

HARMONY GOLD MINING CO LTD

Form 6-K

January 06, 2011

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 6 January 2011

**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  
6 January 2011**

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**JSE: HAR**

**NYSE: HMY**

**ISIN No.: ZAE000015228**

**Registration number:  
1950/038232/06**

**Hidden Valley mine denies nuisance claim over mine sediment**

**Johannesburg, Thursday 6 January 2011.** Please find attached a statement from the Hidden Valley Joint Venture regarding the purported service of a writ upon the Hidden Valley Joint Venturers.

Hidden Valley mine is in the Morobe province of Papua New Guinea. It is a 50:50 Joint Venture between Papua New Guinea subsidiaries of Harmony Gold Mining Company Limited and Newcrest Mining Limited of Australia.

**Media Release**

6 January 2011

**HIDDEN VALLEY SERVICES LIMITED**

**All correspondence to: PO Box 4015, Lae, Morobe Province, Papua New Guinea**

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**Hidden Valley Joint Venture denies nuisance claim brought by the Member for Bulolo**

The Hidden Valley Joint Venture denies allegations made against it in a writ purportedly served upon the PNG Joint Venture companies late yesterday by the legal advisor acting for the Member of Parliament for Bulolo and a number of customary landowners living along the Watut River.

The Joint Venturers will vigorously defend the litigation should it proceed.

The writ alleges nuisance relating to mine-related sediment and seeks damages and injunctive relief in relation to the Hidden Valley Mine operations.

The issue and purported service of the writ is contrary to the agreement reached between the Member and the Joint Venture (jointly publicly announced on 6 December) to establish an expert technical advisory panel as a vehicle for constructive resolution of sediment related issues in a transparent and cooperative forum.

The pending legal action now prejudices the ability of the Member and his legal advisor to participate in this process.

The issue and purported service of the writ by the Member's legal advisor appears to be prompted by voluntary compensation payments being made by the Joint Venture to communities along the Watut River. The payments were for flood damage to crops and gardens, to which mine related sediment may have contributed, along with natural events including land slips and major rain events.

These payments have been underway since November and are now almost complete. The vast majority of eligible people have now received their payment. The Member has been fully aware of the status of the payments throughout the payment period.

Additionally, in mid December the Joint Venture formally confirmed with the Member and his legal advisor, that by accepting these compensation payments landowners do not in any way infringe on their future rights to claim further compensation.

Importantly, at Hidden Valley Mine all tailings from the processing of ore are stored permanently in an engineered Tailings Storage Facility. No tailings are discharged from our site.

Hidden Valley Mine has a demonstrated track record of working with communities. A range of effective environmental and community programs are in place and ongoing. The Hidden Valley mine has a 2000-strong workforce, most of whom are local people.

The Joint Venture remains committed to addressing issues with affected communities in a constructive and expeditious manner.

**Media inquiries:**

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**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: January 6, 2011

Harmony Gold Mining Company Limited

By:

/s/

Hannes Meyer

Name: Hannes Meyer

Title: Financial Director