

AMEC plc

Case ID:

ST-41

Case Cluster :

AMEC plc

Jurisdiction of Settlement:

United Kingdom

Jurisdiction of Settlement / Enforcement Agency:

Serious Fraud Office

Jurisdiction of Foreign Public Official(s) :

Unspecified

Year of Settlement:

2009

Month/Day of Settlement (or Notes):

10/26

Other Jurisdictions of Settlement:

United States

Settlement with Individual or Legal Person?:

Legal Person

Type of Settlement:

Civil

Legal Form of Settlement:

Civil Recovery Order (Proceeds of Crime Act)

Monetary Sanctions (Types):

Civil Recovery Order, Legal Costs

Total Monetary Sanctions (US\$):

\$8,057,800.00

Civil Disgorgement of Profits (US\$) :

\$8,057,800

Civil Prejudgment Interest (US\$) :

\$0

Civil Fine / Penalty (US\$):

\$0

Monetary Sanctions Returned / Ordered Returned (US\$):

\$0

UNCAC Articles(s) Implicated:

Art.16

Art.26

OECD Anti-Bribery Convention Articles Implicated:

Art. 1, Art. 2, Art. 8

Offenses - Alleged:

Inaccurate books and records, in violation of Section 221 of Companies Act 1985

Offenses - Settled:

Inaccurate books and records, in violation of Section 221 of Companies Act 1985

Public Procurement Contract / SOE Involved?:

Yes

Summary:

According to the October 26, 2009 press release by the UK Serious Fraud Office (SFO), AMEC made a referral to the SFO in March 2008, following an internal investigation into the receipt of irregular payments made between November 2005 and March 2007, and associated with a project [unnamed] in which AMEC is a shareholder. SFO investigated and in a Consent Order agreed before the High Court on October 26, 2009, AMEC agreed to a settlement payment of GBP 4,943,648 plus the costs incurred [amount not given; unable to add to entry] as a result of the Civil Recovery proceedings. The press release stated that "It is not possible to make any further comment as there is an ongoing criminal investigation into related matters." (Source: UK Serious Fraud Office Press Release, "SFO Obtains Civil Recovery Order against AMEC plc," October 26, 2009, accessed at <http://www.sfo.gov.uk/press-room/latest-press-releases/press-releases-2009/sfo-obtains-civil-recovery-order-against-amec-plc.aspx>.) AMEC's announcement on the settlement noted that the payments totalled some US \$9 million and was associated with the last remaining Private-Public Partnership project and the division it belonged to was divested in mid-2007. (Source: AMEC plc, "AMEC plc - Statement on civil recovery order," October 26, 2009, accessed at http://www.amec.com/media/news_releases/2009/AMEC_statement_on_civil_recovery_order.htm.) Media reports that the project in question was the Incheon Bridge project in South Korea. (Source: Simon Bowers, "Amec and Serious Fraud Office settle \$9m 'irregular receipts' case," The Guardian, October 26, 2009, accessed at <http://www.guardian.co.uk/business/2009/oct/26/amec-sfo-settlement/print>.)

Sources :

UK Serious Fraud Office Press Release, "SFO obtains Civil Recovery Order against AMEC plc," October 26, 2009, accessed at <http://www.sfo.gov.uk/press-room/press-release-archive/press-releases-2009/sfo-obtains-civil-recovery-order-against-amec-plc.aspx>; AMEC plc, "AMEC plc - Statement on civil recovery order," October 26, 2009, accessed at http://www.amec.com/media/news_releases/2009/AMEC_statement_on_civil_recovery_order.htm; Simon Bowers, "Amec and Serious Fraud Office settle \$9m 'irregular receipts' case," The Guardian, October 26, 2009, accessed at <http://www.guardian.co.uk/business/2009/oct/26/amec-sfo-settlement/print>.