

ASM Supplier Code of Conduct

Scope

All Direct, Indirect Materials and Services Suppliers to ASM, including Distributors, are in scope for this Code of Conduct (“Code”). This Code does not apply to temporary workers who are covered under ASM’s Code of Business Conduct and our Global Employment Standards.

Objective

The purpose of this policy is to outline the full scope of expectations, tied to ASM’s Code of Business Conduct, the RBA Code of Conduct, and additional ASM requirements or expectations beyond either, for suppliers with whom ASM currently does business. It also defines the baseline set of expectations for any new suppliers being considered for selection.

Supplier Expectations and Associated Public Policies

This Code contains the basic principles on ethics and responsible business conduct that each supplier is expected to abide by. Responsible business conduct goes beyond merely adhering to the letter and spirit of the law: at ASM we choose to always act ethically, and we expect our suppliers to do the same.

The baseline set of expectations for our suppliers are ASM’s [Code of Business Conduct](#) and the current version of the [Responsible Business Alliance \(RBA\) Code of Conduct](#). Both of these policies are based on several international operating standards, including but not limited to, those published by the United Nations (UN), Organization for Economic Co-operation and Development (OECD) and the International Labor Organization (ILO). In addition to the RBA and ASM Codes, ASM has several policies which include associated supplier expectations that go beyond these codes. This document seeks to give suppliers a comprehensive view of all the relevant expectations. Suppliers are expected to conform to these expectations and to integrate the necessary policies, procedures, and management systems into their operations to align their day-to-day activities with the requirements herein. They must also ensure they stay up to date with any changes in those expectations reflected in the Code and Policies.

Service suppliers may find sections of this Code, particularly related to production of goods, are not applicable to them based on the nature of the business offering they provide to ASM. For example: a software provider may not find applicability of the responsible minerals sourcing section. ASM does not expect compliance to elements of the Code except where it is clearly relevant to the supplier operations. To avoid ambiguity, we recommend that the scope of applicability be aligned with ASM’s supply chain sustainability team prior to business engagement.

1. [Respect in all relationships](#)

At ASM we respect the rights of all individuals with whom we interact, both at ASM and in our value chain. We abide by international human rights standards such as the Universal Declaration of Human Rights and the ILO's Declaration on the Fundamental Principles and Rights at Work. We implement these principles using the standards outlined in ASM's policies and as defined by the RBA Code of Conduct. We expect our suppliers to do the same.

ASM's expectations related to the treatment of people are further outlined in:

- RBA Code of Conduct Section A (Labor) – All sections

2. People safety

Safety comes first, always, for all involved. ASM is committed to creating sustainable, safe, and healthy working environments not only for its own employees but for all its stakeholders, including its suppliers. We believe in Zero Harm!, that all incidents and injuries are preventable, and we drive to eliminate safety and health exposures for everyone involved in ASM's business. This includes employees, customers, supplier personnel, and the workers in supplier value chains. Contractors for ASM and supplier employees have the right and the obligation to call Stop Work on activities that are unsafe.

Suppliers should report to ASM any significant safety incidents at facilities where products are made for ASM or where services are provided to ASM. ASM defines "significant safety incidents" as events as: "Fires, explosions, fatalities, multiple hospitalizations, industrial accidents, or hazardous releases outside of secondary containment". Reporting should be done within a reasonable time after event occurrence. ASM's supply chain team may request additional information from the supplier regarding the root cause and mitigation efforts taken by the supplier.

For additional guidance on ASM's Health & Safety expectations, please refer to:

- ASM's [Global Occupational Health & Safety \(OHS\) Policy Statement](#)
- RBA Code of Conduct Section B (Health & Safety) – All sections

3. Information Management

ASM expects its suppliers to act in a reliable and professional manner when dealing with confidential information and supplier shall protect ASM's confidential information using the same degree of care, but no less than a reasonable degree of care, as the supplier uses to protect its own confidential information of a like nature. ASM confidential information includes all non-public information related to its business, products, services, and/or technologies that might be of use to competitors or harmful to ASM, its customers, business partners, or other stakeholders, if made known. It also includes confidential information which could be of interest to someone wishing to invest in shares or options.

All business dealings shall be transparently performed and accurately reflected. Information regarding supplier's code conformance practices, business activities, structure, financial situation, and performance shall be disclosed in accordance with applicable regulations and prevailing industry practices. Falsification of records or misrepresentation of conditions or practices are unacceptable.

ASM's intellectual property (IP) includes our patents, trade secrets, trademarks, and copyrights. We strategically develop our IP portfolio to grow shareholder value, strengthen our competitive advantage in the marketplace, and help support our freedom to sell our products and services. We fully understand that our IP is a critical asset that must be protected. Failing to do this can have negative consequences for ASM, its customers, and our supply chain. These consequences can include loss of revenue and market position, disruptions to our supply chain, regulatory penalties, and a reduction of public trust.

Suppliers are expected to protect the intellectual property and confidential information of ASM, its customers, and other suppliers.

For additional guidance on ASM's Confidential information expectations, please refer to:

- RBA Code of Conduct Section D3 (Ethics – Disclosure of Information)
- RBA Code of Conduct Section D4 (Ethics - Intellectual Property)

4. Privacy and data protection

ASM honors the privacy rights of employees, customers, subcontractors, vendors, and other business partners. We treat personal data of employees, customers, and business partners responsibly. ASM expects the same of its suppliers. ASM and its suppliers must abide by the privacy standards outlined in the RBA code of conduct.

ASM also expects its suppliers to put in place appropriate systematic measures to ensure the security of its networks and information systems. This not only protects ASM and ASM Customer data, but also helps protect supplier operations from cybersecurity attacks.

For additional guidance on ASM's Privacy & Data Protection expectations, please refer to:

- ASM's [Privacy Notice](#)
- RBA Code of Conduct Section D8 (Ethics - Privacy)

5. Corruption, improper advantage, and anti-competitiveness

To protect reputations and adhere to the law, it is essential that ASM and its suppliers avoid corruption, improper advantage, and anti-competitive behaviors in any form. Bribery and corruption may take various forms, including commission payments and royalties, consulting fees, marketing expenses, travel and entertainment expenses, rebates or discounts or free goods, paid or provided directly or through third parties. ASM expects suppliers to act with integrity, avoiding engagement in

collusion with potential competitors, with the purpose of limiting the effectiveness of market competition, including but not limited to cartel activities, price fixing, and anti-trust activities. At ASM we conduct business honestly and fairly, without the use of any corrupt or anti-competitive practices or acts of bribery, and we expect the same of our suppliers.

For additional guidance on ASM's corruption and improper advantages expectations, please refer to:

- ASM's [Policy on Anti-Corruption, Political Contributions, Sponsoring, and Charity](#)
- RBA Code of Conduct Section D1 (Ethics – Business Integrity)
- RBA Code of Conduct Section D2 (Ethics – No Improper Advantage)
- RBA Code of Conduct Section D5 (Ethics - Fair Business, Advertising and Competition)

6. Environmental commitments

At ASM, our approach to environmental stewardship starts with our philosophy of “ZERO HARM!”. We believe that we can make the world a better place through responsibly managing our environmental footprint, including energy and water consumption and other environmental impacts. This includes in our operations, our product environmental footprint, and our enabling technologies. To drive this, we set global environmental targets, and we measure and report our progress annually.

For additional guidance on ASM's Environmental expectations, please refer to:

- ASM's [Environmental Policy Statement](#)
- ASM's [Climate and Net Zero Policy Statement](#)
- ASM's [Water Policy Statement](#)
- ASM's [Waste Reduction and Circularity Policy Statement](#)
- ASM's [Biodiversity Policy Statement](#)
- ASM's Supplier Packaging Requirements and Specifications (D-1149-179)
 - [Forest Stewardship Council](#)
- RBA Code of Conduct Section C (Environment) – All sections

7. Choose respectable business partners

At ASM we establish and maintain fair and trusted business relations with suppliers, customers, subcontractors, and other business partners. Our business partners should live up to the same or similar integrity values as defined in this Code and help us to achieve our goals and integrity commitments.

Further, we expect our suppliers and subcontractors to take a similar approach to their own business relationships. In addition to communicating the RBA Code expectations to their own suppliers, appropriate due diligence must be taken to ensure that any human rights and environmental impacts through sourcing are minimized, or when identified, mitigated and/or remediated. This means

suppliers should be engaging their full value chain in areas where these risks may be most prevalent, such as the sourcing of certain minerals or other high-risk materials, or from certain geographies where the likelihood of human rights or environmental risks are increased.

For additional guidance on ASM's respectable business partner expectations, please refer to:

- ASM's [Responsible Minerals policy statement](#)
- RBA Code of Conduct Section D7 (Ethics – Responsible Sourcing of Minerals)
- RBA Code of Conduct Section E4 (Management Systems – Risk Assessment and Risk Management)
- RBA Code of Conduct Section E12 (Management Systems – Supplier Responsibility)

8. Compliance with laws

It is ASM's policy to comply with all applicable laws. We expect the same of ASM suppliers. Suppliers are expected to determine whether international trade restrictions may apply to their business with ASM. These restrictions may either prohibit business with certain countries, companies, and organizations, or dealing with restricted technology, or provide specific rules to comply with. ASM Suppliers do not have the authority to violate any law on behalf of ASM. ASM suppliers are also required to provide any necessary documentation, declarations, or associated materials to enable ASM to show its compliance to relevant regulatory requirements.

ASM's technical information, including its products, software, and technology, may be subject to sanctions and export control laws and regulations, including but not limited to the Export Administration Regulations ("EAR"), which may prohibit or restrict the use, export, re-export, release, or transfer certain ASM's Information to certain countries, end-users and end uses. Suppliers shall not export, re-export, release, or transfer any ASM's technical information or assign any prohibited persons (including but not limited to the Bureau of Industry and Security and OFAC Lists) or unauthorized foreign nationals from the United States Embargo countries, or to a third party to work on the ASM's information and technology without obtaining any necessary and applicable export control licenses or confirming a qualified exemption from export control laws or regulations. The export, re-export, release, sharing, transmission, or transfer of the Buyer's Information can occur by various means (e.g. physical, verbal, or electronic). The Supplier must comply with all laws, ordinances, rules, regulations, and other requirements of all governmental units or agencies, including – but not limited to – obtaining all import/export and other permits, certificates, and licenses required by foreign jurisdictions.

For additional guidance on ASM's Compliance expectations, please refer to:

- RBA Code of Conduct – All Sections require compliance to local laws
- RBA Code of Conduct Section C6 (Materials Restrictions)
- RBA Code of Conduct Section D1 (Business Integrity)
- RBA Code of Conduct Section D3 (Disclosure of Information)
- RBA Code of Conduct Section E3 (Management Systems – Legal and Customer Requirements)

- RBA Code of Conduct Section E11 (Management Systems – Documentation and Records)
- EU RoHS (2011/65/EU) Directive
- EU REACH (EC 1907/2006) and associated updates
- EU WFD (Waste Framework Directive)
- US TSCA (Toxic Substances Control Act of 1976)

9. Building Resilience and Maintaining Business Continuity

In an increasingly complex and challenging global environment, being prepared to deal with the inevitable challenges are a critical part of being a reliable supplier to ASM. Examples of these challenges may range from geopolitics, logistical interruptions, environmental disasters, pandemics, and cybersecurity attacks. ASM expects its suppliers to develop business continuity and resilience plans and prepare for the most likely scenarios where their business may be interrupted. ASM suppliers, when requested, must also provide relevant data (such as business continuity plan, disaster recovery plan, and production site addresses) to support ASM's own business continuity monitoring and planning processes.

10. Cybersecurity Posture

ASM values the importance of cybersecurity and recognize the critical role our suppliers play in maintaining the security of our systems, data, and operations. Supplier shall establish and maintain systems, processes, and management oversight in accordance with cybersecurity industry recognized standards, legislation, regulation, and contractual obligations. Such information and data must be always kept confidential and not used for any purposes other than the business purpose for which it was provided or made available. Supplier is to adhere with ASM supplier cyber risk program's requirements and maintain its cyber hygiene and posture.

11. Respect for Worker and Stakeholder Feedback and Access to Remedy

ASM values a culture of transparency, openness, and honesty in which employees talk with each other, and not about each other, and in which they feel comfortable raising questions, dilemmas, and any concern related to the Code of Business Conduct. Not speaking up in case of a possible violation can only worsen the situation and decrease trust.

Suppliers likewise are expected to follow RBA standards on establishing feedback mechanisms, stakeholder engagement and strategies for remedy within their own operations. The process shall aim to obtain feedback on operational practices and conditions covered by this Code, and to foster continuous improvement. Workers shall be given a safe environment to provide grievance and feedback without fear of reprisal or retaliation. Suppliers should be ready to provide remedy to workers or communities who have been negatively impacted by non-conformance to the Code. This may include engaging its suppliers to execute plans for remedy and/or providing remedies directly to the impacted workers or community on their own, as appropriate.

Supplier and related value chain employees are also welcomed to provide feedback or report violations to this Supplier Code of Conduct and the RBA Code of Conduct directly to ASM, through ASM's feedback channels, including an anonymous submission option through the ASM.com website called "SpeakUp" (information on the SpeakUp website and contact phone numbers are available on our [Ethics](#) webpage). If preferred, the RBA also offers a worker feedback channel through their website as well. Feedback submitted to the RBA will be protected/anonymized and passed back to ASM as appropriate (and in some cases to other RBA members customers of that worker's company as well).

For additional guidance on Worker Feedback processes, please refer to:

- [Contact information for ASM's SpeakUp Feedback Channel](#)
- ASM's [SpeakUp Procedure](#)
- RBA's [Grievance Form](#)
- RBA Code of Conduct Section D6 (Ethics – Protection of Identity and Non-Retaliation)
- RBA Code of Conduct Section E8 (Management Systems – Worker/Stakeholder Engagement and Access to Remedy)

Communication

Changes will be communicated to suppliers via e-mail, webinar(s) and other supplier communication channels, as available. Key suppliers to ASM will be required to review and acknowledge conformance to this Code annually.

Suppliers are also required to inform ASM supply chain representatives of key areas of supplier non-conformance to this Code and that may represent an impact to business continuity or harm ASM's reputation. Such non-conformance reporting expectations include but are not limited to: identified forced, bonded, or child labor in its operations or supply chain, known issues of bribery or corruption identified in the course of doing business, significant safety incidents impacting supplier workers, or issues of environmental or health and safety non-compliance resulting in governmental fines or risk of facility shut down.

Mechanisms and Criteria for Evaluation

ASM expects all our suppliers to abide by our supplier code of conduct. Our expectation of supplier commitment is further reflected in relevant commercial contracts (e.g. Materials Purchase Agreement) and purchase order (PO) language.

ASM leverages a risk-based approach to determining who we assess for conformance of suppliers to the Code of Conduct. Suppliers may be evaluated during on boarding, and again on a periodic basis during the length of our business relationship. As part of this risk-based approach to engaging suppliers, we check conformance against the code through several assessment mechanisms, including but not limited to: RBA or equivalent Self-Assessment Questionnaires (SAQs), High-Risk topic specific surveys and assessments (e.g., Responsible Minerals Sourcing Survey, IP policies & procedures Review), and through RBA and/or ASM On-

Site or Desktop Audits. Supplier inclusion in these processes is based on several factors including relevancy of the risk to the supplier business, criticality of the supplier to our business (Critical and/or Strategic suppliers), geographic location, commodity type, and increased risk of environmental or human rights violations. ASM also monitors public news reports, feedback received via our SpeakUp process or via the RBA's grievance channel. Any allegations of supplier non-conformance identified via those channels will be taken seriously and additional due diligence will be completed before determining appropriate next steps.

Impact of Non-Compliance

ASM endeavors to enable our supplier's long-term success. In cases of non-compliance, our goal is to resolve and where feasible, prevent negative impacts to workers and/or to eliminate (or minimize) environmental impacts where our suppliers operate. We prefer to improve outcomes for workers and the planet by engaging with the supplier to drive these improvements, rather than immediately removing the supplier from the supply chain. ASM offer's tools, training, and direct support to key suppliers with this goal in mind. Nevertheless, suppliers who do not actively work to address an identified issue tied to non-conformance to this Supplier Code of Conduct or have failed to achieve ASM's defined minimum standard in their RBA assessments, in a timeline meeting ASM's expectations, will see consequences of their non-compliance. This includes impact to their performance scorecard and progressive escalations, leading to an impact to their business, up to and including, restriction from new business selections, and in certain situations, end of business altogether with ASM.

Revision History

Revisions to this Supplier Code of Conduct will follow ASM Code of Business Conduct, RBA Code of Conduct, other ASM policy changes, or every 3 years, whichever is sooner.

Approved by: Vice President, Global Supply Chain

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Revision: B