



Important Notice
The Depository Trust Company

B #:	19746-24
Date:	April 24, 2024
To:	All Participants
Category:	Tax Relief, Distributions
From:	International Services
Attention:	Operations, Reorg & Dividend Managers, Partners & Cashiers
Subject:	<u>Tax Relief - Country:</u> The Netherlands <u>Security:</u> BE SEMICONDUCTOR INDUSTRIES - NEW YORK SHARES <u>CUSIP:</u> 073320103 <u>Record Date:</u> 04/30/2024 <u>Payable Date:</u> 05/06/2024 <u>Quick Refund Deadline:</u> 05/31/2024 8:00 PM ET

Participants can use DTC's Corporate Actions Web (CA Web) service to certify all or a portion of their position entitled to the applicable withholding tax rate. Participants are urged to consult TaxInfo respectively before certifying their instructions over the CA Web.

Important: Prior to certifying tax withholding instructions, participants are urged to read, understand and comply with the information in the Legal Conditions category found on TaxInfo on the CA Web.

Questions regarding this Important Notice may be directed to GlobeTax 212-747-9100.

Important Legal Information: *The Depository Trust Company ("DTC") does not represent or warrant the accuracy, adequacy, timeliness, completeness or fitness for any particular purpose of the information contained in this communication, which is based in part on information obtained from third parties and not independently verified by DTC and which is provided as is. The information contained in this communication is not intended to be a substitute for obtaining tax advice from an appropriate professional advisor. In providing this communication, DTC shall not be liable for (1) any loss resulting directly or indirectly from mistakes, errors, omissions, interruptions, delays or defects in such communication, unless caused directly by gross negligence or willful misconduct on the part of DTC, and (2) any special, consequential, exemplary, incidental or punitive damages.*

To ensure compliance with Internal Revenue Service Circular 230, you are hereby notified that: (a) any discussion of federal tax issues contained or referred to herein is not intended or written to be used, and cannot be used, for the purpose of avoiding penalties that may be imposed under the Internal Revenue Code; and (b) as a matter of policy, DTC does not provide tax, legal or accounting advice and accordingly, you should consult your own tax, legal and accounting advisor before engaging in any transaction.

DTCC offers enhanced access to all important notices via a Web-based subscription service. The notification system leverages RSS Newsfeeds, providing significant benefits including real-time updates and customizable delivery. To learn more and to set up your own DTCC RSS alerts, visit http://www.dtcc.com/subscription_form.php.



BE SEMICONDUCTOR INDUSTRIES - NEW YORK SHARES has announced a cash dividend and BNY Mellon acts as the Depository for the company's New York Registry Shares ("NYRS") program.

Participants may use DTC's Corporate Actions Web ("CA Web") instructions tab to certify all or a portion of their position entitled to each applicable withholding tax rate. Use of this instruction method will permit entitlement amounts to be paid through DTC. By making submissions of such certifications the submitter warrants that it has the required authority to make them, that the party for which the submission is made is eligible therefor, and will indemnify, as applicable, Globe Tax Services, Inc., the applicable depository, the applicable custodian, and other acting, directly or indirectly, in reliance thereon, including for any inaccuracy therein. By electing, Participants agree to the **Agreements, Fees, Representations and Indemnification from Participants and Beneficial Owners** below.

On NYRS pay date, all beneficial owners will receive this dividend net of the full Dutch statutory withholding tax of 15% with the possibility to reclaim as outlined in the Eligibility Matrix.

QUICK REFUND CHANGES

BENEFICIARIES CONSIDERED ELIGIBLE ARE THOSE WITH AN ASSIGNED DUTCH TAX ID # AT THE TIME OF ESP SUBMISSION. UPON QUICK REFUND SUBMISSION, ESP WILL ADVISE BROKERS WHICH BENEFICIARIES WILL BE FILED VIA QUICK REFUND AND WHICH WILL BE MOVED TO LONG FORM.

DIVIDEND EVENT MATRIX

ISSUE	CUSIP#	UNDERLYING ISIN	NYRS RECORD DATE	ORD PAY DATE	NYRS PAY DATE	RATIO (NYRS to ORD)	ORD RATE
BE SEMICONDUCTOR INDUSTRIES - NEW YORK SHARES	073320103	NL0012866412	APRIL 30, 2024	MAY 3, 2024	MAY 6, 2024	1:1	EUR 2.15

FEES & DEADLINES

FILING METHOD	BATCH	PAYMENT METHOD	CUSTODIAL FEE	DSC FEE	MINIMUM FEE PER BENEFICIAL OWNER	FINAL SUBMISSION DEADLINE (ESP)
QUICK REFUND	PRIMARY BATCH	DTC	N/A	UP TO \$0.0075 PER DR	\$0	CA WEB/ESP ELECTION DEADLINE: MAY 31, 2024 8:00 P.M. EST
LONG FORM	POST-CA WEB PROCESS; ONGOING	CHECK OR ACH	N/A	UP TO \$0.0075 PER DR	\$25	OCTOBER 31, 2029 8:00 P.M. EST

Agreements, Fees, Representations, and Indemnification from Participants and Beneficial Owners

This tax relief assistance service is wholly voluntary and discretionary and outside the terms and conditions of any applicable deposit agreement. BNY Mellon undertakes no duty or obligation to provide this service, and may reject or decline any or all proposed electing participants or holders in its sole discretion. We hereby accept and agree to pay the fees of BNY Mellon disclosed in the DTC Important Notice posted for this event and type of claim we are submitting (Quick Refund, or Long Form) and any other charges, fees or expenses payable by or due to BNY Mellon or its agents, including the (respective) custodian, in connection with the tax reclaim process, or to tax authorities or regulators (which fees, charges or expenses may be deducted from the dividend or any other distribution or by billing or otherwise in BNY Mellon's discretion). We hereby agree that any such fees, charges or expenses may be due and payable whether or not a successful reduction in rate or reclamation is obtained. We hereby acknowledge that fees paid to BNY Mellon may be shared with its agents and affiliates.

We hereby agree in addition to statutory and documentation requirements, and the deduction of fees, tax relief benefits will be subject to review and approval, and potential audits by the applicable custodian and applicable tax regulators, and that BNY Mellon is not providing any legal, tax, accounting or other professional advice on these matters and has expressly disclaimed any liability whatsoever for any loss howsoever arising from or in reliance hereto. Participants and/or investors should seek advice based upon their own particular circumstances from an independent tax advisor.

We certify to the best of our knowledge that each of the beneficial owners identified are eligible for the preferential rates as stated and we declare that we have performed all the necessary due diligence to satisfy ourselves as to the accuracy of the information submitted to us by these beneficial owners. Furthermore, in the event of an audit we agree to provide any and all documentation required by the respective Tax Authority.

We will be fully liable for any and all claims, penalties and / or interest, including without limitation, any foreign exchange fluctuations associated therewith. BNY Mellon shall not be liable for the failure to secure any tax relief. We expressly agree that BNY Mellon and its agents or affiliates shall not have any liability for, and we shall indemnify, defend and hold each of BNY Mellon and its agents and affiliates harmless from and against, any and all loss, liability, damage, judgment, settlement, fine, penalty, demand, claim, cost or expense (including without limitation fees and expenses of defending itself or enforcing this agreement) arising out of or in connection herewith.

By using this tax relief assistance service, you are authorizing and directing the disclosure of your personal information to the tax agent, the custodian, the tax authority and their respective agents. You acknowledge and agree that such disclosure may involve your personal data being sent to a tax agent, custodian, tax authority and their respective agents located in a country outside of that in which you reside.

In the event that the General Data Protection Regulation 2016/679 (GDPR) or similar laws apply with regard to this tax relief assistance service, we certify that each of the beneficial owners identified, in providing this information and as indicated by Owner's signature below, expressly consents to the processing and transfer of their personal data outside of their country of residence. BNY Mellon will retain personal data in accordance with the GDPR and for further information about our data protection policies and procedures please refer to our Data Protection Policy, which can be found at <https://www.bnymellon.com/emea/en/privacy-policy.html>

ELIGIBILITY MATRIX

Note: All information related to eligibility and documentation requirements can be found on the [ESP](#) site by visiting the relevant event and viewing the [Eligibility Matrix](#). If you need access to ESP, please complete the [New User Registration](#) form, and our team of market experts would be pleased to help you get set up.

For each Country's general Eligibility Matrix, please see ESP's [Reference Guide](#).

ESP



BNY Mellon ESP powered by GlobeTax, an electronic withholding tax submission system. This system allows for the secure and simplified transfer of beneficial owner level data from the Participant to GlobeTax and creates applicable documentation on the Participants' behalf.

Submit the data online through the web site below, print out the documents on letterhead, sign them, and mail them to GlobeTax, along with the necessary required documents.

These claims should be submitted through the following website.

<https://ESP.GlobeTax.com>

Please contact us via the [ESP Service Desk](#) at 212-747-9100 if you have any questions about this process.

CONTACT DETAILS

DOMESTIC PHONE (U.S.)	1-800-915-3536
DOMESTIC FAX (U.S.)	1-800-985-3536
INTERNATIONAL PHONE	1-212-747-9100
INTERNATIONAL FAX	1-212-747-0029
GROUP EMAIL	DUTCHESP@GLOBETAX.COM
COMPANY	GLOBETAX SERVICES INC.
STREET ADDRESS	ONE NEW YORK PLAZA, 34 TH FLOOR
CITY/STATE/ZIP	NEW YORK, NY 10004

FREQUENTLY ASKED QUESTIONS (FAQs)

GENERAL QUESTIONS

Will I receive a declaration in lieu of Dividend Note (“DLD” or “CERT”) for my Article 35 Pensions or Article 36 Charities?

No, all declarations in lieu of Dividend Notes are maintained by the Depository, to be released only upon written request by the Participant.

Am I required to file through ESP?

No, you may submit a traditional claim through standard mail if you cannot submit client data through ESP. We strongly suggest logging in to ESP to download the template provided when preparing your claim, regardless of your ultimate submission method.

Is there any case in which a U.S. Resident 401(a), 401(k), 457(b), 403(b), IRA, Roth IRA, Employee Pension Plan or Simple Retirement Account would not qualify for Treaty Benefits under Article 35 of the Treaty between the U.S. and the Netherlands?

Yes, for instance, these account types **will not** be considered eligible for treaty benefits under Article 35 of the treaty between the U.S. and the Netherlands for the avoidance of Double Taxation in any taxable year if **less than 70%** of the total amount of withdrawals from such U.S. Trust during that year is used to provide Pension, Retirement, or other Employee benefits as meant in Article 35 of the above mentioned treaty.

Will BNY Mellon accept claims filed directly to them by Beneficial Owners?

No, BNY Mellon only accepts claims filed by the DTC participant who held the securities through DTCC and only to the extent that DTCC has reported these holdings to us as valid.

Is there a possibility of audit by the Local Tax Authority?

Yes, the Dutch Tax Authority reserves the right to request further information and documentation regarding submitted claims.

What documentation is required for Beneficial Owners who have not received a Dutch RSIN?

U.S. Pension and Charities (not including IRAs) who have not received a Dutch RSIN will be required to submit a 6166 that certifies the BO as an eligible us tax exempt entity. The 6166 must be valid within two years of the current date.

Non-us tax exempt entities are required to submit a Certificate of Residency and other documents to prove their comparability to a Dutch tax exempt entity such as: Articles of Association, Trust Deed, Annual Account, and/or Pension Plan. Beneficial Owners that cannot supply this documentation will not be issued a Dutch RSIN and therefore will not be eligible for a refund of Dutch withholding tax.

QUICK REFUND QUESTIONS

Will I be paid through DTCC for claims submitted through the Quick Refund process?

Yes.

<p>Do I need to physically send any documents to GlobeTax in order to participate in the Quick Refund process?</p>	<p>Article 35 U.S. Pension and IRAs and Article 36 U.S Charitable entities must provide only the Beneficial Owner breakdown via ESP.</p> <p>Non-U.S. Exempt entities must provide the Beneficial Owner breakdown via ESP and Certificate of Residency, Trust Deed, Annual Account, and/or Pension Plan upon request.</p> <p>Non-U.S. entities claiming the Favorable Rate must provide the Beneficial Owner breakdown via ESP and the Certificate of Residency upon request.</p>
<p>Is the Quick Refund process free of charge?</p>	<p>No. This tax reclaim assistance service is wholly voluntary and discretionary. Quick refund applications received post deadline will be rejected. Fees will be charged for this assistance service of up to \$0.0075 per DR, and any other charges, fees or expenses payable by or due to BNY Mellon or its agents, including the tax authorities or regulators. Fees paid to BNY Mellon may be shared with its agents.</p>
<p>Is the Quick Refund process for Tax Relief offered by BNY Mellon an optional process?</p>	<p>Yes, this is a discretionary, optional service.</p>

LONG FORM QUESTIONS

<p>Will I be paid through DTCC for claims submitted through the Long Form process?</p>	<p>No, you will be paid by check or ACH.</p>
<p>Do I need to physically send any documents to GlobeTax in order to participate in the Long Form process?</p>	<p>Article 35 U.S. Pension & IRAs and Article 36 U.S. Charitable entities must only provide the Beneficial Owner breakdown via ESP.</p> <p>Non-U.S. Exempt entities must provide the Beneficial Owner breakdown via ESP and Certificate of Residency, Trust Deed, Annual Account, and/or Pension Plan upon request.</p> <p>Non-U.S. entities claiming the Favorable Rate must provide the Beneficial Owner breakdown via ESP and the Certificate of Residency upon request.</p>
<p>Does the Long Form process have a minimum position requirement per Beneficial Owner?</p>	<p>No, there is no minimum position requirement per Beneficial Owner for Long Form.</p>
<p>What will the fee be if a Beneficial Owner's claim is for less than \$50?</p>	<p>Reclaims less than \$50 are subjected to a split of the reclaim funds (50/50).</p>

Warning & Disclaimer:

BNY Mellon will not be responsible for the truth or accuracy of any submissions received by it and all Participants and holders, whether or not following the procedures set forth herein or otherwise submitting any information, agree to indemnify and hold harmless BNY Mellon and their agents for any and all losses, liabilities and fees (including reasonable fees and expenses of counsel) incurred by any of them in connection herewith or arising herefrom. BNY Mellon and their agents will be relying upon the truth and accuracy of any and all submissions received by them in connection with the tax relief process and shall hold all participants and DR holders liable and responsible for any losses incurred in connection therewith or arising there from. There is no guarantee that the applicable tax authorities will accept submissions for relief. Neither BNY Mellon nor their agents shall be responsible or liable to any holders of DRs in connection with any matters related to, arising from, or in connection with the tax relief process described herein. See also "Agreements, Fees, Representations and Indemnification" above.

All tax information contained in this Important Notice is based on a good faith compilation of information obtained and received from multiple sources. The information is subject to change. Actual deadlines frequently vary from the statutory deadlines because of local market conditions and advanced deadlines set by local agents. To mitigate risk it is strongly advised that DTC Participants file their claims as soon as possible as the depository and/or their agents will not be liable for claims filed less than six months before the specified deadline. In the event that local market rules, whether implemented by a local agent or a Tax Authority, conflict with the information provided in the important notice, either prior to or after publication, the local market rules will prevail.