

**AMABA PTY LIMITED**  
**(UNDER NSW ADMINISTERED WINDING UP)**

**ABN 98 000 387 342**

**GENERAL PURPOSE FINANCIAL REPORT**

**FOR THE YEAR ENDED 31 MARCH 2021**

**AMABA PTY LIMITED**  
**(UNDER NSW ADMINISTERED WINDING UP)**

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These financial statements cover the accounts of Amaba Pty Limited (under NSW administered winding up). These financial statements are presented in Australian currency.

Amaba Pty Limited is domiciled in Australia. Its registered office and its principal place of business are at Level 2, 56 Clarence Street, Sydney, NSW 2000.

A description of the nature of the Company's operations and its principal activities is included in the directors' report. The directors' report does not form part of this financial statement.

The financial report was authorised for issue by the Directors of the Company on 11 June 2021. The Company has the power to amend and reissue the financial report.

**AMABA PTY LIMITED**  
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**DIRECTORS' REPORT**

The directors of Amaba Pty Limited (under NSW administered winding up) ("the Company") present their financial statements of the Company for the year 1 April 2020 to 31 March 2021 and report as follows.

**Directors**

The names and particulars of the directors of the Company during or since the end of the financial year are as follows. Directors were in office for the entire period unless otherwise stated:

Name of Director	Date Appointed
Robert Russell	26 March 2009
Dennis Loduwick	23 February 2012
Christopher Latham	17 November 2016

**Principal Activities**

The Company is under NSW administered winding up, in accordance with the provisions of the *James Hardie Former Subsidiaries (Winding up and Administration) Act 2005* (NSW) ("the Winding up Act"). The Company's affairs are managed under and in accordance with the Winding up Act. This regime ensures the continued existence of the Company, even if it is insolvent, and prohibits it from paying any liabilities except for "payable liabilities" as defined in the Winding up Act – limited to asbestos personal injury or death claims arising from exposure to asbestos in Australia and where the claim is made in Australia. The Company is expected to remain under NSW administered winding up for a period of at least 38 years from February 2007.

The Asbestos Injuries Compensation Fund comprises two trusts, the Charitable Fund and the Discretionary Fund ("the AICF Trust"). The trustee of the Asbestos Injuries Compensation Fund is Asbestos Injuries Compensation Fund Limited ("AICF"). The Company's shares are held by AICF as trustee of the Charitable Fund.

The Company's principal activities in the course of the financial year were to pursue claims under insurance policies taken out for the benefit of the Company and other members of the James Hardie Industries plc ("JHIPLC") group at the time it was a member of the JHIPLC group, and to manage any statutory and common law claims made against the Company.

**Review of Operations and Results**

- The profit of the Company for the financial period after providing for income tax was \$3,984,489 (2020: loss \$10,335,896).
- The provision for future asbestos related liabilities net of insurance and other recoveries decreased during the financial period by \$9,951,969 to \$64,807,475 (2020: \$74,759,444). The decrease in the net provision for future asbestos liabilities at 31 March 2021 compared to the previous year was mainly attributable to a change in actuarial assumptions increasing the future numbers of mesothelioma claims and lower discount rates.
- The Company continued to meet claims which have arisen as a result of its previous asbestos manufacturing operations, which concluded in the mid 1980's.
- The Company continued to make claims under insurance policies taken out for the benefit of the Company and other members of the James Hardie Industries plc ("JHIPLC") group at the time it was a member of the JHIPLC group.
- During the year under review, claims against the Company were managed by AICF as trustee of the Charitable Fund. The Company had previously entered into a Claims Management Agreement with AICF for the management and resolution of claims against the Company and for the payment of "payable liabilities" (as defined in the Winding up Act) on behalf of the Company.
- In the year to 31 March 2021 gross payments, before insurance recoveries, statutory recovery payments, AICF's legal and other fees, of \$5,866,508 (2020: \$1,921,332) were made in respect of asbestos claims against the Company. Payments were made from the Company's own funds, and when these were not sufficient, payments were made by the AICF Charitable Fund on behalf of the Company.
- A detailed review of the number of claims lodged against the Company and other former JHIPLC entities during the year to 31 March 2021, and the payments in respect of those claims, is set out in the Annual Actuarial Report, prepared by KPMG Actuarial Pty Ltd, and available on the AICF website at <http://www.aicf.org.au>. The Annual Actuarial Report sets out the estimated asbestos liability of the Company and the AICF Group calculated on a central estimate basis.

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**DIRECTORS' REPORT**

**AICF Loan Facility Agreement ('AICF Loan Facility') drawdowns and repayments**

The Company is a party to the AICF Loan Facility between AICF as trustee of the Charitable Fund as borrower, the Liable Entities (the Company, Amaca Pty Limited and ABN 60 Pty Limited) as guarantors, and the State of New South Wales as lender.

Under the terms of the AICF Loan Facility, AICF as trustee of the Charitable Fund may borrow, subject to certain conditions, up to an aggregate amount of \$320,000,000. AICF may drawdown loans under the AICF Loan Facility up to 1 October 2030 and repay in full the amount outstanding under the AICF Loan Facility on or before 1 November 2030.

The total amount outstanding under the AICF Loan Facility as at 31 March 2021 was \$nil (2020: \$nil).

**Significant Changes in the State of Affairs**

Apart from the matters above, there were no significant changes to the state of affairs of the Company during the year under review.

**Matters Subsequent to the Financial Year**

No matters or circumstances that have arisen since the end of the financial year which significantly affected or may significantly affect the operations of the Company, the results of those operations, or the state of affairs of the Company in future financial years.

**Future Developments**

There is ongoing uncertainty as to the number, quantum and timing of claims for compensation and damages that will be made against the Company and the level of compensation that the Company will be required to meet. The uncertainties relating to this liability are described in more detail in the Annual Actuarial Valuation of asbestos related disease liabilities of former James Hardie entities prepared by KPMG Actuarial Pty Limited available on the AICF website at [www.aicf.org.au](http://www.aicf.org.au).

The Company's capacity to fund all payable liabilities, including compensation paid to claimants, as and when they fall due for payment will be determined by proceeds of recoveries made under certain insurance policies held by the Company (or proceeds from any commutation of insurance policies), together with funds available for payment from the AICF Charitable and Discretionary Funds managed by AICF.

In the event however that AICF determines that at some future date it appears reasonably likely that there will be insufficient funds for all payable liabilities to be paid in full as they fall due for payment, under the Winding up Act and the AFFA, AICF could seek the imposition of a Court-approved payment scheme in respect of each of the Liable Entities.

**AMABA PTY LIMITED**  
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**DIRECTORS' REPORT**

**Insurance and Indemnification of Directors and Officers**

The directors and officers of the Company are covered by insurance taken out by AICF against liabilities that may be incurred by directors and officers in defending civil or criminal proceedings that may be brought against them in their capacity as directors or officers of the Company, and any other payments arising from liabilities incurred by the directors or officers in connection with such proceedings. This does not include such liabilities that arise from conduct involving a wilful breach of duty by the directors or officers or the improper use by the directors or officers of their position or of information to gain advantage for themselves or someone else or to cause detriment to the Company. Disclosure of the insurance premiums and the nature of liabilities covered by such insurance are prohibited by the relevant contract of insurance.

Deeds of access, insurance and indemnity provided by AICF to the Company's directors and other officers provide that AICF shall, to the maximum extent permitted by law, indemnify any director or officer who suffers any loss as a result of any action in connection with their service to the Company, except to the extent such liability arises as a result of the wilful default, fraud or negligence of the person seeking indemnification.

**Dividends**

Dividends paid or payable during the period were: \$nil (2020: \$nil).

**Share Options**

No options over issued shares or interests in the Company were granted during or since the end of the financial period and there were no options outstanding at the date of this report.

**Environmental Regulation**

The Company's operations are not regulated by any significant environmental regulation under a law of the Commonwealth or of a State or Territory.

**Proceedings on Behalf of the Company**

No person has applied for leave of a court to bring proceedings on behalf of the Company or intervene in any proceedings to which the Company is a party for the purpose of taking responsibility on behalf of the Company for all or any part of those proceedings.

The Company was not a party to any such proceedings during the period under review.

**Auditors**

The accounts are audited by an independent registered public accounting firm – Ernst & Young. The auditor's independence declaration is included on page 4 in the financial report.

Signed in accordance with a resolution of the Board of Directors.



Robert Russell  
Chairman and Director



Christopher Latham  
Director

Dated: 11 June 2021

Sydney



**Building a better  
working world**

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## **Auditor's Independence Declaration to the Directors of Amaba Pty Limited**

As lead auditor for the audit of the financial report of Amaba Pty Limited for the financial year ended 31 March 2021, I declare to the best of my knowledge and belief, there have been:

- a) no contraventions of the auditor independence requirements of the *Corporations Act 2001* in relation to the audit; and
- b) no contraventions of any applicable code of professional conduct in relation to the audit.

Ernst & Young

Jason Bain  
Partner  
Sydney  
11 June 2021

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**STATEMENT OF PROFIT AND LOSS AND OTHER COMPREHENSIVE INCOME**  
**FOR THE YEAR ENDED 31 MARCH 2021**

	Note	2021 \$	2020 \$
Income	2	61,473	234,686
Claims expense	3	3,934,613	(10,558,914)
Other expenses		(11,597)	(11,668)
Profit (loss) before income tax		<u>3,984,489</u>	<u>(10,335,896)</u>
Income tax expense	4	-	-
Profit (loss) for the year		<u>3,984,489</u>	<u>(10,335,896)</u>
Other comprehensive income after tax		<u>-</u>	<u>-</u>
Other comprehensive income for the year, net of tax		<u>-</u>	<u>-</u>
Total comprehensive profit (loss) for the year		<u>3,984,489</u>	<u>(10,335,896)</u>

The accompanying notes form an integral part of these financial statements.

**AMABA PTY LIMITED**  
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**STATEMENT OF FINANCIAL POSITION AS AT 31 MARCH 2021**

	Note	2021 \$	2020 \$
<b>ASSETS</b>			
<b>Current Assets</b>			
Cash and cash equivalents	5	274,691	187,253
Trade and other receivables	6	<u>396,221</u>	<u>242,472</u>
<b>TOTAL CURRENT ASSETS</b>		<u>670,912</u>	<u>429,725</u>
<b>Non Current Assets</b>			
Trade and other receivables	6	<u>2,799,249</u>	<u>3,149,355</u>
<b>TOTAL NON CURRENT ASSETS</b>		<u>2,799,249</u>	<u>3,149,355</u>
<b>TOTAL ASSETS</b>		<u>3,470,161</u>	<u>3,579,080</u>
<b>LIABILITIES</b>			
<b>Current Liabilities</b>			
Trade and other payables	7	33,289	34,435
Provisions	8	<u>5,800,000</u>	<u>6,100,000</u>
<b>TOTAL CURRENT LIABILITIES</b>		<u>5,833,289</u>	<u>6,134,435</u>
<b>Non Current Liabilities</b>			
Trade and other payables	7	27,882,516	21,774,778
Provisions	8	<u>61,800,000</u>	<u>71,700,000</u>
<b>TOTAL NON CURRENT LIABILITIES</b>		<u>89,682,516</u>	<u>93,474,778</u>
<b>TOTAL LIABILITIES</b>		<u>95,515,805</u>	<u>99,609,213</u>
<b>NET LIABILITIES</b>		<u>(92,045,644)</u>	<u>(96,030,133)</u>
<b>DEFICIT IN SHAREHOLDER FUNDS</b>			
Issued capital	9	3,600,002	3,600,002
Accumulated losses		<u>(95,645,646)</u>	<u>(99,630,135)</u>
<b>TOTAL DEFICIT IN SHAREHOLDER FUNDS</b>		<u>(92,045,644)</u>	<u>(96,030,133)</u>

The accompanying notes form an integral part of these financial statements.

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**STATEMENT OF CHANGES IN EQUITY FOR THE YEAR ENDED 31 MARCH 2021**

	<b>Issued Share Capital Ordinary Shares (Note 9) \$</b>	<b>Accumulated Losses \$</b>	<b>Total \$</b>
<b>Balance at 31 March 2019</b>	3,600,002	(89,294,239)	(85,694,237)
(Loss) for the year	-	(10,335,896)	(10,335,896)
Other comprehensive income	-	-	-
<b>Balance at 31 March 2020</b>	3,600,002	(99,630,135)	(96,030,133)
Profit for the year	-	3,984,489	3,984,489
Other comprehensive income	-	-	-
<b>Balance at 31 March 2021</b>	<u>3,600,002</u>	<u>(95,645,646)</u>	<u>(92,045,644)</u>

The accompanying notes form an integral part of these financial statements.

**AMABA PTY LIMITED**  
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**STATEMENT OF CASH FLOWS FOR THE YEAR ENDED 31 MARCH 2021**

	Note	2021 \$	2020 \$
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>			
Receipts from insurance recoveries		309,504	228,107
Payments to claimants and suppliers		(222,066)	(189,974)
Interest received		-	-
Net cash inflows (outflows) from operating activities	10	87,438	38,133
Net increase (decrease) in cash held		87,438	38,133
Cash and cash equivalents at beginning of financial period		187,253	149,120
Cash and cash equivalents at end of financial period	5	274,691	187,253

The accompanying notes form an integral part of these financial statements.

**AMABA PTY LIMITED**  
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**NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2021**

**NOTE 1: STATEMENT OF SIGNIFICANT ACCOUNTING POLICIES**

The principal accounting policies adopted in the preparation of the financial statements are set out below. These policies have been consistently applied to all years presented, unless otherwise stated. The financial statements are the separate financial statements of Amaba Pty Limited (under NSW administered winding up) as an individual entity.

**(a) Basis of Preparation**

On 8 February 2007, the Company became subject to the *James Hardie Former Subsidiaries (Winding up and Administration) Act 2005* (NSW) which places it in a form of statutory-based winding up and administration (the Winding up Act). This regime ensures the continued existence of the Company, even if it is insolvent and prohibits it from paying any liabilities except for "payable liabilities" as defined in the Winding up Act – limited to asbestos personal injury or death claims arising from exposure to asbestos in Australia and where the claim is made in Australia.

Following the commencement of the Amended and Restated Final Funding Agreement dated 21 November 2006 ("AFFA"), the directors expect that any "payable liabilities" of the Company will be met by AICF when the Company has insufficient funds for this purpose. The Company is expected to operate for a period of 38 years from February 2007, and the Company will remain subject to the Winding up Act during this period of time.

Although the Company is subject to a form of statutory-based winding up and administration under the Winding up Act these general purpose financial statements have been prepared in accordance with the requirements of the AICF Amended and Restated Trust Deed and the AFFA on the basis of historical cost, unless otherwise stated.

The financial statements are presented in Australian dollars which is the entity's functional and presentation currency.

**(b) Statement of Compliance**

The financial statements are general purpose financial statements that have been prepared in accordance with the Corporations Act 2001, Accounting Standards (including Australian Accounting Interpretations) of the Australian Accounting Standards Board and comply with other requirements of the law. The financial statements comply with Australian Accounting Standards. The financial statements also comply with International Financial Reporting Standards ("IFRS") as issued by the International Accounting Standards Board.

The preparation of financial statements in conformity with IFRS requires the use of certain critical accounting estimates. It also requires management to exercise its judgement in the process of applying the Company's accounting policies. The areas involving a higher degree of judgement or complexity, or areas where assumptions and estimates are significant to the financial statements are disclosed in Note 16.

**(c) Income Recognition**

Income is recognised to the extent that it is probable that the economic benefits will flow to the Company and the income can be reliably measured. Income is measured at the fair value of the consideration received or receivable.

***Interest***

Interest income is recognised on a time proportional basis taking into account the effective interest rates applicable to the financial assets.

***Distribution from Trusts***

Distributions from trusts are recognised when the right to receive a distribution has been established.

***Insurance Claim Recoveries***

Insurance claim recoveries are recognised when the right to receive recoveries and the likelihood of recovery has been established.

**AMABA PTY LIMITED**  
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**NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2021**

**NOTE 1: STATEMENT OF SIGNIFICANT ACCOUNTING POLICIES (CONT'D)**

**(d) Income Tax**

The charge for current income tax expense is based on the profit for the year adjusted for any non-assessable or disallowed items. It is calculated using tax rates that have been enacted or are substantively enacted by the reporting date.

Deferred tax is accounted for using the balance sheet liability method in respect of temporary differences arising between the tax bases of assets and liabilities and their carrying amounts in the financial statements. No deferred income tax will be recognised from the initial recognition of an asset or liability, excluding a business combination, where there is no effect on accounting or taxable profit or loss.

Deferred tax is calculated at the tax rates that are expected to apply to the period when the asset is realised or liability is settled. Deferred tax is credited in the income statement except where it relates to items that may be credited directly to equity, in which case the deferred tax asset is adjusted directly against equity.

Deferred income tax assets are recognised to the extent that it is probable that future taxable profits will be available against which deductible temporary differences can be utilised.

The amount of benefits brought to account or which may be realised in the future is based on the assumption that no adverse change will occur in income taxation legislation and the anticipation that the Company will derive sufficient future assessable income to enable the benefit to be realised and comply with the conditions of deductibility imposed by the law.

**(e) Cash and Cash Equivalents**

Cash and cash equivalents include cash on hand, deposits held at call with banks, and other short-term highly liquid investments with original maturities of three months or less. For the purpose of the statement of cash flows, cash and cash equivalents include cash and cash equivalents, and bank overdrafts.

**(f) Financial Instruments**

*Recognition, initial measurement and de-recognition*

Financial assets and financial liabilities are recognised when the Company becomes a party to the contractual provisions of the financial instrument, and are measured initially at fair value adjusted by transactions costs, except for those carried at fair value through profit or loss, which are measured initially at fair value. Subsequent measurement of financial assets and financial liabilities are described below.

Financial assets are derecognised when the contractual rights to the cash flows from the financial asset expire, or when the financial asset and all substantial risks and rewards are transferred. A financial liability is derecognised when it is extinguished, discharged, cancelled or expires.

*Classification and subsequent measurement of financial assets*

Except for those trade receivables that do not contain a significant financing component and are measured at the transaction price in accordance with AASB 15, all financial assets are initially measured at fair value adjusted for transaction costs (where applicable). For the purpose of subsequent measurement, financial assets are classified into the following categories upon initial recognition:

- amortised cost
- fair value through profit or loss (FVPL)
- equity instruments at fair value through other comprehensive income (FVOCI).

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**NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2021**

**NOTE 1: STATEMENT OF SIGNIFICANT ACCOUNTING POLICIES (CONT'D)**

**(f) Financial Instruments (cont'd)**

Classifications are determined by both:

- the Company's business model for managing the financial asset
- the contractual cash flow characteristics of the financial asset.

Financial assets are measured at amortised cost if the assets meet the following conditions (and are not designated as FVPL):

- they are held within a business model whose objective is to hold the financial assets; and
- the contractual terms of the financial assets give rise to cash flows that are solely payments of principal and interest on the principal amount outstanding.

After initial recognition, these are measured at amortised cost using the effective interest method. Discounting is omitted where the effect of discounting is immaterial. The company's cash and cash equivalents, trade and most other receivables fall into this category of financial instruments.

*Financial assets at fair value through profit or loss (FVPL)*

Financial assets at fair value through profit or loss are carried in the statement of financial position at fair value with net changes in fair value recognised in the statement of profit or loss.

*Classification and measurement of financial liabilities*

The Company's financial liabilities include borrowings, trade and other payables and derivative financial instruments.

Financial liabilities are initially measured at fair value, and, where applicable, adjusted for transaction costs unless the Company designated a financial liability at fair value through profit or loss.

Subsequently, financial liabilities are measured at amortised cost using the effective interest method except for derivatives and financial liabilities designated at FVPL, which are carried subsequently at fair value with gains or losses recognised in profit or loss.

All interest-related charges and, if applicable, changes in an instrument's fair value that are reported in profit or loss, are included within finance costs or finance income.

**(g) Trade and Other Receivables**

Trade and other receivables are carried at original invoice amount less an allowance for impairment loss.

*Insurance receivables*

Insurance receivables are measured at the present value of the best estimate of future amounts receivable at the reporting date on insurance policies held by the Liable Entities and include an appropriate risk margin. An independent actuarial assessment of outstanding and likely future receivables is undertaken at least annually. The discount rate used to determine the present value reflects yields on Commonwealth Government Bonds.

**(h) Impairment of Assets**

At each reporting date, the Company assesses whether there are indicators that individual assets are impaired. If such an indication exists, the recoverable amount of the asset, being the higher of the asset's fair value less costs to sell and value in use, is compared to the asset's carrying value. In assessing value in use, the estimated future cash flows are discounted to their present value using a pre-tax discount rate that reflects the current market assessments of the time value of money and the risks specific to the asset. Where it is not possible to estimate the recoverable amount of an individual asset, the Company estimates the recoverable amount of the cash-generating unit to which the asset belongs. Any excess of the asset's carrying value over its recoverable amount is expensed to the statement of profit and loss.

**(i) Trade and Other Payables**

Trade and other payables are carried at amortised cost and due to their short term nature they are not discounted. They represent liabilities for goods and services provided to the Company prior to the year end and which are unpaid. These amounts are unsecured and have 30-60 day payment terms.

**AMABA PTY LIMITED**  
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**NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2021**

**NOTE 1: STATEMENT OF SIGNIFICANT ACCOUNTING POLICIES (CONT'D)**

**(j) Provision for Future Claims**

Provisions for asbestos claims are measured at the reporting date at the present value of the best estimate of the expenditure required to settle the future compensation payments to victims of asbestos-related diseases arising from the activities of the former James Hardie companies in Australia and include an appropriate risk margin (refer Note 16). This process involves extensive consultation with external actuaries and senior management. An independent actuarial assessment of outstanding and likely future claims is undertaken at least annually. The discount rate used to determine the present value reflects yields on Commonwealth Government Bonds.

Under a Claims Management Agreement entered into by the Company, AICF manages and resolves claims and pays payable liabilities on behalf of the Company. Accordingly, the provision does not include an estimate for the future cost of handling asbestos claims.

**(k) New Standards Adopted as at 1 April 2020**

During the financial year, there were no new or revised Australian Accounting Standards and Interpretations adopted which had a material impact on the Company.

	Note	2021 \$	2020 \$
<b>NOTE 2: INCOME</b>			
Insurance recoveries			
- insurance recoveries received		309,504	228,107
- movement in provision for insurance recoveries		(248,031)	6,579
		61,473	234,686
Interest received		-	-
Total Income		61,473	234,686

**AMABA PTY LIMITED**  
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**NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2021**

	Note	2021 \$	2020 \$
<b>NOTE 3: CLAIMS EXPENSE</b>			
(Loss) before income tax has been arrived at after charging for the following:			
Claims expense			
- settlements of claims		5,866,508	1,921,332
- legal and other costs net of other recoveries		398,879	237,582
- movement in provision for future claims	8	<u>(10,200,000)</u>	<u>8,400,000</u>
		<u>(3,934,613)</u>	<u>10,558,914</u>

**NOTE 4: INCOME TAX EXPENSE**

The prima facie tax on (loss) before income tax is reconciled to the income tax expense as follows:

Prima facie tax (benefit) on (loss) profit before income tax at 30% (2020: 30%)		1,195,346	(3,100,768)
Tax effect of:			
- tax losses and temporary differences not brought to account		<u>(1,195,346)</u>	<u>3,100,768</u>
		<u>-</u>	<u>-</u>

The potential future income tax benefit in respect of tax losses and temporary differences as at 31 March 2021 not brought to account is \$28,966,157 (2020: \$30,161,504).

As the Company is subject to the Winding up Act, the directors consider that the realisation of this benefit is highly improbable.

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**NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2021**

	Note	2021 \$	2020 \$
<b>NOTE 5: CASH AND CASH EQUIVALENTS</b>			
Cash at bank		274,691	187,253
<b>Reconciliation of cash</b>			
Cash at the end of the financial period as shown in the statement of cash flows is reconciled to items in the statement of financial position as follows:			
Cash and cash equivalents		274,691	187,253
<b>NOTE 6: TRADE AND OTHER RECEIVABLES</b>			
<b><i>Current</i></b>			
Tax recoveries – GST		3,696	1,916
Insurance claims receivables		392,525	240,556
	6(a)	396,221	242,472
<b><i>Non Current</i></b>			
Amounts owing from related party:			
- Asbestos Injuries Compensation Fund – Charitable Fund		399,249	349,355
Insurance claims receivables		2,400,000	2,800,000
	6(a)	2,799,249	3,149,355
 (a) All receivables are fully recoverable. No receivables are past due or impaired.			

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**NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2021**

	Note	2021 \$	2020 \$
<b>NOTE 7: TRADE AND OTHER PAYABLES</b>			
<i>Current</i>			
Accrued legal fees - claims	7(a)	29,189	30,335
Other payables and accrued expenses	7(a)	4,100	4,100
		33,289	34,435
<i>Non Current</i>			
Accrued NSW Dust Diseases Board payments		30,984	39,770
Amounts owing to related party			
- Asbestos Injuries Compensation Fund – Charitable Fund	7(b)	27,851,532	21,735,008
		27,882,516	21,774,778

(a) Trade and other payables represent liabilities for goods and services provided to the Company prior to the end of the financial year which remain unpaid. The amounts are unsecured and are usually paid within 30 days of recognition.

(b) Amounts paid directly to claimants by the Asbestos Injuries Compensation Fund – Charitable Fund to discharge a liability of the Company and in respect of which AICF has a right, under section 36 of the Winding up Act, to be indemnified by the Company for such payments.

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**NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2021**

	Note	2021 \$	2020 \$
<b>NOTE 8: PROVISIONS</b>			
<i>Current</i>			
Claims settlements			
Opening balance at beginning of the period		6,100,000	5,400,000
Amounts paid		(6,265,387)	(2,158,914)
Addition to provisions during the period		5,965,387	2,858,914
Balance at end of period	8(a), (b)	5,800,000	6,100,000
 <i>Non Current</i>			
Claims settlements			
Opening balance at beginning of the period		71,700,000	64,000,000
Addition to provisions during the period		(9,900,000)	7,700,000
Balance at end of period	8(a), (b)	61,800,000	71,700,000
 <b>Analysis of Total Provisions</b>			
Current		5,800,000	6,100,000
Non current		61,800,000	71,700,000
		67,600,000	77,800,000
 (a) A provision is recognised for estimated cost of settlement of claims in respect of costs incurred as a result of liabilities associated with the past manufacture and sale of asbestos related products. The measurement and recognition criteria for claims settlements have been included in Note 1(j).			
 (b) The net liability for future asbestos related liabilities of \$64,807,475 (2020: \$74,759,444) has been recognised in the financial statements as follows:			
Current claims provision		5,800,000	6,100,000
Non current claims provision		61,800,000	71,700,000
Current insurance receivable		(392,525)	(240,556)
Non current insurance receivable		(2,400,000)	(2,800,000)
		64,807,475	74,759,444

**AMABA PTY LIMITED**  
**(UNDER NSW ADMINISTERED WINDING UP)**

**NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2021**

	Note	2021 \$	2020 \$
<b>NOTE 9: ISSUED CAPITAL</b>			
1,000 (2020: 1,000) fully paid ordinary shares	9(a)	3,600,002	3,600,002
(a) Ordinary Shares		<b>Number</b>	<b>Number</b>
At the beginning of the reporting period		1,000	1,000
Shares issued during the period		-	-
At reporting date		1,000	1,000

Ordinary shares participate in dividends.

The activities of the Company are subject to the provisions of the James Hardie Former Subsidiaries (Winding up and Administration) Act 2005 (NSW). Asbestos Injuries Compensation Fund Limited as trustee of the Asbestos Injuries Compensation Fund holds all the issued shares of Amaba Pty Limited.

At shareholder meetings each ordinary share is entitled to one vote when a poll is called, otherwise each shareholder has one vote on a show of hands.

	2021 \$	2020 \$
<b>NOTE 10: CASH FLOW INFORMATION</b>		
<b>(a) Reconciliation of cash flow from operations with (loss) after income tax</b>		
Profit (loss) after income tax	3,984,489	(10,335,896)
Changes in assets and liabilities:		
(Increase) decrease in trade and other receivables	(1,780)	3,010
Decrease (increase) in insurance receivables	248,031	(6,579)
Net increase in related party payables	6,066,630	1,953,523
(Decrease) increase in trade and other payables	(9,932)	24,075
(Decrease) increase in provisions	(10,200,000)	8,400,000
Cash inflow from operations	87,438	38,133

**AMABA PTY LIMITED**  
**(UNDER NSW ADMINISTERED WINDING UP)**

**NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2021**

**NOTE 10: CASH FLOW INFORMATION (CONT'D)**

**(b) Credit standby arrangement**

The Company is a party to the AICF Loan Facility between AICF as trustee of the Charitable Fund as borrower, the Liabile Entities (the Company, Amaca Pty Limited and ABN 60 Pty Limited) as guarantors, and the State of New South Wales as lender.

Under the terms of the AICF Loan Facility, AICF as trustee of the Charitable Fund may borrow, subject to certain conditions, up to an aggregate amount of \$320,000,000. AICF may drawdown loans under the AICF Loan Facility up to 1 October 2030 and repay in full the amount outstanding under the AICF Loan Facility on or before 1 November 2030.

Each Obligor has granted a security interest in certain assets including cash accounts, proceeds from insurance claims, proceeds of commutation of insurance policies and payments remitted by James Hardie 117 Pty Ltd ('Performing Subsidiary') a subsidiary of James Hardie Industries plc to AICF and contractual rights under certain documents including the Amended and Restated Final Funding Agreement. Each Obligor may not deal with the secured assets until all amounts outstanding under the AICF Facility Agreement are paid, except as permitted under the terms of the security interest.

The total amount outstanding under the AICF Loan Facility as at 31 March 2021 was \$nil (2020: \$nil).

	<b>2021</b>	<b>2020</b>
	\$	\$

**NOTE 11: KEY MANAGEMENT PERSONNEL  
 COMPENSATION**

The compensation of directors and key management personnel of the Company is set out below:

Short-term employee benefits	507,441	484,497
Post-employment benefits	21,521	22,209
Other long-term employee benefits	7,113	9,163
	536,075	515,869

Key management personnel are employed and remunerated by AICF. No director has received remuneration from the Company or from AICF.

**AMABA PTY LIMITED**  
**(UNDER NSW ADMINISTERED WINDING UP)**

**NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2021**

	2021 \$	2020 \$
<b>NOTE 12: AUDITORS' REMUNERATION</b>		
Remuneration of the auditor for auditing the financial statements	-	-
The audit fees of the Company have been borne by AICF.	<hr style="width: 100%;"/>	<hr style="width: 100%;"/>

**NOTE 13: FINANCIAL INSTRUMENTS**

**(a) Financial Risk Management**

The Company's principal financial instruments comprise cash, receivables and payables. The main purpose of these non-derivative financial instruments is to meet the Company's claims liabilities.

The Company has not entered into any derivative contracts throughout the year and has no derivative financial instruments at reporting date.

**(i) Treasury Risk Management**

The Company is wholly owned by AICF as trustee of the Asbestos Injuries Compensation Fund. The Board and management of the trustee meet as required to analyse the Company's interest rate exposure in the context of the most recent economic conditions and forecasts.

**(ii) Financial Risks**

The main risks the Company is exposed to through its financial instruments are interest rate risk, liquidity risk and credit risk.

*Market Risk*

The Company's exposure to market risk from changes in interest rates relates to the Company's cash assets and payables. Interest rate risk is managed in accordance with the strategies outlined in Note 13(a)(i). For further details on interest rate risk refer to Note 13(b). The Company operates solely in Australia and is not exposed to any significant foreign currency risk.

*Liquidity risk*

The Company manages liquidity risk by monitoring forecast cash flows on at least a quarterly basis.

*Credit risk*

Credit risk arises from cash and cash equivalents with banks and financial institutions, as well as credit exposures to outstanding receivables and granting of financial guarantees. Cash and cash equivalents are only invested with one of the four major banks in Australia.

The maximum exposure to credit risk for recognised financial assets at reporting date, net of any provisions for impairment, is the carrying amount, as disclosed in the statement of financial position and notes to the financial statements. This excludes the value of any collateral or other security.

As detailed in Note 19, the Company is economically dependent on the provisions of the Amended and Restated Final Funding Agreement signed by James Hardie Industries plc and the NSW Government and the Winding up Act.

**AMABA PTY LIMITED**  
**(UNDER NSW ADMINISTERED WINDING UP)**

**NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2021**

**NOTE 13: FINANCIAL INSTRUMENTS (CONT'D)**

**(b) Interest Rate Risk**

The Company's exposure to interest rate risk, which is the risk that a financial instrument's value will fluctuate as a result of changes in market interest rates and the effective weighted average interest rates on those financial assets and financial liabilities, is as follows:

	<b>Average Effective Interest Rate</b>	<b>Floating Interest Rate</b>	<b>Fixed Interest Rate</b>
	%	\$	\$
<b>For the year ended 31 March 2021</b>			
<b>Financial Assets</b>			
Cash and cash equivalents	0.0	274,691	-
		<hr/>	
<b>For the year ended 31 March 2020</b>			
<b>Financial Assets</b>			
Cash and cash equivalents	0.0	187,253	-
		<hr/>	

All other financial assets and financial liabilities are non-interest bearing.

***Sensitivity***

The Company's main interest rate risk arises from cash and cash equivalents and other financial assets with varying interest rates. At 31 March 2021, if interest rates had changed by +/- 50 basis points from the year end rates, with all variables held constant, post tax loss would have been \$1,373 higher/lower (2020: \$936 higher /lower) as a result in higher/lower interest income from these financial assets.

**(c) Net Fair Values**

The carrying amounts and fair values of financial assets and financial liabilities are disclosed in the statement of financial position and in the notes to the financial statements. Fair values are materially in line with carrying values.

**AMABA PTY LIMITED**  
**(UNDER NSW ADMINISTERED WINDING UP)**

**NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2021**

	<b>2021</b>	<b>2020</b>
	<b>\$</b>	<b>\$</b>
<b>NOTE 14: RELATED PARTY TRANSACTIONS</b>		
<i>Transactions with related parties</i>		
Transactions with related parties are on normal commercial terms and conditions no more favourable than those available to other parties unless otherwise stated.		
Amounts of receivables and payables with related parties are disclosed in Notes 6 and 7, respectively. Other transactions with related parties are as follows:		
 (a) Settlement claims paid by Asbestos Injuries Compensation Fund – Charitable Fund on the Company's behalf.		
	6,116,524	1,985,916
 <i>Parent entities</i>		
The parent entity is Asbestos Injuries Compensation Fund Limited (“AICF”) as trustee of the Asbestos Injuries Compensation Fund – Charitable Fund.		
Amaba Pty Limited is a controlled entity of AICF as all the shares in the Company are held by AICF.		
AICF is deemed to be a subsidiary of James Hardie Industries plc (“JHIPLC”), an Irish public limited company under the Corporations Act as JHIPLC, among other things has the power (except in certain circumstances specified in the AFFA) to appoint or remove the majority of directors of AICF.		
Accordingly, JHIPLC is the ultimate holding company of Amaba Pty Limited.		
 <b>NOTE 15: FRANKING CREDITS</b>		
The amount of franking credits available for subsequent reporting periods are:		
- franking account balance at the end of the reporting date	39	39
- franking credits that will arise from the payment of income tax at the end of reporting period	-	-
Total amount of credits available for future reporting periods	39	39

The company is unlikely to derive sufficient future profits to enable the payment of dividends in future years and accordingly the franking credits are unlikely to be utilised.

**AMABA PTY LIMITED**  
**(UNDER NSW ADMINISTERED WINDING UP)**

**NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2021**

**NOTE 16: CRITICAL ACCOUNTING ESTIMATES AND JUDGEMENTS**

The Board evaluates estimates and judgements incorporated into the financial statements based on historical knowledge and best available current information. Estimates assume a reasonable expectation of future events and are based on current trends and economic data, obtained both externally and within the Company.

**Key Estimates**

**Provision for future claims**

Provision is made for the estimated future cost of asbestos claims incurred but not settled at the reporting date. The estimated net costs of claims include direct expenses that are expected to be incurred in settling those claims and expected insurance recoveries.

Under a Claims Management Agreement entered into by the Company, AICF manages and resolves claims and pays payable liabilities on behalf of the Company. Accordingly, the provision does not include an estimate for the future cost of handling asbestos claims.

The Company's process for establishing the outstanding claims provision involves extensive consultation with external actuaries, claims managers and senior management. An independent actuarial assessment of outstanding and likely future claims is undertaken at least annually.

The provision for outstanding claims comprises the central estimate (being the present value of expected future payments) and an appropriate risk margin, which is added to the central estimate in accordance with Australian accounting requirements to recognise the inherent uncertainty in the central estimate. The outstanding claims provision is discounted to present value at risk free rates of return to reflect the time value of money.

The Company has adopted a policy of setting aside a risk margin that reflects the greater of:

1. a provision that provides a probability of sufficiency of not less than 75%; or
2. an amount statistically derived that amounts to a half standard deviation above the mean of the distribution.

At 31 March 2021, a risk margin of \$20,900,000 (2020: \$24,100,000) has been adopted that provides an 81.2% (2020: 81.2%) probability of sufficiency.

The determination of the provision for future asbestos claims involves a number of critical assumptions which are summarised below. Some of the uncertainties impacting these assumptions are as follows:

- changes in patterns of claims incidence, reporting and payment;
- volatility in the estimation of future costs due to the long period of time over which claims are expected to arise;
- changes in the legal environment, including the interpretation of liability laws and the quantum of damages; and
- social and economic trends, for example inflation and interest rates.

**2021**

<b>Number of claims</b>	<b>Mesothelioma</b>	<b>Asbestosis</b>	<b>Other</b>
Reported to date	275	87	93
Assumed unreported as at end of year	88	18	14
<b>Total projected ultimate number of claims</b>	<b>363</b>	<b>105</b>	<b>107</b>
Average claim size settled in the year	\$206,781	\$30,000	\$13,860
Assumed future average claims size	\$360,198	\$107,979	\$76,085

**AMABA PTY LIMITED**  
**(UNDER NSW ADMINISTERED WINDING UP)**

**NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2021**

**NOTE 16: CRITICAL ACCOUNTING ESTIMATES AND JUDGEMENTS (CONT'D)**

**2020**

<b>Number of claims</b>	<b>Mesothelioma</b>	<b>Asbestosis</b>	<b>Other</b>
Reported to date	259	82	88
Assumed unreported as at end of year	100	20	18
<b>Total projected ultimate number of claims</b>	<b>359</b>	<b>102</b>	<b>106</b>
Average claim size settled in the year	\$140,871	\$44,717	\$43,206
Assumed future average claims size	\$343,908	\$103,285	\$73,507

The following key assumptions were used in determining the provision for future asbestos claims.

<b>Key Assumptions</b>	<b>2021</b>	<b>2020</b>
Long term inflation rate (including superimposed inflation)	5.50%	5.50%
Discount rate	0.02% - 4.00%	0.20% - 4.00%

The table below illustrates sensitivities to the Company's exposures to changes in the future number of claims reported, average claim size and long term inflation rate.

<b>Sensitivity</b>	<b>Impact on reserves 2021</b>	
	<b>Increase (\$m)</b>	<b>Decrease (\$m)</b>
15% Increase / Decrease in future number of claims reported	10	(10)
5% Increase / Decrease in average claim size	3	(3)
2% Increase / Decrease in long term inflation rate	10	(8)

**NOTE 17: CONTINGENT LIABILITIES**

The Company has received claims from WorkCover Queensland estimated at \$873,900 in relation to reimbursement of compensation paid by WorkCover Queensland to claimants of asbestos-related diseases as statutory recovery claims. Under the James Hardie Former Subsidiaries (Winding up and Administration) Act 2005 (NSW) (Winding Up Act), statutory recovery claims made by WorkCover Queensland cannot be paid by the Company. The Company has received legal advice that these claims are now stale and as such, no contingent liabilities in relation to these amounts will be disclosed in future.

No amount has been recognised in the financial statements relating to this matter.

**NOTE 18: EVENTS AFTER THE REPORTING DATE**

No matters or circumstances that have arisen since the end of the financial year which significantly affected or may significantly affect the operations of the Company, the results of those operations, or the state of affairs of the Company in future financial years.

**NOTE 19: ECONOMIC DEPENDENCY**

The Company is economically dependent on the provisions of the Amended and Restated Final Funding Agreement signed by James Hardie Industries plc and the NSW Government and the James Hardie Former Subsidiaries (Winding up and Administration) Act 2005 (NSW).

**AMABA PTY LIMITED  
(UNDER NSW ADMINISTERED WINDING UP)**

**DIRECTORS' DECLARATION**

The directors of the Company declare that:

1. The financial statements and notes, as set out on pages 5 to 23, are in accordance with the Corporations Act 2001:
  - (a) comply with Accounting Standards and the Corporations Regulations 2001; and
  - (b) give a true and fair view of the financial position as at 31 March 2021 and of the performance for the year ended on that date of the Company.
  
2. Section 27 of the *James Hardie Former Subsidiaries (Winding up and Administration) Act 2005* ("Act") authorises the directors and Company to continue to conduct the Company's business in accordance with the Act even if it is insolvent and note that the Company is being managed in accordance with Part 4 of the Act. Accordingly, the financial statements have been prepared on a Going Concern basis.

Signed in accordance with a resolution of the Board of Directors.



Robert Russell  
Chairman and Director



Christopher Latham  
Director

Dated: 11 June 2021

Sydney



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## Independent Auditor's Report to the Members of Amaba Pty Limited

### Opinion

We have audited the financial report of Amaba Pty Limited (the Company), which comprises the statement of financial position as at 31 March 2021, the statement of comprehensive income, statement of changes in equity and statement of cash flows for the year then ended, notes to the financial statements, including a summary of significant accounting policies, and the directors' declaration.

In our opinion, the accompanying financial report of the Company is in accordance with the *Corporations Act 2001*, including:

- a) giving a true and fair view of the Company's financial position as at 31 March 2021 and of its financial performance for the year ended on that date; and
- b) complying with Australian Accounting Standards and the *Corporations Regulations 2001*.

### Basis for Opinion

We conducted our audit in accordance with Australian Auditing Standards. Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Report* section of our report. We are independent of the Company in accordance with the auditor independence requirements of the *Corporations Act 2001* and the ethical requirements of the Accounting Professional and Ethical Standards Board's *APES 110 Code of Ethics for Professional Accountants* (the Code) that are relevant to our audit of the financial report in Australia. We have also fulfilled our other ethical responsibilities in accordance with the Code.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

### Emphasis of matter - going concern

Without qualifying our opinion, we draw attention to the Directors' Declaration and to Note 1(a) in the financial report. Although the company is under administration and shows a significant net asset deficiency, the directors have determined that the going concern basis of preparation is appropriate as the company is subject to a form of statutory-based winding up and administration under the *James Hardie Former Subsidiaries (Winding Up and Administration) Act 2005 (NSW)*. This regime ensures the continued existence of the Company, even if it is insolvent and prohibits it from paying any liabilities except for "payable liabilities" as defined in the Act.



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## **Information Other than the Financial Report and Auditor's Report Thereon**

The directors are responsible for the other information. The other information is the directors' report accompanying the financial report.

Our opinion on the financial report does not cover the other information and accordingly we do not express any form of assurance conclusion thereon.

In connection with our audit of the financial report, our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial report or our knowledge obtained in the audit or otherwise appears to be materially misstated.

If, based on the work we have performed, we conclude that there is a material misstatement of this other information, we are required to report that fact. We have nothing to report in this regard.

## **Responsibilities of the Directors for the Financial Report**

The directors of the Company are responsible for the preparation of the financial report that gives a true and fair view in accordance with Australian Accounting Standards and the *Corporations Act 2001* and for such internal control as the directors determine is necessary to enable the preparation of the financial report that gives a true and fair view and is free from material misstatement, whether due to fraud or error.

In preparing the financial report, the directors are responsible for assessing the Company's ability to continue as a going concern, disclosing, as applicable, matters relating to going concern and using the going concern basis of accounting unless the directors either intend to liquidate the Company or to cease operations, or have no realistic alternative but to do so.

## **Auditor's Responsibilities for the Audit of the Financial Report**

Our objectives are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this financial report.

As part of an audit in accordance with the Australian Auditing Standards, we exercise professional judgment and maintain professional scepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial report, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.



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- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Company's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the directors.
- Conclude on the appropriateness of the directors' use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Company's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial report or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Company to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial report, including the disclosures, and whether the financial report represents the underlying transactions and events in a manner that achieves fair presentation.

We communicate with the directors regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

A handwritten signature in black ink, appearing to read 'Ernst &amp; Young'.

Ernst & Young

A handwritten signature in black ink, appearing to read 'Jason Bain'.

Jason Bain  
Partner  
Sydney  
11 June 2021