



WHISTLEBLOWING POLICY (AUSTRALIA)	
POLICY CUSTODIAN	Group Legal, Ethics and Compliance
DATE	December 2019

INTRODUCTION

Whistleblowing is the reporting of actual or perceived misconduct or unethical activity within an organisation. Our whistleblowing process is a means to ensure that individuals who observe or become aware of misconduct or unethical activity have a mechanism to report this activity.

This policy explains the whistleblowing process so that employees and other stakeholders understand how the process works. This understanding and process awareness should instill confidence that AngloGold Ashanti takes allegations of misconduct and unethical activity seriously. The purpose is also to reinforce a culture of openness and accountability without fear of reprisals or occupational detriment.

This policy complies with the requirements set forth in the Corporations Act (Australia). This policy applies to reports made by a whistleblower in Australia or by an offshore whistleblower regarding our Australian operations. For reports made outside Australia that do not relate to our Australian operations, refer to our Global Whistleblowing Policy.

This policy is available on InfoOne and on AngloGold Ashanti's website.

1. Policy

1.1 Whistleblowers:

Anyone (including current or past employees, officers, suppliers or associates, as well as their relatives and dependents) who knows of unethical or illegal practices or who has reasonable grounds to believe that unethical or illegal practices are occurring, occurred in the past, or might occur in the future, should report this misconduct to AngloGold Ashanti.

This policy does not apply to personal work-related grievances.¹ If you have a personal work-related

¹ Personal work-related grievances are grievances that have implications for you personally and that do not have significant implications for AngloGold Ashanti or another regulated entity, and which do not relate to the kind of whistleblowing circumstances set out at section 1.2 of this policy. Issues which relate to personal work-related grievances are not entitled to the additional whistleblower protections under Australian law (outlined at section 1.8 of this policy).

Examples of personal work-related grievances may include interpersonal conflicts between you and another employee, decisions relating to your engagement, transfer or promotion, decisions relating to the terms and conditions of your engagement, and decisions to suspend or terminate your engagement or to otherwise discipline you, unless such actions are taken because you have made, may make or could make a report under this policy.



grievance, you should raise it under our Discipline Grievance and Performance Management Policy.

1.2 Whistleblowing Circumstances:

You should blow the whistle whenever you become aware of misconduct or actions otherwise inconsistent with our values and ethics, whether the misconduct happened in the past, is happening now, or is likely to happen in the future. Examples of what can constitute misconduct include:

- (a) Unethical or dishonest behaviour (including fraud, theft, bribery and corruption);
- (b) Harrassment, discrimination, victimisation or bullying;
- (c) Conduct which may involve a breach of an Australian law (including tax laws);
- (d) Misconduct or an improper state of affairs in relation to the AngloGold Ashanti group (including our tax affairs); or
- (e) Conduct or practices which pose a real risk of danger to us, our employees or members of the public or the financial system.

You should not make a report if it is false. For the whistleblowing process to be most effective, we encourage you to report in a timely manner, e.g., as soon as you have knowledge that misconduct has occurred or may occur.

1.3 Who to Report to:

As detailed in the flow chart at section 1.10 of this policy, we encourage you to first approach your manager with your concerns. If (1) management does not satisfactorily resolve the issues, or (2) management is implicated in the misconduct, or (3) you prefer to make a report under the Australian whistleblowing laws,² you may report your concerns directly to:

- (i) VP Group Compliance;
- (ii) a member of Legal or Group Internal Audit;
- (iii) any Australian Senior Vice-President, Vice-President or General Manager;
- (iv) via the third-party service provider (see section 3 below); or
- (v) if the report relates to a tax matter, the VP Finance or a registered tax agent or BAS agent engaged by AngloGold Ashanti.

You may make your report on an anonymous or named basis.

² To make a report under the Australian whistleblower laws you must:

- (a) be a current or past employee, officer, supplier (employee of a supplier) or associate of AngloGold Ashanti, or a relative or dependent of one of these persons,
- (b) your report must relate to misconduct or an improper state of affairs or circumstances in relation to AngloGold Ashanti; and
- (c) you must make your report directly to one of the following:
 - (i) a person listed at section 1.3;
 - (ii) ASIC, APRA or another Commonwealth body prescribed by regulation;
 - (iii) where the report relates to tax affairs, the Commissioner of Taxation; or
 - (iv) to a legal practitioner for the purposes of obtaining legal advice or legal representation about the operation of the whistleblower provisions in the Corporations Act.



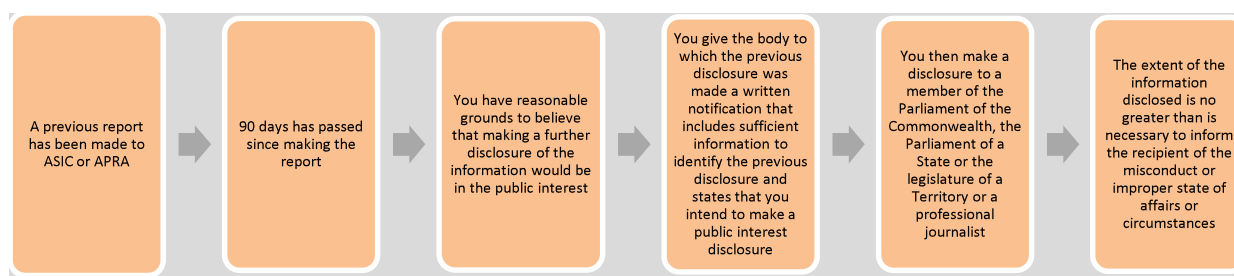
The reason for approaching management first is that management is best positioned from a knowledge and relationship standpoint to address the concerns of those reporting to them. Note that the independence of the investigation (and the investigators) is an integral aspect of the whistleblowing process and anyone implicated in the misconduct will not be involved the investigation. However, if you wish to be protected under Australian whistleblowing laws, you should speak to the persons identified in footnote 2(c).

There are other persons who can receive confidential reports as eligible recipients in accordance with Australian law. This includes any officer of AngloGold Ashanti and external auditors conducting an audit of AngloGold Ashanti.

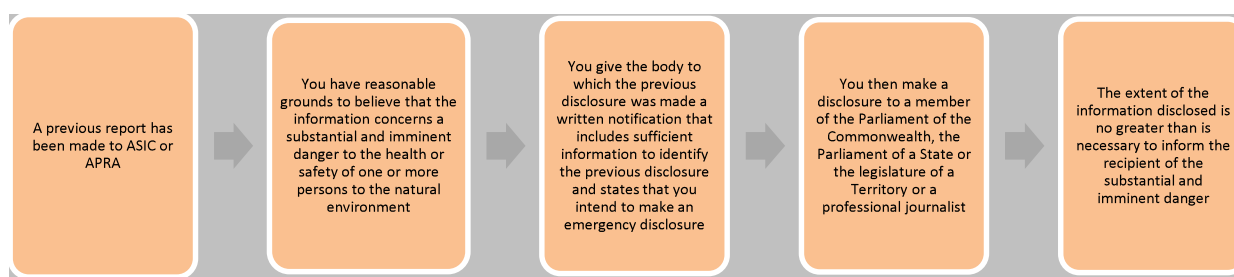
1.4 Public interest and emergency disclosures

In addition to the kinds of reports set out in footnote 2 of this policy, you may also be protected if you make a public interest or emergency disclosure.

Public interest disclosures must satisfy the following requirements:



Emergency disclosures must satisfy the following requirements:



It is important for you to understand the criteria for making a public interest or emergency disclosure you may be considering making. We encourage you to seek independent legal advice before doing so (not from an inhouse lawyer at Anglogold Ashanti).

1.5 Whistleblowing Information to Provide:

- (i) **What** is the alleged misconduct?
- (ii) **Where** and **when** did the misconduct occur? (dates, times, location);
- (iii) **Who** is the perpetrator of the misconduct? (name and surname, description of person, title, department);



- (iv) **Why** do you think it is improper conduct? (if the nature of the misconduct is not otherwise apparent);
- (v) **Who** are potential **witnesses**? (name and surname, description of person, title, department);
- (vi) **Where** can supporting evidence be found? (evidence of the misconduct, supporting documentation, security footage); and
- (vii) Any other information that you believe is relevant to the matter.

1.6 Prohibition Against Retaliation:

AngloGold Ashanti does not tolerate any form of retaliation or engaging in any form of detrimental conduct against any person for making a whistleblower report, or because they might or could make a whistleblower report. Retaliatory and detrimental conduct can take many forms including, but not limited to, discrimination, harassment or intimidation, dismissal, demoting, threats, injury of an employee in his or her employment, re-assignment to a less desirable position or alteration of an employee's position or duties, mocking, falsely accusing the employee of poor performance, isolating and ostracizing the employee, causing harm or injury to a person (including psychological harm), causing damage to a person's property, reputation or business or financial position, or any other damage to a person connected with the person making a report under this policy. Retaliation and engaging in detrimental conduct will be subject to disciplinary action.

We will never discipline you or otherwise engage in detrimental conduct against you for making a disclosure, but disciplinary action may be taken against you for your own involvement in the conduct or if you intentionally disclose false information.

Retaliation or detrimental conduct does not occur where AngloGold Ashanti takes steps which are reasonable for the purpose of protecting you from detriment or retaliation for making a disclosure (for example, moving you from your work area in order to protect you from detriment), or where AngloGold Ashanti takes steps to manage unsatisfactory work performance by you in accordance with our performance management policies.

1.7 Protection of Confidentiality:

We will always treat your report confidentially.

Additionally, if you make a report under the Australian whistleblower laws, it is unlawful for us to disclose your identity or information likely to lead to your identity to anyone unless:

- (i) you consent;
- (ii) we disclose your report to ASIC, APRA, the Commissioner of Taxation (if the report relates to a tax matter), a member of the Australian Federal Police or to a person or body prescribed by regulations; or
- (iii) we disclose your report to a lawyer for the purposes of obtaining legal advice or representation in relation to the operation of Australia's whistleblower laws.

However, we may disclose information that is likely to lead to your identification (but not your identity) where it is reasonably necessary for investigating the concern. If we disclose information we have received from



you we will take all reasonable steps to reduce the risk that you will be identified (such as redacting any identifying details from a written disclosure).

Some of the measures we use to protect your identity include redacting or anonymising whistleblower reports referred to Group Compliance, the Audit and Risk Committee or Board Chairperson. Our investigators also ensure information is disclosed on a need-to-know basis only.

If you believe your confidentiality has been breached by AngloGold Ashanti in relation to a report you have made, you can contact whistleblowing@anglogoldashanti.com.

1.8 Other Protections under Australian whistleblower laws:

If you make a report under the Australian whistleblower laws (to the internal or external eligible recipients set out in footnote 2 of this policy), you may also be entitled to the following additional legal protections:

- (i) anyone who engages in retaliation, as described at section 1.6 of this Policy may be guilty of an offence and may be liable for damages;
- (ii) a person who receives your report commits an offence if they disclose your identity or information likely to lead to your identification unless one of the exceptions listed in section 1.7 applies to the person disclosing the information;
- (iii) protection from civil, criminal or administrative legal action for making the report (other than for making a false disclosure);
- (iv) protection from contractual or other remedies or rights being enforced or exercised against the whistleblower for making the report;
- (v) the information provided by the whistleblower may not be used as evidence against the whistleblower in legal proceedings (unless the whistleblower has provided false information); and
- (vi) if the whistleblower is subject to retaliation for making a report, they may be entitled to compensation or another remedy through the courts. For further information please seek independent legal advice (not from a lawyer employed by AngloGold Ashanti).

If you make a report under the Australian whistleblower laws, you can still be entitled to these additional legal protections, even if your disclosure turns out to be incorrect or if you disclose anonymously.

These additional legal protections do not apply to any misconduct you have engaged in that is revealed in your disclosure. We recommend you seek independent legal advice where you seek to rely on the protections provided under the Australian whistleblower laws.

1.9 Whistleblowing Feedback:

We will start investigations as soon as reasonably practicable. If you have made your report to any of the individuals listed in section 1.3 above, they will lodge the report with the third party service provider (see section 3 below). When further information is needed to adequately investigate your report, we will contact you to request further information (directly, if your identity is known, or via the third-party service provider if anonymous). AngloGold Ashanti also commits to providing feedback on the outcome of the relevant investigation to you, unless it would be inappropriate to do so. The feedback will be provided in summary

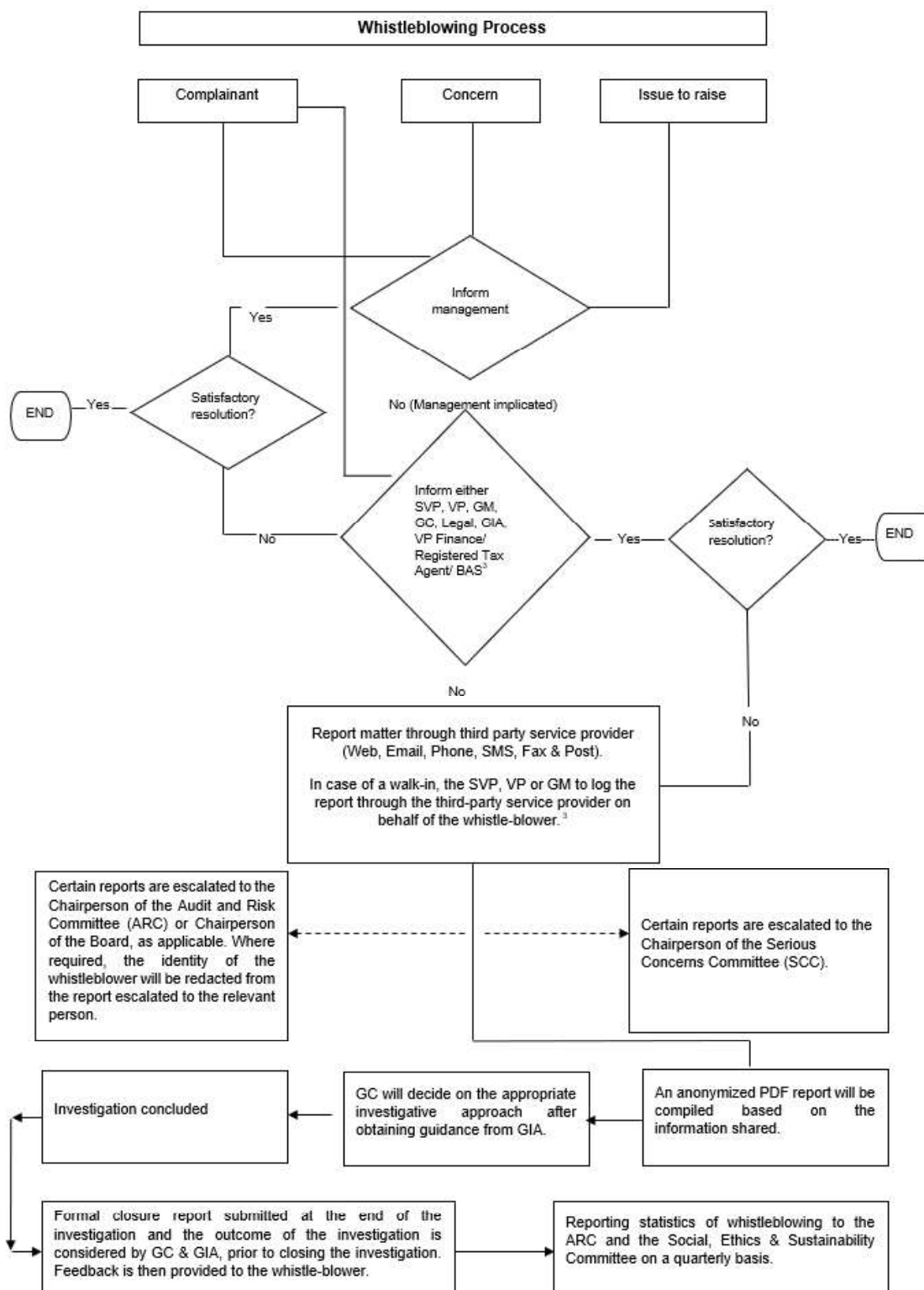


form, either through direct communication or via our third-party service provider, as applicable. Note, however, that given the inherent difficulty of providing detailed feedback to anonymous whistleblowers, more detailed feedback is generally only available to known whistleblowers.

As part of the whistleblowing process, Group Compliance and Group Internal Audit meet regularly to assess outstanding matters and confer with the relevant investigators on matters that have not been resolved within 90 days of receipt of the initial report. Group Compliance, with support from Group Internal Audit, will also assess which investigations warrant disclosure to regulators, either voluntarily or pursuant to the applicable legal requirements.



1.10 Whistleblowing Process (Flow Chart):





2. Whistleblowing Responsibilities

2.1 Group Compliance (GC) and Group Internal Audit (GIA):

It is the responsibility of GC and GIA to manage reports that they receive, either via the third-party service provider or otherwise. GC, reporting to the general counsel at AngloGold Ashanti, will, in consultation with GIA, allocate matters to investigators (including, but not limited to Human Resources, Group Forensics, GIA, management, external service providers, etc.) for investigation. The whistleblower's identity will not be shared with the investigator unless the whistleblower has consented to disclosure of their identity. Investigations will proceed on a confidential basis.

The administration of the underlying whistleblowing process is managed by GC. GC ensures that whistleblowing allegations reported through the third-party service provider or otherwise known to GC or GIA, are registered and allocated to investigators. GC follows up regularly on the progress of these investigations. Once an investigation is complete and the investigator has submitted a closure report, GC, in consultation with GIA, will consider the outcomes of the investigations and the recommendations made by the investigator and will approve the closure of the reports in the whistleblowing database.

GC and GIA will provide regular feedback to the Board, delegated committees, regional audit committees, the Serious Concerns Committee, and other relevant bodies on trends and outcomes of whistleblowing allegations received.

GC will inform employees of trends and outcomes of cases in a manner that respects the confidentiality of the whistleblower and the rights of the accused, including through the use of the compliance newsletter.

2.2 Investigators:

Investigators should treat all reports allocated to them as allegations until investigated and concluded upon. In other words, all accused are considered innocent until or unless the fact-finding investigation determines otherwise. They must treat all reports received as confidential and divulge information on a need-to-know basis. All accused persons will be treated fairly and where appropriate, will be given the opportunity to be heard.

Investigators must perform a thorough investigation of the allegations in the whistleblowing report and provide a detailed report providing feedback on the results of their investigation to GC and GIA.

2.3 Whistleblower:

For AngloGold Ashanti to conduct a robust and complete investigation, the whistleblower must provide as much information as possible about the misconduct. If a whistleblowing was reported through the third-party service provider, whistleblowers can contact the third-party call centre and request feedback by providing the call centre with the unique reference number received at the time of reporting. If the whistleblower used another avenue to report the misconduct, that avenue can be used to request feedback.



As indicated above, more detailed feedback is generally only available to known whistleblowers. The reason for this is that AngloGold Ashanti cannot constructively engage with whistleblowers through the third-party service provider other than providing high-level indicative information of the outcome of an investigation.

3. Third-Party Service Provider

AngloGold Ashanti currently uses the services of Tip-offs Anonymous for its reporting functionality. The following mechanisms are available for contacting Tip-offs:

E-mail: 24cthonesty@ethics-line.com

Website: <https://www.tip-offs.com>

Telephone 1800706299

Australiashort-dial 61016800

4. Consequences of Non-Compliance

Employees & contractors who violate this policy may be subject to disciplinary action up to and including termination of employment or engagement. Any disciplinary decision applied by the company in any situation shall be without prejudice to potential civil and/or criminal consequences arising from the violation.

5. Further information

If you would like further information on the operation of this whistleblower policy, please contact our Vice President – Legal, Environment and Supply Chain.

³ In case of a walk-in, the SVP, VP or General Manager to log the report through the third-party service provider on behalf of the whistle-blower using the whistle-blower's details to enable feedback to be made directly available to the whistle-blower. In the event that the whistleblower wishes to remain anonymous, the SVP, VP or General Manager should provide the whistle-blower with the reference number for the report to enable them to log into the system and obtain feedback.