

Serious Fraud Office and Rolls-Royce plc, Rolls-Royce Energy Systems Ltd

Discontinuance of proceedings on expiry of deferred prosecution agreement

Details of compliance

1. This information is published in accordance with paragraph 11(8) of Schedule 17 to the Crime and Courts Act 2013.
2. On 17 January 2017, a Deferred Prosecution Agreement ('the Agreement') between the Serious Fraud Office ('the SFO') and (1) Rolls-Royce plc and (2) Rolls-Royce Energy Systems Inc. (together, "Rolls-Royce") came into force having been approved by Sir Brian Leveson P.
3. On the same day, a bill of indictment was preferred charging Rolls-Royce with 12 counts, including offences of Conspiracy to corrupt contrary to section 1 of the Criminal Law Act 1977, False accounting contrary to section 17 of the Theft Act 1968 and Failure of a commercial organisation to prevent bribery contrary to section 7 of the Bribery Act 2010 (indictment number U20170036). The proceedings were automatically suspended in accordance with paragraph 2(2) of Schedule 17 to the Crime and Courts Act 2013.
4. The Agreement expired on 17 January 2022.
5. On 18 January 2022, the SFO gave notice in writing to the Court and Rolls-Royce discontinuing the prosecution on indictment number U20170036 in accordance with paragraph 11(1) of Schedule 17 to the Crime and Courts Act 2013 and rule 11.8 of the Criminal Procedure Rules.
6. As detailed below, Rolls-Royce complied with its obligations under the Agreement:
 - A. Cooperation

Rolls-Royce cooperated fully with the SFO in matters relating to the conduct arising out of the circumstances described in the Statement of Facts attached to the Agreement.
 - B. Disgorgement of Profit

Rolls-Royce paid the SFO £258,170,000 plus applicable interest by way of disgorgement of profit for onward transmission to the Consolidated Fund, as was agreed.
 - C. Financial Penalty

Rolls-Royce paid the SFO £239,082,645 plus applicable interest by way of financial penalty for onward transmission to the Consolidated Fund, as was agreed.
 - D. Costs

Rolls-Royce paid the SFO £13,000,000 for its costs of the investigation, as was agreed.
 - E. Corporate Compliance Programme (the definitions in the Agreement are adopted in this section)

Rolls-Royce has met its obligations in the Agreement through:
 - a. Providing the SFO with a copy of Lord Gold's Third Interim Report regarding Rolls-Royce's anti-bribery and corruption compliance.
 - b. Providing the SFO with a copy of Rolls-Royce's Implementation Plan.
 - c. Providing the SFO with a copy of Lord Gold's Final Report in respect of the execution of the Implementation Plan.

d. Continuing to review and develop its compliance procedures following Lord Gold's Final Report and updating the SFO on the same.