



Australian  
Competition &  
Consumer  
Commission

# NewsRelease

*Attention: Business writers*

## **A.C.C.C INSTITUTES AGAINST BORAL LIMITED**

The Australian Competition and Consumer Commission has instituted proceedings against Boral Limited in the Federal Court over its proposed acquisition of Adelaide Brighton Limited.

The ACCC is seeking an injunction to prevent Boral taking any steps to acquire or exercise substantial influence or control over the business, assets or affairs of Adelaide Brighton, including declaring the offers made under Boral's takeover bid for shares in the capital of Adelaide Brighton dated 30 January 2004 to be free from the conditions to which the offers are subject or otherwise waiving those conditions.

The ACCC also is seeking a declaration that if Boral was to acquire shares in or assets of Adelaide Brighton which would enable it to substantially influence or control the business, assets or affairs of Adelaide Brighton, Boral would be in breach of s.50 of the *Trade Practices Act 1974*.

Section 50 prohibits the acquisition of shares or assets in a company which would amount to a substantial lessening of competition for goods or services in any market.

The Federal Court has set down a directions hearing in this matter for midday tomorrow (Tuesday 8 June 2004) in Melbourne.

MR 93/04  
7 June 2004