

A4 PO Format Agreement and Return Receipt

Dear Supplier:

In order to environmental protection and paper saving, SMIC will change the new purchase order format. The purchase order will change format from two pages print format to single page A4 laser print format. Because the new purchase order format does not list the back clause "GENERAL TERMS AND CONDITIONS OF PURCHASE ORDER" to let the supplier agrees to confirm.

Please read the attachment of "GENERAL TERMS AND CONDITIONS OF PURCHASE ORDER". If your company agrees to the "GENERAL TERMS AND CONDITIONS OF PURCHASE ORDER" clause, the future of your company purchase orders will adopt single page A4 format of the purchase order.

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GENERAL TERMS AND CONDITIONS OF PURCHASE ORDER

1. Order acceptance

Orders or agreements relating hereto, modifications hereof and additions hereto shall only be binding upon Semiconductor Manufacturing International Corporation, its subsidiaries or affiliates which is expressly set forth as purchaser on front of the PO (hereinafter referred to as "SMIC"), if they have been placed or confirmed as the case may be in writing by SMIC's