

## **Clarification re 2006 AGM voting**

### **6 December 2006**

The Directors wish to clarify certain aspects of voting recorded at the recent 2006 AGM, and in particular voting pertaining to resolution 3 [relating to the proposed re-election of Mr Bruce Higgins as a Director].

At the AGM it was requested that details of proxies lodged be disclosed. This request was not acceded to on the grounds that the data which was then available would have potentially been inaccurate and misleading based on a combination of two factors:

[a] a numerically significant, albeit as then yet undetermined, number of such proxies had been superseded immediately prior to the meeting by personal attendance of the donors or otherwise: [of 6,947,850 undirected proxies initially given to the Chairman 4,281,945 were superseded leaving a balance of 2,665,905]; and

[b] the Chairman shortly prior to the AGM having received instructions from the donors of a significant majority of the remaining undirected proxies that they required such proxies to be voted against resolution 3: [2,665,905 remaining balance less 1,486,472 required to vote against resolution 3 leaving a final balance of 1,179,433 genuinely undirected proxies held by the Chairman].

As advised to the meeting the Chairman indicated his intention, and that of the Directors other than Mr Higgins, to vote against the resolution. The Chairman voted undirected proxies held by him against the resolution. All directed proxies were voted as directed.

As announced to the ASX on 30 November 2006, resolution 3 was then, pursuant to a formal poll, lost by a margin of 6,229,227 votes [24,655,405 in favour with 30,895,032 against]. That being the case it is apparent that even if the Chairman had voted undirected proxies in favour of the resolution the resolution would still not have been carried.

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