

Notice on Commitments relating to Certain Noble Gas Mixtures

Dear customers,

As you may already know, Linde and Praxair have merged to become the new Linde. To be able to implement the merger, Linde needed to obtain a number of approvals, including a merger control clearance from the State Administration for Market Regulation ("**SAMR**"). As part of the conditions upon which SAMR granted the clearance, Linde gave the following commitments relating to certain noble gas mixtures for customers located in China ("**commitments**") to address SAMR's concerns in this aspect. Certain noble gas mixtures here refer to mixtures that include any of HCl, fluorine or inert gases mixed with one or more of xenon, neon and krypton ("**Certain Noble Gas Mixtures**").

This notice is made and published in accordance with the commitments. Linde has been and will always place emphasis on compliance at all fronts including the commitments. If you have any questions, including whether the products that Linde provide to you may be covered by the commitments, or how the commitments may be relevant to the noble gas mixtures provided to you, please feel free to discuss with your usual contacts at Linde or Linde's legal department (contact details are at the bottom).

The commitment is described as follows. Linde will continue to supply the Certain Noble Gas Mixtures (i.e. fluorine noble gas mixtures, HCl noble gas mixtures, and inert noble gas mixtures) to customers in China in a timely and stable fashion on reasonable pricing and volume pursuant to existing contracts and relevant prevailing market conditions. More specifically, this includes

- 1) Linde would supply each Certain Noble Gas Mixtures at a total volume not less than 100% of the total volume supplied to all customers in China during 2017;
- 2) Linde would continue to supply and deliver Certain Noble Gas Mixtures pursuant to existing contract terms (including extended contracts and repeated contracts/POs) with each customer including pricing terms, delivery terms, package size;
- 3) For new contracts signed after 30 September 2018 / excluding the above existing contracts, the prices would be no more than the average prices of such standard products (please see below) of Linde in 2016-2017 in China per each Certain Noble Gas Mixtures, under comparable transaction terms (including comparable volume of demand, delivery time, package size, composition, levels of customization, quality requirement, service level etc.) and comparable transaction conditions (e.g. force majeure events, the supply condition of input materials, production and/or transportation regulations, new or adjustment of import taxes and tariffs) (please consult the hotline for scope of products under comparable transaction terms). In case the transaction terms and transaction condition differ materially from those in previous comparable transaction, Linde will discuss with you and will make fair and reasonable price adjustment by taking into account any difference in cost, expense and investment incurred in the supply of such noble gas mixtures under the new contract.

The commitments are expected to be valid up to 29 September 2023 upon which Linde will seek lifting of the commitments.

If you have any questions, please contact

- Your usual contact at Linde
- Linde hot-line for the commitments:

- Linde China and Linde-Lienhwa: 400-820-1798. Please choose General Inquiry and indicate whether your query relates to Linde China or Linde-Lienhwa;
- Spectra China: 021-51286810 Contact: Fanny Liu
- Linde legal department: Mr. Miao Zhao (Miao.Zhao@linde.com)

If you think Linde has violated the above-mentioned obligations, please contact the monitoring trustee (who supervises the implementation of above commitments on behalf of SAMR) via the below contact information

- ING Bank N.V.: inghktrustee@ing.com (Trustee team, Corporate Finance)
- T&D Associates: meiyang@tdlawyers.com (Mei Yang)

Linde China and Linde-Lienhwa

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