



Friday, 22 July 2005

PACIFIC MAGNESIUM CORPORATION LTD

The Takeovers Panel announces that it declined to commence proceedings in relation to an application received by the Panel on 2 June 2005 from Mr Paul Byrne in relation to the affairs of Pacific Magnesium Corporation Ltd.

Mr Byrne alleged that unacceptable circumstances existed in relation to Pacific Magnesium's placement of 17,857,143 shares (representing 8% of the expanded capital) to Advance Publicity Pty Ltd as announced on 31 May 2005 prior to a general meeting of Pacific Magnesium which occurred on 7 June 2005 and at which shareholders voted on a resolution to remove Mr Byrne from office as a director of the company.

Mr Byrne alleged that the purpose of the issue of shares to Advance was to support the resolution to remove him from office as a director of Pacific Magnesium.

The Panel decided not to conduct proceedings in relation to the application. The Panel did not consider that the matters raised in Mr Byrne's submissions provided evidence of the unacceptable circumstances he sought to prove.

In its submissions to the Panel, Pacific Magnesium stated that Advance would be likely to be prepared to provide an undertaking to the Panel not to vote at the general meeting on 7 June 2005. The Panel accepted such an undertaking from Advance.

The reasons for the Panel's decision have been published on the Panel's website at: [Decisions](#)

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