



Australian Government

Takeovers Panel

MEDIA RELEASE

No: 52/2009

Tuesday, 30 June 2009

Rinker Group Limited 02R - Full Federal Court Decision

The decision of the Full Court of the Federal Court of Australia in CEMEX Australia Pty Limited v Takeovers Panel [2009] FCAFC 78 was handed down today. CEMEX appealed from the decision of Justice Stone dated 11 November 2008. On 23 October 2008 Stone J dismissed the application for review made by CEMEX against the Panel's declaration of unacceptable circumstances and orders in the matter of [Rinker Group Limited 02R \[2007\] ATP 19](#). (see [TP 08/99](#) and [TP08/104](#))

CEMEX's application to the Full Federal Court was dismissed. Accordingly, unless there is a successful appeal to the High Court, the Panel's orders dated 12 August 2007 will come into effect and CEMEX will be required to send to all affected shareholders claim forms for them to claim the compensation ordered by the Panel.

However, to allow CEMEX time to consider a further appeal, the Court has stayed the Panel's orders (see [TP08/108](#)) for a further 28 days from today. Interest continues to accrue during this time.

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