

GOLD FIELDS LTD
Form 6-K
December 07, 2004

FORM 6-K
SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549

Report of Foreign Private Issuer
Pursuant to Rule 13a-16 or 15d-16
of the Securities Exchange Act of 1934

For the month of December 2004
Commission File Number 1-31318

Gold Fields Limited

(Translation of registrant's name into English)

24 St. Andrews Rd.

Parktown, 2193

South Africa

(Address of principal executive offices)

Indicate by check mark whether the registrant files or will file annual reports under cover Form 20-F or Form 40-F.
Form 20-F..x... Form 40-F.....

Indicate by check mark if the registrant is submitting the Form 6-K in paper as permitted by Regulation S-T Rule 101(b)(1): _____

Indicate by check mark if the registrant is submitting the Form 6-K in paper as permitted by Regulation S-T Rule 101(b)(7): _____

Indicate by check mark whether by furnishing the information contained in this Form, the registrant is also thereby furnishing the information to the Commission pursuant to Rule 12g3-2(b) under the Securities Exchange Act of 1934.
Yes No ..x...

If "Yes" is marked, indicate below the file number assigned to the registrant in connection with Rule 12g3-2(b): 82-

MEDIA RELEASE

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**GOLD FIELDS WELCOMES DECISION BY
SOUTH AFRICAN HIGH COURT**

Johannesburg, 6 December, 2004. The Board of Directors of Gold Fields Limited (GFI: NYSE and JSE) welcomes today's decision by the High Court of South Africa in respect of its ability to vote ordinary shares underlying the American Depository Shares (ADSs) for which no voting instructions have been received by the Bank of New York ("BoNY").

The Court's favourable ruling today, means that Gold Fields is fully entitled to vote the ordinary shares underlying any ADSs for which no voting instructions had been received by BoNY at the Gold Fields Extraordinary General Meeting on 7

th
December.

Gold Fields notes that Harmony Gold Mining Limited also had failed last week in a related application in the United States District Court for the Southern District of New York to gain a temporary restraining order and a preliminary injunction to prevent BoNY from issuing Gold Fields with a discretionary proxy, covering its ADSs.

Gold Fields' Chief Executive Officer Ian Cockerill stated, "Today's decision in South Africa is in line with international practice, and it removes any vestige of doubt about the propriety of voting on behalf of our ADS holders who have not returned proxy votes. Our proxy forms state clearly that this is the procedure - as it is for most companies with American Depository Shares on issue, and our ADS holders fully expect us to follow it." ends

Important information:

The directors of Gold Fields accept responsibility for the information contained in this document. To the best of their knowledge and belief (having taken all reasonable care to ensure that such is the case) the information contained in this document is in accordance with the facts and does not omit anything likely to affect the import of such information.

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Directors: C M T Thompson* (Chairman), A J Wright (Deputy Chairman), I D Cockerill†
(Chief Executive Officer),K Ansah

#

, G J Gerwel, N J Holland†

(Chief

Financial Officer), J M McMahon†

, G R Parker‡

, R L Pennant-Rea†

, P J Ryan, T M G Sexwale, B R van Rooyen, C I von Christierson

*Canadian,

†British,

‡American,

#

Ghanaian.

Corporate Secretary: C Farrel

Signatures

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned, thereunto duly authorized.

Date: 6 December 2004

GOLD FIELDS LIMITED

By:

Name: Mr W J Jacobsz

Title: Senior Vice President: Investor

Relations and Corporate Affairs