

Company Secretariat



26 November 2007

BHP Billiton Limited  
BHP Billiton Centre, 180 Lonsdale Street  
Melbourne Victoria 3000 Australia  
Tel +61 1300 55 47 57  
Fax +61 3 9609 4372  
bhpbilliton.com

## **Updated Warning to Shareholders – Unsolicited offers to purchase your shares (New Zealand Shareholders)**

### **Q. I have recently received a letter from Colonial Capital Corporation Ltd (CCC) to purchase my BHP Billiton Limited shares. Who is sending me this offer?**

A. It would appear from shareholder feedback that Colonial Capital Corporation Ltd (CCC), a company which has no association with BHP Billiton Limited, is offering to buy shares held by New Zealand-based shareholders.

We understand that principals of CCC were associated with similar unsolicited offers made to our BHP Billiton Limited shareholders in late 2006 and early 2007. Please read our warning letter above, which provides more detail and for you to seek further advice.

### **Q. CCC is offering me a higher share price than they are valued on the market with 18 annual instalments, is this a good deal?**

A. We suggest you take this offer to your broker or financial advisor prior to making any decision. We draw your attention to the payment being made over 18 years.

### **Q. How did CCC obtain my private details?**

A. BHP Billiton Limited is a publicly listed company and as such is bound by the Australian Corporations Act which allows inspections and purchases of the share register of members. In late 2006 a copy of our share register of members was purchased and used to mail unsolicited offers to BHP Billiton Limited shareholders. The company making the offer was Direct Share Purchasing Corporation Pty Ltd (DSPC), a company associated with Mr David Tweed. Mr Tweed is mentioned frequently in the media for making offers to holders of small parcels of shares in listed companies. It is our understanding that CCC is also associated with Mr Tweed.

### **Q. Why is BHP Billiton Limited not protecting its shareholders?**

A. BHP Billiton Limited cannot legally prevent CCC from offering to buy your shares. It is important to remember that BHP Billiton Limited does not support or authorise this offer.

### **Q. How can I complain about this activity within New Zealand?**

A. You can contact the Securities Commission (04 472 9830) or New Zealand Stock Exchange (04 472 7599) to register your complaint.