

SBM Offshore NV

Case ID:

ST-501

Case Cluster :

SBM Offshore NV

Jurisdiction of Settlement:

Netherlands

Jurisdiction of Settlement / Enforcement Agency:

Openbaar Ministrie (Public Prosecution Service)

Jurisdiction of Foreign Public Official(s) :

Angola, Brazil, Equatorial Guinea

Year of Settlement:

2014

Month/Day of Settlement (or Notes):

11/12

Other Jurisdictions of Settlement:

Brazil

Settlement with Individual or Legal Person?:

Legal Person

Type of Settlement:

Criminal

Legal Form of Settlement:

Out of Court Settlement

Monetary Sanctions (Types):

Criminal Fine, Criminal Confiscation

Total Monetary Sanctions (US\$):

\$240,000,000

Criminal Fine/Penalty (US\$) :

\$40,000,000

Criminal Forfeiture / Confiscation (US\$):

\$200

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000

Criminal Restitution / Reparation (US\$):

\$0

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

\$0

UNCAC Articles(s) Implicated:

Art.16

OECD Anti-Bribery Convention Articles Implicated:

Art.1, Art. 2

Offenses - Alleged:

Bribery of Foreign Public Officials

Offenses - Settled:

Bribery of Foreign Public Officials

Public Procurement Contract / SOE Involved?:

Yes

Summary:

According to the Openbaar Ministerie press release, "SBM Offshore has accepted an offer from the Dutch Public Prosecutor's Service (Openbaar Ministerie) to enter into an out-of-court settlement. The settlement consists of a payment by SBM Offshore to the Openbaar Ministerie of US\$ 240,000,000 in total. This amount consists of a US\$ 40,000,000 fine and US\$ 200,000,000 disgorgement (ontneming van wederrechtelijk verkregen voordeel). This settlement relates to improper payments to sales agents and foreign government officials in Equatorial Guinea, Angola and Brazil in the period from 2007 through 2011 as identified by the Openbaar Ministerie and the Dutch Fiscal Intelligence and Investigation Service (Fiscale Inlichtingen en Opsporingsdienst? FIOD). According to the Openbaar Ministerie's those payments constitute the indictable offences of bribery in the public and the private sector as well as forgery (valsheid in geschrifte). (Source: Openbaar Ministerie press release, "SBM Offshore N.V. settles bribery case for US\$240,000,000," November 12, 2014 at <https://www.om.nl/vaste-onderdelen/zoeken/@87201/sbm-offshore-settles/>).

Sources :

Openbaar Ministerie press release, "SBM Offshore N.V. settles bribery case for US\$240,000,000," November 12, 2014 at <https://www.om.nl/vaste-onderdelen/zoeken/@87201/sbm-offshore-settles/>