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: