

CHARGE

STATEMENT OF OFFENCE

Contravening section 221(5) of the Companies Act 1985

PARTICULARS OF OFFENCE

- (i) B.A.E Systems Plc, between 1st January 1999 and 31st December 2005, knowingly procured the failure of British Aerospace Defence Systems Limited to comply with the provisions of section 221 of the Companies Act 1985, and thereby aided and abetted, counselled and procured the commission of the offence contrary to section 221(5) of the Companies Act 1985 by the officers of British Aerospace Defence Systems Limited.

- (ii) The failure to comply with the provisions of section 221 of the Companies Act 1985 was the failure of British Aerospace Defence Systems Limited to keep accounting records which were sufficient to show and explain payments made pursuant to (a) a contract between Red Diamond Trading Limited and Envers Trading Corporation, (b) a further contract between British Aerospace (Operations) Limited and Merlin International Limited

The information of: Kathleen Harris of the Serious Fraud Office.

Address: Elm House, 10-16 Elm Street, London WC1X 0BJ

Telephone No. 0207 084 4569

Signed.....

(Name of person swearing the information)

For and on behalf of the SFO

Dated.....

who (upon oath) states that the accused committed the offence of which particulars are given above.

Taken (and sworn) before me

..... Justice of the Peace

..... (Justices' Clerk)

[Note: Formerly form 1, Magistrates' Courts' (Forms) Rules 1981 (SI 1981/553), relating to rule 4 of the Magistrates' Courts Rules 1981 and section 1 of the Magistrates' Courts Act 1980]