

## Germany / Hamburg-based Shipping Company

**Case ID:**

ST-162

**Case Cluster :**

Germany / Hamburg-based Shipping Company

**Jurisdiction of Settlement:**

Germany

**Jurisdiction of Settlement / Enforcement Agency:**

Unspecified

**Jurisdiction of Foreign Public Official(s) :**

Unspecified

**Year of Settlement:**

2008

**Month/Day of Settlement (or Notes):**

07/17

**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\$):**

\$47,675.40

**Civil Fine / Penalty (US\$):**

\$47,675.40

**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

**Offenses - Alleged:**

Section 30 OWiG in connection with sections 299 and 400 Criminal Code

**Offenses - Settled:**

Section 30 OWiG in connection with sections 299 and 400 Criminal Code

**Public Procurement Contract / SOE Involved?:**

Unspecified

**Summary:**

According to the March 2011 Germany Phase 3 Report to the OECD, "iii) Decision of the Hamburg Regional Court of 17 July 2008 pursuant to section 30 OWiG in conjunction with

sections 299 and 300 CC- against a Hamburg based shipping company -- Fine of EUR 30 000 (see Germany's reply to Phase 3 questionnaires and Germany's reply to Phase 3 questionnaires Hamburg bb ? decision provided only in German), hereinafter Case "Hamburg based shipping Company" (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>