# MinterEllison

**To** ASX Market Announcements, Melbourne

From Alberto Colla Telephone +61 3 8608 2000

Bart Oude-Vrielink Telephone +61 3 8608 2000

Our Ref AXC 1140705

**Date** 30 January 2017 Number of pages (including this one): 3

**Subject** Takeover bid for Bradken Limited – Notice of fulfilment of condition

relating to South African Competition Approval

Dear Sir/Madam,

We act for Hitachi Construction Machinery Co., Ltd. (HCM).

In accordance with subsection 630(5)(b) of the Corporations Act 2001 (Cth) (**Act**), we enclose a notice from HCM under subsection 630(4) of the Act. The notice confirms that the condition set out in paragraph 2(d) of Appendix 2 to the Bidder's Statement dated 25 October 2016, being South African Competition Approval (as defined in the Bidder's Statement), has been fulfilled.

A copy of the attached notice has separately been given to Bradken.

Yours faithfully

Alberto Colla

**Partner** 

**Bart Oude-Vrielink** 

& Such Vichick

**Partner** 

Level 23 Rialto Towers 525 Collins Street Melbourne VIC 3000 Australia DX 204 Melbourne

(Alberto Polla

## **HITACHI**

Reliable solutions

## PRESS RELEASE

For immediate release

#### **ASX ANNOUNCEMENT**

## HCM ANNOUNCES FULFILMENT OF CONDITION RELATING TO SOUTH AFRICAN COMPETITION APPROVAL

(**Monday, 30 January 2017**) — Hitachi Construction Machinery Co., Ltd. (**HCM**) refers to its off-market takeover bid for all of the ordinary shares in Bradken Limited (**HCM Offer** and **Bradken** respectively).

HCM announces that the condition set out in paragraph 2(d) of Appendix 2 to the Bidder's Statement dated 25 October 2016 (**Bidder's Statement**), being South African Competition Approval (as defined in the Bidder's Statement), has been fulfilled. The notice from HCM under subsection 630(4) of the *Corporations Act 2001* (Cth) accompanies this announcement.

#### Information Line

Bradken shareholders who have any other questions about the recommended HCM Offer or want to request a new Acceptance Form may call the HCM Offer Information Line on 1300 648 150 (toll within Australia) or +61 3 9415 4156 (not toll free from outside Australia).

For media enquiries, please contact:

Colin Richardson, Managing Director Moelis & Company (Ph: +61 2 8288 5531)

#### CORPORATIONS ACT 2001 (Cth)

#### **NOTICE BY**

## HITACHI CONSTRUCTION MACHINERY CO., LTD.

### **UNDER SECTION 630(4)**

Hitachi Construction Machinery Co., Ltd. (**HCM**) gives notice, under section 630(4) of the *Corporations Act 2001* (Cth), that in relation to its off-market takeover bid for Bradken Limited ACN 108 693 009, condition 2(d) of Appendix 2 to the Bidder's Statement dated 25 October 2016 (**Bidder's Statement**), being South African Competition Approval (as defined in the Bidder's Statement), has been fulfilled (so that the offers have become free of that condition).

**DATE** 30 January 2017

Signed for and on behalf of HCM by

Signature Name Tetsuo Katsurayama

Director of Hitachi Construction Machinery Co., Ltd.