

October 4 2012: Further to the statement of the ANZ Determinations Committee published on February 3 2010, the ANZ DC Legal Subcommittee has reconvened on a few occasions to discuss whether a Succession Event occurred with respect to Rinker Group Limited* on or about 3 October 2007 with Cemex Corp and/or Cemex España S.A. as potential Successor(s). The Legal Subcommittee consider that they still do not have access to sufficient publicly available information to enable the Determinations Committee to resolve the issue. Resolution of this issue will, therefore, remain deferred until such time as either (a) sufficient public information is passed to ISDA, as DC Secretary, to enable the DC to fully consider and resolve such issue or (b) the DC determines that circumstances require that such event should be further considered.

* This entity changed its name to “Rinker Group Pty Ltd” on 16 November 2007 and to “Holcim (Australia) Holdings Pty Ltd” on 8 October 2009.