

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 2015<sup>1</sup> 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 parties<sup>2</sup> 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 12<sup>th</sup> Federal Court of Minas Gerais formally ratified the Governance Agreement.

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

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

<sup>2</sup> 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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BHP Billiton Limited ABN 49 004 028 077

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Registered in Australia

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Members of the BHP Group which is

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BHP Billiton Plc Registration number 3196209

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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