



## National Instruments Management Policy on Export Compliance

It is the policy of National Instruments Corporation and its branches that all export and re-export sales or shipments of its products and technology will be made in accordance with all applicable global export control laws, including without limitation:

- United States export laws and regulations; and
- European Union and national export laws and regulations.

The United States export laws and regulations include, but are not limited to, the U.S. Commerce Department's Export Administration Regulations, U.S. State Department's International Traffic in Arms Regulations, U.S. Treasury Department's Foreign Assets Control Regulations, Nuclear Regulatory Commission Regulations and the U.S. Energy Department's Assistance to Foreign Atomic Energy Activities Regulations. The European laws and regulations include, but are not limited to, the Council Regulation (EC) No. 428/2009 and the Hungarian Government Decree No. 50/2004 (III. 23).

Violations of these regulations could subject the company and individual personnel to significant penalties. These could include the loss of export privileges, fines and imprisonment. A deliberate and willful violation of the company's policy, in the absence of mitigating circumstances, will be sufficient grounds for dismissal with cause of the employees involved.

Our Global Trade Compliance Department directs and counsels all parties involved in NI's exports.

Common activities that are subject to the global export regulations are as follows:

- Sending by any means finished products, raw materials or other items from one country to end country destinations other than the country from which the item is sent (or, in the case of the European Union, from the European Union to a country outside the European Union)
- Transmission by any means of technology (such as engineering drawings for a finished product) from one country to end country destinations other than the country from which the technology is sent (or, in the case of the European Union, from the European Union to a country outside the European Union)
- Under United States export laws and regulations, transmission of technology to a "foreign national" within the U.S. or abroad
- Under United States export laws and regulations, providing a "Defense Service" to a "foreign person" within the U.S. or abroad.

If you have any questions or concerns about a technology transfer or export transaction, please contact NI's Global Trade Compliance Department at [trade.compliance@ni.com](mailto:trade.compliance@ni.com) or (512) 683-6010.

A handwritten signature in black ink, appearing to read 'Alex Davern', written over a horizontal line.

Alex Davern  
Chief Executive Officer

A handwritten signature in blue ink, appearing to read 'Alexandra Kahn', written over a horizontal line.

Alexandra Kahn  
Global Trade Compliance Director

# **National Instruments Corporation**

## **Trade Compliance Policy**

### **Purpose**

It is National Instruments (“NI”) policy to comply with all applicable import and export trade compliance regulations and laws as well as other mandatory trade sanctions in the countries in which NI conducts business. Compliance failures can result in fines, criminal penalties, adverse publicity and suspension or revocation of the NI’s import or export privileges. NI employees involved in import and export activities are responsible to ensure compliance with applicable trade regulations and laws.

### **Scope**

This policy applies to NI, all NI subsidiaries, branch offices, affiliates, manufacturing facilities, and other NI entities, wherever located.

### **Policy**

It is NI’s intent to comply with both the letter and the spirit of the laws governing its imports and exports activities. This Policy sets forth NI’s commitment to comply with applicable import and export control laws and regulations involving the import and export of products, services and technology.

NI must submit accurate and complete import declarations to government authorities. NI will use reasonable care to ensure compliance with applicable import regulations regarding designated importer of record, import tariff classification, valuation, origin, duties and import tax payment, payment to the supplier, duty preference programs, temporary imports, bonded warehouse, duty drawback programs, and so forth impacting NI importation activities.

It is NI’s policy to carefully observe the export control laws and regulations of all applicable jurisdictions impacting its exports and re-exports of products, services and/or technology. This includes sharing or releasing of export controlled technology across national boundaries via such means as e-mail and other electronic communications. Since NI is a U.S.-based company, it must also comply with U.S. export regulations in every export transaction. NI will not engage in exports and re-exports of NI products, technology or services to countries that are embargoed by the U.S. government; sell to certain persons and entities or for specific end-uses; or release certain kinds of technology or software.

NI will obtain import or export licenses from government agencies (i.e., U.S. Bureau of Industry and Security, Hungarian Trade Licensing Authority, Malaysia Ministry of International Trade and Industry, etc.) as required for import and export transactions. Transactions with license requirements may include products, services and/or technology.

It is NI’s policy to comply with other trade sanctions not falling under export or import control laws and regulations (e.g. financial sanctions) applicable to the given transaction or deal in which NI is, in any way, involved.

NI and its foreign subsidiaries is generally prohibited by U.S. law from complying with customer requests or foreign government policies supporting restrictive trade practices, including boycotts against specified

countries such as Israel or against U.S. organizations or persons. NI employees should not agree to or participate in such boycotts, nor furnish information or execute documents supporting a prohibited boycott. Any NI employee that receives a potential boycott request must promptly report it to the Trade Compliance Department before making any response to the request. The Trade Compliance Department, in conjunction with the Tax Department, will ensure reporting all such requests to the U.S. authorities.

Any violation of this policy may provide reasonable grounds for employee discipline, up to and including termination of employment.

If any employee suspects that someone is violating the law, or this policy, it is his or her duty to report it to the NI Legal Department or to use NI's Ethics Hotline, to report the concern confidentially. National Instruments will not tolerate any retaliation against an employee who honestly reports an issue or concern regarding compliance.

### **Responsibilities**

The Trade Compliance Department establishes policy and oversees the NI import and export trade compliance operations to ensure efficient flow of products and services across international borders and strict compliance to the trade regulations of the United States, the European Union, Malaysia and applicable laws governing our global trade activities. All NI employees involved in import and/or export activities are responsible to understand their roles to ensure compliance with applicable trade regulations and laws. The Legal Department is responsible to act as the legal advisor to the Global Trade Compliance Department on legal matters impacting NI's import and export activities.

### **Training**

The Trade Compliance Department is responsible to ensure that NI employees have sufficient training and resources to carry out their responsibilities under this policy.

### **Record Keeping**

All import and export records shall be retained according to the applicable trade compliance regulations and/or the NI designated retention period, whichever is greater. All records shall be readily accessible to the Trade Compliance Department, including addressing inquiries by government authorities.

- Import records includes, but is not limited to, import declarations, commercial invoices, written communications with customs broker import agents or Customs officials, program reviews, and training records.
- Export records includes, but is not limited to, transaction elements screenings, licenses, license requests, shipping documentation, written communication with the Government export authorities, program reviews, and training records.

### **Program Review**

It is the responsibility of the Trade Compliance Department to conduct periodic reviews of the NI Trade Compliance Program to ensure that the company is complying with applicable trade regulations. Outside consultants may be retained to assist in conducting these reviews. If program deficiencies are found, appropriate action will be taken to correct any deficiencies identified.

The Trade Compliance Department shall review this policy and supporting materials periodically to ensure that they remain consistent with current applicable government laws, regulations, and policies.

**Reporting**

Any indications of possible violations of trade compliance regulations and laws, this policy or the trade compliance program should be reported promptly to the NI Trade Compliance Department Director or the NI Legal Department.

**References**

Questions with regard to this policy, the NI Trade Compliance program manuals and procedures, materials, or imports, exports, economic sanctions, boycotts, licensing requirements and other trade compliance matters, should be directed to the NI Trade Compliance Department at [trade.compliance@ni.com](mailto:trade.compliance@ni.com).

NI Trade Compliance Policy and resources can be found on NI's internal website or by clicking [here](#).

The Trade Compliance Department Director, reporting to the Vice President of Manufacturing, is authorized and responsible to update and maintain this policy.