

HARMONY GOLD MINING CO LTD

Form 6-K

September 14, 2009

UNITED STATES

SECURITIES AND EXCHANGE COMMISSION

Washington, D.C. 20549

**Form 6-K**

REPORT OF FOREIGN PRIVATE ISSUER PURSUANT TO  
RULE 13a-16 OR 15d-16 UNDER THE SECURITIES  
EXCHANGE ACT OF 1934

For

14 September 2009

**Harmony Gold Mining Company  
Limited**

Randfontein Office Park

Corner Main Reef Road and Ward Avenue

Randfontein, 1759

South Africa

(Address of principal executive offices)

(Indicate by check mark whether the registrant files or will file annual reports under cover of Form 20-F or Form 40-F.)

Form 20-F

Form 40-F

(Indicate by check mark whether the registrant by  
furnishing the information contained in this form  
is also thereby furnishing the information to the  
Commission pursuant to Rule 12g3-2(b) under the  
Securities Exchange Act of 1934.)

Yes

No

**Issued by Harmony Gold  
Mining Company Limited**

**14 September 2009**

**For more details contact:**

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South Africa 1760  
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www.harmony.co.za**

**JSE: HAR  
NYSE: HMY  
NASDAQ: HMY  
ISIN No.: ZAE000015228**

**Harmony and DRDGOLD settle their excessive pricing case with ArcelorMittal  
Johannesburg, Monday, 14 September 2009.**

Harmony Gold Mining Company Limited (Harmony) and DRDGOLD Limited (DRDGOLD) announced today that they have withdrawn their excessive pricing complaint against ArcelorMittal South Africa Limited (ArcelorMittal).

The complaint was initially lodged with the Competition Commission in 2002, with the substance of the complaint being that ArcelorMittal (or ISCOR as it was then known) abused its dominant position in the South African flat steel market by charging excessive prices, to the detriment of consumers, in contravention of section 8(a) of the Competition Act, 1998.

Harmony and DRDGOLD withdrew their complaint, which remained unresolved after several years of litigation, following the conclusion of a settlement agreement with ArcelorMittal. The terms of the settlement agreement are confidential and will not be made public. The settlement agreement reached will permit the gold miners to focus their energies and resources on their core businesses, and represents a satisfactory outcome to the matter for them.  
ends.

**SIGNATURES**

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned, thereunto duly authorized.

Dated: September 14, 2009

Harmony Gold Mining Company Limited

By:

/s/ Frank Abbott

Name: Frank Abbott

Title: Interim Financial Director