



TOKYO ELECTRON EUROPE Ltd.

Tokyo Electron Europe Limited
STATEMENT ON COMPLIANCE WITH LAWS ON DATA PROTECTION AND PRIVACY
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Tokyo Electron Europe Limited



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1. Overview of Compliance with Relevant Legislation and Regulations

- 1.1. Tokyo Electron Europe and its branches, TEL Magnetic Solutions Limited, and Tokyo Electron Israel Limited (together referred to as “the Company”) is committed to ensuring the security and protection of the personal information that the Company processes (“Personal Data”), and to provide a compliant and consistent approach to data protection.
- 1.2. All definitions used in the present document on data protection shall have the same meaning as defined in the relevant Data Protection Legislation as set out in section 1.3.
- 1.3. The applicable Data Protection Legislation are as follows:
 - 1.3.1. General Data Protection Regulation (GDPR) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data.
 - 1.3.2. Data Protection Act 2018 (DPA 2018)
 - 1.3.3. UK General Data Protection Regulation (UK GDPR) the retained EU law version of the General Data Protection Regulation ((EU) 2016/679)
- 1.4. If and when the Company can be qualified as a Data Controller or Data Processor on behalf of the Customer, the Company will only process Personal Data:
 - 1.4.1. As a Data Controller for the performance of the Agreement or
 - 1.4.2. As a Data Processor under the instructions of the Customer
 - 1.4.3. In accordance with this and the applicable Data Protection Legislation.
- 1.5. The Company will ensure that all Personal Data held is processed in accordance with the principles of the applicable Data Protection Legislation.

2. Transparency

- 2.1. Personal Data is processed lawfully, fairly and in a transparent manner. This means that individuals should have full information about how their personal data is processed.



3. Co-operation

- 3.1. The Company will work together in good faith with any contractual party to ensure the information referred to within Data Protection Legislation including Articles 13 and 14 GDPR is made available to relevant data subjects in relation to the processing by either Party when acting as a Data Controller (which may include the provision by Customer to Data Subjects, on behalf of the Company, of information relating to the Company's processing activities), and the information is in a concise, transparent, intelligible and easily accessible form, using clear and plain language as required by Data Protection Legislation including GDPR Article 12.

4. Purpose Limitation

- 4.1. Personal Data is obtained only for specified, explicit and legitimate purposes and should not be further processed in any manner incompatible with these purposes.

5. Legal Basis for Processing

- 5.1. The Company reviewed all processing activities to identify the legal basis for processing and ensures that each basis is appropriate for the activity it relates to. Where applicable, the Company also maintains records of processing activities.

6. Data Minimization

- 6.1. Personal Data is adequate, relevant and limited to what is necessary in relation to the purposes for which it is processed.

7. Accuracy

- 7.1. Personal Data is accurate and, where necessary, kept up to date.

8. Storage Limitation

- 8.1. Personal Data is not kept in a form which permits identification of Data Subjects for longer than is necessary for the purposes for which the data is processed.



9. Integrity and Confidentiality

9.1. Personal Data is processed in a manner that ensures appropriate security of the Personal Data using appropriate technical and organisational measures to protect against misuse.

10. Data Subject Rights

10.1. The Company provides all information necessary to Data Subjects, in case of a request and allows to exercise certain rights in relation to their Personal Data.

11. Processor Agreements

11.1. Where the Company uses a third party to process Personal Data, the Company has entered into Data Processing Agreements to ensure that third parties meet and understand their Data Protection Legislation obligations. In addition, the Company carries out initial and ongoing reviews of:

- The service provided
- The necessity of the processing activity
- The technical and organisational measures in place
- Compliance with the Data Protection Legislation

12. Privacy Notice / Data Policy

12.1. The Company revised its Privacy Notice(s) to comply with Data Protection Legislation, ensuring that all Data Subjects whose Personal Data are processed have been informed of why the Company needs it, how it is used, what their rights are, who the information is disclosed to and what safeguarding measures are in place to protect their information.

13. Security

13.1. The Company takes the privacy and security of Data Subjects and their Personal Data very seriously and takes every reasonable measure and precaution to protect and secure the Personal Data that the Company processes. The Company has robust information security policies and procedures in place to protect Personal Data from



unauthorised access, alteration, disclosure or destruction and have several layers of security measures.

14. Location of Data

14.1. The Company will not transfer Personal Data to another country outside of Israel, the United Kingdom and European Economic Area (“EEA”), which does not offer a level of data protection considered as adequate under the applicable Data Protection Legislation, without appropriate safeguards being in place.

15. Communication with Authorities

15.1. If the Company receives any complaint, notice or communication from a Supervisory Authority which relates directly or indirectly to the Customer’s processing of Personal Data or in relation to a Customer’s failure or potential failure to comply with Data Protection Legislation, the Company will, to the extent permitted by law, promptly forward the complaint, notice or communication to the Customer and provide the Customer with reasonable co-operation and assistance in relation to the same.

16. Data Breach

16.1. If the Company becomes aware of a Personal Data Breach involving the Customer’s Personal Data, it shall notify the Customer without undue delay, and will co-operate with the Customer, to the extent reasonably requested, in relation to any notifications to Supervisory Authorities or to Data Subjects which the Company is required to make under Data Protection Legislation.

16.2. For more information please contact the Data Protection Representative.

17. Israeli specific provisions

17.1. With respect to the processing of Personal Data by Tokyo Electron Israel Limited (“TEY”), the following provisions shall apply in addition to the provisions of the above Statement.

17.2. Overview of Compliance with Relevant Legislation and Regulations

The applicable Data Protection Legislation are the Protection of Privacy Law, 1981 and the regulations enacted thereunder.



17.3. **Co-operation**

The information referred made available to relevant data subjects in relation to the processing of their Personal Data by TEY shall also include indication as to whether data subjects are under a legal obligation to deliver the Personal Data or whether such delivery is made with their own free will and consent and the purposes for which Personal Data is transferred to recipients, if any.

17.4. **Processor Agreements**

- TEY will assess, prior to entering an agreement with a data processor, whether it is permitted to disclose Personal Data to the data processor, the previous data processing experience, background and reputation of the data processor and the data security risks involved in the engagement;
- TEY shall request that the processor will, on annual basis at least, report to TEY regarding the implementation by the processor of the technical and organisational measures in place under the Data Security Regulations and the agreement with TEY.

17.5. **Security**

TEY has robust information security policies and procedures in place to protect Personal Data from unauthorised access, alteration, disclosure or destruction and have several layers of security measures, in accordance with the requirements of the Israeli Protection of Privacy Regulations (Data Security), 2017 (the "**Data Security Regulations**").

17.6. **Location of Data**

TEY will not transfer Personal Data to another country outside of Israel, unless: (i) the receiving country in question ensures a level of protection of data which is not lower than the level of protection provided for under the Israeli law or upon the fulfilment of any of the conditions set out under the Protection of Privacy Regulations (The Transfer of Data to a Database outside the State Borders), 2001, and (ii) TEY has entered into a written agreement with the recipient according to which the latter undertakes to take steps to ensure the privacy of the data subject, and that Personal Data shall not be transferred to any person other than himself/herself, whether such person be in the same country or not.

17.7. **Data Breach**



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TEY shall assess whether it has an independent obligation to report the Personal Data Breach to the applicable Supervisory Authority.