



ANGLOGOLD ASHANTI

AngloGold Ashanti Limited

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News Release

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MANKAYI CASE - CONSTITUTIONAL COURT RULING

AngloGold Ashanti learned today of the death of Mr Thembekile Mankayi. We wish to offer our condolences to his family and friends.

The company has noted the decision of the Constitutional Court to grant Mr Mankayi leave to appeal against the decision of the Supreme Court of Appeal which itself upheld the June 2008 Johannesburg High Court decision that employees who qualify for benefits in respect of the Occupational Diseases in Mines and Works Act (ODMWA) may not, in addition, lodge civil claims against their employers in respect of their relevant conditions.

We are still studying the details of the judgment. Our initial impression is that should the Executor of Mr Mankayi's estate wish to pursue his claim, he or she will now need to return to the High Court to continue with the litigation action.

AngloGold Ashanti will defend the case on its merits.

Should other individuals lodge similar claims, these too would ultimately be defended by the Company and judged on their merits.

We acknowledge that this case highlights a number of occupational health challenges faced by the mining industry including AngloGold Ashanti. These are challenges we have been working to address for some time. They include:

- Working to improve the management of dust underground so as to eliminate future incidences of occupational lung disease.
- Working through the Chamber of Mines and with the Department of Health and the NUM, on a project to improve the access of former mineworkers suffering from occupational lung disease to health care and to the benefits provided for by the Occupational Diseases in Mines and Works Act (ODMWA) and to improve the operation of the statutory compensation fund. This project also involves community economic development programmes in areas where former mineworkers reside.
- Working actively in tripartite forums on the rationalisation and reform of the statutory framework for compensation in respect of occupational lung disease, seeking to achieve this in a manner that eliminates anomalies in the application of the legislation, but does not threaten the viability of the industry and the jobs of the people employed in it.

ENDS

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