

# THE TAKEOVER PANEL

**RIO TINTO PLC (“RIO TINTO”)**

**BHP BILLITON PLC (“BHP BILLITON”)**

Due to ongoing discussions with the parties as to the operation of Rule 8.3 in this case, the Panel Executive has agreed that the information required to be announced by Rio Tinto and BHP Billiton by 9.00 a.m. today under Rule 2.10 of the Takeover Code can be delayed pending the completion of those discussions.

A further announcement will be made in due course.

9 November 2007