



Important Notice
The Depository Trust Company

B #:	1166-12
Date:	October 24, 2012
To:	All Participants
Category:	Dividends
From:	International Services
Attention:	Operations, Reorg & Dividend Managers, Partners & Cashiers
Subject:	<u>Tax Relief</u> – Country: South Africa Anglogold Asha CUSIP: 035128206 <u>Record Date: 06/01/2012 Payable Date: 06/18/2012</u> REVISION #3

Depository Service Charge Fee changed from \$0.001 to \$0.01.

Questions regarding this Important Notice may be directed to GlobeTax 212-747-9100.

Important Legal Information: *The Depository Trust Company (“DTC”) does not represent or warrant the accuracy, adequacy, timeliness, completeness or fitness for any particular purpose of the information contained in this communication, which is based in part on information obtained from third parties and not independently verified by DTC and which is provided as is. The information contained in this communication is not intended to be a substitute for obtaining tax advice from an appropriate professional advisor. In providing this communication, DTC shall not be liable for (1) any loss resulting directly or indirectly from mistakes, errors, omissions, interruptions, delays or defects in such communication, unless caused directly by gross negligence or willful misconduct on the part of DTC, and (2) any special, consequential, exemplary, incidental or punitive damages.*

To ensure compliance with Internal Revenue Service Circular 230, you are hereby notified that: (a) any discussion of federal tax issues contained or referred to herein is not intended or written to be used, and cannot be used, for the purpose of avoiding penalties that may be imposed under the Internal Revenue Code; and (b) as a matter of policy, DTC does not provide tax, legal or accounting advice and accordingly, you should consult your own tax, legal and accounting advisor before engaging in any transaction.

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Non-Confidential



Holders of Depositary Receipts (DRs) of **AngloGold Ashanti** may be eligible to receive favorable or reduced withholding tax relief. Further details on eligibility, documentation, limitations, fees, charges and deadlines are included below.

All eligible holders will have the opportunity to receive accurate entitlement as outlined in the "Tax Refund Eligibility Matrix". The dividend was paid on pay date net of the full South African statutory withholding tax rate of 15% with the possibility to reclaim through the standard long form process.

DIVIDEND EVENT DETAILS	
COUNTRY OF ISSUANCE	SOUTH AFRICA
ISSUE	ANGLOGOLD ASHANTI
CUSIP#	035128206
DEPOSITARY	BNY MELLON
ADR RECORD DATE	JUNE 01, 2012
ADR PAY DATE	JUNE 18, 2012
ADR GROSS DIVIDEND RATE ON PAY DATE	USD 0.118057
ORD GROSS DIVIDEND RATE ON PAY DATE	ZAR 1.0
RATIO	1 ORD : 1 ADR
WHT RATE	15%

CHARGES & DEADLINES				
FILING METHOD	BATCH / PAYMENT METHOD	DEPOSITARY SERVICE CHARGE	MINIMUM SERVICE CHARGE PER BENEFICIAL OWNER*	FINAL SUBMISSION DEADLINE (ALL TIMES EST)
STANDARD TAX RECLAIM	POST PAY DATE PAYMENT / CHEQUE	\$0.01 PER DR	USD \$25.00	MARCH 01, 2015 8:00 P.M.
	CAPPED AT 40% OF RECOVERY AMOUNT			

* A Custodial Fee (up to USD \$50.00) will be imposed, please contact BNY Mellon / GlobeTax for details.

DESCRIPTION OF VARIOUS DOCUMENTATION

DOCUMENT NAME	DESCRIPTION	ORIGINAL / COPY	SIGNATURE REQUIREMENT
COVER LETTER (APPENDIX A)	LISTING OF BENEFICIAL OWNERS CERTIFYING POSITION ON RECORD DATE.	SCANNED DOCUMENTS ACCEPTABLE	FINANCIAL INSTITUTION
DTD(RR) (APPENDIX B)	DIVIDEND TAX DECLARATION & UNDERTAKING TO BE MADE BY THE BENEFICIAL OWNER OF A DIVIDEND (REDUCED RATE OF TAX)	SCANNED DOCUMENTS ACCEPTABLE	BENEFICIAL OWNER
DTD(EX) (APPENDIX C)	DIVIDEND TAX DECLARATION & UNDERTAKING TO BE MADE BY THE BENEFICIAL OWNER OF A DIVIDEND (EXEMPTION FROM TAX)	SCANNED DOCUMENTS ACCEPTABLE	BENEFICIAL OWNER

DTD(RR) AND DTD(EX) MAY BE COMPLETED AND SIGNED BY BROKER WITH A VALID POWER OF ATTORNEY

TAX REFUND ELIGIBILITY MATRIX

WITHHOLDING RATE	RECLAIM RATE	ELIGIBLE RESIDENTS	DOCUMENTATION REQUIRED
10% FAVORABLE	5%	CROATIA, ETHIOPIA, INDIA, IRAN, IRELAND (GOVERNMENT OF), MALAYSIA, MEXICO, NETHERLANDS, NIGERIA, SAUDI ARABIA, SEYCHELLES, TUNISIA, UNITED KINGDOM	1) COVER LETTER (APPENDIX A) 2) DTD(RR) (APPENDIX B)
7.5% FAVORABLE	7.5%	SWITZERLAND	1) COVER LETTER (APPENDIX A) 2) DTD(RR) (APPENDIX B)
5% FAVORABLE	10%	CHINA, MALTA	1) COVER LETTER (APPENDIX A) 2) DTD(RR) (APPENDIX B)
0% EXEMPT	15%	CYPRUS, KUWAIT, OMAN, SEYCHELLES AND SEE EXEMPTIONS TABLE	1) COVER LETTER (APPENDIX A) 2) DTD(EX) (APPENDIX C)

* PLEASE NOTE THAT A NUMBER OF TAX TREATIES PROVIDE FOR TWO OR MORE WITHHOLDING TAX RATES AVAILABLE DEPENDING ON CERTAIN PERCENTAGE OF HOLDING (10% - 30%) CONDITIONS SPECIFIED IN THE RESPECTIVE TREATIES. IT IS THE RESPONSIBILITY OF THE INVESTOR TO CONSULT WITH THEIR OWN TAX ADVISORS WITH RESPECT TO THE REQUIREMENTS FOR APPLICATION OF FAVOURABLE WITHHOLDING TAX RATE.

Warning and Disclaimer:

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EXEMPTIONS TABLE

Code	Description
A	a company which is a resident of South Africa;
B	the Government, a provincial administration or a municipality;
C	a public benefit organization approved by the Commissioner in terms of section 30(3) (could be local or foreign, but must be approved);
D	a trust contemplated in section 37A (i.e. rehabilitation trust);
E	an institution, board or body contemplated in section 10(1)(cA) (ex. Water Board, Tribal Authority etc);
F	a fund contemplated in section 10(1)(d)(i) or (ii) (i.e. Pension/Provident/RA/Benefit Fund);
G	a person contemplated in section 10(1)(t) (ex. CSIR, SANRAL, ARMSCOR, Development Bank of SA etc);
H	a shareholder in a registered micro business, as defined in the Sixth Schedule, paying that dividend, to the extent that the aggregate amount of dividends paid by that registered micro business to its shareholders during the year of assessment in which that dividend is paid does not exceed the amount of R200 000;
J	A person that is not a resident and the dividend is a dividend contemplated in paragraph (b) of the definition of 'dividend' in section 64D (i.e. nonresident company listed on JSE);
Y*	Double Taxation Agreement;
Z	Other International Agreement.

****Code Y includes entities that are entitled for the 0% withholding (i.e. U.S. & foreign pension fund or government organization) provided that the exemption is stipulated within the applicable DTA.***

****Code Z includes entities that has an international agreement (i.e. supranational)***

FREQUENTLY ASKED QUESTIONS (FAQs)

QUESTION	ANSWER
WHERE DO I SEND THE DOCUMENTATION?	SCANNED PAPERWORK MAY BE SENT TO SOUTHAFRICA@GLOBETAX.COM .
I'M A CUSTODIAN / BROKER, CAN I SIGN THE DIVIDEND TAX FORM ON BEHALF OF THE INVESTOR?	YES, AS LONG AS A VALID POWER OF ATTORNEY IS ALSO ENCLOSED.
HOW DO I KNOW IF MY CLIENT QUALIFIES FOR AN EXEMPTION OR REDUCED TAX BASED ON PERCENTAGE OF OWNERSHIP?	THE INVESTOR WILL HAVE TO CONSULT WITH THEIR TAX ADVISOR.
DOES THE BENEFICIARY'S NAME ON THE DIVIDEND TAX FORM NEED TO MATCH THE POA?	YES, THE BENEFICIARY'S NAME ON BOTH DOCUMENTS SHOULD BE IDENTICAL.
HOW LONG DOES IT TAKE FOR STANDARD RECLAIMS TO BE PAID?	WE ESTIMATE IT TAKES APPROXIMATELY 6 MONTHS FOR LONG FORM CLAIMS TO BE PAID
DOES THE LONG-FORM PROCESS HAVE A MINIMUM POSITION REQUIREMENT PER BENEFICIAL OWNER?	NO, THERE IS A MINIMUM FEE OF \$25 PER BENEFICIAL OWNER WHICH MAY BE WAIVED ON AN EXCEPTIONAL BASIS FOR CLIENTS RECLAIMING LESS THAN \$50. IN SUCH INSTANCES A FEE OF 50% OF THE RECLAIMED AMOUNT WILL BE APPLIED.
WHAT IS THE STATUTE OF LIMITATIONS FOR FILING SOUTH AFRICAN RECLAIMS?	IT IS 3 YEARS FROM THE LOCAL MARKET PAY DATE. CLAIMS RECEIVED AFTER OUR SUBMISSION DEADLINE WILL BE FILED ON A BEST EFFORT BASIS.
WILL BNY MELLON / GLOBETAX ACCEP CLAIMS FILED DIRECTLY WITH THEM BY BENEFICIAL OWNERS?	<p>BNY MELLON / GLOBETAX ONLY ACCEPTS CLAIMS FILED BY THE CUSTODIAN WHO WAS HOLDING THE SECURITIES THROUGH THE GLOBAL DEPOSITARY AND ONLY TO THE EXTENT THAT THE GLOBAL DEPOSITARY HAS REPORTED THESE HOLDINGS</p> <p>BENEFICIAL OWNERS ARE REQUIRED TO FILE THEIR CLAIMS THROUGH THE CUSTODY CHAIN TO THE CUSTODIAN OF RECORD. ALL CLAIMS NOT RECEIVED DIRECTLY FROM THE PROPER CUSTODIAN WILL BE RETURNED TO THE BENEFICIAL OWNER.</p>

CONTACT DETAILS

PRIMARY CONTACT	JENNY LIN
DOMESTIC PHONE (U.S.)	1-800-915-3536
DOMESTIC FAX (U.S.)	1-800-985-3536
INTERNATIONAL PHONE	1-212-747-9100
INTERNATIONAL FAX	1-212-747-0029
EMAIL ADDRESS	JENNY_LIN@GLOBETAX.COM
COMPANY	BNY MELLON / GLOBETAX
STREET ADDRESS	90 BROAD STREET, 16 TH FLOOR
CITY/STATE/ZIP	NEW YORK, NY 10004
ADDITIONAL CONTACTS	BRETT LEWIS

**APPENDIX A – COVER LETTER REQUIRED FOR SOUTH AFRICAN TAX RELIEF PROCESS
THIS DOCUMENT MUST BE PREPARED ON THE FINANCIAL INSTITUTION’S LETTERHEAD**

DATE

BNY Mellon
c/o GlobeTax Services, Inc.
90 Broad Street - 16th Floor
New York, NY 10004 - 2205
Attn: Depository Services – South Africa

Enclosed please find withholding tax reclamation documents which we have submitted on behalf of our client (s) to obtain a reduced or favorable tax withholding rate at source on South African ADRs. We, **(DTC PARTICIPANT NAME AND DTC PARTICIPANT NUMBER)** hereby represent and warrant that each beneficial owner cited below held the respective amount of shares on the ADR record date of **June 1, 2012** for the security **AngloGold Ashanti (CUSIP 035128206)**.

Below is the list of beneficial owners and their holdings, which total **(TOTAL NUMBER OF ADRs CITED BELOW)** ADRs. Proof of residence documents are enclosed for each beneficial owner. The ratio is **1** ADR to **1** Ordinary Share. The information is as follows:

<u>Name of Beneficial Owner</u>	<u>Full Address</u>	<u>Country of Residence</u>	<u># ADRs held</u>	<u># ORDs</u>	<u>% Reclaim Rate</u>
1.					
2.					
3.					
4. (please send a disk if there are more than 9 holders)					

We ask that BNY Mellon, as Depository, present these dividend withholding exemption requests on the above beneficial owners' behalf. Please contact the **(CONTACT PERSON FIRST AND LAST NAME)** at **(TELEPHONE NUMBER)** or **(E-MAIL ADDRESS)** should you have any questions.

Indemnification

We certify that to the best of our knowledge that each of the beneficial owners identified above are eligible for the preferential rates as stated herein and we declare that we have performed all the necessary due diligence to satisfy ourselves as to the accuracy of the information submitted to us by these beneficial owners.

We will be fully liable for any and all withholding taxes, claims, penalties and / or interest to the South African Tax Authorities (“charge-backs”), including without limitation, any foreign exchange fluctuations associated with such funds. Neither BNY Mellon nor the Issuer nor any of their agents or affiliates shall be liable for the failure to secure any refund. In consideration of the assistance of BNY Mellon and the Issuer in processing such claims, we expressly agree that neither BNY Mellon nor the Issuer nor any of their agents or affiliates shall have any liability for, and we shall indemnify, defend and hold each of BNY Mellon and the Issuer and their respective agents and affiliates harmless from and against, any and all loss, liability, damage, judgment, settlement, fine, penalty, demand, claim, cost or expense (including without limitation fees and expenses of defending itself or enforcing this agreement) arising out of or in connection herewith. We further agree that our obligations hereunder shall be free from all defenses.

Sincerely,

**[SIGNATURE OF AUTHORIZED SIGNATORY AT FINANCIAL INSTITUTION]
[NAME AND TITLE OF AUTHORIZED OFFICER AT FINANCIAL INSTITUTION]**

APPENDIX B – DTD(RR)

DIVIDENDS TAX:

**Declaration & Undertaking to be made by the beneficial owner of a dividend
(REDUCED RATE OF TAX)**

Notes on completion of this form:

- This form is to be completed by the beneficial owner (of dividends, including dividends *in specie*) in order for the reduced rate of dividends tax, referred to in sections 64FA, 64G or 64H of the Income Tax Act, 1962 (Act No 58 of 1962) (the Act) as well as the provisions of the Agreement for the Avoidance of Double Taxation and Prevention of Fiscal Evasion (DTA) between the Republic of South Africa and the country of residence of the beneficial owner, to apply.
- In order to qualify for the reduced rate referred to above this declaration and written undertaking should be submitted to the withholding agent (declaring company or regulated intermediary) within the period required by the latter (provided it is before payment of the dividend) - failure to do so will result in the full 10% dividends tax being withheld/payable.
- Where the beneficial owner is a foreign resident but does not qualify for a reduced rate this form should NOT be completed.

PART A: WITHHOLDING AGENT

(This part is to be pre-populated by the Company or Regulated intermediary)

Registered name: _____

Dividends tax reference number: _____

Contact details: _____

PART B: BENEFICIAL OWNER

(This part is to be completed by the person entitled to the benefit of the dividend attaching to a share(s))

Full names & surname / registered name: _____

Nature of person / entity:

Individual

Listed company

Unlisted company

Trust (any type)

RSA Government, Provincial Administration, Municipalities

Retirement Fund (Pension, Provident, Benefit, RA etc)

Other (if selected please provide a description / explanation of nature of the entity /

person: _____

Identity / Passport / Registration number: _____

Date of birth / inception: _____

South African income tax reference number: _____

Physical address: _____

Postal address: _____

Country in which resident for tax purposes: _____

PART C: REDUCED RATE

(This part is to be completed by the person entitled to the benefit of the dividend attaching to a share(s))

Please provide the following details for all shares held in respect of which a reduced rate of tax is applicable:

No	Registered company name	Explanation of the reasons the beneficial owner meets the requirements of the DTA
1		
2		
3		
4		
5		

* If more entries need to be made please complete another Form DTD(RR).

DECLARATION in terms of sections 64FA(2)(a), 64G(3)(i) or 64H(3)(i) of the Act:

I _____ (*full names in print please*), the undersigned hereby declare that all the relevant requirements in terms of Article _____ of the Agreement for the Avoidance of Double Taxation and Prevention of Fiscal Evasion (DTA) in force on the relevant date between the Republic of South Africa and the country of residence of the beneficial owner specified above, as well as sections 64FA, 64G or 64H of the Act (whichever is applicable), have been met and that dividends paid on the shares specified above are therefore subject to a reduced rate of _____%.

Signature: _____ Date: _____
(Duly authorised to do so)

Capacity of Signatory (if not the Beneficial Owner): _____

UNDERTAKING in terms of section 64FA(2)(b), 64G(3)(ii) or 64H(3)(ii) of the Act:

I _____ (*full names in print please*), the undersigned undertake to forthwith inform the Withholding Agent in writing should the circumstances of the beneficial owner referred to in the declaration above change.

Signature: _____ Date: _____
(Duly authorised to do so)

Capacity of Signatory (if not the Beneficial Owner): _____

APPENDIX C – DTD(EX)

DIVIDENDS TAX:

**Declaration & Undertaking to be made by the beneficial owner of a dividend
(EXEMPTION FROM TAX)**

Notes on completion of this form:

- This form is to be completed by the beneficial owner (of dividends, including dividends *in specie*) in order for the exemptions from dividends tax referred to in section 64F read with sections 64FA(2), 64G(2) or 64H(2)(a) of the Income Tax Act, 1962 (Act No 58 of 1962) (the Act) to apply.
- In order to qualify for an exemption this declaration and written undertaking should be submitted to the withholding agent (declaring company or regulated intermediary) within the period required by the latter (provided it is before payment of an affected dividend) - failure to do so will result in the full 10% dividends tax being withheld/payable.
- Non South African residents seeking to qualify for a reduced rate should not complete this form. Please use Form DTD(RR).

PART A: WITHHOLDING AGENT

(This part is to be pre-populated by the Company or Regulated intermediary)

Registered name: _____

Dividends tax reference number: _____

Contact details: _____

PART B: BENEFICIAL OWNER

(This part is to be completed by the person entitled to the benefit of the dividend attaching to a share(s))

Full names & surname / registered name: _____

Nature of person / entity:

Individual

Listed company

Unlisted company

Trust (any type)

RSA Government, Provincial Administration, Municipalities

Retirement Fund (Pension, Provident, Benefit, RA etc)

Other (if selected please provide a description / explanation of nature of the entity /

person: _____

Identity / Passport / Registration number: _____

South African income tax reference number: _____

Physical address: _____

Postal address: _____

Country in which resident for tax purposes: _____

PART C: EXEMPTION

(This part is to be completed by the person entitled to the benefit of the dividend attaching to a share(s))

Please indicate the reason why the beneficial owner is exempt from the dividends tax:

- Par (a) – a company which is resident in South Africa
- Par (b) – the Government, provincial government or municipality (of the Republic of South Africa)
- Par (c) – a public benefit organisation (approved by SARS ito section 30(3) of the Act)
- Par (d) – a trust contemplated in section 37A of the Act (mining rehabilitation trusts)
- Par (e) – an institution, body, or board contemplated in section 10(1)(cA) of the Act
- Par (f) – a fund contemplated in section 10(1)(d)(i) or (ii) of the Act (pension fund, pension preservation fund, provident fund, provident preservation fund, retirement annuity fund, beneficiary fund or benefit fund)
- Par (g) – a person contemplated in section 10(1)(t) of the Act (CSIR, SANRAL etc)
- Par (h) – a shareholder in a registered micro business as defined in the Sixth Schedule to the Act to the extent that the aggregate amount of the dividends paid by that registered micro business to its shareholders during the year of assessment in which that dividend is paid does not exceed R200,000
- Par (j) – a person that is not a resident and the dividend is a dividend contemplated in paragraph (b) of the definition of “dividend” in section 64D (i.e. a dividend on a foreign company’s shares listed in SA, such as dual-listed shares)
- Par (y) – double taxation agreement
- Par (z) – other international agreement
- Other (if selected please provide a description/explanation of the nature of the entity/person below)

DECLARATION in terms of sections 64FA(1)(a)(i), 64G(2)(a)(aa) or 64H(2)(a)(aa) of the Act:

I _____ (full names in print please), the undersigned hereby declare that dividends paid to the beneficial owner is exempt, or would have been exempt had it not been a distribution of an asset *in specie*, from the dividends tax in terms of the paragraph of section 64F of the Act indicated above.

Signature: _____ Date: _____

(Duly authorised to do so)

Capacity of Signatory (if not the beneficial owner): _____

Undertaking in terms of sections 64FA(1)(a)(ii), 64G(2)(a)(bb) or 64H(2)(a)(bb) of the Act:

I _____ (full names in print please), the undersigned undertake to forthwith inform the Withholding Agent in writing should the circumstances of the beneficial owner referred to in the declaration above change.

Signature: _____ Date: _____

(Duly authorised to do so)

Capacity of Signatory: _____