

Edgar Filing: NEWMONT MINING CORP /DE/ - Form 3

NEWMONT MINING CORP /DE/  
 Form 3  
 January 02, 2003

UNITED STATES SECURITIES AND EXCHANGE COMMISSION  
 WASHINGTON, D.C. 20549  
 FORM 3

INITIAL STATEMENT OF BENEFICIAL OWNERSHIP OF SECURITIES

1. Name and Address of Reporting Person  
 HARQUAIL, DAVID  
 1700 LINCOLN STREET  
 DENVER, CO 80203  
 USA
2. Date of Event Requiring Statement (Month/Day/Year)  
 May 15, 2002
3. IRS or Social Security Number of Reporting Person (Voluntary)
4. Issuer Name and Ticker or Trading Symbol  
 NEWMONT MINING CORPORATION  
 NEM
5. Relationship of Reporting Person(s) to Issuer (Check all applicable)  
 Director  10% Owner  Officer (give title below)  Other  
 (specify below)  
 President and Managing Director, Newmont Capital Limited, a wholly owned subsidiary of the Issuer
6. If Amendment, Date of Original (Month/Day/Year)  
 September 27, 2002
7. Individual or Joint/Group Filing (Check Applicable Line)  
 Form filed by One Reporting Person  
 Form filed by More than One Reporting Person

Table I -- Non-Derivative Securities Beneficially Owned

| 1. Title of Security    | 2. Amount of Securities Beneficially Owned | 3. Ownership Form: Direct (D) or Indirect (I) | 4. Nature of Beneficial |
|-------------------------|--|---|-------------------------|
| Exchangeable Shares (1) | 4,043                                      | I   | By retirement           |
| Exchangeable Shares (1) | 3,120                                      | I   | By spouse's r           |

Table II -- Derivative Securitized Beneficially Owned

| 1. Title of Derivative Security | 2. Date Exercisable and Expiration Date (Month/Day/Year) | 3. Title and Amount of Underlying Securities | 4. Conversion or Exercise price of derivative Security | 5. Ownership Form of Derivative Security (Direct or Indirect) |
|---------------------------------|--|--|--|---|
| Stock Option (right to buy)     | 6/26/05  | Common Stock                                 | \$14.69  | D   |

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|                                 |         |              |         |         |   |
|---------------------------------|---------|--------------|---------|---------|---|
| Stock Option (right to buy)     | 6/26/05 | Common Stock | 49,280  | \$10.72 | D |
| Stock Option (right to buy)     | 9/10/09 | Common Stock | 120,000 | \$19.25 | D |
| Stock Option (right to buy) (3) | 5/14/13 | Common Stock | 10,000  | \$28.56 | D |

Explanation of Responses:

(1) The Exchangeable Shares are shares of stock of 4011686 Canada Inc., a corporation existing under the laws of Canada and wholly-owned subsidiary of the Registrant, that are convertible into common stock of the issuer on a one-for-one basis at the option of the holder at any time after February 16, 2002, pursuant to the terms set forth in the Provisions Attaching to the Exchangeable Shares (the "Provisions") set forth as Appendix 1 to Schedule B of that certain Arrangement Agreement, dated November 14, 2001, between Franco-Nevada Mining Corporation Limited and Newmont Gold Company (formerly known as Newmont Mining Corporation). Pursuant to that certain Voting and Exchange Trust Agreement between the Issuer, 4011686 Canada Inc. and Computershare Trust Company of Canada (the "Trustee"), holders of Exchangeable Shares are entitled to direct the Trustee to cast the votes attaching to the share of the Special Voting Stock of the Issuer held by the Trustee, on all matters submitted to the stockholders of the Issuer. The Exchangeable Shares remain exchangeable at the option of the holder until redeemed by the Issuer pursuant to, and subject to the conditions of, the Provisions.

(2) David Harquail has executed a power of attorney, a copy of which has been previously filed, authorizing Ardis Young to execute this Form 3 on his behalf.

(3) The option vests in four equal installments beginning on May 14, 2003.

SIGNATURE OF REPORTING PERSON

David Harquail by Ardis Young, Attorney-in-Fact (2)

DATE

January 2, 2003