



POLICY ON GIFTS, HOSPITALITY AND SPONSORSHIPS	
POLICY CUSTODIAN	Group Compliance
DATE	April 2014

1. Introduction

The purpose of this policy is to explain what gifts, hospitality and sponsorships (GH&S) are acceptable to give or receive. This policy applies to anyone who offers or receives GH&S on behalf of AngloGold Ashanti (AGA) or its subsidiaries. This includes AGA employees (full-time or part-time), directors, contractors¹ and consultants/agents (collectively, AGA Representatives). This policy also ensures that GH&S are documented in an open and transparent manner. This openness and transparency is important to mitigate the risk of corrupt behaviour (misusing your position for personal or corporate gain) as well as the appearance of corrupt behaviour, both of which could place AGA and the individuals involved at risk for criminal and civil sanction.

GH&S that cannot be offered by AGA under this policy cannot be offered by other means, including through third parties, individual employees, or close family members.² Similarly, AGA Representatives are not permitted to request, demand, solicit or in any way induce the giving of a gift or provision of hospitality for themselves, close family members, friends or other third parties.

It is essential that any GH&S given or received by AGA is given or received without the expectation that the recipient will give business or provide a business competitive advantage to the giver or exercise and alter a business judgment in the giver's favour.

2. Policy

- 2.1. AGA Representatives may receive occasional and inexpensive gifts that bear the corporate branding of an external party ("Corporate Branded Gifts").
- 2.2. AGA Representatives may also receive occasional hospitality such as snacks, drinks (coffee / tea), and reasonable meals from an external party (collectively, "Business Meals") as long as these Business Meals are provided in the ordinary course of business by the host of meetings, seminars or similar events.

¹ Contractors who give or receive GH&S *on behalf of* AGA who do not have access to AGA's intranet, please email GiftsDeclaration@anglogoldashanti.com for a copy of the GH&S declaration form and, after filling out the form and receiving written approval from the relevant AGA employee(s), if applicable, return it to the same email address.

² Close family members mean a spouse, domestic partner, child, brother, sister, father, mother, stepfather, stepmother, stepchild, spouse of a brother or sister, grandfather, grandmother, father-in-law, mother-in-law, son-in-law, daughter-in-law, grandchild, spouse of a grandchild, cousin, uncle, aunt or any other relative that resides with the employee.



- 2.3. AGA Representatives may also receive occasional hospitality such as tickets to sporting events or other recreational events and entertainment from an external party. Accommodation, travel and incidental expenses are to be paid for by the AGA Representative unless the relevant Senior Vice-President (SVP) or Executive Vice-President (EVP) approves reimbursement.
- 2.4. AGA Representatives may give a small gift or token of esteem or gratitude to a third party. This is often an appropriate way for business people to display respect for each other, as long as such gifts are:
 - a. given open and transparently,
 - b. properly recorded in AGA's books and records,
 - c. provided without any expectation that the receiver will provide AGA with an unfair business advantage or alter his / her judgment in AGA's favor, and
 - d. permitted under local law.
- 2.5. All GH&S other than Corporate Branded Gifts and Business Meals MUST be registered (registration process discussed below). If any GH&S exceeds this threshold amount, it must be registered AND approved. The current threshold is a GH&S valued at US\$100 or local currency equivalent, given to or received from a given entity or person.
- 2.6. AGA Representatives are not permitted to accept any monetary gifts or cash equivalents such as gift vouchers, except as set forth in 6.3 below.
- 2.7. Group Procurement has mandated that all AGA Representatives working in procurement, whether at the Group level or in the regions are forbidden to receive or give any GH&S other than Corporate Branded Gifts and Business Meals, unless they have received approval in advance from the relevant SVP or EVP.

3. Registration

- 3.1. Registration is mandatory for all GH&S except as set forth in 2.5. AGA Representatives can register using the online GH&S declaration form available on the intranet at <http://web/corpgovernance/Declarations.asp>.
- 3.2. AGA Representatives must complete the online declaration form either before giving or accepting a GH&S or as soon as practicable after receiving a GH&S, except that any GH&S that requires approval must be registered and approved prior to the giving or receiving. If the value of the GH&S is not known prior to receipt but may exceed the threshold, AGA Representatives must still register the GH&S for approval estimating the value of the GH&S, and then amend the registration as soon as practicable after receipt to include the actual value.
- 3.3. If AGA Representatives do not have access to the online register they must complete the form manually and send the approved form to their line manager or to human resources for online registry. Any manual registers must be submitted by the relevant business unit to Group Compliance on a quarterly basis (using the address GiftsDeclaration@anglogoldashanti.com).



- 3.4. Any GH&S provided by an AGA Representative to a Government Official³ must be registered and approved by the relevant SVP or EVP **AND** Group Compliance **prior** to giving the GH&S. If AngloGold Ashanti is paying for international travel for Government Officials (e.g., to visit a mine site or for negotiating a mining convention, etc.), please register the travel using the online International Travel for Government Officials form, which is available on the intranet in the same location as the GH&S declaration. Be aware that there are severe restrictions on the giving of such GH&S in many countries.

4. Approval

- 4.1. Line managers must sign off the declaration form (electronic or manual) and advise any appropriate course of action including that the employee may keep the gift or return it or must not accept further hospitality in the same calendar year from that external party.
- 4.2. AGA shall have the discretion to require AGA Representatives to return any GH&S it believes to be excessive in value or inappropriate under the circumstances.
- 4.3. Where AGA Representatives are invited as guest speakers or participants / invitees to seminars or conferences and the host offers to pay for travel and / or accommodation for the event, the employee should seek the approval of the relevant SVP or EVP prior to accepting the offer of travel or accommodation. The SVP or EVP must determine the appropriateness of the offer and may decide that the company should pay for the travel or accommodation.

5. Excessive or Frequent GH&S

Line managers must ensure that the frequency and nature of gifts and hospitality from external parties does not bring the company's integrity and processes into question, whether the GH&S is subject to registration or not. For example, the receipt of multiple Corporate Branded Gifts or Business Lunches from a single supplier may raise a perception of corruption, and should be addressed with the AGA Representative. Line managers are encouraged to consult with Group Compliance regarding any GH&S queries.

6. Sponsorships

- 6.1. All sponsorships sought from external parties for AGA events whether below the threshold or not must be approved and registered in accordance with this policy. Such requests should under no circumstances be made in a manner which may cause the external party to feel obligated or believe that their willingness or inability

³ **Government Official** means:

- Any officer, employee or representative of a government, whether national, federal, provincial, regional or local;
- Any person exercising, administrative, judicial or legislative functions, whether appointed or elected;
- An officer of an entity owned or controlled by a government and any business venture that is owned or controlled by government;
- Any candidate for or holder of public office;
- Any official of a political party;
- Any official or representative of an international organisation;
- Any member of a royal family.



to contribute may favour or prejudice their business relationship with AGA. The requirements of this paragraph and this policy generally must be brought to the attention of those external parties who may be approached to sponsor events.

- 6.2. AGA Representatives are strongly discouraged from seeking sponsorships from AGA business partners in their personal capacities as the perception of such solicitations is such that the business partner may feel a sense of obligation to sponsor the employee and, as such, risk compromising the ethics of the business relationship.
- 6.3. Social events (games, competitions, raffle draws) are sometimes held in relation to community engagement initiatives which business partners sometimes sponsor by way of cash or in-kind in support. All such donations are recorded regardless of whether or not they are below the threshold. This practice is supported as it encourages business partners to be stakeholders in AGA's community engagement efforts.

7. Bribery

- 7.1. Various laws prohibit the giving or receiving of bribes. For further information on AGA's policy in this area please read AGA's Policy on Anti-Bribery and Anti-Corruption.
- 7.2. The giving and receiving of gifts, hospitality or sponsorship may in some circumstances give rise to claims or perceptions that bribery may be involved.
- 7.3. Warning signs that certain gifts, hospitality or sponsorships may be or perceived to be bribes include:
 - a. Offers of expensive gifts or lavish hospitality or requests for such,
 - b. Offers of gifts or hospitality or selective treatment when negotiating a contract or when a contract is due for renewal,
 - c. Gifts being sent to a private address or given to close family or friends, and
 - d. Gifts being provided in consideration of future favours or preferential treatment.

8. Non-Compliance

Any AGA representative with knowledge or suspicion of any violations of this policy **must** report these concerns to Group Compliance, Group Legal or Group Internal Audit or, alternatively, through the whistleblowing channels. AGA Representatives who violate this policy will be subject to disciplinary action up to and including termination of employment. Any disciplinary decision applied by the company in any situation shall be without prejudice to any civil and / or criminal consequences that the violation may give rise to.