

Germany / Company P (specializing in cleaning pipes)

Case ID:

ST-161

Case Cluster :

Germany / Company P

Jurisdiction of Settlement:

Germany

Jurisdiction of Settlement / Enforcement Agency:

Unspecified

Jurisdiction of Foreign Public Official(s) :

Unspecified

Year of Settlement:

2009

Month/Day of Settlement (or Notes):

06/26

Other Jurisdictions of Settlement:

Unknown

Settlement with Individual or Legal Person?:

Legal Person

Type of Settlement:

Administrative

Legal Form of Settlement:

Administrative Offences Act

Monetary Sanctions (Types):

Fine

Total Monetary Sanctions (US\$):

\$279,040.00

Civil Fine / Penalty (US\$):

\$279,040

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:

Section 30 OWiG in conjunction with sections 334 and 335 Criminal Code

Offenses - Settled:

Section 30 OWiG in conjunction with sections 334 and 335 Criminal Code

Public Procurement Contract / SOE Involved?:

Unspecified

Summary:

According to the March 2011 Germany Report to the OECD, "Decision of Hildesheim Regional Court of 26 June 2009 pursuant to section 30 OWiG in conjunction with sections 334

and 335CC - against Company P. specialised in cleaning pipes -- Fine of EUR 200 000 (see Annual reports 2007-2008 and 2009 Lower Saxony (a) and Germany's reply to Phase 3 questionnaires), hereinafter Case "Company P" (Source: Organisation for Economic Co-operation and Development, Working Group on Bribery: 2010 Data on Enforcement of the Anti-Bribery Convention, accessed at <http://www.oecd.org/dataoecd/47/39/47637707.pdf>; Organisation for Economic Co-operation and Development, Directorate for Financial and Enterprise Affairs, "Germany: Phase 3 Report on the Application of the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions and the 2009 Revised Recommendation on Combating Bribery in International Business Transactions," approved and adopted by the Working Group on Bribery in International Business Transactions on 17 March 2011, at footnote 49.)

Sources :

Organisation for Economic Co-operation and Development, Working Group on Bribery: 2010 Data on Enforcement of the Anti-Bribery Convention, accessed at <http://www.oecd.org/dataoecd/47/39/47637707.pdf>; Organisation for Economic Co-operation and Development, Directorate for Financial and Enterprise Affairs, "Germany: Phase 3 Report on the Application of the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions and the 2009 Revised Recommendation on Combating Bribery in International Business Transactions," approved and adopted by the Working Group on Bribery in International Business Transactions on 17 March 2011, accessed at <http://www.oecd.org/dataoecd/5/45/47416623.pdf>. <http://www.oecd.org/daf/anti-bribery/anti-briberyconvention/Germanyphase3reportEN.pdf>