

AngloGold Ashanti Access to Information Policy

1. INTRODUCTION TO ANGLOGOLD ASHANTI LIMITED

AngloGold Ashanti Limited (“AngloGold Ashanti”) is one of the world’s largest gold producers by volume of gold produced and is also involved in sustaining and growing the market for gold.

2. PARTICULARS IN TERMS OF THE SECTION 51 MANUAL

2.1 CONTACT DETAILS. *[Section 51(1)(a)]*

Name of body: AngloGold Ashanti Limited
Contact person: Ms Y.Z. Simelane
Address: 11 Diagonal Street
MARSHALLTOWN
Johannesburg
Postal address: P.O. Box 62117
MARSHALLTOWN
2107
Telephone number: (011) 637 6000
Facsimile number: (011) 637 6103
E-mail: ysimelane@anglogoldashanti.com

2.2 THE GUIDE AS DESCRIBED IN SECTION 10. *[Section 51(1)(b)]*

The guide will be available from the Human Rights Commission as from August 2002, unless otherwise specified. Please direct any queries to:

The Human Rights Commission:

Postal address: Private Bag 2700
Houghton
2041

Telephone: +27 11 484-8300
Fax: +27 11 484-0582
Website: www.sahrc.org.za

2.3 THE LATEST NOTICE REGARDING THE CATEGORIES OF RECORDS OF THE BODY, WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS IN TERMS OF THIS ACT IN TERMS OF SECTION 52(2). *[Section 51(1)(c)]*

Not applicable

2.4 RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION. *[Section 51(1)(d)]*

Records are kept in accordance with the following legislation:

Basic Conditions of Employment Act 75 of 1997
Companies Act 61 of 1973
Compensation for Occupational Injuries and Diseases Act 130 of 1993

Employment Equity Act 55 of 1998
Explosives Act 26 of 1956
Hazardous Substances Act 15 of 1973
Income Tax Act 58 of 1962
Labour Relations Act 66 of 1995
Mine Health and Safety Act 29 of 1996
Minerals Act 50 of 1991
National Environmental Management Act 107 of 1998
National Nuclear Regulator Act 47 of 1999
National Water Act 36 of 1999
Occupational Diseases in Mines and Works Act 78 of 1973
Skills Development Levies Act 55 of 1998
Trade Marks Act 194 of 1993
Unemployment Insurance Act 30 of 1966
Value Added Tax Act 58 of 1962

2.5 HOW MUST A PERSON GO ABOUT ASKING FOR RECORDS? A DESCRIPTION OF THE SUBJECTS OF THE RECORDS HELD BY THE BODY AND THE CATEGORIES IN WHICH THESE SUBJECTS ARE CLASSIFIED. [Section 51(1)(e)]

HOW MUST A PERSON GO ABOUT ASKING FOR RECORDS?

- Section 53 prescribes that the requester must use the prescribed form to make the request for access to a record. This must be made to the head of the private body. This request must be made to the address, fax number or electronic mail address of the body concerned.
- The requester must provide sufficient detail on the request form to enable the head of the private body to identify the record and the requester. The requester should also indicate which form of access is required. The requester should also indicate if he or she wishes to be informed in any other manner and state the necessary particulars to be so informed.
- The requester must identify the right that he or she is seeking to exercise or protect and provide an explanation of why the requested record is required for the exercise or protection of that right.
- If a request is made on behalf of a person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the head of the private body.
- The head of the private body must notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed fee (if any) before further processing the request.
- The fee for private bodies is R50. The requester may lodge an internal appeal or an application to the court against the tender or payment of the request fee.
- If the request is granted then a further access fee must be paid for the reproduction and the search and preparation, and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

The head of the private body will then make a decision on the request and notify the requester in the required form.

A DESCRIPTION OF THE SUBJECTS OF THE RECORDS HELD BY THE BODY AND THE CATEGORIES IN WHICH THESE SUBJECTS ARE CLASSIFIED. [Section 51(1)(e)]

The body has the following records:

Company Secretarial

- Company statutes
- Registers
- Minutes of meetings
- Statutory returns
- Powers of attorney
- Share certificates

Movable and Immovable Property

- Title deeds
- Lease agreements
- Hire agreements
- Hire-purchase agreements
- Credit sale agreements
- Ordinary and conditional sale agreements

Intellectual Property

- Trade mark
- Patents
- Copyright
- Designs
- Know-How
- Licensing agreements

Insurance

- Policies
- Insurance claim files

Taxation

- Income tax files

Human Resources

- Policies and procedures
- Employee information
- Personnel files
- Agreements
- Forms and applications
- Standard letters and notices
- Workplace and Union agreements and records
- Benefit arrangements rules and records

Finance

- Financial statements
- Reports and returns
- Banking details and bank account records
- Debtors/creditors statements and invoices

Operations

- Permits, licences, consents, approvals, authorisations, applications and registrations
- Policies and procedures
- Reports and supporting documentation
- Contractor, client and supplier agreements and information
- Security documents

Information technology

- System documentation and manuals
- Project, disaster recovery and implementation plans

Administration

- Intranet
- Correspondence with internal and external parties

6. OTHER INFORMATION AS MAY BE PRESCRIBED. [Section 51(1)(f)]

Not applicable

7. AVAILABILITY OF THE MANUAL. [Section 51(3)]

In accordance with paragraph 9(1) of the Regulations to the Act, this manual has been made available to the Human Rights Commission and is published on the AngloGold Ashanti website (www.anglogoldashanti.com).

8. FEES IN RESPECT OF PRIVATE BODIES

1. The fee for a copy of the manual as contemplated in regulation 9(2)(c) is R1,10 for every photocopy of an A4-size page or part thereof.

2. The fees for reproduction referred to in regulation 11(1) are as follows:

	R
(a) For every photocopy of an A4-size page or part thereof	1,10
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,75
(c) For a copy in a computer-readable form on -	
(i) stiffy disc	7,50
(ii) compact disc	70,00
(d) (i) For a transcription of visual images, for an A4-size page or part thereof	40,00
(ii) For a copy of visual images	60,00
(e) (i) For a transcription of an audio record, for an A4-size page or part thereof	20,00
(ii) For a copy of an audio record	30,00

3. The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) is R50,00.

4. The access fees payable by a requester referred to in regulation 11(3) are as follows:

	R
(1)(a) For every photocopy of an A4-size page or part thereof	1,10
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,75
(c) For a copy in a computer-readable form on -	
(i) stiffy disc	7,50

- | | | | |
|-----|------|--|-------|
| | (ii) | compact disc | 70,00 |
| (d) | (i) | For a transcription of visual images,
for an A4-size page or part thereof | 40,00 |
| | (ii) | For a copy of visual images | 60,00 |
| (e) | (i) | For a transcription of an audio record,
for an A4-size page or part thereof | 20,00 |
| | (ii) | For a copy of an audio record | 30,00 |
| (f) | | To search for and prepare the record for disclosure, R30,00 for each hour or part of
an hour reasonably required for such search and preparation. | |
- (2) For purposes of section 54(2) of the Act, the following applies:
- (a) Six hours as the hours to be exceeded before a deposit is payable; and
- (b) one third of the access fee is payable as a deposit by the requester.
- (3) The actual postage is payable when a copy of a record must be posted to a requester.

9. PRESCRIBED FORMS

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY (Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))

[Regulation 10]

A. Particulars of private body

The Head:

B. Particulars of person requesting access to the record

- (a) *The particulars of the person who requests access to the record must be given below.*
- (b) *The address and/or fax number in the Republic to which the information is to be sent must be given.*
- (c) *Proof of the capacity in which the request is made, if applicable, must be attached.*

Full names and surname:

Identity number:

Postal address:

Fax number: _____ Telephone number:

E-mail address:

Capacity in which request is made, when made on behalf of another person:

C. Particulars of person on whose behalf request is made

This section must be completed ONLY if a request for information is made on behalf of another person.

Full names and surname:

Identity number:

D. Particulars of record

*(a) Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.
(b) If the provided space is inadequate, please continue on a separate folio and attach it to this form. **The requester must sign all the additional folios.***

1. Description of record or relevant part of the record:
2. Reference number, if available:
3. Any further particulars of record

E. Fees

*(a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a **request fee** has been paid.
(b) You will be notified of the amount required to be paid as the request fee.
(c) The **fee payable for access** to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.
(d) If you qualify for exemption of the payment of any fee, please state the reason for exemption.*

Reason for exemption from payment of fees:

F. Form of access to record

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.

Disability:

Form in which record is required:

Mark the appropriate box with an **X**.

NOTES:

- (a) Compliance with your request in the specified form may depend on the form in which the record is available.
- (b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.
- (c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

1. If the record is in written or printed form:					
<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record		
2. If record consists of visual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):					
<input type="checkbox"/>	view the images	<input type="checkbox"/>	copy of the images*		
<input type="checkbox"/>		<input type="checkbox"/>	transcription of the images*		
3. If record consists of recorded words or information which can be reproduced in sound:					
<input type="checkbox"/>	listen to the soundtrack (audio cassette)	<input type="checkbox"/>	transcription of soundtrack* (written or printed document)		
4. If record is held on computer or in an electronic or machine-readable form:					
<input type="checkbox"/>	printed copy of record*	<input type="checkbox"/>	printed copy of information derived from the record*		
<input type="checkbox"/>		<input type="checkbox"/>	copy in computer readable form* (stiffy or compact disc)		
*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.			<table border="1"> <tr> <td>YES</td> <td>NO</td> </tr> </table>	YES	NO
YES	NO				

G. Particulars of right to be exercised or protected

*If the provided space is inadequate, please continue on a separate folio and attach it to this form.
The requester must sign all the additional folios.*

1. Indicate which right is to be exercised or protected:
2. Explain why the record requested is required for the exercise or protection of the aforementioned right:

H. Notice of decision regarding request for access

You will be notified in writing whether your request has been approved/denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

Signed at _____ this _____ day of _____ 20

SIGNATURE OF REQUESTER / PERSON
ON WHOSE BEHALF REQUEST IS MADE