

Bribery by Oil Services and Freight Forwarding Companies / Noble Corporation / Thomas F. O'Rourke

Case ID:

ST-89

Case Cluster :

Bribery by Oil Services and Freight Forwarding Companies

Jurisdiction of Settlement:

United States

Jurisdiction of Settlement / Enforcement Agency:

Securities and Exchange Commission

Jurisdiction of Foreign Public Official(s) :

Nigeria

Year of Settlement:

2012

Month/Day of Settlement (or Notes):

02/24

Other Jurisdictions of Settlement:

Unknown

Settlement with Individual or Legal Person?:

Individual

Type of Settlement:

Civil

Legal Form of Settlement:

Consent to Permanent Injunction

Monetary Sanctions (Types):

Civil Penalty

Total Monetary Sanctions (US\$):

\$35,000.00

Civil Disgorgement of Profits (US\$) :

\$0

Civil Prejudgment Interest (US\$) :

\$0

Civil Fine / Penalty (US\$):

\$35,000

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

\$0

UNCAC Articles(s) Implicated:

Art.16

OECD Anti-Bribery Convention Articles Implicated:

Art. 1, Art. 8

Offenses - Alleged:

Aiding and Abetting Noble Corporation's violations of the anti-bribery, books and records, and internal controls provisions; Internal Controls and False Records violations

Offenses - Settled:

No admission or denial of alleged offenses

Public Procurement Contract / SOE Involved?:

No (Customs)

Summary:

According to a Press Release by the US Securities and Exchange Commission, the agency had filed a complaint against Thomas F. O'Rourke, former controller and head of internal audit at Noble Corporation, along with two other company executives whom the agency alleged perpetrated a scheme to bribe Nigerian customs officials to grant new temporary permits illegally and "favorably exercise or abuse their discretion to grant permit extensions." The press release noted that "Noble Corporation was charged with FCPA violations as part of a sweep of the oil services industry in late 2010. The company cooperated with investigators and agreed to pay more than \$8 million to settle civil and criminal cases." (Source: US Securities and Exchange Commission Press Release, "SEC Charges Three Oil Services Executives with Bribing Customs Officials in Nigeria," February 24, 2012.)

Sources :

US Securities and Exchange Commission Press Release, "SEC Charges Three Oil Services Executives with Bribing Customs Officials in Nigeria," February 24, 2012, accessed at <http://www.sec.gov/news/press/2012/2012-32.htm> and complaint filed in US v. Thomas F. O'Rourke (S.D. Tex), case number not provided, accessed at <http://www.sec.gov/litigation/complaints/2012/comp-pr2012-32-1.pdf>