in relation to asbestos-related product and public liability cover.

In summary, the insurance policies were placed as follows:

- For the period up to June 1976, the insurance policies were written on a claims occurring basis. The insurance was provided by QBE but the cover provided by these policies was commuted in June 2000. Therefore we have assumed no future Insurance Recoveries from these policies.
- For the period from June 1976 to 31 May 1986, the insurance policies were written on a claims occurring basis; insured by Lloyds’ of London, London Market insurers, Australian insurers and HIH entities.
- For the period 31 May 1986 to 31 March 1997, the insurance policies were written on a claims-made basis. For the purpose of this Report, we have made no allowance for any future Insurance Recoveries arising from these policies.

#### 3.9.2 Modelling insurance recoveries on the claims occurring programme

Our methodology for projecting the future insurance recoveries to be collected by AICFL involves the following steps:

- Identify the current contract positions for each insurance policy year. This assumes that all monies due have been collected, and does not allow for the impact of commutations that have taken place.

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- Allocate the projected future gross cashflows to individual insurance policy years using an allocation basis that has been determined by reference to the exposure methodology used to project future claim numbers and also using a "period of exposure" allocation.
- This gives a projection of how the insurance programme is utilised over time.

This method allows us to:

- evaluate the total insurance recoveries due by payment year;
- determine how the insurance recoveries due will be assigned to each layer and to each insurer; and
- identify and allow for when the individual layers are projected to be fully exhausted.

We then make an additional adjustment to the projected recoveries to exclude those projected future insurance recoveries that are assigned to the participations of insurers who have already commuted their coverage with AICFL and the Liable Entities or insurers who have settled their coverage by way of a Scheme of Arrangement.

### 3.9.3 Commutations, HIH and Schemes of Arrangement

Other commutations have been entered into by AICFL in previous years and these commutations have typically (other than QBE) involved the payment of a lump sum amount.

In these circumstances, we have assumed that the insurance liabilities of that company to the Liable Entities have been fully discharged and no further recoveries will fall due.

Additionally, we have assumed that all monies have been paid in relation to insurance recoveries for the claims occurring period from HIH.

For the claims occurring period, where a claim filed against a company under a Scheme of Arrangement has been accepted and payment made, we have assumed that the insurance liabilities of that company to the Liable Entities have been fully discharged and no further recoveries will fall due.

We have made no allowance or adjustment in our valuation for any other future commutations with the remaining insurers.

### 3.9.4 Unpaid insurance recoveries

We have not included within our liability estimate any allowance for insurance recoveries under the claims occurring period that are due but have not yet been collected.

We are advised that such monies amount to approximately \$3m at 31 March 2022.

These amounts are more appropriately dealt with as being debtors of AICFL.

### 3.9.5 Bad and doubtful debt allowance on Insurance Recoveries

We have made allowance for bad and doubtful debts on future Insurance Recoveries within our valuation by use of the default rates as shown in the table below.

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Table 3.3: Credit rating default rates by duration

Rating	Yr. 1	Yr. 2	Yr. 3	Yr. 4	Yr. 5	Yr. 6	Yr. 7	Yr. 8	Yr. 9	Yr. 10	Yr. 11	Yr. 12	Yr. 13	Yr. 14	Yr. 15
AAA	0.00%	0.03%	0.13%	0.24%	0.34%	0.45%	0.51%	0.59%	0.64%	0.70%	0.72%	0.75%	0.78%	0.84%	0.90%
AA+	0.00%	0.05%	0.05%	0.10%	0.15%	0.20%	0.25%	0.31%	0.36%	0.42%	0.48%	0.53%	0.59%	0.66%	0.72%
AA	0.02%	0.03%	0.08%	0.21%	0.35%	0.47%	0.59%	0.70%	0.78%	0.87%	0.95%	1.00%	1.10%	1.16%	1.22%
AA-	0.03%	0.08%	0.16%	0.23%	0.31%	0.41%	0.47%	0.52%	0.57%	0.62%	0.68%	0.73%	0.75%	0.80%	0.84%
A+	0.05%	0.09%	0.19%	0.31%	0.41%	0.50%	0.60%	0.71%	0.83%	0.96%	1.08%	1.21%	1.36%	1.54%	1.68%
A	0.05%	0.14%	0.21%	0.32%	0.44%	0.61%	0.78%	0.94%	1.11%	1.32%	1.48%	1.60%	1.72%	1.79%	1.95%
A-	0.06%	0.16%	0.25%	0.36%	0.51%	0.66%	0.87%	1.03%	1.15%	1.27%	1.37%	1.50%	1.62%	1.74%	1.84%
BBB+	0.09%	0.26%	0.47%	0.67%	0.90%	1.15%	1.35%	1.56%	1.82%	2.07%	2.30%	2.46%	2.64%	2.87%	3.12%
BBB	0.15%	0.37%	0.59%	0.93%	1.27%	1.62%	1.94%	2.24%	2.56%	2.88%	3.22%	3.49%	3.72%	3.82%	4.03%
NR	3.71%	7.19%	10.18%	12.63%	14.64%	16.30%	17.68%	18.83%	19.86%	20.81%	21.61%	22.29%	22.93%	23.49%	24.04%
R	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

Source: Standard & Poors' 2020 Annual Global Corporate Default Study and Rating Transitions.

NR relates to companies which are Not Rated

R relates to companies which have been subject to Regulatory Action regarding solvency.

We have considered the credit rating of the insurers (and/or their parent companies) of the Liable Entities as at March 2022 and applied the relevant credit rating default rates to the expected future cashflows by year, treaty and insurer.

### 3.10 Cross-claim recoveries

A cross-claim can be brought by, or against, one or more Liable Entities. Cross-claims brought against a Liable Entity ("Contribution Claims") are included in our analysis of the claims experience.

Cross-claims brought by a Liable Entity relate to circumstances where the Liable Entity seeks to join (as a cross-defendant) another party to the claim in which the Liable Entity is already joined.

Our approach in the valuation has been to separately value the rate of recovery ("cross-claims recovery rate") as a percentage of the gross award based on historical experience of such recoveries.

Our analysis and assumptions selected are summarised in Section 9.4.

### 3.11 Discounting cashflows

Cashflows are discounted on the basis of yields available at the valuation date on Commonwealth of Australia fixed interest Government Bonds ("Commonwealth Government Bonds") of varying coupon rates and durations to maturity.

Our approach to the determination of the discount rates is unchanged from the approach adopted at 31 March 2021, and is:

- For years 1 to 16, zero coupon spot rates were determined by reference to the prices, coupons and durations of Commonwealth Government Bonds;
- For years 19 and onwards, we have selected a uniform long-term discount rate of 4.00% per annum (FY2021: 4.00% per annum); and
- For years 17 and 18, we have selected spot rates that "linearly interpolate" between the year-16 rate and the year-19 rate (of 4.00%).

Our selected assumptions are summarised in Section 9.2

Our selected assumptions are summarised in Section 9.5.

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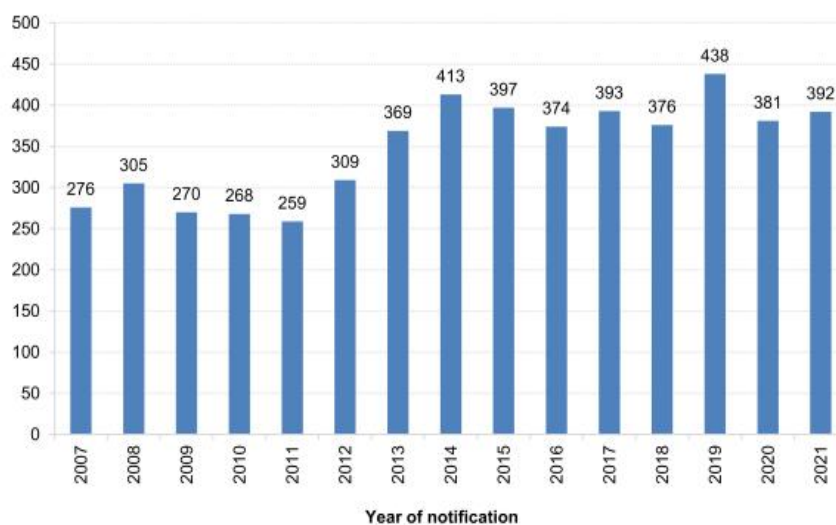
# 4. Claims Experience: Mesothelioma

## Claim Numbers

### 4.1 Overview

The following chart shows the number of mesothelioma claims reported by year of notification.

Figure 4.1: Number of mesothelioma claims reported annually



*Note: Throughout Sections 4 to 9, the date convention used in tables and charts is that (for example) 2008/09 indicates the financial year running from 1 April 2008 to 31 March 2009. Furthermore, unless clearly identifying a calendar year, the label "2008" in charts or tables would indicate the financial year running from 1 April 2008 to 31 March 2009.*

For 2021/22, there were 392 mesothelioma claims reported. This represented a 3% increase relative to the prior year (381 claims).

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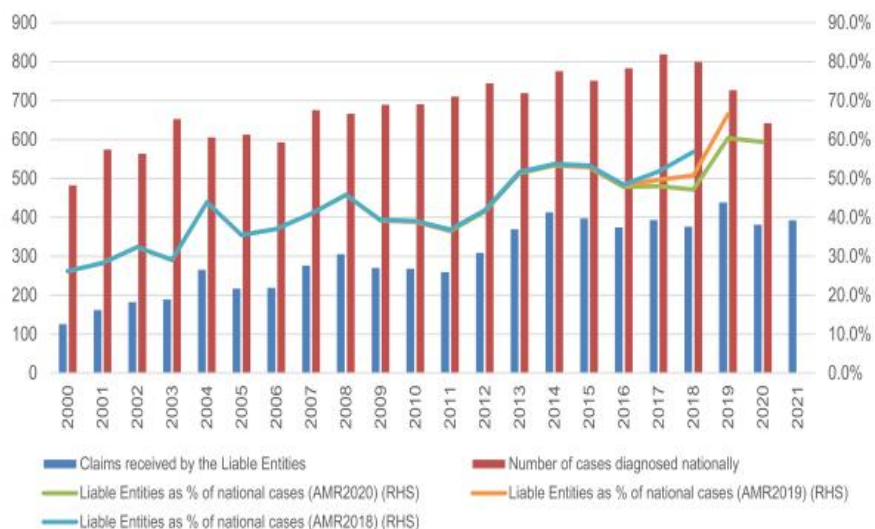
## 4.2 External statistics on mesothelioma claims incidence

The following chart compares the total number of mesothelioma cases reported (diagnosed) nationally to the number of mesothelioma claims received by the Liable Entities.

It should be noted that the two sets of data correspond to different definitions of year and so are not directly comparable and some caution should be exercised.

The “year” is calendar year for the national cases (i.e. 2012 is the year running from 1 January 2012 to 31 December 2012); whilst for the Liable Entities it is the financial year (i.e. 2012 is the year running from 1 April 2012 to 31 March 2013).

Figure 4.2: Number of mesothelioma cases reported nationally compared to the number of claims received by the Liable Entities



Sources: Australian Cancer Incidence and Mortality book for Mesothelioma, Australian Institute of Health and Welfare, updated February 2018 for 2000-2013

Annual Report of the Australian Mesothelioma Registry for 2014 and onwards

In calendar year 2020, the number of cases diagnosed nationally (as currently reported) was 642. It should be noted there may be a considerable degree of under-reporting in the 2020 year and, to a lesser extent, the 2019 year, noting that:

- The 2016 year was first reported as 700, and this has increased to 783 (as reported in the 2020 Australian Mesothelioma Registry Report).
- The 2017 year was first reported as 710, and this has increased to 819 (as reported in the 2020 Australian Mesothelioma Registry Report).
- The 2018 year was first reported as 662, and this has increased to 799 (as reported in the 2020 Australian Mesothelioma Registry Report).

These increases in national statistics lead to a lower ratio for the number of Liable Entity claims as a percentage of the number of national cases of mesothelioma. As a consequence, the currently estimated 60% for 2019/20 and the currently estimated 59% for 2020/21 may be over-stated and (if previous experience of initial under-reporting of the number of national cases were to recur) may be more in the order of 50% to 55%.

cases were to occur, may be more in the order of 50% to 60%.

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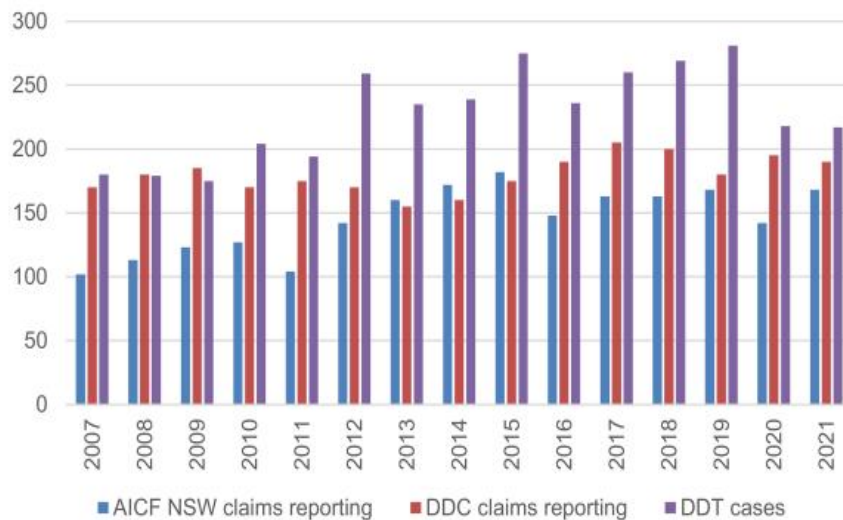
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It should be noted that not all cases of mesothelioma result in a claim being brought in Common Law. Furthermore, even if a claim is brought, not all claims will involve the Liable Entities.

In relation to NSW, we have additional information from the Dust Diseases Tribunal (NSW) that indicates what proportion of common law claims the Liable Entities are joined in for NSW.

For the DDC data, the “year” is financial year (i.e. 2012 is the year running from 1 July 2012 to 30 June 2013). In contrast, in the DDT data, “year” is defined as a calendar year (i.e. 2012 is the year running from 1 January 2012 to 31 December 2012). It should be noted that the three sets of data correspond to different definitions of year and so are not directly comparable and some caution should be exercised.

Figure 4.3: Number of mesothelioma cases reported in NSW



Sources: DDC claims data: Insurance and Care NSW Annual Report 2020/21 (page 64).

DDT statistics: provided by the State of New South Wales

The data would appear to indicate that the Liable Entities are not being increasingly joined in common law claims in NSW, whilst noting that there is variability from year to year (the rate of joining is typically between 60% and 70%).

The chart below shows the mix of national cases by age. The data shows a broadly similar pattern to AICF’s own experience, with the proportion of cases relating to people under 70 years of age trending down and currently comprising around 25% of all cases.

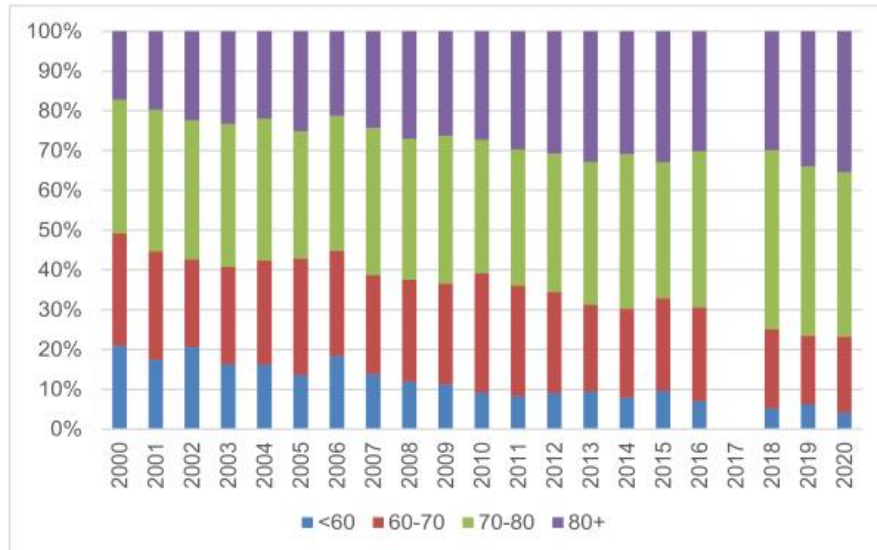
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Figure 4.4: Age profile of mesothelioma cases nationally



Sources: Australian Institute of Health and Welfare; Australian Mesothelioma Registry Report

Note: Data by age cohort for 2017 was not published in the 2017 Australian Mesothelioma Registry Report

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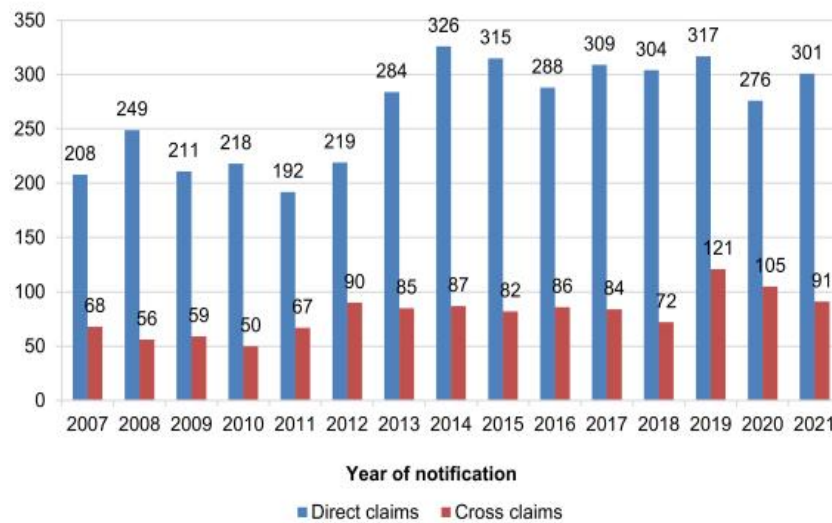
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## 4.3 Profile of mesothelioma claims

### 4.3.1 Direct claims and cross claims

The following chart shows the number of claims separately as between claims brought by claimants ('direct claims') and claims brought by other defendants ('cross claims').

Figure 4.5: Number of mesothelioma claims by type of claim

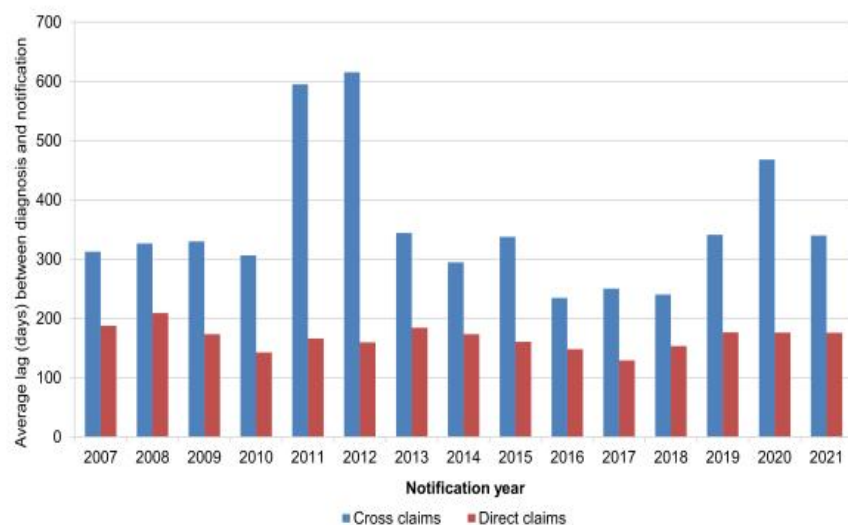


### 4.3.2 Delay from diagnosis to notification

The chart below measures the time-lag (in days) from diagnosis of mesothelioma to notification of a claim against the Liable Entities.

Direct claims have typically taken between 5 months and 7 months to be reported after diagnosis of mesothelioma.

Figure 4.6: Delay from diagnosis of mesothelioma to notification of claim against the Liable Entities



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## 4.4 Profile of mesothelioma claims: direct claims

### 4.4.1 Claims by State

Claims reporting for direct claims has varied between 276 and 317 claims in the last seven years.

The reductions in claim numbers in NSW in 2020/21 were offset by higher numbers of claims being lodged in Queensland (many of which are typically lodged in the DDT in NSW). This trend reversed in 2021/22. NSW and Victoria saw a return towards previous levels of claims reporting.

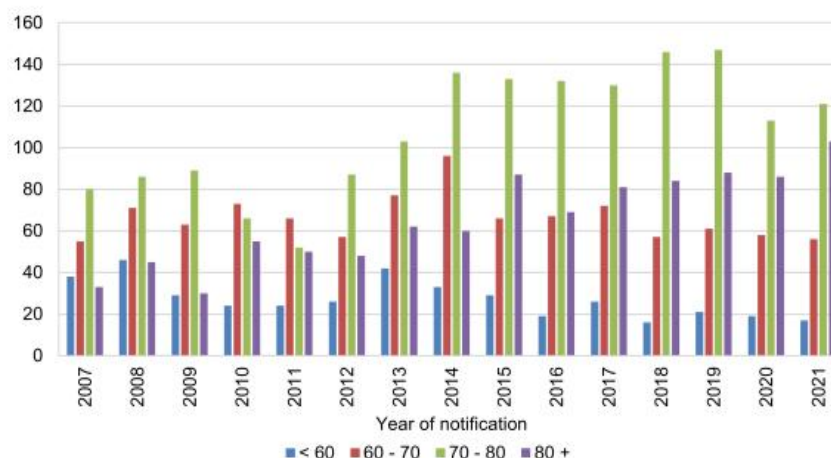
Figure 4.7: Number of mesothelioma direct claims by State



### 4.4.2 Age profile of claimants

The chart below shows that the primary source of growth since 2007/08 has been for claimants over the age of 70. However, the last two financial years have seen some reductions in the numbers of claims from this age cohort. In 2021/22, there was a material increase in the number of claims relating to claimants aged 80+.

Figure 4.8: Number of mesothelioma direct claims by age of claimant



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## 4.5 Profile of mesothelioma claims: cross claims

### 4.5.1 Claims by State

We have analysed the number of mesothelioma claim notifications by the State in which the cross claim is filed.

Figure 4.9: Number of mesothelioma cross claims by State

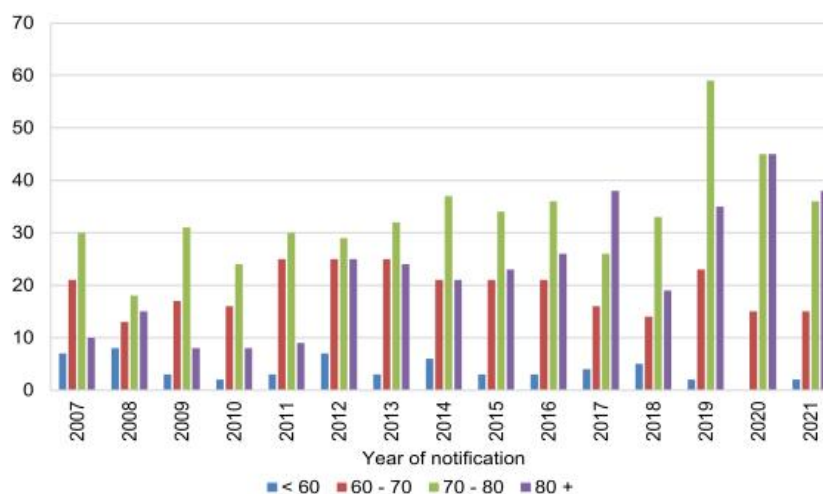


The high numbers of South Australia cross claims that was experienced in 2019/20 and 2020/21 has not continued in 2021/22. There were 13 claimants in 2019/20 and 10 claimants in 2020/21 where “duplicate claims” arose (i.e. 2 cross claims, or more, were lodged for each claimant).

### 4.5.2 Age profile of claimants

The chart below shows the mix of claims by age cohort over time. Again, it is observed that most of the claimants are in excess of 70 years of age, with a broadly equal mix between 70-80 and 80+ age cohorts.

Figure 4.10: Number of mesothelioma cross claims by age of claimant



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## 4.6 Base valuation assumption for number of mesothelioma claims

The actual claims reporting experience in 2021/22 has been broadly in line with expectations with both direct claims and cross claims being 1 claim above expectations.

The number of direct claims was 276 in 2020/21 and 301 in 2021/22.

We have set our assumption for direct claims for 2022/23 at 288 claims, being broadly equal to the average of the last two years of claims reporting activity.

In relation to cross claims, the number of such claims had typically varied between 80 and 90 claims since 2012; albeit with 72 claims in 2018/19.

Excluding the SA power station cross-claims reporting that impacted 2019/20 and 2020/21, there were 95 claims in 2019/20, 85 claims in 2020/21 and 91 claims in 2021/22.

In this context, we have selected an assumption of 90 cross claims for 2022/23, being broadly equal to the average of the last three years of reporting activity.

In total, we are therefore projecting 378 mesothelioma claims to be reported in 2022/23.

The table below summarises the overall assumptions and the mix assumptions by age cohort for 2022/23, as well as providing a comparison of the previous two years' actual experience.

Table 4.1: Assumed mix of claims by age cohort and type of claim for 2022/23

	FY23 Assumption		FY23 Assumption		FY22 Actual		FY22 Actual		FY21 Actual		FY21 Actual	
	Numbers	%	Numbers	%	Numbers	%	Numbers	%	Numbers	%	Numbers	%
Mesothelioma (direct claims)	<b>288</b>				<b>301</b>				<b>276</b>			
<60	18	6.3%			17	5.6%			19	6.9%		
60-70	58	20.1%			56	18.6%			58	21.0%		
70-80	122	42.4%			121	40.2%			113	40.9%		
80+	90	31.3%			103	34.2%			86	31.2%		
age not known	0	0.0%			4	1.3%			0	0.0%		
Mesothelioma (cross claims)	<b>90</b>				<b>91</b>				<b>105</b>			
<60	2	2.2%			2	2.2%			0	0.0%		
60-70	15	16.7%			15	16.5%			15	14.3%		
70-80	39	43.3%			36	39.6%			45	42.9%		
80+	34	37.8%			38	41.8%			45	42.9%		
age not known	0	0.0%			0	0.0%			0	0.0%		

Note: percentage figures may not add exactly to 100.0% on sight, owing to the percentages being shown rounded to 1 decimal point.

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#### 4.7 Inherent uncertainties in the future number of mesothelioma claims

There remain material uncertainties in relation to the base level of claims reporting and the total future number of mesothelioma claims to be reported against the Liable Entities.

It is possible that claims reporting activity could increase next year, or that it could fall next year.

There remain uncertainties in relation to the peak period of claims reporting for mesothelioma, particularly given that 2019/20 saw the highest number of mesothelioma claims received historically, albeit primarily this was due to the extremely high level of cross-claims reporting, and noting that 2021/22 has seen a slight increase in mesothelioma claims reported compared to the previous year.

There also remain material uncertainties as to the pace at which future claims reporting will reduce ("the decay rate") as well as the rate of co-joining of the Liable Entities in common law claims.

Additionally, should the mix of claims by claimant age or the mix between direct claims and cross claims change relative to that currently assumed, the overall average claim sizes emerging would differ from that currently expected.

Depending on the outcome of future experience, further changes to the valuation assumptions and therefore to the valuation results may be necessary in future periods. Such changes could be material.

As a consequence of the above noted uncertainties, further volatility in relation to the valuation result should be anticipated.

Section 11 of our Report provides an indication of the sensitivity of the valuation result to the peak period of claims reporting and the decay rate of mesothelioma claims reporting after 2021/22.

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# 5. Claims Experience: Claim numbers (non-mesothelioma)

## 5.1 Overview

The table below shows the number of claims reported by year of notification and by disease category.

Table 5.1: Number of claims by disease type

Notification Year	Asbestosis	Lung Cancer	ARPD & Other	Wharf	Workers
2007	171	28	43	8	46
2008	163	40	44	11	59
2009	120	40	43	3	61
2010	141	13	36	8	30
2011	110	15	36	6	30
2012	128	33	38	7	27
2013	117	26	49	15	32
2014	143	25	39	11	34
2015	91	19	30	11	29
2016	96	18	33	11	25
2017	87	25	29	8	20
2018	103	15	38	13	23
2019	137	25	32	4	21
2020	94	18	32	0	20
2021	94	17	33	0	19
2007-2021	1,795	357	555	116	476
All Years	2,807	706	924	246	1,489

## 5.2 Asbestosis claims

In 2021/22, there were 94 asbestosis claims reported and in 2020/21 there were also 94 asbestosis claims reported. The 2019/20 year (137 claims) looks to be somewhat aberrational relative to the last seven years of experience.

The last three years have averaged 108 claims, the last four years have averaged 107 claims, and the last five years have averaged 103 claims. Each of these averages have been materially impacted by the 2019/20 year.

We have assumed 93 asbestosis claims will be reported in 2022/23.

## 5.3 Lung cancer claims

In 2021/22, there were 17 lung cancer claims reported.

The last two years have averaged 18 claims, the last three years have averaged 20 claims and the last four years have averaged 19 claims.

We have assumed 18 lung cancer claims will be reported in 2022/23.

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#### 5.4 ARPD & Other claims

In 2021/22, there were 33 ARPD & Other claims reported.

The last three years have averaged 32 claims and the last four years have averaged 34 claims.

We have assumed 33 ARPD & Other claims will be reported in 2022/23.

#### 5.5 Workers Compensation claims

In 2021/22, there were 19 Workers Compensation claims reported, and the number of claims have been showing a general progression downwards since 2009/10.

The last five years have varied between 19 and 23 claims.

We have assumed 18 Workers Compensation claims will be reported in 2022/23.

It should be noted that the financial impact of this source of claim is not substantial to the Liable Entities given the proportion of claims which are settled for nil liability against the Liable Entities (typically above 95%), which results from the insurance arrangements in place.

#### 5.6 Wharf claims

In 2021/22, there were no Wharf claims reported, as was also the case in 2020/2021.

The previous six years varied between 4 claims and 13 claims.

We have assumed 3 wharf claims will be notified in 2022/23.

Again, the financial impact of this source of claim is not currently significant.

#### 5.7 Summary of base claims numbers assumptions (including mesothelioma)

As outlined in Sections 4 and 5, our assumptions as to the number of claims to be reported in 2022/23 are as follows:

Table 5.2: Claim numbers experience and assumptions for 2022/23

	FY21 actual	FY22 actual	FY22 expected	FY23 assumption
Mesothelioma	381	392	390	378
Asbestosis	94	94	102	93
Lung Cancer	18	17	21	18
ARPD & Other	32	33	33	33
Wharf	0	0	6	3
Worker	20	19	21	18
<b>Total</b>	<b>545</b>	<b>555</b>	<b>573</b>	<b>543</b>

*FY22 Expected is the assumption selected for 2021/22 in our previous valuation report.*

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## 5.8 Baryulgil

Almost half of the claims settled which relate to asbestos mining activities at Baryulgil (as discussed previously in Section 1.2.3) have been settled with no liability against the Liable Entities; and for the remaining settled claims, the Liable Entities have typically borne one-third to one-half of the settlement amount, reflecting the contribution by other defendants to the overall settlement (including those which have since been placed in liquidation).

For the purposes of our valuation, we have estimated there to be 6 future claims reported, comprising 4 mesothelioma claims and 2 non-mesothelioma claims.

We have assumed average claims and legal costs that are broadly in line with those described in Section 7.

Our projected liability assessment at 31 March 2022 of the additional provision (for claims not yet reported) that could potentially be required is an undiscounted liability of \$1.7m and a discounted liability of \$1.4m, all of which is deemed to be a liability of Amaca.

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# 6. Exposure and Latency

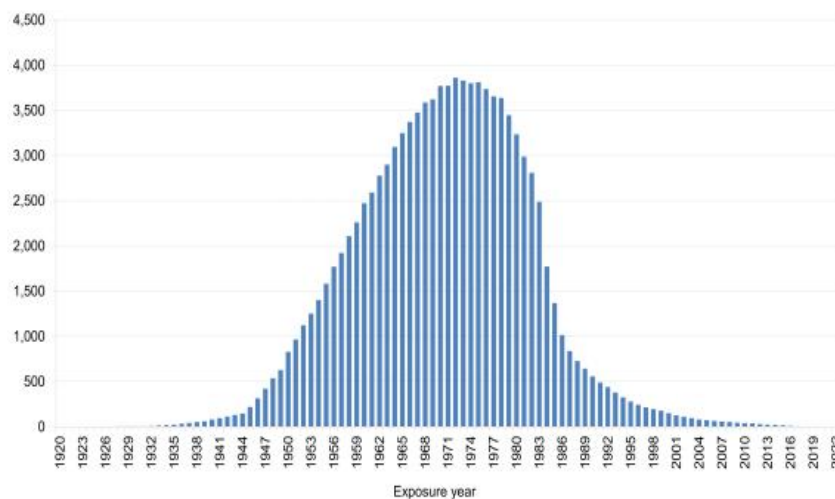
## Experience and Incidence Pattern Assumptions

### 6.1 Mesothelioma claims experience

#### 6.1.1 Exposure information from claims notified to date

We have reviewed the actual exposure information available for claims notified to date. This has been conducted by using the exposure dates stored in the claims database at an individual claim level and identifying the number of person-years of exposure in each exposure year.

Figure 6.1: Exposure (person-years) of all Liable Entities' mesothelioma claimants to date



The chart shows that, currently, the peak year of exposure for claims reported to date is in 1972.

It should be recognised that there is a degree of bias in this analysis in that the claims notified to date will tend to have arisen from the earlier periods of exposure.

Over time, we expect the right-hand side of this curve to develop and the peak year of exposure to trend towards the early-1970s to mid-1970s, and an increase in the absolute level at all periods of exposure as more claims are notified and the associated exposures from

these are included in the analysis.

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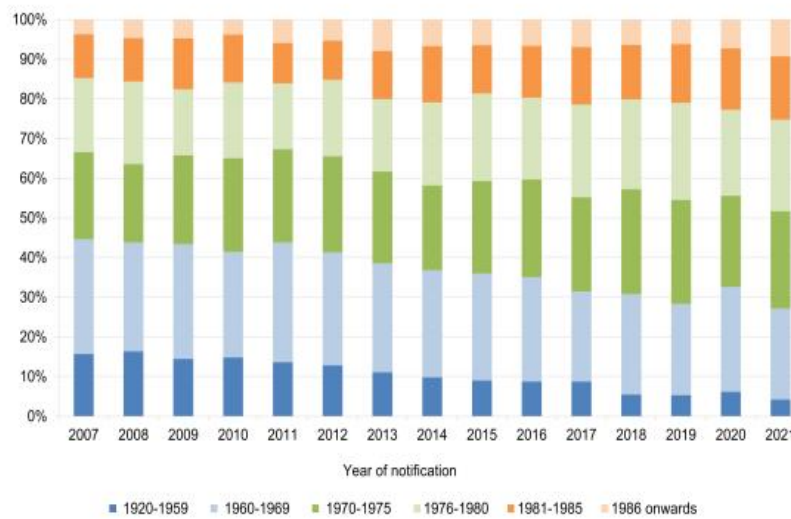
The relatively low level of exposure from 1987 onwards (about 5% of the total) is not unexpected given that all asbestos products ceased being manufactured by the Liable Entities by 1987. The exposure after that date likely results from usage of products already produced and sold before that date.

The chart above is a cumulative chart of the position to date and does not show trends in the allocation of claims to exposure years over time.

For example, one would expect that more recently reported claims should be associated with, on average, later exposures; and that claims reported in future years would continue that trend towards later exposure periods.

To understand better these trends, we have analysed claimants' exposures for each past claim report year.

Figure 6.2: Exposure (person years) of all mesothelioma claimants to date by report year and exposure period



As can be seen in the chart above, there has been a general increasing shift towards the exposure period after 1970, evident by the downwards trends in the chart from left to right indicating that an increasing proportion of the claimants' exposure relates to more recent exposure periods.

For example, pre-1970 exposures made up approximately 45% of mesothelioma claims exposures in 2007/08 but less than 30% of claims exposures in 2021/22.

We would expect that such a trend (towards claims emerging from later exposure periods) should continue for some time to come.

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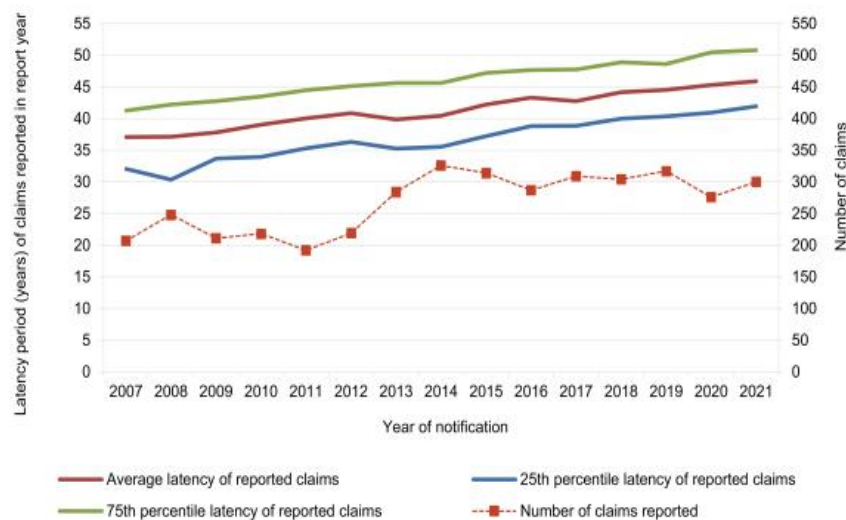
## 6.2 Mesothelioma: direct claims

### 6.2.1 Latency period of reported claims

We have analysed the actual latency period of the reported claims of the Liable Entities. In the charts that follow, we have measured the average actual latency period from the average date of exposure to the date of notification of a claim.

The chart below shows the average latency observed for mesothelioma claims and the 25th percentile and 75th percentile observations.

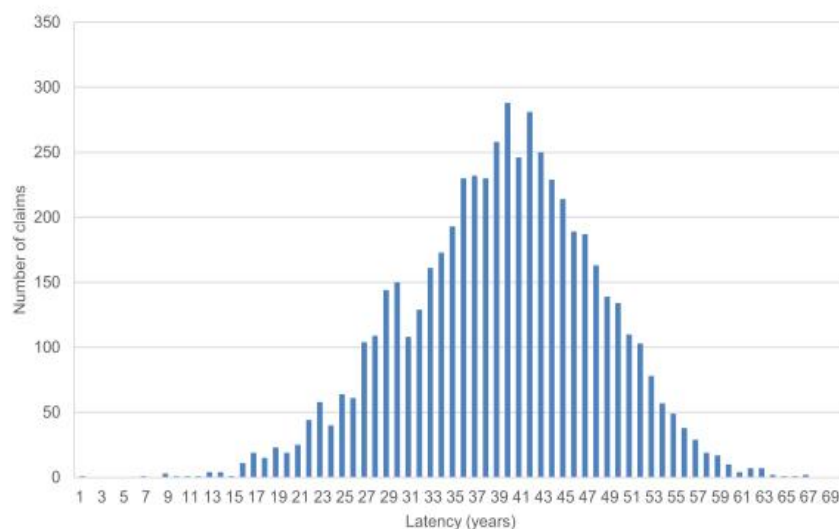
Figure 6.3: Latency of mesothelioma direct claims



The observed average latency period from the average exposure is currently approximately 46 years for direct claims, increasing at an average rate of 0.6 years for each passing year.

The observed average latency of claims reported in future report years should also be expected to show a further upward trend in the coming years.

Figure 6.4: Latency distribution of mesothelioma direct claims



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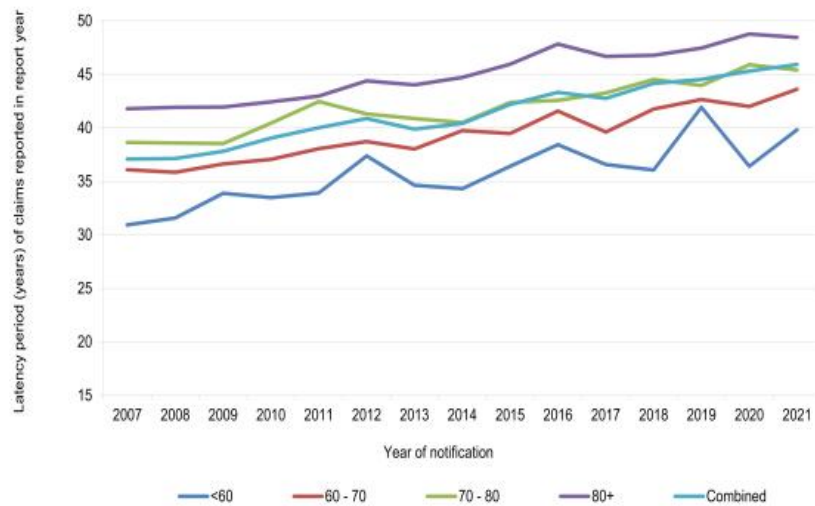


Our latency model assumes a “normal distribution” and the chart seems to (in broad terms) support that assumption at this time.

For direct claims, the mean latency to date is 39.5 years, the median latency to date is 40 years, and the mode of the latency is 40 years. The standard deviation to date is 8.7 years.

The following chart shows how the average reported latencies vary between each of the age groups.

Figure 6.5: Latency of mesothelioma direct claims by age of claimant

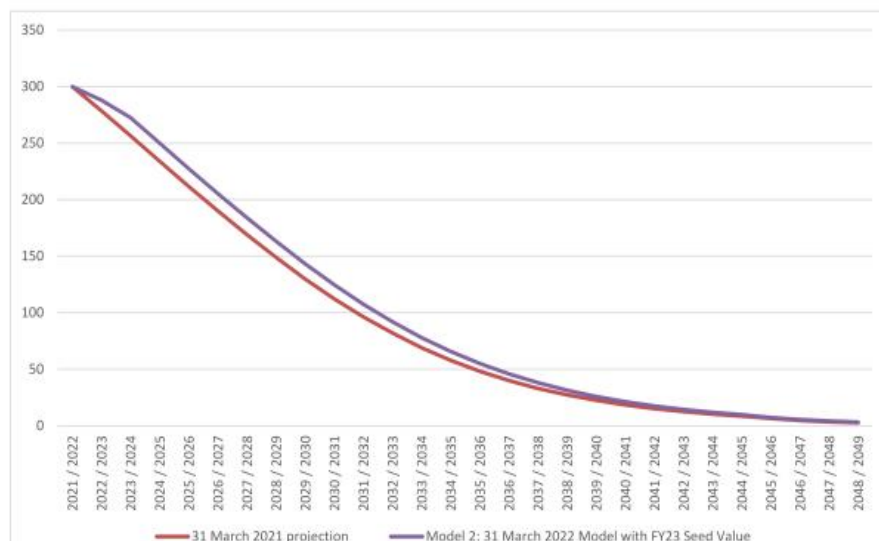


Our latency model for mesothelioma direct claims from first exposure assumes a mean latency of 40 years and a standard deviation of 9 years.

### 6.2.2 Overall future incidence pattern and IBNR claim numbers

The following chart shows the pattern of future notifications which have resulted from the application of our methodology.

Figure 6.6: Projected future claim notifications for mesothelioma direct claims



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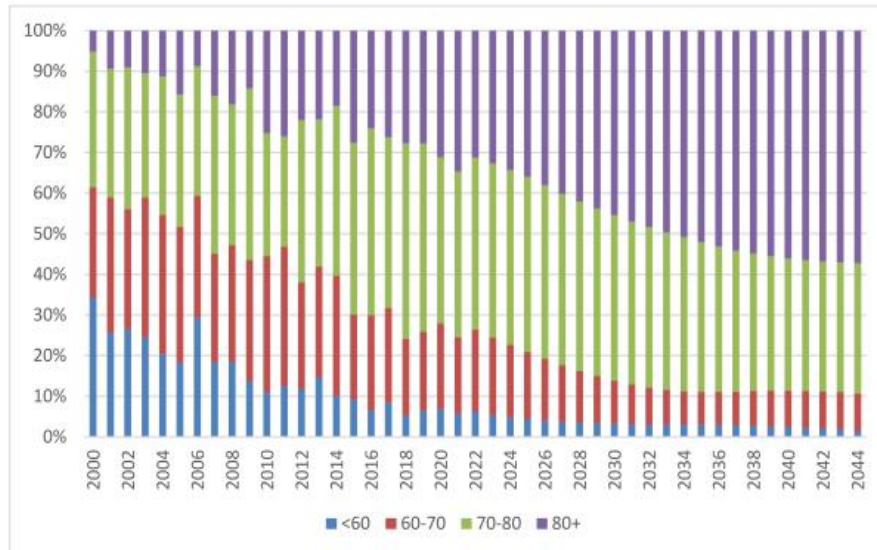
### 6.2.3 Assumed change in future mix of claims by claimant age

We have assumed a mix of direct claims by claimant age for 2022/23 as follows:

- 6.25% (18 claims) for ages less than 60,
- 20.1% (58 claims) for ages 60-70,
- 42.4% (122 claims) for ages 70-80,
- 31.25% (90 claims) for ages over 80.

The following chart shows the change in mix of claims by claimant age over time both historically and projected into the future periods.

Figure 6.7: Mix of claims by claimant age for mesothelioma direct claims



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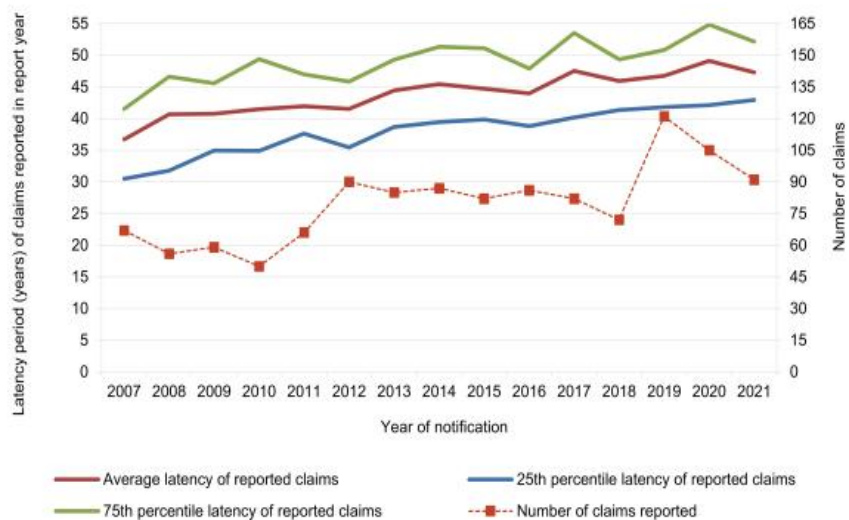
## 6.3 Mesothelioma: cross claims

### 6.3.1 Latency period of reported claims

We have analysed the actual latency period of the reported claims of the Liable Entities. In the charts that follow, we have measured the average actual latency period from the average date of exposure to the date of notification of a claim.

The chart below shows the average latency observed for mesothelioma claims and the 25th percentile and 75th percentile observations.

Figure 6.8: Latency of mesothelioma cross claims



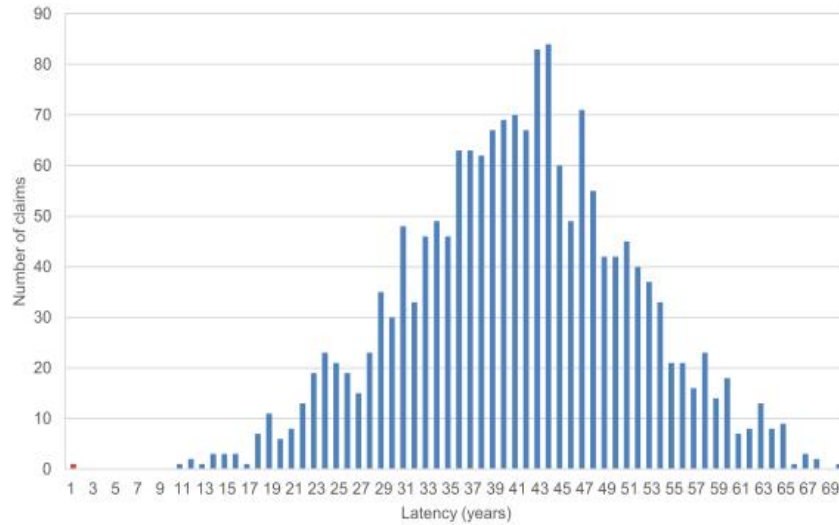
The observed average latency period from the average exposure is currently approximately 47 years for cross claims, and it is generally increasing at about 0.75 years for each passing year.

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Figure 6.9: Latency distribution of mesothelioma cross claims

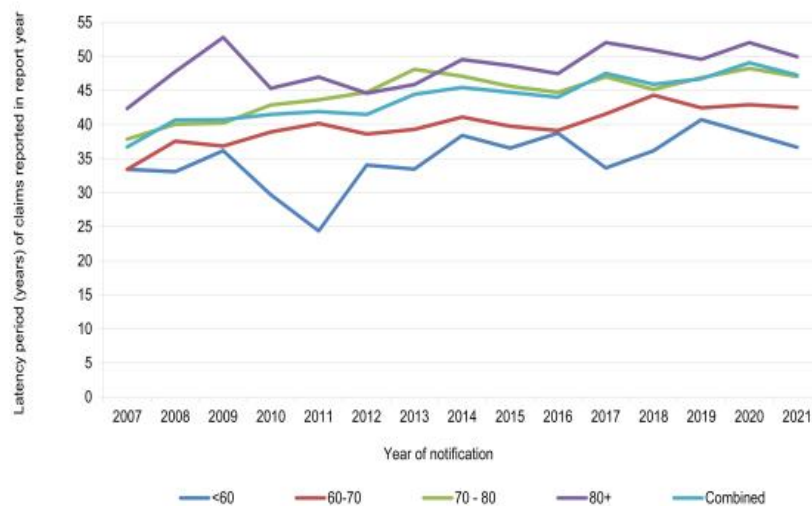


Our latency model assumes a “normal distribution” and the chart seems to (in broad terms) support that assumption at this time, whilst noting that smaller claim numbers will lead to more volatility (and a lower ‘goodness of fit’).

For cross claims, the mean latency to date is 41 years, the median latency is 42 years and the mode of the latency is 44 years. The standard deviation to date is around 10 years.

The following chart shows how the average reported latencies vary between each of the age groups.

Figure 6.10: Latency of mesothelioma cross claims by age of claimant



Note: There were no claims for the <60 age cohort in 2020/21. As a result the chart displays a “linear interpolation” between the 2019/20 and 2021/22 data points.

Our latency model for mesothelioma cross claims from first exposure assumes a mean latency of 41 years and a standard deviation of 10 years.

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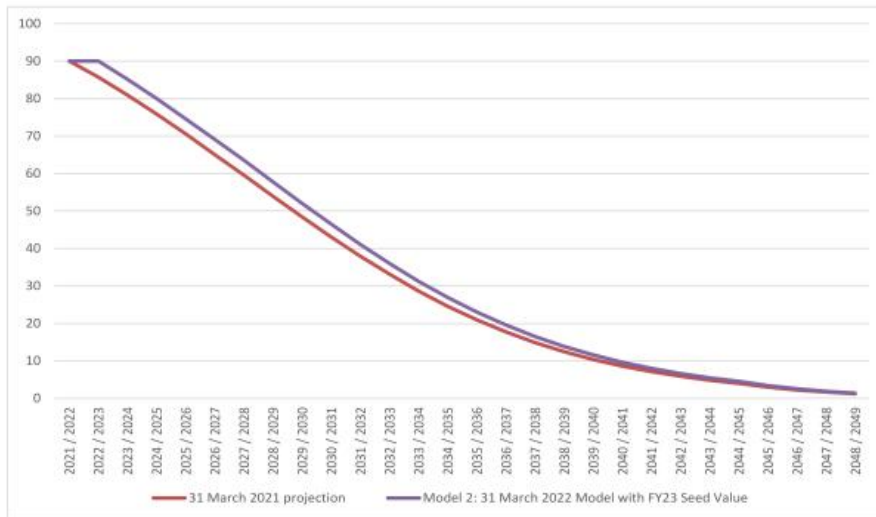
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### 6.3.2 Overall future incidence pattern and IBNR claim numbers

The following chart shows the pattern of future notifications which have resulted from the application of our methodology.

Figure 6.11: Projected future claim notifications for mesothelioma cross claims



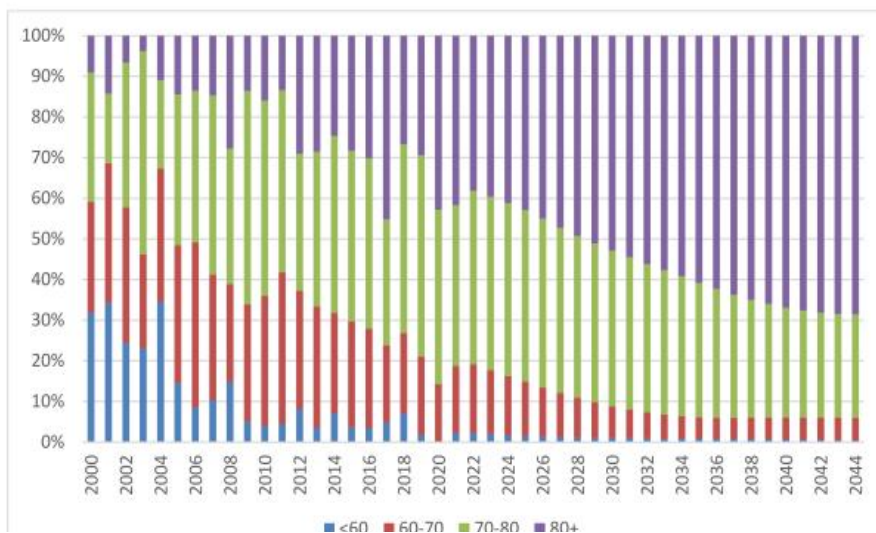
### 6.3.3 Assumed change in future mix of claims by claimant age

We have assumed a mix of cross claims by claimant age for 2022/23 as follows:

- 2.2% (2 claims) for ages less than 60,
- 16.7% (15 claims) for ages 60-70,
- 43.3% (39 claims) for ages 70-80,
- 37.8% (34 claims) for ages over 80.

The following chart shows the change in mix of claims by claimant age over time both historically and projected into the future periods.

Figure 6.12: Mix of claims by claimant age for mesothelioma cross claims





## 6.4 Non-mesothelioma experience

### 6.4.1 Latency period of reported claims

The trend in latency periods for other disease types is shown in the following charts.

Figure 6.13: Latency of asbestosis claims

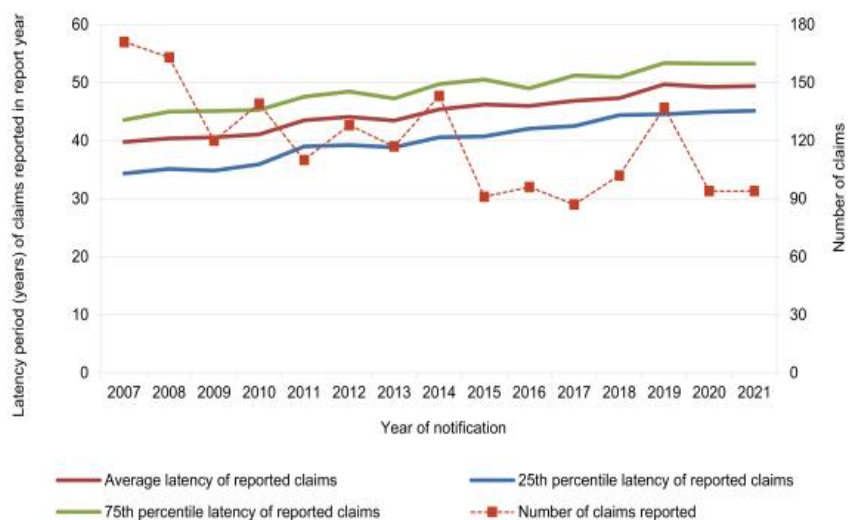
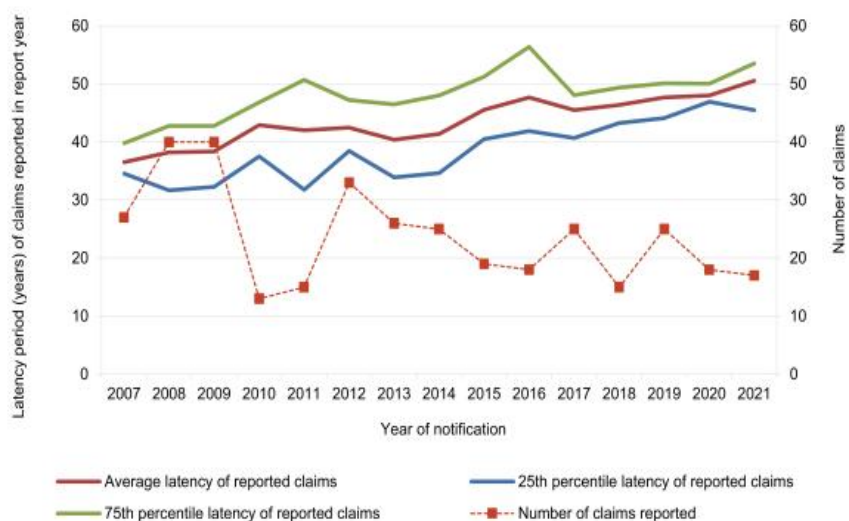


Figure 6.14: Latency of lung cancer claims

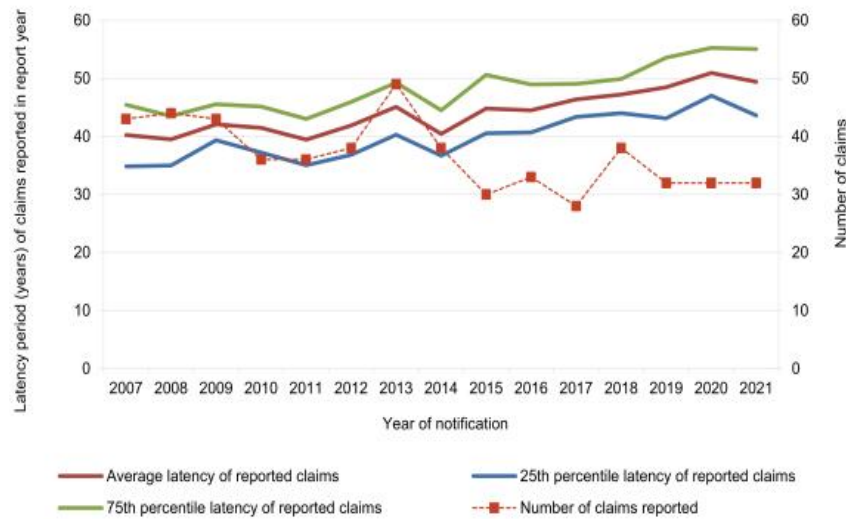


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Figure 6.15: Latency of ARPD & Other claims



The average observed latency periods for the other disease types show a more surprising trend, appearing to be longer than epidemiological literature has tended to suggest.

A summary of our underlying latency assumptions by disease type are shown below. The mean and standard deviation values quoted are applied to a normal distribution model.

Table 6.1: Assumed underlying latency distribution parameters from average date of exposure to date of notification

	Mean latency (years)	Standard deviation of latency (years)
Asbestosis	35	8
Lung Cancer	35	10
ARPD & Other	32	10
Wharf	n/a	n/a
Workers compensation	n/a	n/a

These assumptions are unchanged from the previous valuation.

#### 6.4.2 Modelled assumptions for peak year of claim incidence

Based on the application of our exposure model and our latency model, and the assumptions contained explicitly or implicitly within those models, the peak year of notification of claims reporting against the Liable Entities for each disease type (excluding mesothelioma) is modelled to be as follows:

Table 6.2: Modelled peak year of claim notifications

	Current valuation	Previous valuation
Asbestosis	2008/09	2008/09
Lung Cancer	2010/11	2010/11
ARPD & Other	2007/08	2007/08
Wharf	2008/09	2008/09

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These modelled assumptions are unchanged and reflect no changes to the exposure data and no changes to the latency model assumptions at this time.

We note that whilst the “modelled peak” derived from our model is as shown above, this does not automatically translate to, nor does it imply that, the “highest claims reporting year” will be those years. This is because variation from year to year is expected due to normal ‘statistical variation’ in claim numbers.

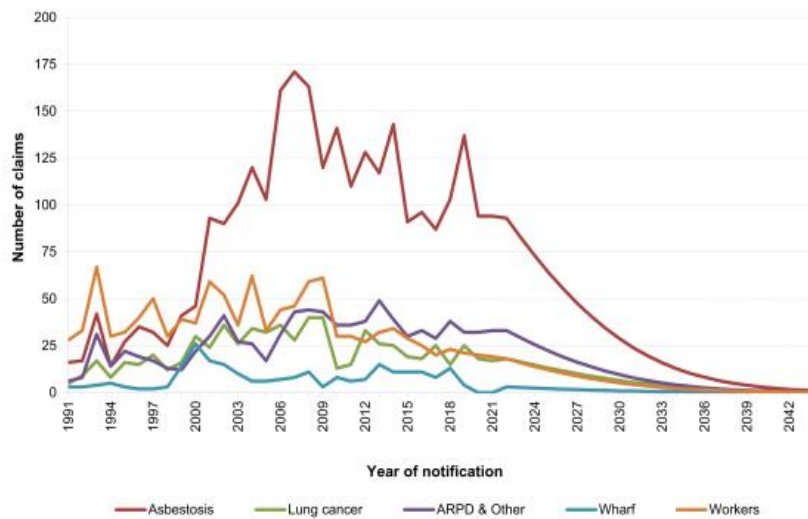
### 6.4.3 Projected incidence patterns

We have projected the future number of claim notifications from the curve we have derived using our exposure model and our latency model.

We have applied this curve to the base number of claims we have estimated for each disease type for 2022/23 as summarised in Section 5.7.

The following chart shows the pattern of future notifications which have resulted from the application of our exposure and latency model and the recalibration of the curve to our revised expectations of claims reporting activity for 2022/23.

Figure 6.16: Projected future claim notifications for other disease types



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# 7. Claims Experience: Average Claims and Legal Costs

## 7.1 Overview

We have analysed the average claim awards, average plaintiff/other costs and average defendant legal costs by disease type in arriving at our valuation assumptions.

The table below shows how the average settlement cost for non-nil attritional (i.e. non-large) claims has varied by settlement year. All data have been converted into mid 2021/22 money terms using a historical base inflation index of 4% per annum.

We refer to these amounts as “inflated average attritional awards” in the charts and tables that follow.

The average amounts shown hereafter relate to the average amount of the contribution made by the Liable Entities, and does not reflect the total award payable to the plaintiff unless this is clearly stated to be the case.

In particular, for Workers Compensation the average award reflects the average contribution by the Liable Entities for claims in which they are joined but relates only to that amount of the award determined against the Liable Entities which is not met by a Workers Compensation Scheme or Policy.

Table 7.1: Average attritional non-nil claim award (inflated to mid 2021/22 money terms)

Settlement Year	Mesothelioma	Asbestosis	Lung Cancer	ARPD & Other	Wharf	Workers Compensation
2007	390,882	135,513	190,094	81,708	81,919	452,710
2008	443,646	142,763	140,537	149,054	240,865	91,579
2009	395,983	160,367	162,528	141,304	94,250	160,850
2010	402,584	130,968	211,278	111,126	57,428	0
2011	423,957	161,630	185,093	144,496	112,631	1,332,220
2012	417,065	174,386	166,475	123,610	50,079	120,982
2013	426,912	135,208	141,948	133,173	142,079	27,371
2014	397,096	130,701	181,232	94,850	105,306	92,115
2015	372,678	127,291	147,205	130,049	170,532	0
2016	336,022	95,523	49,648	88,877	44,891	0
2017	354,562	122,585	136,890	77,879	92,030	282,716
2018	360,285	104,981	72,736	128,201	62,237	0
2019	361,223	117,706	90,852	148,103	106,652	54,080
2020	307,914	136,563	141,671	123,294	67,670	0
2021	362,186	147,769	159,179	84,365	0	0

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## 7.2 Mesothelioma claims

### 7.2.1 Claim sizes for 2021/22 by claim type and age of claimant

The following table shows the comparison of the average cost of claims settled in 2021/22 for direct and cross claims, split by age cohort.

This table demonstrates the significant difference between the average costs of claims between direct claims and cross claims.

This also explains why the separation of the mesothelioma category between direct claims and cross claims is important if the mix of claims by number is, or has been, changing.

Table 7.2: Average attritional awards (inflated to mid 2021/22 money terms) for direct and cross claims by age of claimant for claims settled in 2021/22

Age	Direct Claims				Cross Claims			
	# settled (non-nil)	Average Claim Size	Mar21 val assumption inflated to 2021/22	Actual / Expected	# settled (non-nil)	Average Claim Size	Mar21 val assumption inflated to 2021/22	Actual / Expected
<60	16	697,118	692,080	101%	2	147,875	243,705	61%
60 - 70	61	492,003	507,455	97%	13	84,077	154,030	55%
70 - 80	109	442,395	423,055	105%	33	85,751	101,280	85%
80+	84	390,911	338,655	115%	37	57,668	96,005	60%
<b>Overall</b>	<b>270</b>	<b>452,680</b>	<b>431,808</b>	<b>105%</b>	<b>85</b>	<b>74,733</b>	<b>110,403</b>	<b>68%</b>

### 7.2.2 Additional allowance for mesothelioma claims for the potential costs from overseas exposures (*Talifero vs Amaca*)

We have made an allowance of \$6,000 per mesothelioma claim (in mid 2021/22 money terms).

This amount has been applied across all mesothelioma claims, both direct claims and cross claims), to allow for the potential costs arising from overseas exposures consequent to the decision in *Talifero vs Amaca*. This adjustment is already included in the mesothelioma assumptions shown later in this section.

Our per-claim adjustment is only applied to mesothelioma claims.

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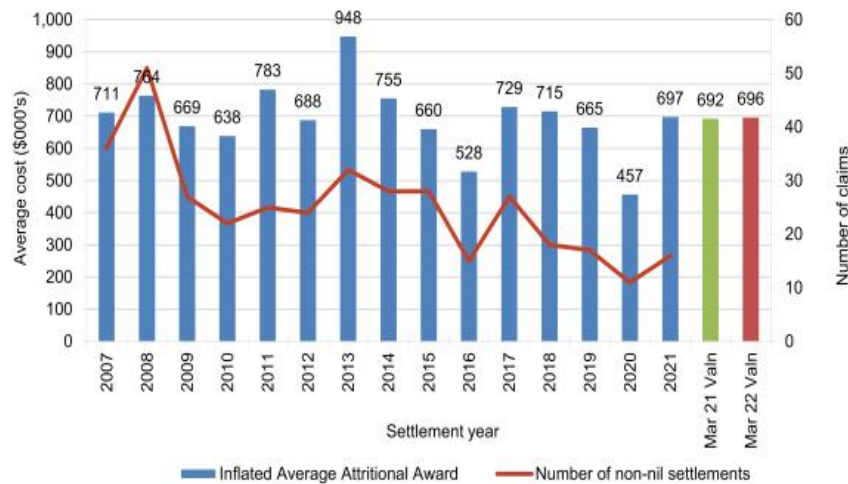
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### 7.2.3 Mesothelioma: direct claims experience and assumptions

The charts below show the average claim size by age cohort since 2007/08 for direct mesothelioma claims.

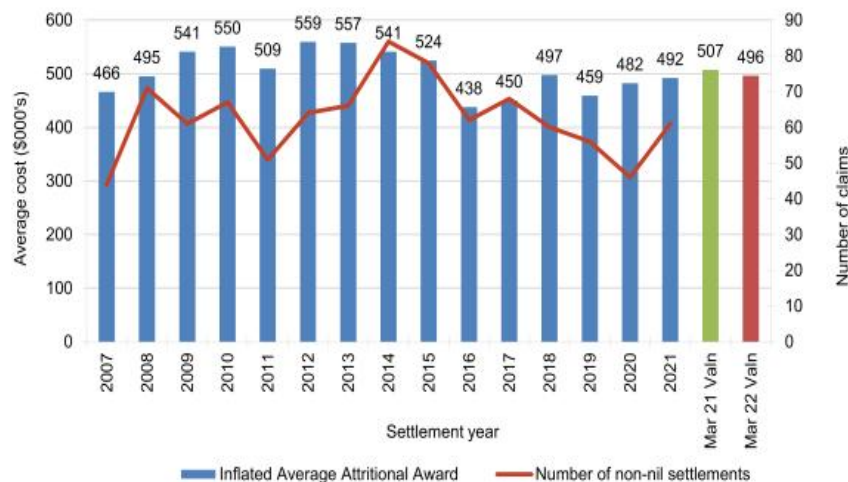
Figure 7.1: Average attritional awards (inflated to mid 2021/22 money terms) for <60 years age cohort



For claimants under the age of 60:

- The average size for 2021/22 was \$697,000.
- The last three years have averaged \$625,000; the last four years have averaged \$651,000; the last five years have averaged \$674,000, the last six years have averaged \$653,000; the last seven years have averaged \$655,000.
- We have taken a longer-term view noting the smaller numbers of claims in this age group.
- We have therefore selected an assumption of \$696,000, inclusive of the \$6,000 Talifero adjustment.

Figure 7.2: Average attritional awards (inflated to mid 2021/22 money terms) for 60-70 years age cohort

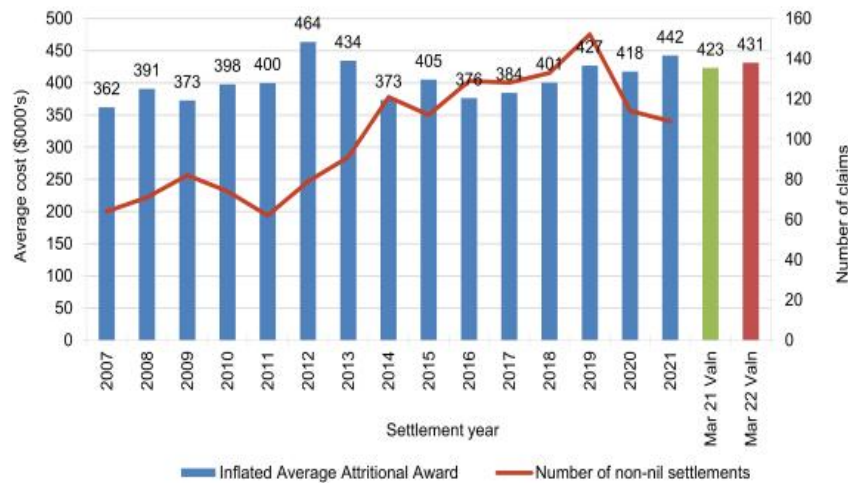




For claimants aged 60-70:

- The average size for 2021/22 was \$492,000.
- The last three years have averaged \$478,000; the last four years have averaged \$483,000; the last five years have averaged \$475,000, the last six years have averaged \$469,000; the last seven years have averaged \$479,000.
- We have taken a longer-term view noting the smaller numbers of claims in this age group.
- We have therefore selected an assumption of \$496,000, inclusive of the \$6,000 Talifero adjustment.

Figure 7.3: Average attritional awards (inflated to mid 2021/22 money terms) for 70-80 years age cohort



For claimants aged 70-80:

- The average size for 2021/22 was \$442,000.
- The last three years have averaged \$428,000; the last four years have averaged \$421,000; the last five years have averaged \$414,000, the last six years have averaged \$407,000; the last seven years have averaged \$407,000.
- This segment is the largest segment by both number of claims and total expenditure.
- In selecting an assumption, we have given partial credit to the most recent data point. Should this recent elevated experience continue, it might necessitate future additional valuation responses.
- We have therefore selected an assumption of \$431,000, inclusive of the \$6,000 Talifero adjustment.

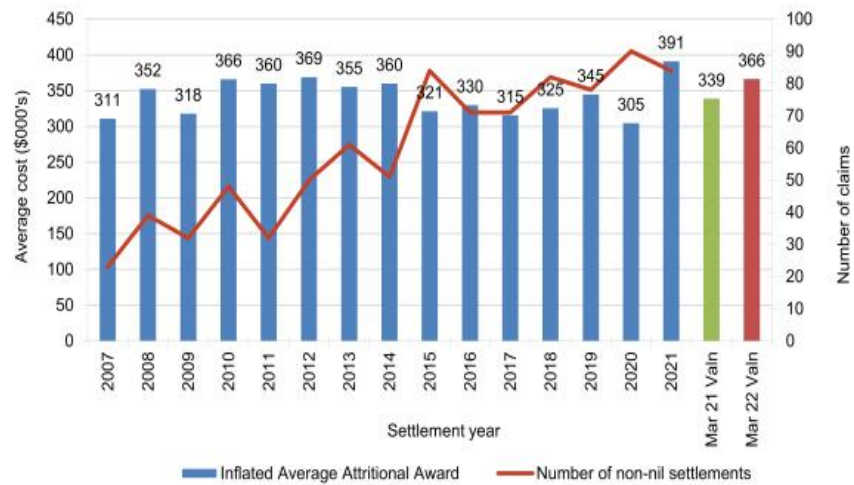
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Figure 7.4: Average attritional awards (inflated to mid 2021/22 money terms) for 80+ years age cohort



For claimants aged 80+:

- The average size for 2021/22 was \$391,000, the highest average to date (and following on from the lowest average to date in 2020/21).
- The last three years have averaged \$346,000; the last four years have averaged \$341,000; the last five years have averaged \$336,000, the last six years have averaged \$335,000; the last seven years have averaged \$333,000.
- In selecting an assumption, we have given partial credit to the most recent data point. Should this recent elevated experience continue, it might necessitate future additional valuation responses.
- We have therefore selected an assumption of \$366,000, inclusive of the \$6,000 Talifero adjustment.

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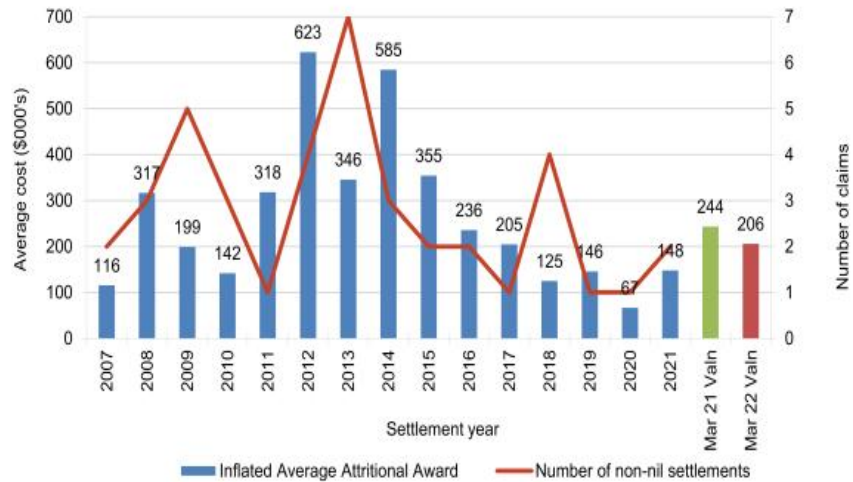
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## 7.2.4 Mesothelioma cross claims experience and assumptions

The charts below show the average claim size by age cohort since 2007/08 for cross claims.

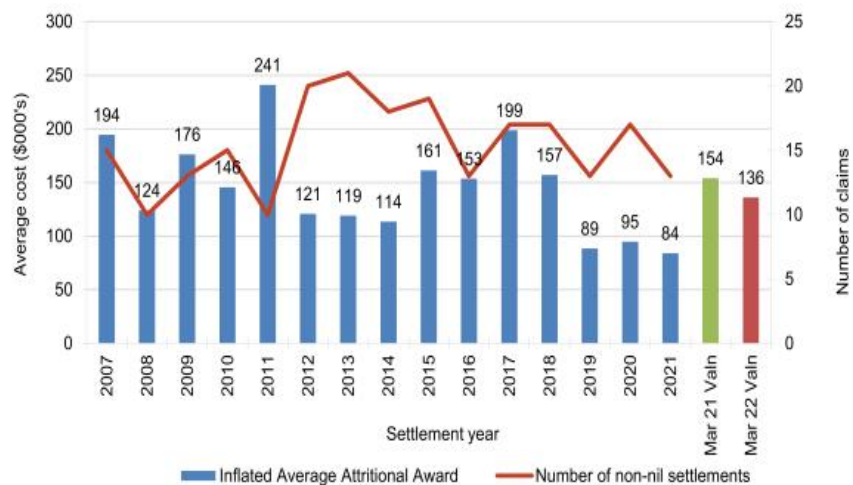
Figure 7.5: Average attritional awards (inflated to mid 2021/22 money terms) for <60 years age cohort



For claimants under the age of 60:

- The average size for 2021/22 was \$148,000.
- There are typically between 1 and 5 claims in this age cohort. As such, the claim size experience can be volatile from year to year depending on the specific circumstances of a small number of claims.
- We have therefore selected an assumption of \$206,000, inclusive of the \$6,000 Talifero adjustment, whilst noting this assumption is not material to the overall valuation given the small number of claims.

Figure 7.6: Average attritional awards (inflated to mid 2021/22 money terms) for 60-70 years age cohort



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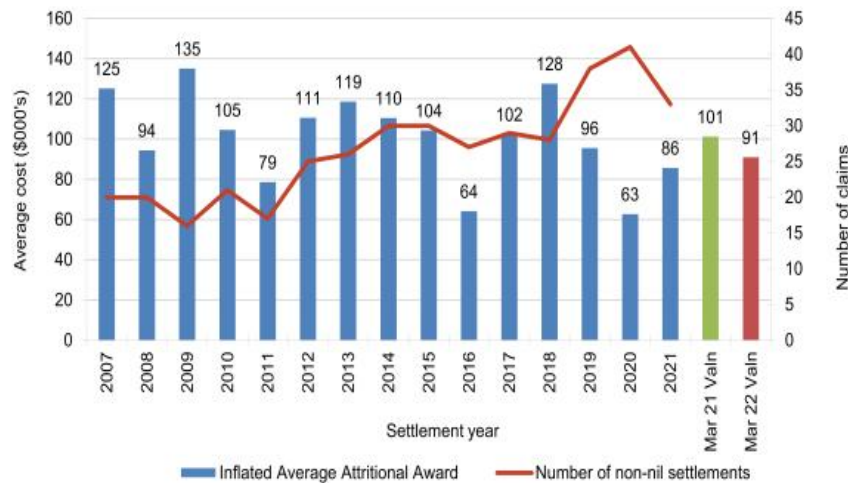
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For claimants aged 60-70:

- The average size for 2021/22 was \$84,000.
- The last three years have averaged \$90,000; the last four years have averaged \$109,000; the last five years have averaged \$129,000, the last six years have averaged \$132,000; the last seven years have averaged \$137,000.
- We have taken a longer-term view noting the smaller numbers of claims in this age group.
- We have therefore selected an assumption of \$136,000, inclusive of the \$6,000 Talifero adjustment.

Figure 7.7: Average attritional awards (inflated to mid 2021/22 money terms) for 70-80 years age cohort



For claimants aged 70-80:

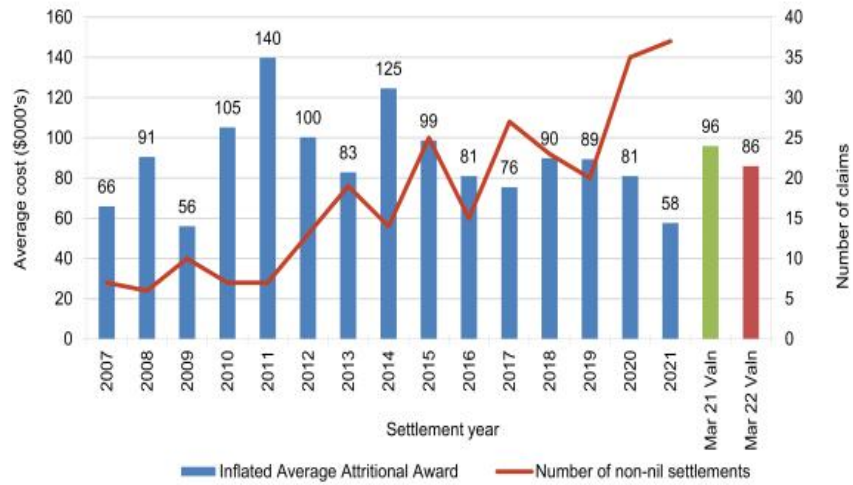
- The average size for 2021/22 was \$86,000.
- The last three years have averaged \$81,000; the last four years have averaged \$90,000; the last five years have averaged \$92,000, the last six years have averaged \$88,000; the last seven years have averaged \$90,000.
- We have therefore selected an assumption of \$91,000, inclusive of the \$6,000 Talifero adjustment.

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Figure 7.8: Average attritional awards (inflated to mid 2021/22 money terms) for 80+ years age cohort



For claimants aged 80+:

- The average size for 2021/22 was \$58,000.
- The last three years have averaged \$73,000; the last four years have averaged \$77,000; the last five years have averaged \$77,000, the last six years have averaged \$77,000; the last seven years have averaged \$80,000.
- We have therefore selected an assumption of \$86,000, inclusive of the \$6,000 Talifero adjustment.

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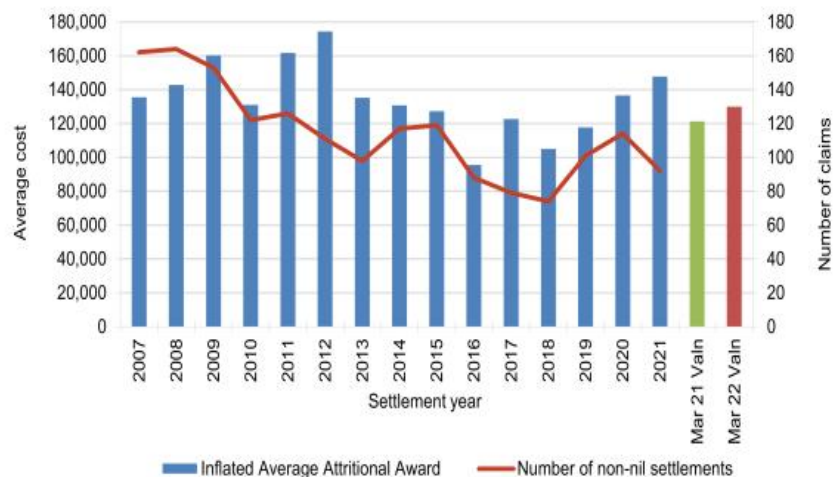
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### 7.3 Asbestosis claims

For asbestosis, it can be seen from Table 7.1 that the period since 2007/08 has had volatile average claim size experience.

Figure 7.9: Average awards (inflated to mid 2021/22 money terms) and number of non-nil claims settlements for asbestosis claims



Claim sizes showed a generally downward trend from 2012/13 to 2018/19, although they have since exhibited upward trends in the last three years.

The average of the past three years is \$134,000; the average of the past four years is \$128,000 and the average of the past five years is \$127,000.

In setting an assumption, we have given more credit to the higher experience observed in the two most recent years as compared with the preceding four years.

Taking all of the above factors into consideration, we have adopted a valuation assumption of \$130,000 for asbestosis claims in mid 2021/22 money terms.

Should the elevated experience that has prevailed in the last two years continue, it might necessitate future valuation increases.

By way of illustration, if we had instead adopted an assumption of \$145,000 by placing almost full credibility to the most recent year's data point; then the Discounted Central Estimate would have increased by around \$10m.

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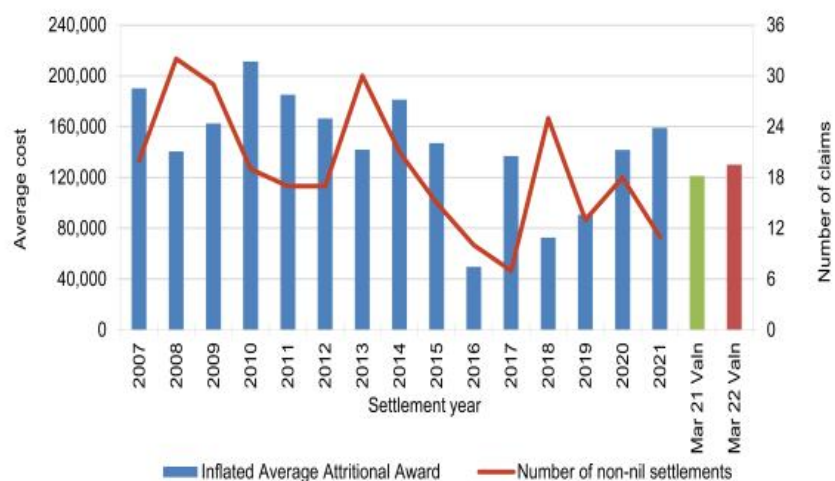
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## 7.4 Lung cancer claims

The average award for lung cancer claims has exhibited some volatility in the past six years, although this is not unexpected given the small volume of claim settlements (approximately 10 to 30 claims per annum).

Figure 7.10: Average awards (inflated to mid-2021/22 money terms) and number of non-nil claims settlements for lung cancer claims



The experience in 2021/22 was impacted by one unusually large claim, which materially impacts the observed average claim size given there were only 11 non-nil claim settlements.

The average of the past three years is \$131,000; the average of the past four years is \$109,000 and the average of the past five years is \$112,000.

Taking all of the above factors into consideration, and noting the volatility arising from the small number of non-nil claims, we have adopted a valuation assumption of \$130,000 in mid 2021/22 money terms.

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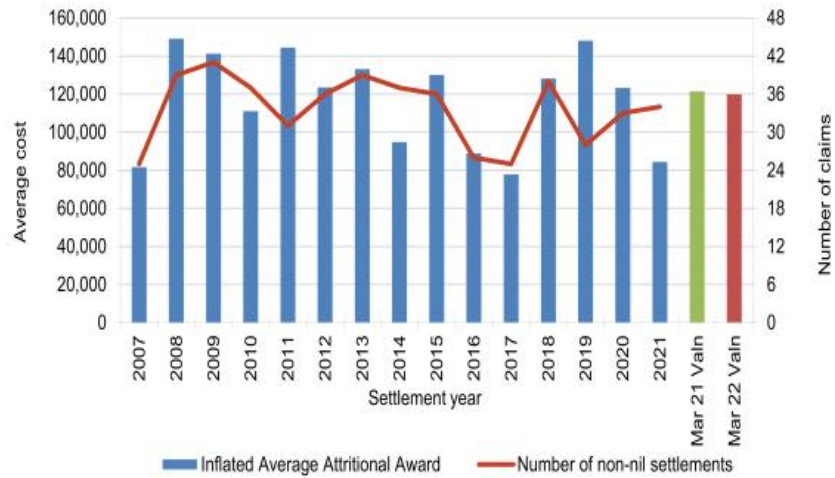
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## 7.5 ARPD & Other claims

The average award size has shown considerable volatility over time.

Figure 7.11: Average awards (inflated to mid 2021/22 money terms) and number of non-nil claims settlements for ARPD & Other claims



The average of the past three years is \$117,000; the average of the past four years is \$120,000 and the average of the past five years is \$113,000.

Taking all of the above factors into consideration, we have adopted a valuation assumption of \$120,000 for ARPD & Other claims in mid 2021/22 money terms.

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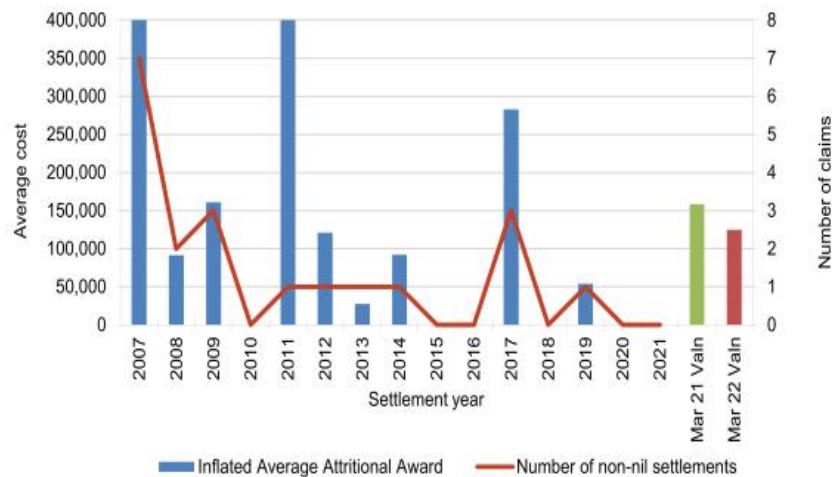
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## 7.6 Workers Compensation claims

The average award for non-nil Workers Compensation claims has shown a large degree of volatility, reflecting the very small number of non-nil claims.

Figure 7.12: Average awards (inflated to mid 2021/22 money terms) and number of non-nil claims settlements for Workers Compensation claims



It should be noted that the high average claim size in 2011/12 is due to one claim of \$900,000 (in 2011/12 values). Furthermore, we understand that this claim payment was recovered from the workers compensation insurer at a later date.

Taking all of the above factors into consideration, we have adopted a valuation assumption of \$125,000 in mid 2021/22 money terms.

This assumption is not material to the overall liability given the high proportion of claims (in excess of 95%) which are settled with no retained liability against the Liable Entities.

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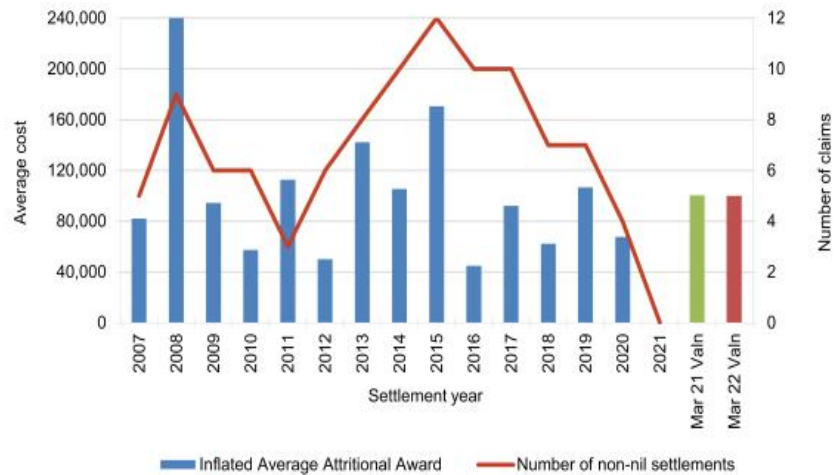
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## 7.7 Wharf claims

For wharf claims, the average of the past three years has been \$92,000; the average of the past four years has been \$81,000 and the average of the past five years has been \$85,000.

Figure 7.13: Average awards (inflated to mid 2021/22 money terms) and number of non-nil claims settlements for wharf claims



The experience in 2008/09 was impacted by one large claim of almost \$600,000 (in 2008/09 values).

At this valuation, we have adopted a valuation assumption of \$100,000 in mid 2021/22 money terms.

Given the small volume of wharf claims, this assumption is not financially significant to the overall results.

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## 7.8 Mesothelioma large claim size and incidence rates

There have been 76 mesothelioma claims settled with awards in excess of \$1m in 2006/07 money terms.

There has only ever been one cross claim that has been a large claim (settled in 2000/01).

Given this, the assumed large claim incidence rate for cross claims has been set at 0% for all age cohorts.

The following analysis is therefore only applicable for direct claims.

In selecting a large claim incidence rate or an expected annual number of large claims for direct claims, we have analysed the number of large claims by year of notification, separately for each of the four age groups.

We have also shown the incidence rate of large claims for each of the age groups.

Figure 7.14: Number of large claims by year of notification

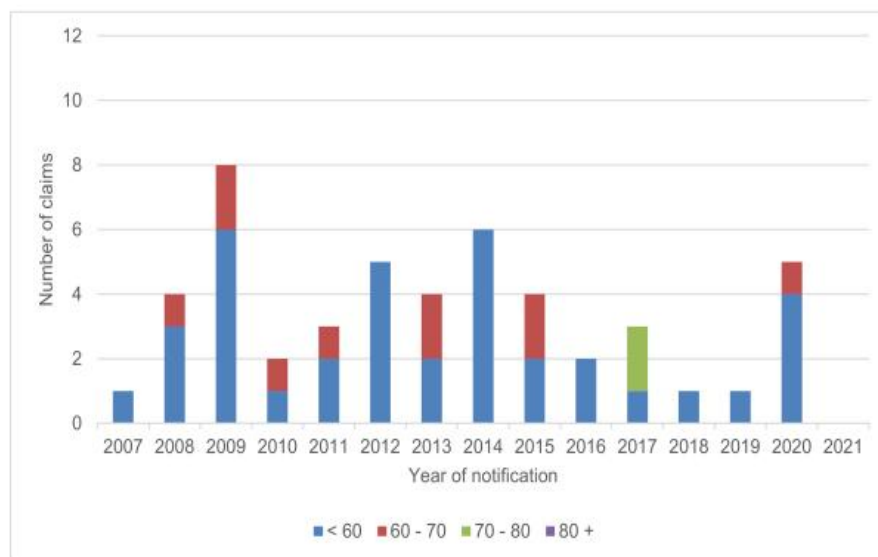
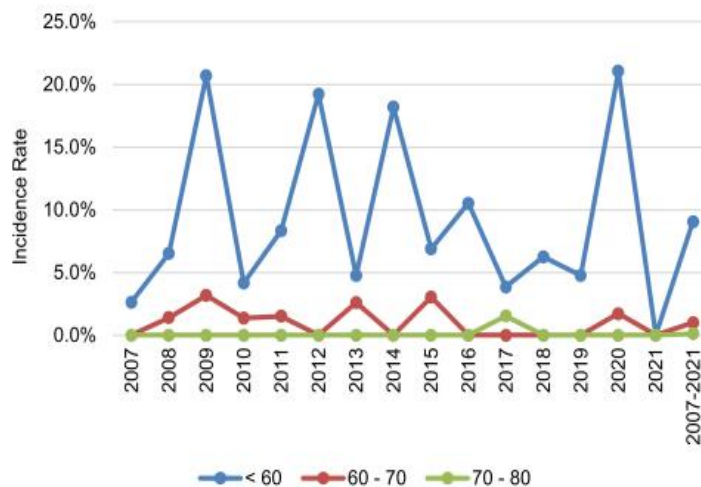


Figure 7.15: Large claims incidence rate by age of claimant



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There have been no large claims settled to date for claimants over the age of 80.

We have continued to assume a future large claim incidence rate of 10.00% for claimants under 60 years of age, 1.00% for claimants between 60 and 70 years of age, and 0.10% for claimants between 70 and 80 years of age.

For the average large claim size, we have adopted a valuation assumption of \$2.585m in mid 2021/22 money terms and we have adopted the same average claim size for all age groups. This is based on analysis that shows small variation in average claim size for large claims between claimants in each of the age cohorts

We have made an additional allowance for plaintiff legal costs to allow for those instances where such costs are made additional to, rather than included with, the claims award and also for defence costs.

The actual incidence of, and settlement of, large claims is not readily predictable and therefore deviations will occur from year to year due to random fluctuations because of the small numbers of large claims (between 0 and 8 large claims per annum).

## 7.9 Summary average claim cost assumptions

The following table provides a summary of our average claim cost assumptions at this valuation, and those assumed at the previous valuation.

Table 7.3: Summary average claim cost assumptions

	Current Valuation	Previous Valuation	% change
Mesothelioma: Direct <60	696,000	692,080	1%
Mesothelioma: Direct 60-70	496,000	507,455	-2%
Mesothelioma: Direct 70-80	431,000	423,055	2%
Mesothelioma: Direct 80+	366,000	338,655	8%
Mesothelioma: Cross <60	206,000	243,705	-15%
Mesothelioma: Cross 60-70	136,000	154,030	-12%
Mesothelioma: Cross 70-80	91,000	101,280	-10%
Mesothelioma: Cross 80+	86,000	96,005	-10%
Asbestosis	130,000	121,325	7%
Lung Cancer	130,000	121,325	7%
ARPD & Other	120,000	121,325	-1%
Wharf	100,000	100,225	0%
Workers Compensation	125,000	158,250	-21%
Mesothelioma Large Claims (award only)	Average Size: \$2.585m. Direct frequency: 10.00% (<60), 1.00% (60-70), 0.1% (70-80)	Average Size: \$2.61m. Direct frequency: 10.00% (<60), 1.00% (60-70), 0.1% (70-80)	

Note: Both the current valuation assumption and the previous valuation assumption are expressed in mid 2021/22 money terms.

Note: For mesothelioma, the current and previous valuation assumptions include an allowance of \$6,000 for the decision in *Talifero vs Amaca*.

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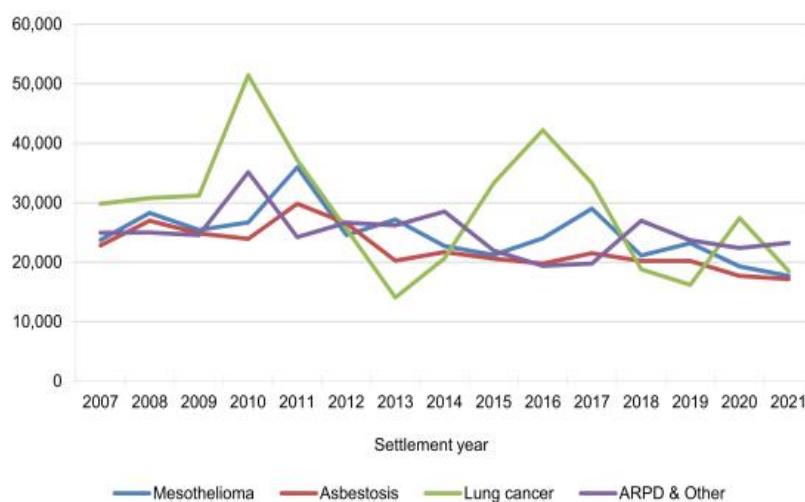
## 7.10 Defence legal costs

### 7.10.1 Non-nil claims

The average defence legal costs for non-nil claims by settlement year have been relatively stable over the last ten years for mesothelioma, asbestosis and ARPD & Other, albeit showing some general downward drift over time.

The average defence costs for lung cancer have shown a greater degree of variability, although this is not unexpected given the small volume of claim settlements (approximately 10 to 30 claims per annum).

Figure 7.16: Average defence legal costs (inflated to mid 2021/22 money terms) for non-nil claims settlements by settlement year



*Note: The chart does not include average defence costs for Wharf and Worker claims due to the smaller number of claims involved and the variability that exists as a consequence.*

### 7.10.2 Large claims

The average inflated defence legal costs across all large claims to date has been \$184,000 although this has generally been trending downwards over time.

We have allowed for defence legal costs of \$105,000 per large claim having regard to more recent experience.

### 7.10.3 Nil claims

The average defence legal costs for nil claims by settlement year has been volatile for all disease types.

For mesothelioma, the volatility is a consequence of low nil settlement rate, meaning that there may be 20 to 30 nil claims in any year.

For the other disease types, the number of nil claims might typically be of the order of 10 claims per annum for each disease type.

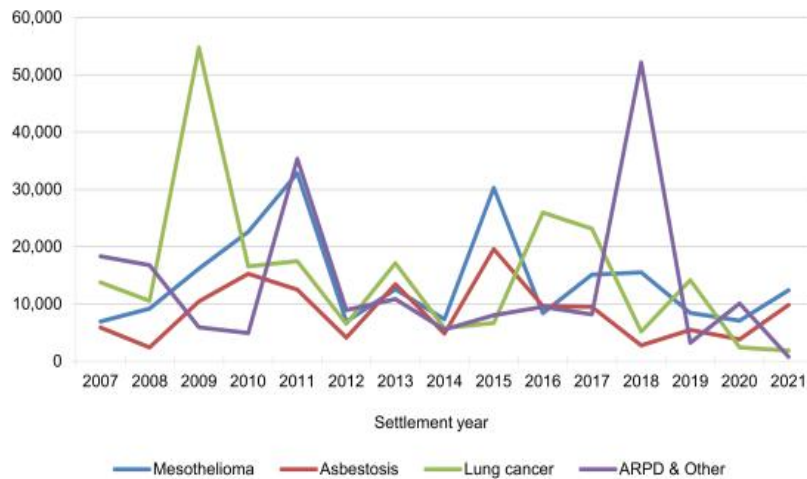
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Figure 7.17: Average defence legal costs (inflated to mid 2021/22 money terms) for nil claims settlements by settlement year



Note: The chart does not include average defence costs for Wharf and Worker claims due to the smaller number of claims involved and the variability that exists as a consequence.

## 7.11 Summary average defendant legal costs assumptions

The following table provides a summary of our defendant legal costs assumptions at this valuation, and those assumed at the previous valuation.

We have adopted different legal cost assumptions for mesothelioma for the four age groups and separately for direct and cross claims, based on analysis which indicates there is variation (which in part will be related to the average size of claims in each age group and claim type).

Table 7.4: Summary average defendant legal costs assumptions

	Current Valuation		Previous Valuation	
	Non Nil Claims	Nil Claims	Non Nil Claims	Nil Claims
Mesothelioma: Direct <60	36,000	22,000	37,260	22,770
Mesothelioma: Direct 60-70	26,000	22,000	26,910	22,770
Mesothelioma: Direct 70-80	24,000	16,000	23,805	15,525
Mesothelioma: Direct 80+	21,000	11,000	21,735	11,385
Mesothelioma: Cross <60	30,000	10,000	37,260	10,350
Mesothelioma: Cross 60-70	22,000	10,000	23,805	10,350
Mesothelioma: Cross 70-80	16,000	10,000	18,630	10,350
Mesothelioma: Cross 80+	15,000	10,000	16,560	10,350
Asbestosis	19,000	7,000	19,665	7,245
Lung Cancer	22,000	15,000	25,875	15,525
ARPD & Other	23,000	10,000	22,770	10,350
Wharf	15,000	5,000	15,525	5,175
Workers Compensation	15,000	1,000	15,525	1,035
Mesothelioma Large	105,000	0	108,675	0

Note: Both the current valuation assumption and the previous valuation assumption are expressed in mid 2021/22 money terms.

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# 8. Claims Experience: Nil Settlement Rates

## 8.1 Overview

We have analysed the nil settlement rates, being the number of nil settlements expressed as a percentage of the total number of settlements (nil and non-nil).

We have shown the nil rate for mesothelioma both in aggregate and separately for each of direct claims and cross claims.

Table 8.1: Nil settlement rates

Settlement Year	Mesothelioma	Asbestos	Lung Cancer	ARPD & Other	Wharf	Workers Compensation	Meso: Direct	Meso: Cross
2007	13%	9%	31%	19%	72%	85%	7%	31%
2008	8%	9%	24%	13%	0%	95%	4%	25%
2009	8%	8%	29%	2%	14%	83%	8%	12%
2010	6%	6%	41%	14%	0%	100%	7%	4%
2011	10%	7%	32%	11%	0%	67%	5%	27%
2012	9%	15%	23%	20%	40%	99%	4%	23%
2013	3%	8%	3%	13%	20%	99%	1%	10%
2014	9%	11%	16%	8%	9%	97%	4%	24%
2015	7%	6%	25%	8%	8%	100%	3%	20%
2016	20%	13%	57%	16%	9%	100%	4%	23%
2017	8%	16%	59%	7%	9%	88%	4%	22%
2018	5%	15%	17%	5%	22%	100%	2%	14%
2019	6%	9%	32%	20%	0%	96%	3%	14%
2020	3%	7%	14%	6%	0%	100%	1%	8%
2021	7%	3%	45%	3%	0%	100%	3%	20%

*Note: Mesothelioma cross claims nil settlement rate for 2016/17 was 55%. This has been restated in the above table to 23%, reflecting the removal of 54 Queensland statutory recovery claims that were closed for nil in that year.*

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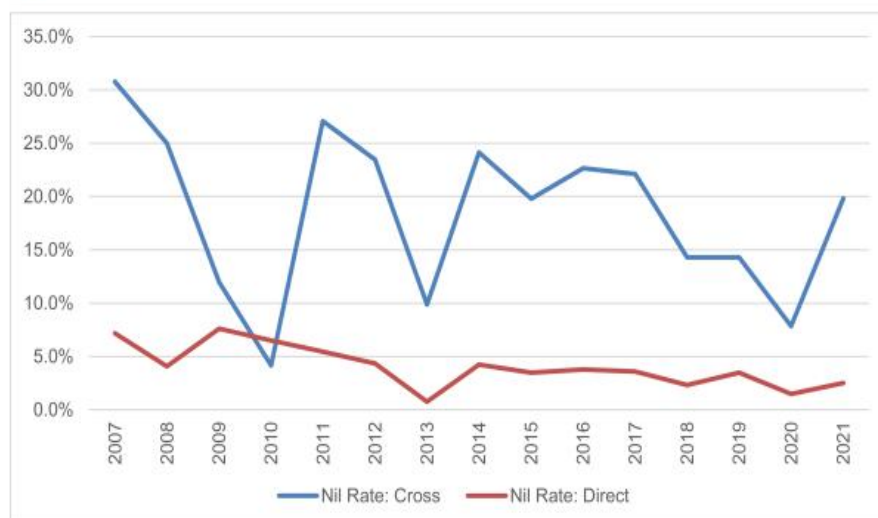
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## 8.2 Mesothelioma claims

Nil settlement rates vary between direct claims and cross claims as shown in the chart below.

Figure 8.1: Mesothelioma nil settlement rate for direct claims and cross claims



In considering the future nil settlement rate assumption for direct claims, we observe:

- The nil settlement rate for the past three years has averaged 2.5%, for the past four years has averaged 2.5% and for the past five years has averaged 2.7%.
- The nil settlement rate for 2021/22 was 2.5%, an increase from the previous year (1.5% nil settlement rate).
- The average nil settlement rate from 2007/08 to 2021/22 has been 3.9%.

Taking all of these factors into consideration, and noting the general downward trend since 2007/08, we have maintained our assumption for a future nil settlement rate of 3%.

In considering the future nil settlement rate assumption for cross claims, we observe:

- The nil settlement rate for the 2016/17 year of 55% was due to 54 Queensland statutory recovery claims being closed at nil cost in December 2016. Our chart has removed these as they are a one-off correction.
- The nil settlement rate for the past three years has averaged 14.0%, for the past four years has averaged 14.1% and for the past five years has averaged 15.7%.
- The nil settlement rate for 2021/22 was 19.8% and was materially above the previous assumption.
- The average nil settlement rate from 2007/08 to 2021/22 has been 18.4%.

Taking all of these factors into consideration, we have maintained our assumption for a future nil settlement rate of 16%.

The nil settlement rate assumptions have been applied equally to all age groups.

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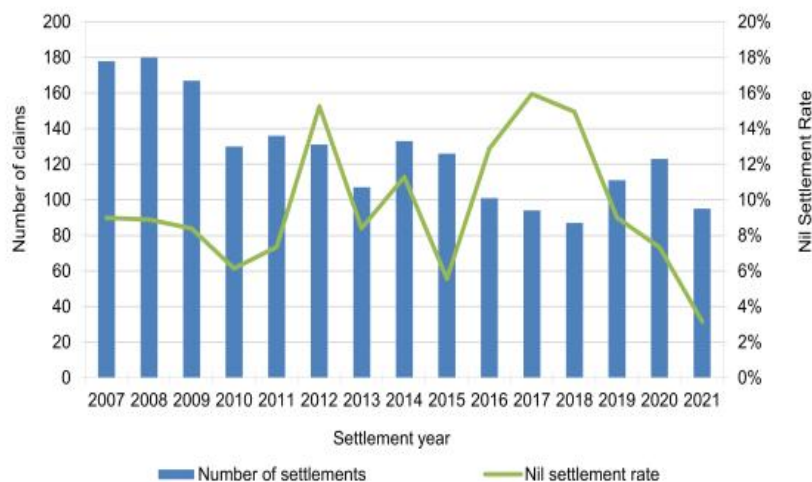
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### 8.3 Asbestosis claims

As with mesothelioma, the historical asbestosis nil settlement rate has been volatile.

Figure 8.2: Asbestosis nil claims experience



In considering the future nil settlement rate assumption, we note the following:

- The nil settlement rate for the past three years has averaged 7%, for the past four years has averaged 8% and for the past five years has averaged 10%.
- The nil settlement rate for 2021/22 was 3%: the lowest historically observed.

Taking all of these factors into consideration, we have assumed a future nil settlement rate of 8%, a reduction to the previous valuation assumption of 11%.

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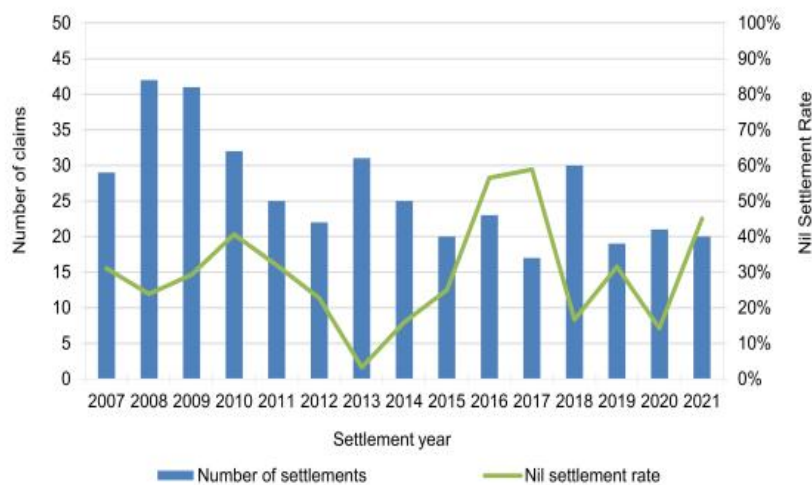
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## 8.4 Lung cancer claims

Given the small volumes of claims, volatility in the nil settlement rate for lung cancer claims is to be expected.

Figure 8.3: Lung cancer nil claims experience



In considering the future nil settlement rate assumption, we note the following:

- The nil settlement rate for the past three years has averaged 30%, for the past four years has averaged 26% and for the past five years has averaged 31%.
- The nil settlement rate for 2021/22 was 45%.

Taking all of these factors into consideration, we have assumed a future nil settlement rate of 30%, an increase from the previous valuation assumption of 26%.

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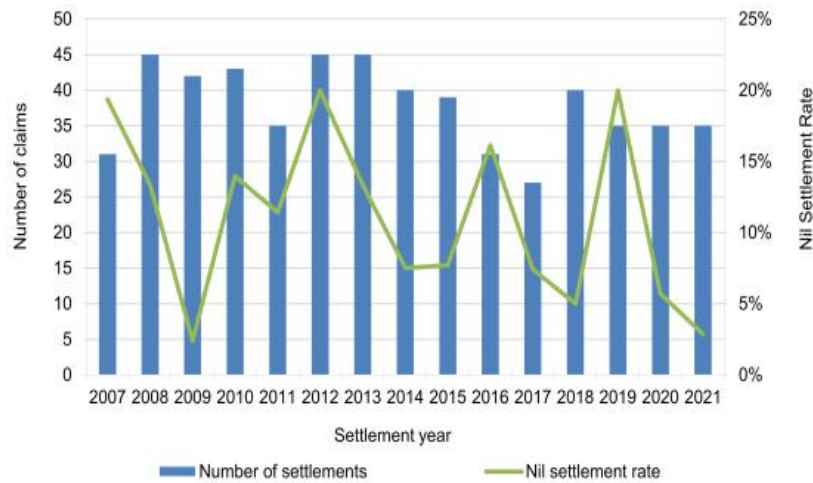
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## 8.5 ARPD & Other claims

As with other disease types, there has been significant volatility in the historical nil settlement rate, given the low numbers of claims for this disease.

Figure 8.4: ARPD & Other nil claims experience



The nil settlement rate for the past three years has averaged 10%, for the past four years has averaged 8% and for the past five years has averaged 8%.

We have selected 8% as our nil settlement rate assumption, a reduction from our previous valuation assumption of 10%.

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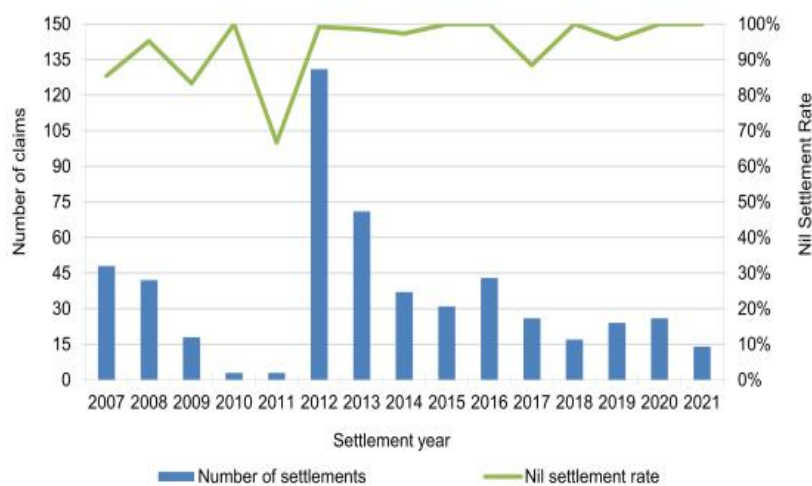
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## 8.6 Workers Compensation claims

The nil settlement rates for Workers Compensation claims have been high and reflect the portion of claims whose costs are fully met by a Workers Compensation Scheme or Policy. The proportion of such claims which are fully met by insurance has been relatively stable since 1997/98, typically varying between 80% and 100%.

The nil settlement rate has been in excess of 90% for nine out of the past ten years, and it has been above 80% for ten out of the past ten years.

Figure 8.5: Workers Compensation nil claims experience



We have selected 96% as our nil settlement rate assumption, unchanged from our previous valuation assumption.

The overall financial impact of this assumption is not material.

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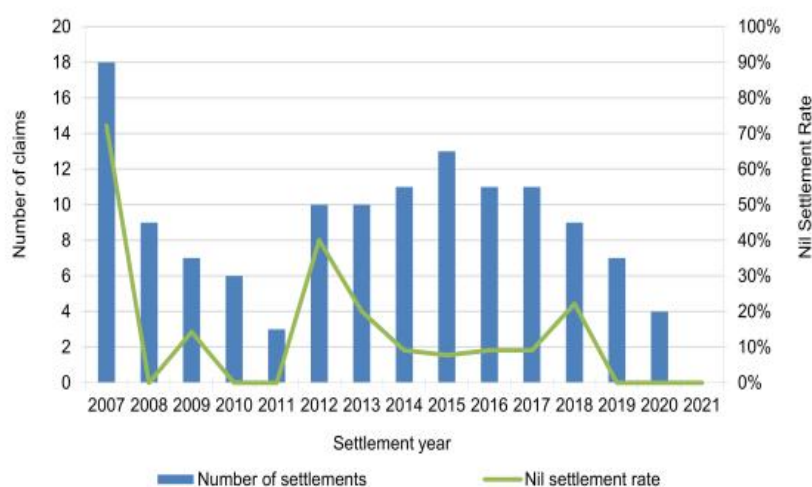
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## 8.7 Wharf claims

During the past ten years, the nil settlement rate has exhibited considerably volatility for wharf claims, varying between 0% and 40%.

The nil settlement rate for the past three years has averaged 0%, for the past four years it has averaged 10% and for the past five years it has averaged 10%.

Figure 8.6: Wharf nil claims experience



We have selected a nil settlement rate assumption of 10%, unchanged from our previous valuation assumption.

Given the low volume of claims activity for wharf claims, this assumption is highly subjective but is also not material to the overall liability assessment.

## 8.8 Summary assumptions

The following table provides a summary of our nil settlement rate assumptions at this valuation, and those assumed at the previous valuation.

Table 8.2: Summary nil settlement rate assumptions

	Current Valuation	Previous Valuation
Mesothelioma: Direct	3.0%	3.0%
Mesothelioma: Cross	16.0%	16.0%
Asbestosis	8.0%	11.0%
Lung Cancer	30.0%	26.0%
ARPD & Other	8.0%	10.0%
Wharf	10.0%	10.0%
Workers Compensation	96.0%	96.0%

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# 9. Economic and Other Assumptions

## 9.1 Overview

The two main economic assumptions required for our valuation are:

- The underlying claims inflation assumptions adopted to project the future claims settlement amounts and related costs.
- The discount rate adopted for the present value determinations.

We also discuss the basis of derivation of other valuation assumptions, being:

- The cross-claim recovery rate; and
- The pattern of settlement of future reported claims and pending claims.

## 9.2 Claims inflation

We are required to make assumptions about the future rate of inflation of claims costs.

We have adopted a standard Australian actuarial claims inflation model for liabilities of the type considered in this report that is based on:

- An underlying, or base, rate of general economic inflation relevant to the liabilities, in this case based on wage/salary (earnings) inflation; and
- A rate of superimposed inflation, i.e. the rate at which claims costs inflation exceeds base inflation.

### 9.2.1 Base inflation

We have adopted a base (wage) inflation assumption for FY2023 onwards of 3.50% per annum, unchanged from our assumption at 31 March 2021.

In maintaining this assumption at 31 March 2022, we have had regard to the current level of annualised wage inflation (2.3% at 31 December 2021) and noting that our wage inflation assumption is intended to be a long-term assumption. Wage inflation in Australia has averaged approximately 3.1% per annum for the period 2000-2021.

We note that Consumer Price Inflation is currently tracking above wage inflation with a reported annual rate of 3.5% at 31 December 2021 and 5.1% at 31 March 2022.

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Should the Australian economy start to demonstrate longer-term higher rates of wage inflation than we have currently assumed, future valuations may respond to those economic indicators as they emerge, whilst noting that our assumption is intended to be a long-term assumption.

By way of illustration a 50 bps increase in the future assumed rate of wage inflation, from 3.5% per annum to 4% per annum, would add around \$60m (3.6%) to the Discounted Central Estimate.

The assumption for wage inflation applies both to claims awards and legal costs.

### 9.2.2 Superimposed inflation

Superimposed inflation is a term commonly used by Australian actuaries to measure the rate at which average claims costs escalate in excess of a base (usually wage) inflation measure.

As a result, superimposed inflation is a “catch-all” for a range of potential factors affecting claims costs, including (but not limited to):

- Courts making compensation payments in relation to new heads of damage;
- Courts changing the levels of compensation paid for existing heads of damage;
- Advancements in medical treatments – for example, this could lead to higher medical treatment costs (e.g. the cost of the use of new drug treatments);
- Allowance for medical costs to rise faster than wages because of the use of enhanced medical technologies;
- Changes in retirement age – this would increase future economic loss awards;
- Changes in the relative share of the liability to be borne by the Liable Entities’ (which we refer to as “the contribution rate”) and which might result from changes in the number of defendants joined in claims;
- Changes in the mix of claims costs by different heads of damage; and
- Changes in the mix of claimants by age of claimant.

Additionally, superimposed inflation also captures those characteristics of claims experience which might have different relative claim sizes but which are currently modelled in aggregate (rather than explicitly and separately modelled). This includes factors such as:

- Changes in the mix of claims between direct and cross claims (if the future pattern of incidence changes relative to that currently assumed);
- Changes in the mix of claims between renovator and non-renovator claims; and
- Changes in the mix of claims by the numbers of defendants to each claim.

Whilst the future rate of superimposed inflation is uncertain, and not predictable from one year to the next, it is of note that the average claim costs appear to have been relatively stable in recent years (after adjusting for wage inflation) and that, if anything, average claim sizes have trended downwards generally. As discussed elsewhere in this report, this reflects the changing mix of claimants by claimant age (shifting towards older claimants).

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Furthermore, the emergence of new or expanding heads of damage does not tend to proceed smoothly but progresses in “steps”, depending on the outcome of legislative and other developments.

We have reviewed the rate of inflation of claims costs by settlement year for the past 20 years for mesothelioma direct claims and cross claims separately, and separately for each age cohort. We have assessed this by analysing inflated claim costs and therefore the following table measures the trend in the rate of superimposed inflation.

Table 9.1: Annualised rate of superimposed inflation for mesothelioma claims cohorts for various averaging periods

Period	Direct				Cross			
	<60	60-70	70-80	80+	<60	60-70	70-80	80+
2000-2021	-0.2%	0.3%	1.4%	1.6%	-5.4%	1.7%	n/a	-0.3%
2002-2021	-0.8%	-0.3%	0.6%	0.1%	-7.6%	-7.2%	-4.9%	-3.0%
2004-2021	-0.7%	0.0%	0.5%	1.2%	-3.2%	-2.9%	-0.2%	-4.9%
2007-2021	-0.1%	0.4%	1.4%	1.6%	1.8%	-5.8%	-2.7%	-1.0%
2010-2021	0.8%	-1.0%	1.0%	0.6%	0.4%	-4.9%	-1.8%	-5.3%
2015-2021	0.9%	-1.1%	1.5%	3.3%	-13.6%	-10.3%	-3.2%	-8.6%
2018-2021	-0.8%	-0.4%	3.4%	6.3%	5.8%	-18.8%	-12.4%	-13.8%

Note: The green shading in the above table indicates those data points with values exceeding 1.5% per annum superimposed inflation.

For cross claims, the rate of superimposed inflation has been less than 1.5% across most cohorts and most averaging periods.

The high rate of superimposed inflation for the period 2018/19 to 2021/22 for the <60 age cohort for cross claims should be considered in the context of a very small number of claims (typically between 2 and 4 claims annually) in this age cohort.

For direct claims, the rate of superimposed inflation has generally been less than 1.5% across most age cohorts and most averaging periods.

The most notable exceptions are:

- Claimants in the 70-80 age cohort when considering the period 2018/19 to 2021/22. This exhibited a rate of 3.4% per annum.
- Claimants in the 80+ age cohort, and this feature is observed across most averaging periods. This is primarily a function of the high average claim size observation for 2021/22. If we selected a different end-point (e.g. 2019/20), this would lead to a lower implied rate of superimposed inflation across most of the averaging periods.

The actuarial approach for this report is to take an average view for superimposed inflation to be applied over the long-term, noting that there will necessarily be deviations from this average on an annual basis and that cashflows are projected for the next 50 or more years.

Weighing all of the evidence together, we have adopted an assumed long-term rate of future superimposed inflation of claims awards of 1.50% per annum, a reduction from the previous valuation assumption of 2.00% per annum.

This assumption is applied to the claim awards for all categories of claim and age cohorts.

The outcome of this assumption is a “superimposed inflation allowance” of approximately \$150m on a discounted central estimate basis and approximately \$210m on an inflated and undiscounted central estimate basis.

undiscounted central estimate basis.

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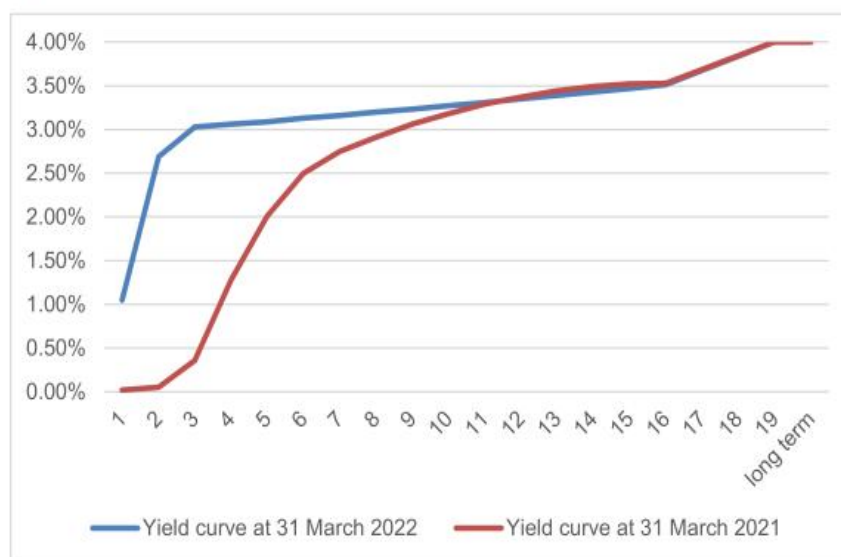
### 9.3 Discount rates: Commonwealth bond zero coupon yields

We have calculated the zero coupon yield curve at 31 March 2022 underlying the prices, coupons and durations of Commonwealth Government Bonds for the purpose of discounting the liabilities for this report.

The use of such discount rates is consistent with standard Australian actuarial practice for such liabilities, is in accordance with the Institute of Actuaries of Australia's Professional Standard PS302 and is also consistent with our understanding of the Australian accounting standards.

The chart below shows the assumptions for the current valuation and the previous valuation.

Figure 9.1: Zero coupon yield curve by duration



At this valuation, we have maintained the long-term assumption at 4.00% per annum.

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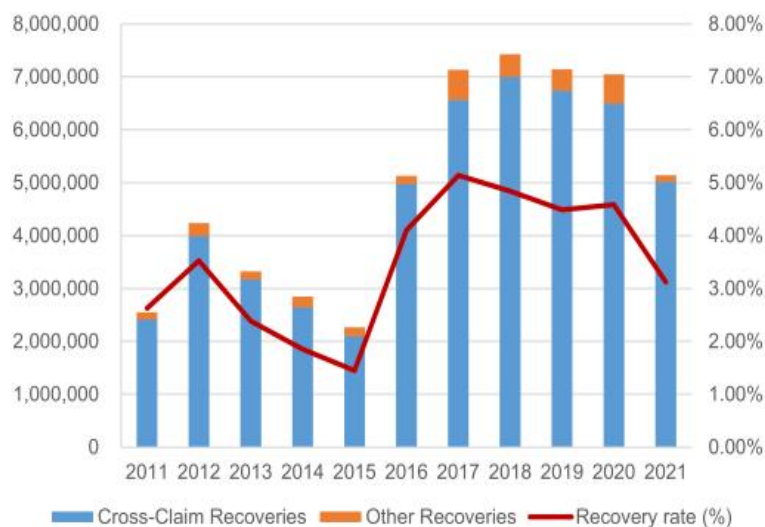
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## 9.4 Cross claim recovery rates

The following chart shows how the experience of cross claim recoveries has varied over the last eleven years, both in monetary terms and expressed as a percentage of gross payments.

Figure 9.2: Cross claim recovery experience



Cross claim recoveries reduced year on year from 2012/13 to 2015/16, both in absolute terms and as a percentage of gross payments. The four years from 2017/18 to 2020/21 were broadly stable at around \$7m. In 2021/22, cross claims recoveries fell to \$5.1m.

In light of the average rate of recovery over the last five years, we have maintained our assumption at 4% at this valuation. However, should experience in 2022/23 show a continuation of the most recent year (2021/22), we would expect to lower this assumption.

By way of illustration, a reduction in the assumed cross claim recovery rate to 3.5% would add approximately \$8m to the discounted central estimate.

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## 9.5 Settlement Patterns

Triangulation methods are used to derive the past pattern of settlement of claims and are used in forming a view on future settlement patterns.

The following triangles provide an illustrative example of how we perform this:

Figure 9.3: Settlement pattern derivation for mesothelioma claims: paid as % of ultimate cost

Yr of Notification	0	1	2	3	4	5	6	7	8	9	10	11	12
2006	61.7%	93.7%	97.6%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
2007	53.3%	97.1%	99.0%	99.6%	99.6%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
2008	67.3%	96.0%	97.7%	99.3%	99.9%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
2009	57.8%	88.6%	92.9%	99.4%	99.6%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
2010	71.7%	96.4%	99.7%	99.9%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
2011	57.1%	96.8%	99.1%	99.7%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
2012	55.7%	97.7%	99.7%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
2013	65.3%	94.9%	99.6%	99.8%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
2014	65.6%	96.6%	98.6%	99.5%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
2015	65.5%	98.2%	99.4%	99.7%	99.9%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
2016	57.3%	98.2%	99.2%	99.6%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
2017	55.7%	97.4%	99.0%	99.6%	99.6%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
2018	56.0%	96.9%	98.9%	99.1%	99.1%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
2019	59.2%	93.6%	97.7%	99.1%	99.1%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
2020	46.8%	92.7%	99.1%	99.1%	99.1%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
2021	55.2%	99.1%	99.1%	99.1%	99.1%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

Figure 9.4: Settlement pattern derivation for non-mesothelioma claims: paid as % of ultimate cost

Yr of Notification	0	1	2	3	4	5	6	7	8	9	10	11	12
2006	22.7%	72.0%	91.5%	94.7%	99.4%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
2007	26.9%	83.1%	93.0%	99.6%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
2008	26.1%	84.5%	95.6%	97.3%	99.7%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
2009	40.4%	77.7%	94.1%	95.9%	96.1%	97.8%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
2010	26.1%	84.7%	95.7%	97.4%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
2011	36.8%	90.1%	99.8%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
2012	38.1%	87.9%	97.1%	98.5%	98.5%	98.7%	98.7%	98.7%	98.7%	100.0%	100.0%	100.0%	100.0%
2013	28.4%	84.2%	95.8%	97.8%	99.0%	99.9%	99.9%	99.9%	100.0%	100.0%	100.0%	100.0%	100.0%
2014	32.7%	90.6%	97.2%	99.8%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
2015	46.8%	89.8%	95.9%	99.6%	99.6%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
2016	22.7%	74.4%	91.4%	94.0%	99.9%	99.9%	99.9%	99.9%	99.9%	100.0%	100.0%	100.0%	100.0%
2017	37.8%	90.6%	95.8%	97.1%	98.2%	99.9%	99.9%	99.9%	99.9%	100.0%	100.0%	100.0%	100.0%
2018	20.8%	81.2%	93.8%	98.1%	98.2%	99.9%	99.9%	99.9%	99.9%	100.0%	100.0%	100.0%	100.0%
2019	24.1%	82.4%	95.4%	99.1%	99.1%	99.1%	99.1%	99.1%	99.1%	100.0%	100.0%	100.0%	100.0%
2020	32.0%	78.7%	95.4%	99.1%	99.1%	99.1%	99.1%	99.1%	99.1%	100.0%	100.0%	100.0%	100.0%
2021	32.9%	99.1%	99.1%	99.1%	99.1%	99.1%	99.1%	99.1%	99.1%	100.0%	100.0%	100.0%	100.0%

We have estimated the settlement pattern for future claim reporting as follows:

Table 9.2: Settlement pattern of claims awards by delay from claim reporting

Delay (years)	Mesothelioma	Non-Mesothelioma
0	56.0%	31.0%
1	39.0%	52.0%
2	3.5%	11.0%
3	1.0%	3.5%
4	0.5%	1.0%
5	0.0%	0.5%
6	0.0%	0.5%
7	0.0%	0.5%
8	0.0%	0.0%
9	0.0%	0.0%
10	0.0%	0.0%
11	0.0%	0.0%
12	0.0%	0.0%

The assumed settlements pattern for mesothelioma has not been changed since the previous valuation, whilst there has been some slight modification to the payment pattern for non-mesothelioma claims since our previous valuation.

For mesothelioma, we have adopted one pattern because analysis of the average time to settlement for each of the four age groups was not materially different to the overall average time to settlement.

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# 10. Valuation Results

## 10.1 Central estimate liability

At 31 March 2022, our projected central estimate of the liabilities of the Liable Entities (the Discounted Central Estimate) to be met by the AICF Trust is \$1,622.3m (2021: \$1,762.6m).

We have not allowed for the future Operating Expenses of the AICF Trust or the Liable Entities in the liability assessment.

The following table shows a summary of our central estimate liability assessment and compares the current assessment with our previous valuation.

Table 10.1: Comparison of central estimate of liabilities

	31 March 2022		31 March 2021	
	Gross of insurance recoveries	Insurance recoveries	Net of insurance recoveries	Net of insurance recoveries
Total uninflated and undiscounted cash-flows	1,447.9	58.0	1,389.9	1,351.9
Inflation allowance	625.8	12.1	613.7	681.8
<b>Total inflated and undiscounted cash-flows</b>	<b>2,073.7</b>	<b>70.1</b>	<b>2,003.6</b>	<b>2,033.7</b>
Discounting allowance	(392.4)	(11.1)	(381.3)	(271.1)
<b>Net present value</b>	<b>1,681.3</b>	<b>59.0</b>	<b>1,622.3</b>	<b>1,762.6</b>

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## 10.2 Comparison with previous valuation

In the absence of any change to the claim projection assumptions from our 31 March 2021 valuation, other than allowing for the changes in the discount rate, we would have projected a Discounted Central Estimate liability of \$1,526.8m as at 31 March 2022.

The decrease of \$235.8m relative to the valuation result at 31 March 2021 is due to:

- A decrease of \$151.0m, being the net impact of expected claims payments (which reduce the liability) and the “unwind of discount”.
- A decrease of \$84.8m resulting from increases to the yield curve between 31 March 2021 and 31 March 2022.

Our liability assessment at 31 March 2022 of \$1,622.3m therefore represents an increase of \$95.5m arising from changes to the actuarial assumptions. The increase is principally a consequence of:

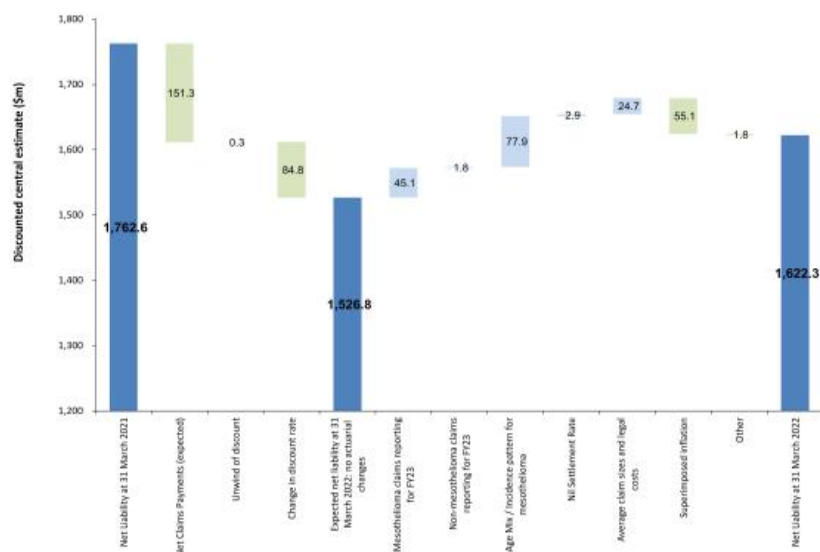
- Increases to the assumed number of mesothelioma claims for 2022/23;
- An increased allowance for future mesothelioma claims through a slight change in the latency assumptions and assumed future pattern of incidence of claims; and
- Increases in average claim sizes, primarily for mesothelioma direct claims;

offset by

- A reduction in the assumed future rate of superimposed inflation from 2.00% per annum to 1.50% per annum.

The following chart shows an analysis of the change in our liability assessment from 31 March 2021 to 31 March 2022 on a discounted basis.

Figure 10.1: Analysis of change in central estimate liability (discounted basis)



Note: Green bars signal that this factor has given rise to a decrease in the liability whilst light blue bars signal that this factor has given rise to an increase in the liability.

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### 10.3 Comparison of valuation results since 30 September 2006

We have analysed how our valuation results have changed since the Initial Report (as defined in the Amended Final Funding Agreement) at 30 September 2006.

The table below shows the results over time.

We have used the inflated and undiscounted results as the comparison. We consider this to be the most appropriate assessment as it removes the impacts of changes in discount rates and the “unwind of the discount”.

Table 10.2: Comparison of net undiscounted valuation results since 30 September 2006

	FY2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY2017	FY2018	FY2019	FY2020	FY2021	FY2022
Valuation result at end of previous financial year	3,169	2,811	3,027	3,124	2,906	2,661	2,525	2,513	2,805	2,743	2,427	2,200	2,381	2,219	2,215	2,034
Net payments made (actual)	-32	-55	-93	-86	-76	-76	-86	-113	-121	-129	2	-124	-143	-142	-139	-149
Expected valuation result (no actuarial changes)	3,137	2,756	2,934	3,038	2,830	2,585	2,439	2,400	2,684	2,614	2,429	2,076	2,238	2,077	2,076	1,885
Actual valuation at end of financial year	2,811	3,027	3,124	2,906	2,661	2,525	2,513	2,805	2,743	2,427	2,200	2,381	2,219	2,215	2,034	2,004
Impact of actuarial valuation changes	-326	271	190	-132	-189	-60	74	405	59	-187	-229	305	-19	138	-42	119
Cumulative changes since 30 September 2006	-326	-55	135	3	-166	-226	-152	253	312	125	-104	201	182	320	278	397

Note: For FY2007, the starting valuation (\$3,169m) is the valuation at 30 September 2006, not the valuation at 31 March 2006.

The table shows that whilst there have been eight years where there have been increases and eight years where there have been decreases arising from changes to actuarial valuation assumptions, over the period from 30 September 2006 to 31 March 2022 the valuation has increased by approximately \$397m (12.5% of the valuation contained in the Initial Report).

In terms of net cashflows, actual net payments of \$1,562m (including commutation receipts of \$191m) have been made since 30 September 2006. This compares with an estimate of \$1,731m projected for the same period (1 October 2006 to 31 March 2022) in the valuation at 30 September 2006.

Gross cashflows over the same period have been \$11m (0.5%) below those projected in the valuation at 30 September 2006 (\$1,996m vs \$2,007m).

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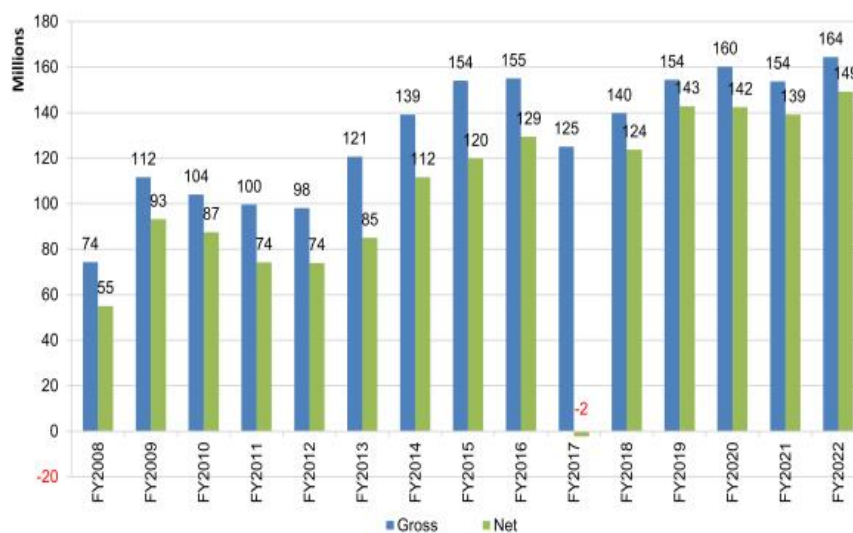
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## 10.4 Cashflow projections

### 10.4.1 Historical cashflow expenditure

The following chart shows the historical expenditure by the Liable Entities relating to asbestos-related claim settlements since the formation of AICFL.

Figure 10.2: Historical claim-related expenditure of the Liable Entities (\$m)



Gross cashflow payments in the 12 months to 31 March 2022 were \$164.4m. This was \$0.7m (<1%) higher than the gross cashflow projected for 2021/22 in our 31 March 2021 valuation (\$163.7m).

Net cashflow payments in the 12 months to 31 March 2022 were \$149.2m. This was \$2.1m (1%) lower than the net cashflow projected for 2021/22 in our 31 March 2021 valuation report (\$151.3m).

### 10.4.2 Key changes in cashflow projections by period of cashflow

The following table summarises how the projected cashflows compare between the current and previous valuation.

Table 10.3: Comparison of projected cashflows by period

Cashflow Projections (\$m)	Previous Valuation	Current Valuation	Valuation change	Valuation change (%)
FY22 - FY25	631	643	12	1.9%
FY26 - FY30	633	682	49	7.8%
FY31 - FY40	611	660	49	8.0%
FY41 - FY45	103	109	6	6.2%
1 April 2045 onwards	56	59	2	4.3%
<b>Total</b>	<b>2,034</b>	<b>2,153</b>	<b>119</b>	<b>5.9%</b>

Note: Figures may not add "on sight" due to rounding.

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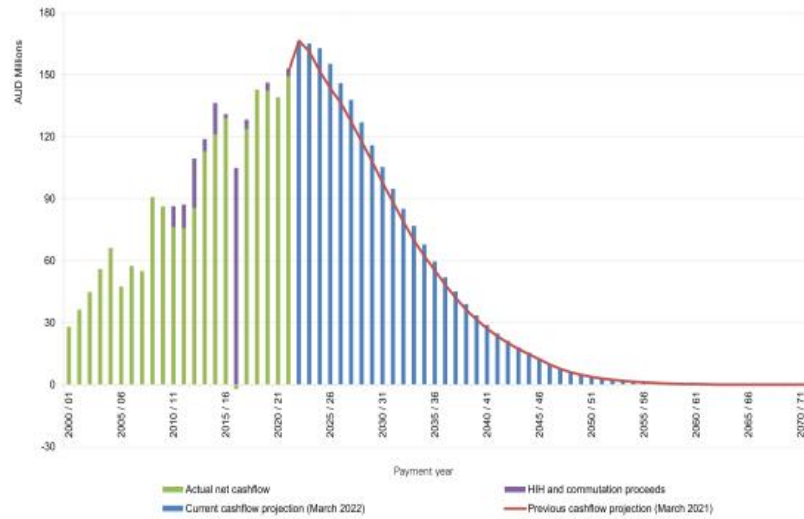
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### 10.4.3 Future cashflow projections

The following chart shows the projected net cashflows underlying our current valuation and the projected net cashflow projection underlying our previous valuation at 31 March 2021.

Figure 10.3: Annual cashflow projections – inflated and undiscounted (\$m)



Given the extremely long-tailed nature of asbestos-related liabilities, a small change in an individual assumption can have a significant impact upon the cashflow profile of the liabilities.

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## 10.5 Amended Final Funding Agreement calculations

The Amended Final Funding Agreement sets out the basis on which payments will be made to the AICF Trust.

Additionally, there are a number of other figures specified within the Amended Final Funding Agreement that we are required to calculate. These are:

- Discounted Central Estimate;
- Term Central Estimate; and
- Period Actuarial Estimate.

Table 10.4: Amended Final Funding Agreement calculations

	\$m
Discounted Central Estimate (net of cross-claim recoveries, Insurance and Other Recoveries)	1,622.3
Period Actuarial Estimate (net of cross-claim recoveries, gross of Insurance and Other Recoveries) comprising:	503.8
<i>Discounted value of cashflow in 2022/23</i>	<i>172.7</i>
<i>Discounted value of cashflow in 2023/24</i>	<i>169.0</i>
<i>Discounted value of cashflow in 2024/25</i>	<i>162.2</i>
Term Central Estimate (net of cross-claim recoveries, Insurance and Other Recoveries)	1,598.3

The actual funding amount due at a particular date will depend upon a number of factors, including:

- the net asset position of the AICF Trust at that time;
- the free cash flow amount of the James Hardie Group in the preceding financial year; and
- the Period Actuarial Estimate in the latest Annual Actuarial Report.

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## 10.6 Insurance Recoveries

Our liability valuation has made allowance for a discounted central estimate of Insurance Recoveries of \$59.0m.

This estimate is comprised as follows:

Table 10.5: Insurance recoveries at 31 March 2022

\$m	Undiscounted central estimate	Discounted central estimate
<b>Gross liability (net of cross claim recoveries)</b>	<b>2,073.7</b>	<b>1,681.3</b>
Product liability recoveries	63.2	53.5
Bad and doubtful debt allowance (product)	(0.7)	(0.5)
Public liability recoveries	7.7	6.0
Bad and doubtful debt allowance (public)	(0.1)	(0.1)
<b>Insurance recovery asset</b>	<b>70.1</b>	<b>59.0</b>
<b>Net liability</b>	<b>2,003.6</b>	<b>1,622.3</b>
Insurance recovery rate	3.4%	3.5%
Bad and doubtful debt rate	1.0%	0.9%
<b>Value of Insurance Policies per Facility Agreement</b>		<b>53.0</b>

The combined bad and doubtful debt rate is 0.9% on a discounted basis (2021: 1.0%).

The AICF Facility Agreement requires the Approved Actuary to calculate the discounted central estimate value of certain Insurance Policies, being those specified in Schedule 5 of the AICF Facility Agreement.

At 31 March 2022 the discounted central estimate of the Insurance Policies, as specified in Schedule 5 of the AICF Facility Agreement, is \$53.0m (2021: \$65.1m).

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# 11. Uncertainty

## 11.1 Overview

There is uncertainty involved in any valuation of the liabilities of an insurance company or a self-insurer. The sources of such uncertainty include, but are not limited to:

- Parameter error – this is the risk that the parameters and assumptions chosen ultimately prove not to be reflective of future experience.
- Model error – this is the risk that the model selected for the valuation of the liabilities ultimately proves not to be adequate for the projection of the liabilities.
- Legal and social developments – this is the risk that the legal environment in which claims are settled changes relative to its current and historical position thereby causing significantly different awards.
- Future actual rates of inflation being different from that assumed.
- The general economic environment being different from that assumed.
- Potential sources of exposure – this is the risk that there exist sources of exposure which are as yet unknown or unquantifiable, or for which no liabilities have yet been observed, but which may trigger future claims.

In the case of asbestos liabilities, these uncertainties are exacerbated by the extremely long latency period from exposure to onset of disease and notification of a claim. Asbestos-related claims often take in excess of 40 years from original exposure to become notified and then settled, compared with an average delay from exposure to settlement of 4-5 years for many other compensation-type liabilities such as Comprehensive Third-Party injury liabilities or other Workers Compensation liabilities.

Specific forms of uncertainty relating to asbestos-related disease liabilities include:

- The difficulty in quantifying the extent and pattern of past asbestos exposures and the number and incidence of the ultimate number of lives that may be affected by asbestos related diseases arising from such past asbestos exposures;
- The timing of the peak level and future pattern of incidence of claims reporting for mesothelioma;
- The propensity of individuals affected by diseases arising from such exposure to file common law claims against defendants;
- The extent to which the Liable Entities will be joined in such future common law claims;
- The mix of claimants by age, in particular noting the shift towards older claimants and which has had a downwards effect on average claim sizes in recent years;

which has had a downward effect on average claim sizes in recent years,

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- The mix of mesothelioma claims between direct claims and cross claims;
- The fact that the ultimate severity of the impact of the disease and the quantum of the claims that will be awarded will be subject to the outcome of events that have not yet occurred, including:
  - medical and epidemiological developments, including those relating to life expectancy in general;
  - court interpretations;
  - legislative changes;
  - changes to the form and range of benefits for which compensation may be awarded (“heads of damage”);
  - public attitudes to claiming;
  - the potential for future procedural reforms in NSW and other States affecting the legal costs incurred in managing and settling claims;
  - potential third-wave exposures; and
  - social and economic conditions such as inflation.

## 11.2 Sensitivity testing

As we have noted above, there are many sources of uncertainty. Actuaries often perform “sensitivity testing” to identify the impact of different assumptions on future experience, thereby providing an indication of the degree of parameter error risk to which the valuation assessment is exposed.

Sensitivity testing may be considered as being a mechanism for testing “what will the liabilities be if instead of choosing [x] for assumption [a] we choose [y]?” It is also a mechanism for identifying how the result will change if experience turns out different in a particular way relative to that which underlies the central estimate expectations. As such, it provides an indication of the level of variability inherent in the valuation.

We have performed some sensitivity tests of the results of our central estimate valuation. We have sensitivity tested the following factors:

- **number of claims notified:** 10% above and below our central estimate assumption.
- **average claim cost of a non-nil claim:** 5% above and below our central estimate assumption.
- **nil settlement rate:** 2 percentage points above and below our central estimate assumption.
- **superimposed inflation:** being 0% per annum or 3% per annum over all future years.
- **mesothelioma incidence pattern:** we have tested the impact of shifting out the pattern of incidence by two further years.

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There are other factors which influence the liability assessment and which could be sensitivity tested, including:

- The cross-claim recovery rate;
- The variation in timing of claim notifications (but with no change in the overall number of notifications); and
- The pattern and delay of claim settlements from claim notification.

We have not sensitivity tested these factors, viewing them as being of less financial significance individually.

We have not sensitivity tested the value of Insurance Recoveries as uncertainties typically relate to legal risk and disputation risk, and it is not possible to parameterise a sensitivity test in an informed manner.

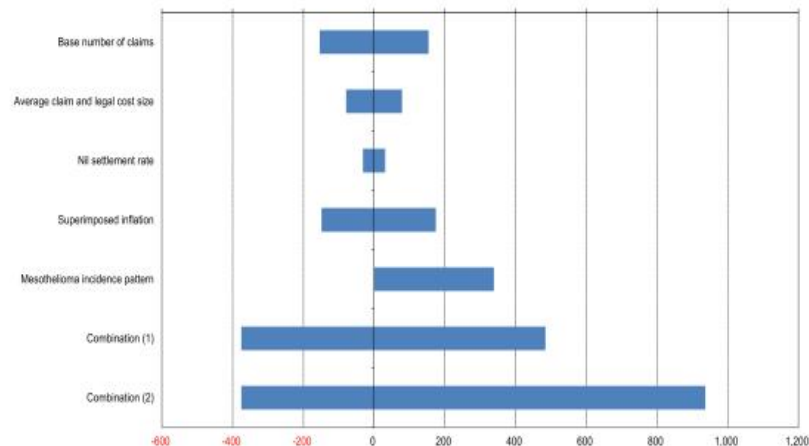
We have not included a sensitivity test for the impact of changes in discount rates although, as noted in this Report, changes in discount rates can introduce significant volatility to the Discounted Central Estimate result reported at each year-end.

### 11.3 Results of sensitivity testing

The chart below shows the impact of various individual sensitivity tests on the Discounted Central Estimate of the liabilities, and of a combined sensitivity test of a number of factors.

Although we have tested multiple scenarios of each assumption, one cannot gauge an overall potential range by simply adding these tests together. Accordingly, we have prepared a range based on a combination of factors.

Figure 11.1: Sensitivity testing results – Impact around the Discounted Central Estimate (in \$m)



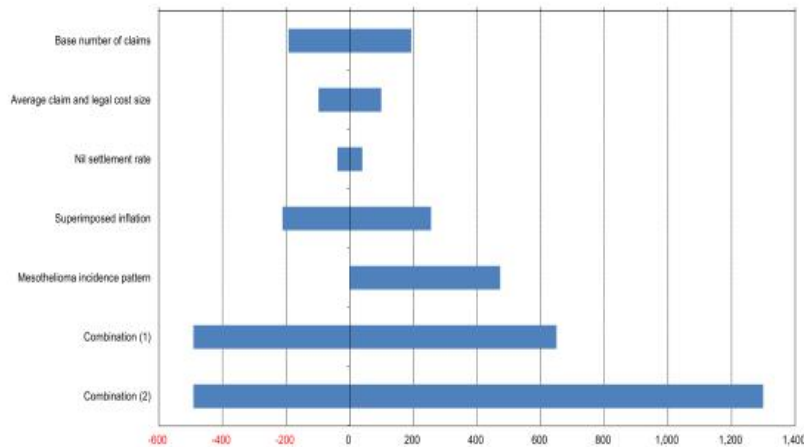
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Figure 11.2: Sensitivity testing results – Impact around the undiscounted central estimate (in \$m)



The single most sensitive assumption shown in the chart is the incidence pattern of mesothelioma claims reporting against the Liable Entities. Shifting the pattern of incidence by 2 years could add approximately \$339m (21%) on a discounted basis to our valuation (as shown in Figure 11.1 by the scenario labelled “mesothelioma incidence pattern”).

Table 11.1: Summary results of sensitivity analysis (\$m)

	Undiscounted	Discounted
Central estimate	2,003.6	1,622.3
Low Scenario	1,512.2	1,246.7
High Scenario	3,302.8	2,559.1

Whilst the table above indicates a range around the discounted central estimate of liabilities of -\$376m to +\$937m, the actual cost of liabilities could fall outside that range depending on the actual experience.

We further note that these sensitivity test ranges are not intended to correspond to a specified probability of sufficiency nor are they intended to indicate an upper bound or a lower bound of all possible outcomes.

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# A Projected inflated and undiscounted cashflows (\$m)

Payment Year	Mesothelioma Claims	Asbestosis Claims	Lung Cancer Claims	ARPD & Other Claims	Legal and Other Costs	Workers Compensation		Wharf Legal and Other			Cross Claim Recoveries	Gross	Insurance	Net
						Claims	Other Costs	Wharf Claims	Costs	Banyulgi				
2022 / 2023	146.3	12.5	2.3	2.8	15.6	0.1	0.0	0.3	0.1	0.2	6.6	173.6	7.7	165.9
2023 / 2024	145.8	11.7	1.8	3.5	16.1	0.1	0.0	0.3	0.1	0.2	6.5	173.0	8.0	165.1
2024 / 2025	144.0	11.4	1.8	3.6	15.8	0.1	0.0	0.3	0.0	0.2	6.4	170.8	7.9	162.9
2025 / 2026	136.3	10.6	1.6	3.4	15.0	0.1	0.0	0.3	0.0	0.2	6.1	161.4	6.0	155.3
2026 / 2027	128.9	9.8	1.5	3.1	13.9	0.1	0.0	0.2	0.0	0.1	5.7	152.0	6.0	146.0
2027 / 2028	121.0	9.0	1.4	2.8	12.9	0.1	0.0	0.2	0.0	0.1	5.4	142.2	4.3	137.9
2028 / 2029	111.8	8.1	1.3	2.5	11.8	0.1	0.0	0.2	0.0	0.1	5.0	131.0	3.9	127.1
2029 / 2030	102.3	7.2	1.2	2.2	10.8	0.1	0.0	0.2	0.0	0.1	4.5	119.6	3.8	115.9
2030 / 2031	93.5	6.4	1.1	2.0	9.8	0.0	0.0	0.2	0.0	0.1	4.1	109.0	3.6	105.4
2031 / 2032	84.8	5.7	1.0	1.7	8.5	0.0	0.0	0.1	0.0	0.1	3.7	98.2	3.3	94.8
2032 / 2033	76.3	4.9	0.8	1.5	7.5	0.0	0.0	0.1	0.0	0.1	3.4	88.0	2.9	85.1
2033 / 2034	68.2	4.3	0.7	1.3	6.6	0.0	0.0	0.1	0.0	0.0	3.0	78.3	1.5	76.9
2034 / 2035	60.5	3.7	0.7	1.1	5.8	0.0	0.0	0.1	0.0	0.0	2.6	69.2	1.4	67.9
2035 / 2036	53.4	3.1	0.6	0.9	5.0	0.0	0.0	0.1	0.0	0.0	2.3	60.8	1.2	59.6
2036 / 2037	46.8	2.6	0.5	0.8	4.4	0.0	0.0	0.1	0.0	0.0	2.0	53.1	1.1	52.0
2037 / 2038	40.9	2.2	0.4	0.6	3.7	0.0	0.0	0.1	0.0	0.0	1.8	46.2	1.0	45.2
2038 / 2039	35.5	1.8	0.3	0.5	3.2	0.0	0.0	0.0	0.0	0.0	1.5	40.0	0.9	39.0
2039 / 2040	30.8	1.5	0.3	0.4	2.7	0.0	0.0	0.0	0.0	0.0	1.3	34.5	0.8	33.7
2040 / 2041	26.7	1.2	0.2	0.3	2.3	0.0	0.0	0.0	0.0	0.0	1.1	29.7	0.7	29.0
2041 / 2042	23.1	1.0	0.2	0.3	2.0	0.0	0.0	0.0	0.0	0.0	1.0	25.5	0.6	24.9
2042 / 2043	19.9	0.8	0.2	0.2	1.7	0.0	0.0	0.0	0.0	0.0	0.8	21.9	0.6	21.3
2043 / 2044	17.2	0.6	0.1	0.2	1.4	0.0	0.0	0.0	0.0	0.0	0.7	18.8	0.5	18.3
2044 / 2045	14.8	0.5	0.1	0.1	1.2	0.0	0.0	0.0	0.0	0.0	0.6	16.1	0.4	15.6
2045 / 2046	12.2	0.4	0.1	0.1	1.0	0.0	0.0	0.0	0.0	0.0	0.5	13.2	0.4	12.8
2046 / 2047	9.6	0.3	0.1	0.1	0.8	0.0	0.0	0.0	0.0	0.0	0.4	10.4	0.3	10.1
2047 / 2048	7.6	0.2	0.0	0.1	0.6	0.0	0.0	0.0	0.0	0.0	0.3	8.2	0.2	8.0
2048 / 2049	6.0	0.2	0.0	0.0	0.5	0.0	0.0	0.0	0.0	0.0	0.3	6.5	0.2	6.3
2049 / 2050	4.7	0.1	0.0	0.0	0.4	0.0	0.0	0.0	0.0	0.0	0.2	5.1	0.2	4.9
2050 / 2051	3.7	0.1	0.0	0.0	0.3	0.0	0.0	0.0	0.0	0.0	0.2	4.0	0.1	3.9
2051 / 2052	2.9	0.1	0.0	0.0	0.2	0.0	0.0	0.0	0.0	0.0	0.1	3.1	0.1	3.0
2052 / 2053	2.3	0.0	0.0	0.0	0.2	0.0	0.0	0.0	0.0	0.0	0.1	2.5	0.1	2.4
2053 / 2054	1.8	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.1	1.9	0.1	1.9
2054 / 2055	1.4	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.1	1.5	0.1	1.5
2055 / 2056	1.1	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	1.2	0.0	1.1
2056 / 2057	0.9	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.9	0.0	0.9
2057 / 2058	0.7	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.7	0.0	0.7
2058 / 2059	0.6	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.6	0.0	0.6
2059 / 2060	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.5	0.0	0.4
2060 / 2061	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.4	0.0	0.3
2061 / 2062	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.2	0.0	0.1
2062 / 2063	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2063 / 2064	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2064 / 2065	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2065 / 2066	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2066 / 2067	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2067 / 2068	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2068 / 2069	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2069 / 2070	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2070 / 2071	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2071 / 2072	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2072 / 2073	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
<b>TOTAL</b>	<b>1,785.6</b>	<b>122.0</b>	<b>20.5</b>	<b>36.2</b>	<b>181.9</b>	<b>0.9</b>	<b>0.3</b>	<b>2.9</b>	<b>0.5</b>	<b>1.7</b>	<b>78.7</b>	<b>2,073.7</b>	<b>70.1</b>	<b>2,003.6</b>

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# B Projected inflated and discounted cashflows (\$m)

Payment Year	Mesothelioma Claims	Asbestosis Claims	Lung Cancer Claims	ARPD & Other Claims	Legal and Other Costs	Workers Compensation		Wharf Legal and Other Costs	Baryulgi	Cross Claim Recoveries	Gross	Insurance	Net	
						Claims	Other Costs							
2022 / 2023	145.5	12.5	2.3	2.8	15.5	0.1	0.0	0.3	0.1	0.2	6.5	172.7	7.7	165.0
2023 / 2024	142.4	11.4	1.8	3.4	15.7	0.1	0.0	0.3	0.1	0.2	6.4	169.0	7.8	161.2
2024 / 2025	136.7	10.8	1.7	3.4	15.0	0.1	0.0	0.3	0.0	0.2	6.1	162.2	7.5	154.6
2025 / 2026	125.6	9.8	1.5	3.1	13.8	0.1	0.0	0.2	0.0	0.1	5.6	148.7	5.6	143.1
2026 / 2027	115.2	8.7	1.4	2.8	12.4	0.1	0.0	0.2	0.0	0.1	5.1	135.8	5.3	130.5
2027 / 2028	104.9	7.8	1.2	2.4	11.1	0.1	0.0	0.2	0.0	0.1	4.7	123.3	3.8	119.5
2028 / 2029	94.0	6.8	1.1	2.1	9.9	0.1	0.0	0.2	0.0	0.1	4.2	110.1	3.3	106.8
2029 / 2030	83.3	5.9	1.0	1.8	8.8	0.0	0.0	0.1	0.0	0.1	3.7	97.4	3.1	94.4
2030 / 2031	73.8	5.1	0.8	1.6	7.7	0.0	0.0	0.1	0.0	0.1	3.3	86.0	2.8	83.2
2031 / 2032	64.8	4.3	0.7	1.3	6.5	0.0	0.0	0.1	0.0	0.0	2.9	75.0	2.5	72.5
2032 / 2033	56.5	3.7	0.6	1.1	5.6	0.0	0.0	0.1	0.0	0.0	2.5	65.1	2.1	63.0
2033 / 2034	48.8	3.1	0.5	0.9	4.8	0.0	0.0	0.1	0.0	0.0	2.1	56.1	1.1	55.0
2034 / 2035	41.9	2.5	0.5	0.8	4.0	0.0	0.0	0.1	0.0	0.0	1.8	48.0	0.9	47.0
2035 / 2036	35.8	2.1	0.4	0.6	3.4	0.0	0.0	0.1	0.0	0.0	1.6	40.8	0.8	39.9
2036 / 2037	30.3	1.7	0.3	0.5	2.8	0.0	0.0	0.0	0.0	0.0	1.3	34.4	0.7	33.7
2037 / 2038	25.6	1.4	0.3	0.4	2.3	0.0	0.0	0.0	0.0	0.0	1.1	28.9	0.6	28.3
2038 / 2039	21.5	1.1	0.2	0.3	1.9	0.0	0.0	0.0	0.0	0.0	0.9	24.1	0.6	23.6
2039 / 2040	17.9	0.9	0.2	0.2	1.6	0.0	0.0	0.0	0.0	0.0	0.8	20.1	0.5	19.6
2040 / 2041	14.9	0.7	0.1	0.2	1.3	0.0	0.0	0.0	0.0	0.0	0.6	16.6	0.4	16.2
2041 / 2042	12.4	0.5	0.1	0.1	1.1	0.0	0.0	0.0	0.0	0.0	0.5	13.7	0.3	13.4
2042 / 2043	10.3	0.4	0.1	0.1	0.9	0.0	0.0	0.0	0.0	0.0	0.4	11.3	0.3	11.1
2043 / 2044	8.5	0.3	0.1	0.1	0.7	0.0	0.0	0.0	0.0	0.0	0.4	9.3	0.2	9.1
2044 / 2045	7.1	0.2	0.0	0.1	0.6	0.0	0.0	0.0	0.0	0.0	0.3	7.7	0.2	7.5
2045 / 2046	5.6	0.2	0.0	0.0	0.4	0.0	0.0	0.0	0.0	0.0	0.2	6.1	0.2	5.9
2046 / 2047	4.3	0.1	0.0	0.0	0.3	0.0	0.0	0.0	0.0	0.0	0.2	4.6	0.1	4.5
2047 / 2048	3.2	0.1	0.0	0.0	0.3	0.0	0.0	0.0	0.0	0.0	0.1	3.5	0.1	3.4
2048 / 2049	2.5	0.1	0.0	0.0	0.2	0.0	0.0	0.0	0.0	0.0	0.1	2.6	0.1	2.6
2049 / 2050	1.9	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.1	2.0	0.1	1.9
2050 / 2051	1.4	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.1	1.5	0.0	1.5
2051 / 2052	1.1	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	1.1	0.0	1.1
2052 / 2053	0.8	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.9	0.0	0.8
2053 / 2054	0.6	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.6	0.0	0.6
2054 / 2055	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.5	0.0	0.5
2055 / 2056	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.4	0.0	0.4
2056 / 2057	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.3	0.0	0.3
2057 / 2058	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.2	0.0	0.2
2058 / 2059	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.2	0.0	0.2
2059 / 2060	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.1	0.0	0.1
2060 / 2061	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.1	0.0	0.1
2061 / 2062	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2062 / 2063	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2063 / 2064	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2064 / 2065	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2065 / 2066	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2066 / 2067	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2067 / 2068	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2068 / 2069	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2069 / 2070	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2070 / 2071	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2071 / 2072	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2072 / 2073	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
<b>TOTAL</b>	<b>1,441.0</b>	<b>102.2</b>	<b>17.0</b>	<b>30.3</b>	<b>149.2</b>	<b>0.8</b>	<b>0.2</b>	<b>2.5</b>	<b>0.4</b>	<b>1.4</b>	<b>63.8</b>	<b>1,681.3</b>	<b>59.0</b>	<b>1,622.3</b>

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# C Glossary of terms used in the Amended Final Funding Agreement

The following provides a glossary of terms which are referenced in the Amended Final Funding Agreement and upon which we have relied in preparing our report.

The operation of these definitions cannot be considered in isolation but instead need to be considered in the context of the totality of the Amended Final Funding Agreement.

AICF means the trustee of the Asbestos Injuries Compensation Fund from time to time, in its capacity as trustee, initially being Asbestos Injuries Compensation Fund Limited.

These terms also need to be read in conjunction with the Deed of Amendment dated 19 December 2017 which added a new clause (13.4A) and which is effective from 1 January 2018.

**AICF Funded Liability** means:

- (a) any Proven Claim;
- (b) Operating Expenses;
- (c) Claims Legal Costs;
- (d) any claim that was made or brought in legal proceedings against a Former James Hardie Company commenced before 1 December 2005;
- (e) Statutory Recoveries within the meaning and subject to the limits set out in the Amended Final Funding Agreement;
- (f) a claim or category of claim which James Hardie and the NSW Government agree in writing is a "AICF Funded Liability" or a category of "AICF Funded Liability".

but in the cases of paragraphs (a), (c) and (d) excludes any such liabilities or claims to the extent that they have been recovered or are recoverable under a Worker's Compensation Scheme or Policy.

**Claims Legal Costs** means all costs, charges, expenses and outgoings incurred or expected to be borne by AICF or the Former James Hardie Companies, in respect of legal advisors, other advisors, experts, court proceedings and other dispute resolution methods in connection with Personal Asbestos Claims and Marlew Claims but in all cases excluding any costs included as a component of calculating a Proven Claim.

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**Concurrent Wrongdoer** in relation to a personal injury or death claim for damages under common law or other law (excluding any law introduced or imposed in breach of the restrictions on adverse regulatory or legislative action against the James Hardie Group under the Amended Final Funding Agreement, and which breach has been notified to the NSW Government in accordance with Amended Final Funding Agreement), means a person whose acts or omissions, together with the acts or omissions of one or more Former James Hardie Companies or Marlew or any member of the James Hardie Group (whether or not together with any other persons) caused, independently of each other or jointly, the damage or loss to another person that is the subject of that claim.

**Contribution Claim** means a cross-claim or other claim under common law or other law (excluding any law introduced or imposed in breach of the restrictions on adverse regulatory or legislative action against the James Hardie Group under the Amended Final Funding Agreement, and which breach has been notified to the NSW Government in accordance with Amended Final Funding Agreement):

- (a) for contribution by a Concurrent Wrongdoer against a Former James Hardie Company or a member of the James Hardie Group in relation to facts or circumstances which give rise to a right of a person to make a Personal Asbestos Claim or a Marlew Claim; or
- (b) by another person who is entitled under common law (including by way of contract) to be subrogated to such a first mentioned cross-claim or other claim;

**Discounted Central Estimate** means the central estimate of the present value (determined using the discount rate used within the relevant actuarial report) of the liabilities of the Former James Hardie Companies and Marlew in respect of expected Proven Claims and Claims Legal Costs, calculated in accordance with the Amended Final Funding Agreement.

**Excluded Claims** are any of the following liabilities of the Former James Hardie Companies:

- (i) personal injury or death claims arising from exposure to Asbestos outside Australia;
- (ii) personal injury or death claims arising from exposure to Asbestos made outside Australia;
- (iii) claims for economic loss (other than any economic loss forming part of the calculation of an award of damages for personal injury or death) or loss of property, including those relating to land remediation and/or Asbestos or Asbestos products removal, arising out of or in connection with Asbestos or Asbestos products manufactured, sold, distributed or used by or on behalf of the Liable Entities;
- (iv) any Excluded Marlew Claim;
- (v) any liabilities of the Liable Entities other than AICF Funded Liabilities.

**Excluded Marlew Claim** means a Marlew Claim:

- (a) covered by the indemnities granted by the Minister of Mineral Resources under the deed between the Minister, Fuller Earthmoving Pty Limited and James Hardie Industries Limited dated 11 March 1996; or
- (b) by a current or former employee of Marlew in relation to an exposure to Asbestos in the course of such employment to the extent:
  - (i) the loss is recoverable under a Worker's Compensation Scheme or Policy; or

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- (ii) the Claimant is not unable to recover damages from a Marlew Joint Tortfeasor in accordance with the Marlew Legislation;
- (c) by an individual who was or is an employee of a person other than Marlew arising from exposure to Asbestos in the course of such employment by that other person where such loss is recoverable from that person or under a Worker's Compensation Scheme or Policy; or
- (d) in which another defendant (or its insurer) is a Marlew Joint Tortfeasor from whom the plaintiff is entitled to recover compensation in proceedings in the Dust Diseases Tribunal, and the Claimant is not unable to recover damages from that Marlew Joint Tortfeasor in accordance with the Marlew Legislation.

**Former James Hardie Companies** means Amaca, Amaba and ABN 60.

**Insurance and Other Recoveries** means any proceeds which may reasonably be expected to be recovered or recoverable for the account of a Former James Hardie Company or to result in the satisfaction (in whole or part) of a liability of a Former James Hardie Company (of any nature) to a third party, under any product liability insurance policy or public liability insurance policy or commutation of such policy or under any other contract, including any contract of indemnity, but excluding any such amount recovered or recoverable under a Worker's Compensation Scheme or Policy.

**Liable Entities** see Former James Hardie Companies.

**Marlew** means Marlew Mining Pty Ltd (in liquidation), ACN 000 049 650, previously known as Asbestos Mines Pty Ltd.

**Marlew Claim** means, subject to the limitation on Statutory Recoveries, a claim which satisfies one of the following paragraphs and which is not an Excluded Marlew Claim:

- (a) any present or future personal injury or death claim by an individual or the legal personal representative of an individual, for damages under common law or other law (excluding any law introduced or imposed in breach of the restrictions on adverse regulatory or legislative action against the James Hardie Group under the Amended Final Funding Agreement, and which breach has been notified to the NSW Government in accordance with the Amended Final Funding Agreement) which:
  - (i) arose or arises from exposure to Asbestos in the Baryulgil region from Asbestos Mining Activities at Baryulgil conducted by Marlew, provided that:
    - A. the individual's exposure to Asbestos occurred wholly within Australia; or
    - B. where the individual has been exposed to Asbestos both within and outside Australia, the amount of damages included in the Marlew Claim shall be limited to the amount attributable to the proportion of the exposure which caused or contributed to the loss or damage giving rise to the Marlew Claim which occurred in Australia;
  - (ii) is commenced in New South Wales in the Dust Diseases Tribunal; and

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- (iii) is or could have been made against Marlew had Marlew not been in external administration or wound up, or could be made against Marlew on the assumption (other than as contemplated under the Marlew legislation) that Marlew will not be in the future in external administration;
- (b) any claim made under compensation to relatives legislation by a relative of a deceased individual (or personal representative of such a relative) or (where permitted by law) the legal personal representative of a deceased individual in each case where the individual, but for such individual's death, would have been entitled to bring a claim of the kind described in paragraph (a); or
- (c) a Contribution Claim relating to a claim described in paragraphs (a) or (b).

**Marlew Joint Tortfeasor** means any person who is or would be jointly and severally liable with Marlew in respect of a Marlew Claim, had Marlew not been in external administration or wound up, or on the assumption that Marlew will not in the future be, in external administration or wound up other than as contemplated under the Marlew Legislation.

**Payable Liability** means any of the following:

- (a) any Proven Claim (whether arising before or after the date of this deed);
- (b) Operating Expenses;
- (c) Claims Legal Costs;
- (d) any liability of a Former James Hardie Company to the AICFL, however arising, in respect of any amounts paid by the AICFL in respect of any liability or otherwise on behalf of the Former James Hardie Company;
- (e) any claim that was made or brought in legal proceedings against a Former James Hardie Company commenced before 1 December 2005;
- (f) if regulations are made pursuant to section 30 of the Transaction Legislation and if and to the extent the AICFL and James Hardie have notified the NSW Government that any such liability is to be included in the scope of Payable Liability, any liability of a Former James Hardie Company to pay amounts received by it from an insurer in respect of a liability to a third party incurred by it for which it is or was insured under a contract of insurance entered into before 2 December 2005; and
- (g) Statutory Recoveries within the meaning and subject to the limits set out in the Amended Final Funding Agreement,

but in the cases of paragraphs (a), (c) and (e) excludes any such liabilities or claims to the extent that they have been recovered or are recoverable under a Worker's Compensation Scheme or Policy.

**Period Actuarial Estimate** means, in respect of a period, the central estimate of the present value (determined using the discount rate used in the relevant actuarial report) of the liabilities of the Former James Hardie Companies and Marlew in respect of expected Proven Claims and Claims Legal Costs (in each case which are reasonably expected to become payable in that period), before allowing for Insurance and Other Recoveries, calculated in accordance with the Amended Final Funding Agreement.

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**Personal Asbestos Claim** means any present or future personal injury or death claim by an individual or the legal personal representative of an individual, for damages under common law or under other law (excluding any law introduced or imposed in breach of the restrictions on adverse regulatory or legislative action against the James Hardie Group under the Amended Final Funding Agreement, and which breach has been notified to the NSW Government under the Amended Final Funding Agreement) which:

- (a) arises from exposure to Asbestos occurring in Australia, provided that:
  - (i) the individual's exposure to Asbestos occurred wholly within Australia; or
  - (ii) where the individual has been exposed to Asbestos both within and outside Australia, damages included in the Marlew Claim shall be limited to the amount attributable to the proportion of the exposure which caused or contributed to the loss or damage giving rise to the Personal Asbestos Claim which occurred in Australia;
- (b) is made in proceedings in an Australian court or tribunal; and
- (c) is made against:
  - (i) all or any of the Liable Entities; or
  - (ii) any member of the James Hardie Group from time to time;
- (d) any claim made under compensation to relatives legislation by a relative of a deceased individual (or personal representative of such a relative) or (where permitted by law) the legal personal representative of a deceased individual in each case where the individual, but for such individual's death, would have been entitled to bring a claim of the kind described in paragraph (a); or
- (e) a Contribution Claim made in relation to a claim described in paragraph (a) or (b)

but excludes all claims covered by a Worker's Compensation Scheme or Policy.

**Proven Claim** means a proven Personal Asbestos Claim in respect of which final judgment has been given against, or a binding settlement has been entered into by, a Former James Hardie Company, to the extent to which that entity incurs liability under that judgment or settlement, or a Proven Marlew Claim.

**Statutory Recoveries** means any statutory entitlement of the NSW Government or any Other Government or any governmental agency or authority of any such government ("Relevant Body") to impose liability on or to recover an amount or amounts from any person in respect of any payments made or to be made or benefits provided by a Relevant Body in respect of claims (other than as a defendant or in settlement of any claim, including a cross-claim or claim for contribution).

**Term** means the period

- (i) from the date on which the principal obligations under the Amended Final Funding Agreement will commence to 31 March 2045,
- (ii) as may be extended in accordance with the terms of the Amended Final Funding Agreement.

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**Term Central Estimate** means the central estimate of the present value (determined using the discount rate used in the relevant Annual Actuarial Report) of the liabilities of the Former James Hardie Companies and Marlew in respect of expected Proven Claims and Claims Legal Costs (in each case reasonably expected to become payable in the relevant period) after allowing for Insurance and Other Recoveries during that period, from and including the day following the end of the Financial Year preceding that Payment Date up to and including the last day of the Term (excluding any automatic or potential extension of the Term, unless or until the Term has been extended).

**Workers Compensation Scheme or Policy** means any of the following:

- (a) any worker's compensation scheme established by any law of the Commonwealth or of any State or Territory;
- (b) any fund established to cover liabilities under insurance policies upon the actual or prospective insolvency of the insurer (including without limitation the Insurer Guarantee Fund established under the Worker's Compensation Act 1987 (NSW)); and
- (c) any policy of insurance issued under or pursuant to such a scheme.

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