



Besic Privacy Statement

October 23, 2019



1. BE Semiconductor Industries N.V. privacy statement

- I. The **responsible body** and data controller of your personal data under the General Data Protection Regulation (“GDPR”) and other data protection laws is:

BE Semiconductor Industries N.V. (“Besì”)
Ratio 6, 6921 RW Duiven, the Netherlands
www.besi.com

- II. Contact for data protection queries: For queries, suggestions or complaints as to the processing of your data, contact our data protection coordinator at:

Data Protection Coordinator
BE Semiconductor Industries N.V.
Ratio 6
6921 RW Duiven, the Netherlands
dataprotection@besi.com

- III. Responsible **supervisory authority** for data protection matters (you can contact your local supervisory authority with any complaints):

Austria
Österreichische Datenschutzbehörde
Barichgasse 40-42
A-1080 Wien
dsb@dsb.gv.at

Netherlands
Autoriteit Persoonsgegevens
Postbus 93374
2509 AJ DEN HAAG

Tel: (+31) - (0)70 - 888 85 00
Fax: (+31) - (0)70 - 888 85 01

Switzerland
Eidgenössischer Datenschutz- und Öffentlichkeitsbeauftragter
Feldeggweg 1
CH-3003 Bern

Tel: (+41) - (0)58 - 462 43 95 (Mo. to Fr., 10.00 to 12.00 hours)
Fax: (+41) - (0)58 - 465 99 96

2. Data protection principles

For BE Semiconductor Industries N.V. (“Besì”) trust is a vital cornerstone in every business relationship, which is why we attach great importance to the secure and sensitive management of your data.



This privacy statement is intended to give you an insight into which personal data is used, for what purpose and what options are available to you as the data subject for getting the best possible overview of what happens to your data and what rights you have in this regard. Besì operates a consistent and continuous data protection management system in order to systematically plan, organize, manage and monitor legal and operational data protection requirements. Our goal is to ensure the rights and freedoms of those concerned, and recognize business-related risks arising from data protection and to be able to manage these accordingly.

This means for you, as the data subject:

- You are made aware of what personal data we hold about you and the purposes we use it for.
- Where you have given your consent for the processing of your personal data, you are able to withdraw your consent to such processing at any time. Your withdrawal does not affect the lawfulness of processing before you withdraw your consent.
- We respect your rights under the data protection laws, such as the right to be informed about the lawful basis we rely on for processing your personal data.
- Our information processing security measures comply with the latest standards and with statutory requirements.
- Our employees are obliged to maintain confidentiality and receive regular training on data handling best practices.
- Compliance with data protection provisions is monitored by the data protection coordinator who can be contacted directly by email should you have any questions.

We have endeavored to be as transparent as possible. This privacy statement describes how we handle personal data of the representatives/contact persons of our (potential) customers and suppliers and of job applicants. It also contains information regarding our websites and how we use cookies.

We invite you to read this declaration carefully and familiarize yourself with our practices. This also applies if you have already been a customer or supplier of Besì for many years.

If you have any questions, you can contact us at any time – our contact details are set out at the beginning of this declaration.



3. Type or categories of personal data we process

Personal data is all that information that relates to an identified or identifiable natural person. We store and process personal data only as far as is directly necessary for running, building and developing our business across our entire service range – from development, manufacturing, marketing, sales and service of semiconductor assembly equipment for the global semiconductor and electronics industries.

We gather your personal data when you choose to provide it to us or when our (potential) customer or supplier chooses to provide it to us. We pledge to use personal data we collect only for the purpose for which it was originally collected and not for any other purpose. It is especially important to us to ensure there is no lack of clarity around the collection of personal data and that you know from the start how, why and by whom the data has been collected. Beside may use your personal data for Beside's own marketing purposes. This may include providing you with information targeted to your interests. We will give you the opportunity to elect not to receive direct marketing materials from us. Beside does not sell any personal data.

We also process data that we have rightfully obtained from credit reference agencies and from publicly accessible sources (e.g. company registers and the land registry).

The personal data we process include the following:

Prospective customer representative/contact person details:

- Forename, surname, address (address, postcode, town)
- Contact details (email address, telephone number)

Existing customer/supplier representative/contact person details:

- Customer/supplier name (forename, surname)
- Contact details (address, email address, telephone number)
- Bank details

Jobs applicant

- Personal data you provide, such as your name, address, date of birth, introductory letter, CV and education details
- Correspondence details, such as your postal address, email address and telephone numbers

Bidder details:

- Personal data provided to us by you or the prospective agent/business partner or supplier, such as your name, address, date of birth, introductory letter, CV
- Correspondence details, such as your postal address, email address and telephone numbers

Regardless of what personal data is concerned, we guarantee that we will only use it for the purpose for which it was originally collected. The transparency of this approach is especially important to us to ensure there is no lack of clarity around collection and that you know from the start how, why and by whom the data has been collected.



4. How we use personal data, our purpose for processing it, and our legal basis for the processing of personal data

We process your personal data in accordance with the provisions of the European General Data Protection Regulation (GDPR) and local data protection laws. As a rule, we seek to present the collection and processing of your data as transparently as possible. Therefore, we will only process your personal data where we have a lawful basis to do so under Article 6 of the GDPR.

We process personal data for various reasons including to comply with statutory regulations applicable to us. Sometimes we will rely on your consent to process personal data and on other occasions we will process your personal data where this is necessary to pursue our legitimate interests or the legitimate interests of a third party.

We have set out our purposes for processing personal data in the table below alongside the lawful basis we are relying on to process that personal data for the purpose:

<i>For purposes related to the provision of the products and services that we offer or use:</i>	
<ul style="list-style-type: none"> • setting up, executing and managing contracts and business relationships; • to fulfil our contract with our customers and fulfil their orders (either through our webshop or otherwise) and implement pre-contractual measures; • managing enquiries and complaints or otherwise communicating with our customers/suppliers; • processing and responding to queries made through the contact form on our company homepage. 	<p>We use your personal data in this way because it is in our legitimate interests to do so (for example, it is in our interests to use personal data of representatives/contact persons where this is necessary to enter into or perform a contract with our customer/supplier or to ensure our customers are happy and solve any customer issues) but we will always ensure that your rights are protected.</p>
<i>For advertising and marketing purposes, including to measure how effective our marketing is:</i>	
<ul style="list-style-type: none"> • we undertake direct marketing to existing customers to strengthen our relationship; • in a business to business context only, we will undertake direct marketing to build new customer relations or approach prospective customers; 	<p>We do this because it is in our legitimate interests to send marketing to our existing customers for goods and services, they may be interested but we will always ensure that your rights are protected and you can opt-out at any time.</p>



<i>For administrative and internal business purposes:</i>	
<ul style="list-style-type: none"> • accounting purposes and processing general payments as part of various projects; • transferring data across our corporate group to ensure we are offering an efficient service to our customers; • the development, deployment and protection of new IT solutions; • for other internal business purposes, such as analyzing and managing our businesses, audits, developing new products or services, enhancing our site, and improving our services and products; • to improve the user-friendliness of our service facilities such as the Beside web presence; 	<p>It is in our legitimate interests as a business to use your personal data in this way. For example, we have a clear interest in ensuring that our products and services are high quality and efficient. We will always ensure that your rights are protected.</p>
<i>For security and legal and compliance purposes:</i>	
<ul style="list-style-type: none"> • as part of our efforts to keep our site safe and secure; • to detect or prevent fraud or other illegal activity; • as we believe to be necessary or appropriate in each case in order to comply with laws or legal process (including laws or legal process in other countries); • to protect our rights or property (or the rights or property of others) and to enforce our rights and pursue available remedies; and • we use video surveillance on our premises to protect our employees, the security of Beside property and the prevention, containment and solving of criminal conduct. 	<p>In some cases, we will need to use your personal data to fulfil a legal obligation (for example, if we receive a legitimate request from law enforcement agencies), and in other cases (such as the detection of fraud or ensuring the security of the site) we will rely on our legitimate interests as a business to use your personal data in this way. We will always ensure that your rights are protected.</p>



<i>For recruitment purposes</i>	
<ul style="list-style-type: none"> to contact you and inform you of the course of the application procedure, and to answer your questions; to evaluate your application, your experience, abilities, qualifications, interest, assess your suitability for the vacancy, and interview you; to maintain the records concerning our recruitment and selection process. 	<p>It is in our legitimate interests as a business to use your personal data in this way in order to organize our recruitment and selection process in a responsible, effective, and efficient way. We will always ensure that your rights are protected.</p>

We will only use your personal data for the purpose it was collected for. Should this purpose expire we will either securely delete the personal data or we will consider whether there is an alternative purpose and corresponding lawful basis to continue to process and store the personal data.

5. Disclosure of data and transmission

We will only share personal data with third parties if we have a lawful basis for doing so, for example where there is a statutory requirement, it is necessary in order to perform our contract with a customer or a supplier, it is necessary to pursue our legitimate interests or the legitimate interests of a third party, or if you have given prior consent.

Within Besi and its subsidiaries

We are part of a group of companies that share various operations and business processes. We may share your personal data with any member of our group for example; in order to fulfil our contractual obligations to you, or because it is in our legitimate interests to do so.

With third party processors

We use third party processors to help us with specific functions, and we may disclose your personal data to them if they need it to perform their respective services. All processors are contractually obliged to handle your data confidentially and only process it as part of the agreed service provision. We only provide third party agents with the minimum amount of information needed to complete the requested service or transaction.

In relation to statutory functions

We may share your personal data where there is a statutory obligation to do so, for example with authorities, regulators, or even to the Courts in connection with legal proceedings. In particular, personal data collected through our video surveillance may be transmitted (in individual cases and only where it is strictly necessary and proportionate to do so) to competent authorities (for evidence protection in civil or criminal proceedings), security agencies (for security purposes), insurers (only for processing insurance claims), lawyers and those in other posts for the purpose of law enforcement.



With external advisors

We may also share your personal data with our professional external advisors (e.g. legal, financial, business, risk management or other advisors), bankers and auditors because it is in our legitimate interests to do so.

With trading partners

During the course of completing a transaction initiated by you, Besi may provide your contact or other information to a trading partner because it is in our legitimate interests or the legitimate interests of others to do so.

Data processed outside of the EEA

In some cases, we will be transferring personal data to countries outside the European Union/European Economic Area. Such transfers will only take place if:

- the country has been deemed by the European Commission to have an adequate level of protection of personal data,
- there is no adequacy decision but we provide appropriate safeguards for the transfer e.g. by the use of approved model clauses (https://ec.europa.eu/info/law/law-topic/data-protection/international-dimension-data-protection/standard-contractual-clauses-scc_en); or
- a derogation under art. 49 GDPR applies.

6. Data retention period

We process your personal data, where necessary, for the period of the entire business relationship (from the initiation and processing of a contract to its termination) and furthermore pursuant to the respective statutory retention and documentation obligations where applicable.

For Austria:

In addition, we retain some personal data for longer than our business relationship with you where it is in our legitimate interests to do so. In addition, the statutory limitation periods, which may for example in certain cases be up to 30 years in accordance with the General Civil Code (ABGB) (the most relevant limitation period in practice amounts to 3 years), must be taken into account for the retention period.

With regard to our recruitment activities we will keep your personal data until four weeks after the completion of the application procedure if your application is not successful. We might ask your permission to store your personal data for another year after the application procedure, so we can notify you of other vacancies. If you give us permission to store your personal data longer, you have the right to withdraw this permission at any time which withdrawal does not affect the lawfulness of processing before you withdraw your consent.

Where we are relying on your consent to process your personal data, your personal data will be deleted if you withdraw your consent to the data being processed for that particular purpose if there is no other lawful basis for processing.



7. **Data access and data security**

Those within our company involved with implementation and process have access to your data depending on operational and organizational needs.

Data protection and data security are important to us. We have implemented technical and organizational measures to secure our data processing. These measures protect against unauthorized or unlawful processing, accidental loss, accidental destruction or accidental damage. This particularly concerns protection of your personal data. Protective measures are including but not limited to the use of modern security software and encryption methods, controls on physical access, authorization concepts, pseudonymization and other precautions to protect against and prevent external and internal attacks.

All technical and organizational security measures are continuously reviewed in line with technological development. IT security controls and security logs are reviewed at regular intervals to uncover malicious activities and potential threats, if any.

8. **Your rights as the data subject**

As a data subject, you have a number of rights which we have set out below. To exercise your rights and if you have any queries, contact our data protection coordinator:

Data Protection Coordinator
BE Semiconductor Industries N.V.
Ratio 6
6921 RW Duiven, the Netherlands
dataprotection@besi.com

Where appropriate it may be necessary for you to prove your identity to us in a suitable form before we are able to comply with your request, we do this to remove the possibility of unauthorized third parties being given your personal data and/or to prevent unauthorized changes and/or deletions being made.

On receipt of a request from you exercising your rights, we shall respond without undue delay, but no later than one month from your concern reaching us. Our response will give an initial view or deal with your concern or state whether and if so, why the period for giving our views has been extended by up to two months.

Right of access

You have the right to information on whether or not we process your personal data and, if so, information about your personal data and how this data is processed by us.

Right to rectification

If the personal data we hold about you is inaccurate or incomplete, please inform us of this so that we can rectify and/or complete it immediately.

Right to restrict processing

You can restrict the processing of your data at our company in certain circumstances if:



- You are disputing the accuracy of your personal data and Besì is checking your data for accuracy.
- Your data is processed unlawfully, but you decline to have it deleted and instead seek to restrict its use.
- We no longer need your data for the purposes of the processing, but you need it for the assertion, exercise or defense of legal claims.
- You use your right of objection on grounds related to your particular situation, when it is not yet established whether our legitimate interests outweigh your rights as a data subject.

Right to deletion of your data

Should you no longer wish us to process your data, please contact us using the details set out above. We will delete your data if we are required and permitted to do so under applicable laws and will inform you when this has been completed. Should compelling reasons, in particular legal reasons, prevent us from deleting it, you will be informed by us to that effect without undue delay.

Right to data portability

In certain circumstances, you have the right to receive your personal data in a structured, current and machine-readable format. This refers to the data with which you have provided to us and that we process with your consent or to fulfil a contract with you and which are processed by automated means. In such case you can also ask us to transmit this personal data directly to another data controller where technically feasible.

Right to object

You have the right to object to processing of your personal data, on grounds related to your particular situation, where such processing is based on legitimate interests. This also applies if we use your personal data for any profiling activities based on that lawful basis.

In such a case, we will no longer process your personal data unless we are able to establish compelling legitimate grounds for such processing that outweigh your interests, rights and freedoms or processing is directed at the assertion, exercise or defense of legal claims.

Where direct marketing is concerned, you have the right to object to processing for the purposes of such marketing at any time. This also applies for profiling, if it is associated with direct marketing.

Right of appeal

If it is your view that we are in breach of local or European data protection law in processing your data, we would ask you to contact us so that we can answer any questions. You have the right to appeal to your local competent authority.



How to make a request

Whatever right you wish to assert, in each case you can send your request to us in one of three ways:

by letter, personally signed and with a copy of your ID send to

Data Protection Coordinator
BE Semiconductor Industries N.V.
Ratio 6
6921 RW Duiven, the Netherlands

personally, at the Beside company sites during office hours or by email, only with a qualified electronic signature, to:

dataprotection@beside.com

Please make your concern as specific as possible so that we can deal with it quickly and efficiently. An appropriate enquiry form is available from us.

9. Use of the Beside website

Beside websites record a range of data and information about visitors to the websites automatically. This general data and information is stored in the server's logs files. The following are the potential information that could be recorded:

- (1) the browser types and versions used,
- (2) the operating system used by the accessing system,
- (3) the website from which an accessing system gets to our system (so-called referrer),
- (4) the sub-websites heading for our website via an accessing system,
- (5) the date and time of access to the website,
- (6) an internet protocol address (IP address),
- (7) the internet service provider of the accessing system and
- (8) other similar data and information designed to avert risks in the event of access to our information technology systems.

We rely on our legitimate interests to process this data in order to manage and improve our website and ensure we are supporting our customers and prospective customers in the most helpful way.

In using this general data and information, we draw no conclusions about the data subject. This information is needed rather in order to:

- (1) correctly deliver the content of our website,
- (2) optimize the content of our website and the advertising for it,
- (3) guarantee the long-term functionality of our information technology systems and of our website's technology, and



- (4) provide law enforcement authorities with the information necessary for prosecution in the event of a cyber-attack.

This anonymously collected data and information is therefore statistical and is assessed with a view to increasing data protection and data security in our company. The anonymous data in the server log files is stored separately from all personal data provided by a data subject.

10. Cookies

A cookie is a data file that – provided your browser settings allow – is stored by us on your computer if you visit our website or perform certain actions. The cookie contains information that we have sent to your computer. It stores certain settings and data for interaction with our system via your browser.

We use so-called session cookies, which are stored during your visit to our website. They are deleted when you end your browser session. We also use permanent cookies, which remain on your computer once a browser session has ended. Permanent cookies contain an identification number by which we can identify your computer. With this, we can improve our services if you visit our websites repeatedly. We cannot assign personal data to this identification number.

If you do not wish to use cookies, please set cookie handling in your browser's security settings accordingly. You will find setting options in the most current browsers in the „Extras“ menu under „Settings“ or „Internet Options“ and the tab „Data Protection“. With these settings you can also delete cookies already set.

Please note that certain cookies are necessary to ensure the basic functions of the website. Some pages of our websites may not function properly if you do not accept cookies. Below you will also learn how to prevent certain cookies being set.

With regard to our cookies, it is up to you when you want to delete them. In any case, they are stored in your browser until you decide to delete them. As a user, you also have full control over the use of the cookies. However, we should like to advise you at this point that if you deactivate cookies it may not be possible to use all functions of our website.

11. Google Analytics

Our website uses Google Analytics, a web analysis service from Google Inc. (“Google”). Google Analytics is operated by Google Inc., 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA. Google Analytics uses cookies (text files stored on your computer enabling analysis of your website usage, see above). Information generated by the cookie (including your IP address) is transferred to a Google server in the USA and stored there.

Google will use this information to assess your website usage (e.g. search terms entered), compile reports on website activity for the website operator and provide other



services associated with website and internet use. Google can transfer this information to third parties where appropriate if this is legally prescribed or if third parties process this data on behalf of Google. Google will never associate your IP address with other data from Google.

The life of the cookies set by Google Analytics is 10 minutes to 2 years. You will find further details here on the cookies set:

<https://developers.google.com/analytics/devguides/collection/analyticsjs/cookie-usage>

To protect your data, we have added the Code “anonymizelp” to Google Analytics on this website.

The relationship with Google Analytics is based on the US Privacy Shield. You can find further information on Google Analytics terms of use and data protection at

<http://www.google.com/analytics/terms/de.html>

and

<https://www.google.de/intl/de/policies/>

You can prevent the installation of cookies by setting your browser software accordingly. We would point out that deactivating cookies may restrict your website functionality.

12. Updating this statement

Besì may update and amend this document from time to time. For example, to reflect amendments to the national Data Protection Acts or the EU General Data Protection Regulation. Declaration with the latest updates will always be posted on this website (<https://www.besi.com/>).