

POLICY ON PREVENTION OF FRAUD

1. WHY THIS POLICY?

We always want to act with integrity and loyalty towards each other and towards our employer. We do not allow any form of fraud within ASM.

No single global definition of fraud exists. There are, however, recurring features to fraud. It always involves an intentional act of misconduct. It creates a false image or impression. That act deceives or misleads persons inside or outside of ASM. The intention is usually to benefit the person committing fraud, or to allow a third party to benefit.

Fraud hurts each of us: ASM loses all kinds of assets (ranging from cash and equipment to intellectual property and reputation), it negatively impacts work morale and employees may lose their jobs or may even be prosecuted. We wish to avoid all these consequences. This policy aims to offer guidance on this subject. A policy cannot describe all circumstances and rules, so every ASM employee is obliged to use his or her common sense and professional judgement at all times.

2. WHAT WE EXPECT FROM YOU

Do not commit or enable fraud and do not bypass this policy by using a third party or other means. We need you to help us to prevent fraud: by not committing or facilitating fraud, and also by preventing and reporting fraud or a reasonable suspicion thereof.

The risks involved in fraud are so high that we cannot allow them to be ignored; for this reason, you must report fraud, or a suspicion of fraud (see our Speak Up Procedure).

It is not possible to list all forms of fraud in this policy. Please note that in this policy the concept of fraud in any case includes the following:

- the falsification of documents, including false invoices, incorrect dates on documents or incorrect expense declarations;
- the intentional misapplication of internal rules related to accounting, billing, discounts, payroll, reimbursements and the like;
- leaving out facts or hiding facts;
- stealing assets;
- donating scrap or leftover materials for free to others without proper internal approvals;
- selling company business sensitive information to others;
- cooperating with third parties to enable or hide criminal acts;
- allowing or giving discount or credit(notes) which are not authorized by management; and
- asking for gifts or entertainment in return for ASM business.

3. WHEN IN DOUBT

When in doubt, talk to your manager or supervisor, the HR Business Partner or follow the Speak Up Procedure to discuss your concerns. Transparency is part of the ASM culture, part of the way we look after each other and part of preventing you or your colleague(s) from getting into a difficult or even criminal situation.

4. SANCTIONS

Non-compliance with this Policy may result in disciplinary measures being taken. In case stricter requirements in relation to confidential information apply to you - e.g. rules contained in an employment contract, applicable local law or in Staff Regulations – such stricter requirements prevail over those laid down in this policy.

5. SPEAK UP

We remind you that our Speak Up Procedure states that each employee must report any situation or behaviour which seems a violation of the law for which a person could end up in jail or for which ASM could pay a substantial fine, such as fraud. Each report will be carefully investigated. Each employee is obligated to fully and promptly cooperate with any company investigation. If you were obliged to report and you did not, you may also be subjected to disciplinary measures.