

# Notice of discontinuance

## Tesco Stores Limited

1. This information is published in accordance with paragraph 11(8) of Schedule 17 to the Crime and Courts Act 2013.
2. On the 10<sup>th</sup> April 2017, a deferred prosecution agreement ('the agreement') between the Serious Fraud Office and Tesco Stores Limited came into force having been approved by the President of the Queen's Bench Division, the Rt. Hon. Sir Brian Leveson, sitting at Southwark Crown Court ('the Court').
3. The same day, a bill of indictment was preferred charging Tesco Stores Limited with an offence of false accounting, contrary to section 17 of Theft Act 1968. 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 10 April 2020 following completion of the 3 year term.
5. On 7 April 2020, the Serious Fraud Office gave notice in writing to the Court and Tesco Stores Limited discontinuing the prosecution on indictment number U2017XXXX 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, Tesco Stores Limited has complied with its obligations under the agreement:

### **A. Cooperation**

Tesco Stores Limited fully cooperated with the Serious Fraud Office as required by the agreement. This included disclosing information and material in respect of its activities and those of individuals until the conclusion of the prosecution of individuals.

### **B. Financial Penalty**

Tesco Stores Limited paid the Serious Fraud Office a financial penalty of £128,992,500.

### **C. Payment Terms of financial penalty**

Tesco Stores Ltd paid the financial penalty on the 9<sup>th</sup> May 2017 in accordance with the agreed terms.

### **D. Costs**

Tesco Stores paid the Serious Fraud Office costs of £3,069,951 on the 19 April 2017 in accordance with the agreed terms.

### **E. Compliance**

Tesco Stores Limited has over the agreement term fully reported on and implemented a programme of commercial income accounting controls and operating procedures as identified and recommended by Deloitte LPP.