

BHP BILLITON LTD
Form 6-K
August 09, 2018

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549
Form 6-K
REPORT OF FOREIGN PRIVATE ISSUER
PURSUANT TO RULE 13a-16 OR 15d-16
UNDER THE SECURITIES EXCHANGE ACT OF 1934
August 9, 2018

BHP BILLITON LIMITED
(ABN 49 004 028 077)
(Exact name of Registrant as specified in its charter)

VICTORIA, AUSTRALIA
(Jurisdiction of incorporation or organisation)

171 COLLINS STREET, MELBOURNE,

VICTORIA 3000 AUSTRALIA

(Address of principal executive offices)

BHP BILLITON PLC
(REG. NO. 3196209)
(Exact name of Registrant as specified in its charter)

ENGLAND AND WALES
(Jurisdiction of incorporation or organisation)

NOVA SOUTH, 160 VICTORIA STREET

LONDON, SW1E 5LB

UNITED KINGDOM
(Address of principal executive offices)

Indicate by check mark whether the registrant files or will file annual reports under cover of Form 20-F or Form 40-F: Form 20-F Form 40-F

Indicate by check mark if the registrant is submitting the Form 6-K in paper as permitted by Regulation S-T Rule 101(b)(1):

Indicate by check mark if the registrant is submitting the Form 6-K in paper as permitted by Regulation S-T Rule 101(b)(7):

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Indicate by check mark whether the registrant by furnishing the information contained in this Form is also thereby furnishing the information to the Commission pursuant to Rule 12g3-2(b) under the Securities Exchange Act of 1934: Yes No

If Yes is marked, indicate below the file number assigned to the registrant in connection with Rule 12g3-2(b): n/a

NEWS RELEASE

Release Time IMMEDIATE

Date 9 August 2018

Release Number 13/18

Samarco Update

US Samarco Class Action settled

BHP has reached an agreement to settle the class action complaint filed in the US District Court of the Southern District of New York on behalf of purchasers of American Depositary Receipts of BHP Billiton Limited and BHP Billiton Plc between 25 September 2014 and 30 November 2015¹ in relation to the Samarco dam failure on 5 November 2015. Under the terms of the agreement, BHP has agreed to pay the plaintiffs US\$50 million, with no admission of liability. The agreement is subject to approval by the District Court.

Governance Agreement ratified

On 25 June 2018, BHP announced that various parties² had entered into a Governance Agreement which settles the BRL20 billion Civil Claim, enhances community participation in decisions related to the remediation and compensation programs under the Framework Agreement (**Programs**), and establishes a process to renegotiate those Programs over two years and to progress settlement of the BRL155 billion Civil Claim.

On 8 August 2018, the 12th Federal Court of Minas Gerais formally ratified the Governance Agreement.

Further information on BHP can be found at **bhp.com**

¹ In August 2017, the District Court dismissed the claims in part, including the claims against current and former executive officers and directors.

² The parties the Governance Agreement include Samarco Mineração S.A., Vale S.A., BHP Billiton Brasil Ltda, the Federal Government of Brazil, the Brazilian states of Espirito Santo and Minas Gerais, the Public Prosecutors Office, the Public Defense Office and other public authorities.

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Registered in Australia

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BHP Billiton Plc Registration number 3196209

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Registered in England and Wales

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headquartered in Australia

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SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned, thereunto duly authorized.

BHP Billiton Limited and BHP Billiton Plc

Date: August 9, 2018

By: /s/ Rachel Agnew
Name: Rachel Agnew
Title: Company Secretary