

## **Update on invoking Goods Availability Act (Wbg), 6<sup>th</sup> of November 2025**

Minister Karremans (Economic Affairs): "The Netherlands has been informed by China and the U.S. about their recent 'trade and economic deal' and welcomes the announcement that China will enable the resumption of supplies from Nexperia's facilities in China, reinstating the critical supply of these critical legacy chips worldwide. This is also consistent with the information provided to the European Commission by the Chinese Ministry of Commerce.

Given the constructive nature of our talks with the Chinese authorities, the Netherlands trusts that the supply of chips from China to Europe and the rest of the world will reach Nexperia's customers over the coming days. The Netherlands will closely monitor and support these developments, and will take the appropriate steps on our part where necessary.

Furthermore, the Netherlands will remain in close contact with the Chinese authorities and will coordinate closely with European Commission and international partners in this matter."

### **Previous updates:**

**12 October 2025** – [Minister of Economic Affairs invokes Goods Availability Act.](#)

**14 October 2025** – [Letter to the Parliament on the invoked Goods Availability Act.](#)

### **FAQ's**

#### **Why the Netherlands invoked the Goods Availability Act?**

On Tuesday, 30 September 2025, the Dutch Minister of Economic Affairs invoked the Goods Availability Act (Wet beschikbaarheid goederen, Wbg) due to serious governance shortcomings and actions at semiconductor manufacturer Nexperia, which is based in Nijmegen, The Netherlands.

The decision aims to prevent a situation in which the goods produced by Nexperia (finished and semi-finished products) would become unavailable in an emergency. Nexperia produces, among other things, chips used in the European automotive industry and in consumer electronics. Losing these capabilities could pose a risk to Dutch and European economic security. The signals at Nexperia posed a threat to the continuity and safeguarding on Dutch and European soil of crucial technological knowledge and capabilities.

#### **What are the consequences for the company's production, supply chain and customers?**

The company's regular production process can continue. The application of this Act in this case is solely intended to prevent governance shortcomings at the specific company concerned and is not directed at other companies, the sector, or other countries. This measure is intended to mitigate that risk.

#### **Was the Government involved in suspending the CEO and company's shares?**

No, the Government of the Netherlands was not involved. The company itself initiated an inquiry procedure at the Enterprise Division of Amsterdam Court of Appeal, represented by several directors. This procedure is therefore completely separate from the order under the Act. The Enterprise Division of the Amsterdam Court of Appeal, independently of the order and based on its own assessment, has suspended one of the directors under the articles of association (the CEO) for

the duration of the procedure, appointed a temporary non-executive director with decisive authority, and transferred the company's shares, except for one, to a trustee appointed by the Division. This underscores the fact that, in the court's independent judgement, there is sufficient reason to doubt proper governance and proper business conduct at Nexperia.

**China has criticized the invoking of the Goods Availability Act as unlawful?**

The Netherlands has been informed earlier that the Chinese government has imposed a company-specific export control measure on all Nexperia locations in China. From day one, the Netherlands has been working constructively with the Chinese authorities to find a mutually agreeable solution, both to secure Nexperia's exemption from the U.S. Affiliates Rule, as well as to counter the actions of the now suspended CEO and shareholder that threatened the stability and continuity of Nexperia Holding B.V. For the Netherlands it is crucial to let the proceeding under the Enterprise Chamber of the Amsterdam Court of Appeal stay independent of government interference.

The Netherlands has taken note of the recent 'trade and economic deal' between China and the U.S. More specifically that China will take appropriate measures to ensure the resumption of trade from Nexperia's facilities in China, allowing production of critical legacy chips to flow to the rest of the world.