

22 June 2012

The Companies Officer  
ASX Limited  
2 The Esplanade  
Perth WA 6000



Dear Sir,

### **FORTESCUE LAUNCHES CONSTITUTIONAL CHALLENGE TO MRRT**

Fortescue Metals Group Ltd (ASX: FMG, Fortescue) today lodged a challenge in the High Court of Australia against the Federal Government's Minerals Resource Rent Tax (MRRT) on constitutional grounds.

Fortescue Chief Executive Officer Nev Power said Fortescue has taken legal advice and is challenging the tax on the grounds that the MRRT:

- Discriminates between the States contrary to section 51(ii) of the Constitution;
- Curtails State sovereignty contrary to the Melbourne Corporation principle;
- Gives preference to one State over another contrary to section 99 of the Constitution; and
- Restricts a State's ability to encourage mining contrary to section 91 of the Constitution.

"We believe we have a good case for challenging the MRRT on constitutional grounds and we look forward to the resolution of these important issues by the High Court," Mr Power said.

Yours sincerely,  
**Fortescue Metals Group Ltd**

**Mark Thomas**  
Company Secretary

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