



**DIRECTOR'S ENTITLEMENT TO OBTAIN
INDEPENDENT PROFESSIONAL ADVICE**
Approved by the Board 30 January 2004

Policy

It is a policy of AngloGold that in terms of the Board Charter and the Terms of Reference of the Board sub-committees circumstances may arise where the directors have a need to obtain independent professional advice.

Procedures

The procedures to be followed in the event of a director wishing to seek independent professional advice, where management is not providing, or is unable to provide the information required for the director to make an informed decision is, as follows:

1. The advice obtained in this manner will need to relate directly to issues concerning the company.
2. The director will need to inform the Chairperson of the Board, the managing and/or company secretary, and unless otherwise inappropriate, the Chief Executive Officer, of his or her concerns.
3. If, in the opinion of the director, the company cannot or has not substantively addressed these concerns, the director will be entitled to engage the services of professional advisors in relation to such concerns. In this instance, the director concerned must formulate, in writing, the scope of the work to be carried out by the professional advisors (the "scope") that correctly encapsulates the director's concerns. Such scope shall be disclosed to the Chairperson of the Board, the managing and/or company secretary, and unless otherwise inappropriate, the Chief Executive Officer.
4. The secretaries must assist the director in appointing suitable advisors.
5. The director will be given a choice of an approved list of advisors.
6. If the director requires specific advisors not put forward by the company this can only be done once agreed with the Chairperson of the Board.
7. An estimate of fees in relation to the scope will need to be agreed at the commencement of the assignment with the Chairperson of the Board.
8. Management will make all information readily available to the professional advisors, and must make themselves available to such advisors, in order to facilitate the effective resolution of the director's concerns.
9. The findings of the advisors will need to be put before the Board for determination of any action that may be required by the company.

This policy is effective from 1 January 2004.