

BizJet International Sales and Support, Inc. / Lufthansa Technik AG

Case ID:

ST-66

Case Cluster :

BizJet International Sales and Support, Inc.

Jurisdiction of Settlement:

United States

Jurisdiction of Settlement / Enforcement Agency:

Department of Justice

Jurisdiction of Foreign Public Official(s) :

Mexico

Year of Settlement:

2012

Month/Day of Settlement (or Notes):

03/14

Other Jurisdictions of Settlement:

Unknown

Settlement with Individual or Legal Person?:

Legal Person

Type of Settlement:

Criminal

Legal Form of Settlement:

Non-Prosecution Agreement

Monetary Sanctions (Types):

None

Total Monetary Sanctions (US\$):

\$0.00

Criminal Fine/Penalty (US\$) :

\$0

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

\$0

UNCAC Articles(s) Implicated:

Art.16

Art.23

Art.26

OECD Anti-Bribery Convention Articles Implicated:

Art. 1, Art. 2, Art. 7

Offenses - Alleged:

Bribery of foreign officials

Offenses - Settled:

Bribery of foreign officials

Public Procurement Contract / SOE Involved?:

Yes

Summary:

As part of the US settlements with the BizJet company, "BizJet's indirect parent company, Lufthansa Technik AG, itself a German provider of aircraft-related services, entered into an agreement with the department in connection with the unlawful payments by BizJet and its directors, officers, employees and agents. The department has agreed not to prosecute Lufthansa Technik provided that Lufthansa Technik satisfies its obligations under the agreement for a period of three years. Those obligations include ongoing cooperation and the continued implementation of rigorous internal controls. (Source: US Department of Justice Press Release, "Bizjet International Sales and Support Inc., Resolves Foreign Corrupt Practices Act Investigation and Agrees to Pay \$11.8 Million Criminal Penalty," March 14, 2012.) According to Luftansa Technik's Non-Prosecution Agreement with the Department of Justice, Luftansa "admits, accepts, and acknowledges responsibility for the conduct of its subsidiary set forth in the Statement of Facts contained in the Deferred Prosecution Agreement between the Department and BizJet" (Source: Non-Prosecution Agreement between Department of Justice and Luftansa Technik A.G., December 21, 2011, accessed at <http://www.justice.gov/criminal/fraud/fcpa/cases/lufthansa-technik/2011-12-21-lufthansa-mpa.pdf>.)

Sources :

US Department of Justice Press Release, "Bizjet International Sales and Support Inc., Resolves Foreign Corrupt Practices Act Investigation and Agrees to Pay \$11.8 Million Criminal Penalty," March 14, 2012, accessed at <http://www.justice.gov/opa/pr/2012/March/12-crm-321.html>; Non-Prosecution Agreement between Department of Justice and Luftansa Technik A.G., December 21, 2011, accessed at <http://www.justice.gov/criminal/fraud/fcpa/cases/lufthansa-technik/2011-12-21-lufthansa-mpa.pdf>.)