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2016年1月14日

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上午10時01分恢復聆訊

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出席人士：石永泰資深大律師、許偉強大律師及鄭欣琪大律師，為外聘律師，代表食水含鉛超標調查委員會

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Mr. Ian Pennicott 資深大律師及林定韻大律師，由孖士打律師行延聘，代表中國建築工程（香港）有限公司

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林國輝大律師，由孖士打律師行延聘，代表瑞安承建有限公司

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何沛謙資深大律師及殷志明大律師，由羅夏信律師事務所延聘，代表香港房屋委員會

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王鳴峰資深大律師、陳樂信大律師及羅頌明大律師，由律政司延聘，代表水務署署長

J

K

黃佩琪大律師，由顧增海律師行延聘，代表有利建築有限公司、明合有限公司及伍克明

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許佐賓大律師，由的近律師行延聘，代表保華建築營造有限公司

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主席：邊個想問問題？

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MR PENNICOTT: Morning Mr Chairman.

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Morning Mr Kwong.

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何標記建築工程有限公司（“何標記”）（中國建築（啟晴邨）及瑞安（葵聯邨第二期）的分判商）的第二證人：鄭家富（何標記工料測量員）宣誓繼續作供

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MR PENNICOTT 盤問

答：Okay。

問：Thank you, Mr Kwong. I just have a few questions for you on behalf of China State. You tell us that you were responsible for tendering in respect of Kai Ching Estate. Is that right?

答：係，冇錯。

問：When you were preparing tender, did you have any materials price lists from material suppliers?

答：之前我講過，其實我哋自己有個 standard 嘅 price 嚟嘞，已經。

問：So you did not have the materials price list from Prosperity in front of you when you were preparing the tender?

答：冇嘅。

問：Could I ask you, please, to go to or be shown bundle K1, and we start at page 71. Mr Kwong, this is just to orientate ourselves. This is the front sheet of the subcontract between China State and your company. Do you see that?

答：見到。

問：Over the page, at page 72, you see the articles of agreement?

答：見到。

問：And halfway down the page, we see the subcontract sum of \$57 million; do you see that?

答：見到。

問：As I understand it, that figure was a figure that was agreed by Mr Ho and China State; is that right?

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答：我唔係好明白你個意思。

C

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問：The overall contract sum and subcontract sum that went into this contract was ultimately agreed between Mr Ho, on behalf of your company, and the gentleman on behalf of China State. Is that your understanding?

D

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答：因為呢一份係最初步嘅投標，因為工程上面應該會發生有啲後加數，所以到最尾個單落個金額係會有轉變。

F

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G

H

問：I appreciate the amount may have changed at the end, but that was the starting point, \$57 million, agreed by Mr Ho?

H

I

答：係。

I

J

問：Could we then move on to page 495 in the bundle. This subcontract contains many hundreds of pages and I just want to look at a couple of them. If we could look at page 495 to start with.

J

K

K

L

答：見到。

L

M

問：This is, as you will see, a page from the bills of quantities for block 1 of the Kai Ching Estate. Do you see that?

M

N

N

O

答：係。

O

P

問：As a quantity surveyor, you will be familiar with bills of quantities?

P

Q

答：都見佢開嚟嘞。

Q

R

問：Okay. Then if you go to page 504, please, on the left-hand side, just under D, you will see a heading, "Cold water supply installation"; do you see that?

R

S

S

T

答：係。

T

U

問：Then, over the page, two pages, to 506, you will see a heading, just under E, "Copper pipes and fittings";

U

V

V

B

B

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do you see that?

C

D

答：見到。

D

E

問：And underneath that heading there is, from F through to -- there are a couple of letters missing -- about P, a list of copper pipes of various diameters; do you see that?

E

F

F

G

答：見到。

G

H

問：Just focusing on one of the items, let's look at G, 22 millimetre diameter pipes -- the Housing Authority have put the quantity in of 2,044, and the unit of metres; do you see that?

H

I

I

J

答：見到。

J

K

問：My understanding is that where it's blanked out, ordinarily one would find a series of manuscript figures. Is that your understanding as well?

K

L

L

M

答：你嘅意思係空咗喺邊個位置？

M

N

問：If you see the column "Rate" -- I know it's all been blanked out, but ordinarily one would see a figure in manuscript, in the "Rate" column, against the figure of 2,044 metres.

N

O

O

P

P

Q

石先生：The black bit on the far right?

Q

R

MR PENNICOTT: Yes, the black bit on the far right.

R

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答：Excuse me, 你嘅意思係咪即係話“Quantity”嗰行如果係冇--空白咗嘅話，就代表有咁嘅意思？

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U

主席：唔係，而家遮咗啲啲呢，其實係有啲字寫咗喺度，係有啲 figures 喺度嘅，有啲數嘅，不過係寫咗...

U

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B

C

答：Okay.

C

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D

問：Right?

E

E

答：Yes, right.

F

F

問：Yes. Thank you very much. "Blocked out" would have been a better expression, no doubt. And that figure, as I understand it, was put in by you; is that correct?

G

G

H

H

答：係。

I

I

問：Just focusing on that one item, can you just explain how you would have gone about calculating the rate?

J

J

How would you have calculated that figure?

K

K

答：係，頭先所講，其實我哋自己已經有個 list 嘅個 price。就唔會話每一單 project--因為其實公屋嘅話，其實都係千篇一律，其實我哋已經有個價錢嚟度，大概會知道幾多錢。

L

L

問：Would that price list have to be reviewed from time to time? It clearly wasn't going to be constant over many years, was it?

M

M

N

N

答：我哋會改，但係就唔會話會喺好短時間裏面作出好大程度更改。

O

O

問：Right. From your evidence yesterday, I understand that you would have added, I think you said 5 per cent to whatever figure you came up with, to allow for the jointing of the pipes; is that right?

P

P

Q

Q

R

R

主席：5 per cent 係小五金。

S

S

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答：其實--我諗講番，其實我意思係話，喺個單價裏面會 involve 咗大約 5 個 per cent 係啲啲小五金嘅。

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問：I see. All right. Were you aware that if you look at this list of pipes here, of different diameters, some were jointed by solder and some were jointed by silver brazing? Were you aware of that?

C

D

D

E

答：我知道會係有兩種嘅焊料。

E

F

問：Would the percentage be the same for solder and silver brazing, that is for the jointing, the jointing percentage?

F

G

G

H

答：基本上會係一樣嘅。

H

I

問：Okay, all right. Now...

I

J

J

主席：對唔住，你嗰個 percentage 係講緊 5 個 per cent 個小五金個 percentage，就我唔知 Mr Pennicott 講緊個 percentage 係講緊嗰啲口徑大小嘅 percentage，抑或係講緊嗰 5 個 per cent 小五金。你嘅答案就話一樣，你嘅意思一樣個比例係即係都係 5 個 per cent，抑或係口徑唔同嘅 5 個 per cent 先？

K

K

L

L

M

答：我預算個小五金佔嘅 per cent。

M

N

主席：係囉。

N

O

O

P

問：Okay. Could we then look at something else. Could you be shown bundle F2 at page 1340. Mr Kwong, do you have that?

P

Q

Q

R

答：係，見到。

R

S

問：It's a schedule that's headed, "Summary of subcontractors and [licensed plumbers] for unaffected estates (China State)". Do you see that's the heading?

S

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答：見到。

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問：In the middle column, one of the middle columns, the heading "Subcontractors" -- do you see that?

答：見到。

問：Your company is identified as the subcontractor on I think it's 11 out of the 16 estates that are listed here. The list continues on page 1341. Do you see that?

答：見到。

問：You told the Commission yesterday that you took up responsibility for sample submissions in about 2003, as I understand it; is that right?

答：係。

問：So does it follow that you would have been responsible for the sample submissions for all of these unaffected estates that we see on this list, bar perhaps the first couple, which I see were completed in 2005; does that follow?

答：可以係咁講。

問：To the best of your recollection, would there have been a sample submission of solder in relation to each one of these unaffected estates?

答：如果經過我嘅話就會有，因為喺呢個 list 裏面，頭啲幾個項目我都好模糊，我唔記得咗我自己係咪有做過 submission 已經。

問：Right. But from, let's say, item 6, 2008 onwards, you confirm that a sample submission of solder would have been made, to the best of your recollection?

答：係。

問：Again, to the best of your recollection, would that sample submission have been FRY 99C lead-free solder?

B

B

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答：係。

C

D

問：Thank you very much.

D

E

A slightly different topic but still to do with samples. At the very end of your evidence yesterday, Mr Shieh asked you whether you had typed up a list of approved materials, and you said no. Do you recall that question and answer?

E

F

F

G

答：你所指係咪房--交去房署嗰張 form?

G

H

H

I

主席：批咗之後落嚟嗰張，即係你知道？

I

J

答：知道，知道。

J

K

K

L

問：Mr Shieh asked you whether you prepared a list of all the approved materials. Did you type up such a list or not?

L

M

M

答：我有印象，應該我對外會有個 list 係畀建築嘅 BS 嘅有關職員。

N

N

O

問：Okay. Let's look at another document. F1/215.1, and with a bit of luck it will be in A3. Do you have that?

O

P

答：Okay。

P

Q

問：Do you have that? Right.

Q

R

答：見到。

R

S

問：When two of the China State witnesses gave evidence, they said that this was a document produced by HBK, by your company. Do you agree with that?

S

T

答：係我預備嘅。

T

U

問：We see item 23, the word "Lead-free solder wire", and

U

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I think the Chinese characters read "solder strips", and then "FRY", and then in the "Model number" column, the number 20813. Do you know what that number represents, Mr Kwong?

C

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答：唔知道。

E

F

問：If you prepare this document, you must have had some idea at the time what it was, but you don't know now; is that the position

F

G

G

H

答：我已經好模糊。

H

I

問：Okay. That's fair enough.

I

J

Then on the right-hand side of this document are various details of the materials suppliers, and we can see against, amongst others, item 23, the name Prosperity and Mr Chow; do you see that?

J

K

K

L

答：見到。

L

M

問：And various contact details.

M

N

Apart from submitting this document to China State, was it circulated to anybody else in your company?

N

O

答：冇嘅，因為係主承建商嗰啲 BS 要求，我係咁 support 畀佢哋嘅。

O

P

問：So, for example, you didn't give it to Ms Wong or to Ms Chiu, who were responsible for purchasing materials? They didn't see this document; is that right?

P

Q

Q

R

答：唔好意思，你意思係黃小姐同埋趙小姐，係咪呀？

R

S

問：I am indeed. Obviously, we can ask them, but to your knowledge, did they see this document?

S

T

答：我內部係冇遞交過任何人。

T

U

問：Thank you very much.

U

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Then my last topic -- can I start by saying this to you. As I understand it, you were based essentially full-time in the office, is that correct, in the head office?

C

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D

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答：（沒有可聽到的回答）

E

F

問：You will need to say "yes".

F

G

答：係，冇錯。

G

H

問：Did you ever visit the Kai Ching Estate during the course of the construction of the plumbing works?

H

I

答：有。

I

J

問：How often?

J

K

答：其實不定時嘅，大約--平均你大約兩、三個月嘍一次左右。

K

L

問：What was the purpose of your visits?

L

M

答：因為我會睇番--因為我正職係 QSE 嚟嘅，因為我都會同番你主承建商 QSE 會跟進番我哋嘅糧單，所以我有時我都會落去同佢哋會討論番關於 payment 上面嘅嘢。

M

N

N

O

問：Understood. Now, the site supervisor or officer in charge at the Kai Ching Estate, on behalf of your company, was a gentleman called Chan Siu Wah. You know Mr Chan, I assume. Is that right?

O

P

P

Q

答：係。

Q

R

問：As a general question, Mr Kwong, were you aware that from time to time Mr Chan would receive a variety of documents from China State?

R

S

S

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答：我推測應該會嘅，因為以我所知貴公司嘅--如果呈交文件畀本公司嘅話，就會喺地盤擺一個--我哋俗語所謂「白鴿籠」裏面。我相信呢個地盤陳小華先生就佢會--定時會去嗰個所謂嘅白鴿籠裏面，就會收文件。

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石先生：我想改一改個 transcript，佢嗰度寫咗“birdcage”，應該係“pigeonhole”。

主席：唔。

問：Right. Once Mr Chan Siu Wah had obtained the documents from the pigeonhole, was there a system or a mechanism in place as to what he should do with those documents?

答：冇嘅，通常佢哋收埋，佢哋會擺喺佢哋地盤我哋所謂俗稱嘅「架步」裏面，佢又唔會話會呈交番上嚟寫字樓。

問：Could I ask you, please, to go to page 215.2, so quite close to where we were just a moment ago. You will see, Mr Kwong, that this is a memo dated 3 October 2011 from China State to HBK. Do you see that?

答：見到。

問：Is it a document you have ever seen before?

答：印象好模糊。

問：This, as I understand it -- sorry, do you want to add something?

答：其實我嘅意思係話應該個 cover 我好模擬係見到，因為裏面啲 form--我後面啲 attachment 應該係見過。即係話...

主席：係，大聲少少吓，後面啲。

答：哦，okay。I mean 喺 215.3、215.4 嗰啲 form 我係會見過嘅，但係個 cover 就好模糊，我未必有印象見過。

主席：得。

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問：Our understanding, Mr Kwong, is that this is a document that Mr Chan Siu Wah would have picked up or be given at the site. Are you aware of that?

D

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E

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答：我唔知道，但係我推測如果中國建築有出呢份 memo 嘅時候，佢應該會都擺喺白鴿籠裏面嘅。

F

G

問：Let's assume that Mr Chan picked this document up. Are you saying, in the light of your answers just a few moments ago, that what would have happened to this document is that Mr Chan would simply have put it into a file which would have gone to the site office, and nobody else would have seen it? Is that the effect of your evidence?

G

H

H

I

I

J

J

答：我唔敢肯定有冇其他人會見到。

K

K

L

問：Tell me this, Mr Kwong. We looked at the materials submission list that you prepared. How would you update that list without seeing this sort of document?

L

M

M

N

答：唔係，我意思係話，呢張 letter 我有--好模糊，我有乜印象已經，因為其實我都處理咁多文件，我未必下下會記得到我入過啲咩嘢落去。

N

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石先生：我個理解係呢個證人其實唔需要倚靠中國建築界呢份嘢，因為中國建築一批咗之後就會畀佢，佢直情係直接知道批咗咩嘢，我嘅理解應該係。

P

Q

Q

R

R

S

主席：即係房署一批咗之後，你就已經第一時間知喇喇嘛，中國建築已經話咗畀你知？

S

T

答：係。

T

U

主席：跟住中國建築，即係如果睇呢啲文件，就係佢會另外就再送一份落去畀下低，係咪地盤嗰啲人？

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答：唔係，因為佢應該喺地盤度做，即係做--我相信做呢份文件嗰個地盤主承建商嘅職員會做，...

C

D

主席：係。

D

E

答：...佢哋就應該會係擺番落去佢哋個白鴿籠裏面。

E

F

主席：係。咁你點知？

F

G

答：佢哋會 by e-mail 畀我哋嘅。

G

H

主席：哦，即係兩個唔同途徑嘅？

H

I

答：係。

I

J

主席：得。

J

K

問：Mr Kwong, please go back to the materials submission list, at page 215.1. Right?

K

L

答：Okay.

L

M

問：Do you see the column where the word "Approved" appears a number of times?

M

N

答：見到。

N

O

問：Then there's a date in the next column; do you see that?

O

P

答：見到。

P

Q

問：Then there's a reference, which is a reference of a China State document, in the next column. How would you have put those details into this form without seeing the documents?

Q

R

答：頭先我意思，因為我處理好多嘅文件，其實我對呢樣嘢好模糊。

R

T

問：I suggest to you that had you updated this document that we are looking at, you would have had the memo,

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and you would have put in there the reference KT1A/BLK. Now, did you update this document to include all approvals that have been given or not?

答：係會嘅，但係因為我就係處理好多，我唔會話下下咁多日，我記得我自己做過啲乜嘢，我係會--更新嗰個係我嘅，但係你叫我講番咁多年前係咪--有冇見過呢份嘢，其實我相信律師--我都未必咁肯定話百分百 per cent，大家咩嘢都記得晒做過啲乜嘢囉。

問：Do you happen to know today whether a final version of this document, with all the details filled in about the approvals, still exists?

主席：我--其實我覺得呢個唔係一個 issue 嚟嘅，呢個--喺而家我哋聽到嘅證供同埋睇到嘅證據，因為冇人話因為呢個--應該咁講，sample submission 係冇人有異議嘅，何標記又知道、中國建築又知道；用呢一隻料亦都冇人有異議嘅，應該用呢隻料亦都冇人有異議嘅。唯一有異議嘅，就只不過係點解喺呢一隻 approve 咗之後，有另外一隻有人用，所以其實基本上講嚟講去都係陳小華嘅證供，其實佢嘅證供又冇乜重要性，相對嚟講。

MR PENNICOTT: I accept that. I was also just trying to establish whether there might have been anybody else in HBK who might have known about this,...

主席：應該...

MR PENNICOTT: ...but I accept the point.

主席：應該陳小華係啟晴嘅打理人，佢一清二楚。

MR PENNICOTT: I accept that.

Thank you very much, Mr Kwong.

主席：唔，問喇。

林先生：主席。

B

B

C

C

D

林先生盤問

D

E

問：鄭生，我想問一問你，如果你睇到你嘅證人口供第 2253 頁，係 (d) 嗰部分，你有冇個中文？(d) 個部分，你有中文，係咪呀？冇，冇，我稍後同你解釋。

E

F

答：Sorry。

F

G

問：咁就你响 (d) 個部分，就話係「當時，我嘅同事係唔知道啲錫線係會有鉛，佢哋都唔知道有一個咁嘅要求係啲錫條係唔含鉛。」呢個係你嘅講法，係咪？

G

H

H

I

答：你講係 2253 頁 (d) 嗰 part，唔好意思，係咪呀？

I

J

問：Sorry。(d)，D，for dog。

J

K

答：2253 (d)，係。

K

L

問：係。呢個係你哋嘅講法，係咪？

L

M

答：係。

M

N

問：呢個係你之後問同事知，抑或係之前知？因為你講「當時」，我想知道係你嘅認知係幾時知？

N

O

答：係事發之後知道。

O

P

問：事發之後嘅。你亦都好坦白咁樣同石資深大律師講話，其實你自己係响何標記裏面從來--當呢個“FRY”嘅 approve 咗之後，係從來冇同任何人响你公司裏面講過話係要用呢隻“FRY”嘅，係咪？

P

Q

答：係。

Q

R

問：我想問你，因為之前石資深有問過你嘅。咁房委對你哋期望咪落空咗，其實咁換句話講，總承建商對你嘅期望，或者對你哋嘅期望亦都係落空，因為你左手唔知右手做緊咩嘢其實，啱唔啱？

R

S

S

T

答：我唔敢推測。

T

U

問：唔敢推測。但係你--好明顯就係你唔話畀你啲同事聽，咁你啲同事係

U

V

V

B

B

C

唔知道係應該採購嘅時候用啲咩嘢，啱唔啱？

C

D

答：唔。

D

E

問：係咪可以咁講？

E

F

答：係。

F

G

問：我想畀你睇一睇一個--一份文件，H1 122。

G

H

答：Okay。

H

I

問：你哋睇到嘛？

I

J

答：睇到。

J

問：呢一份文件就我哋見到，就係--寄件者就係文君華（譯音），係瑞安嘅 AQCC，係咪？

K

答：係，見到。

K

L

問：收件嗰個就係 hbkleung，就係梁偉健先生，係咪？

L

M

答：係。

M

N

問：亦都係即係你公司同事？

N

O

答：係。

O

P

問：當時呢--當然我哋知道有個黃貴雄，其實梁偉健先生當時亦都有負責過葵聯邨嘅，係咪？

P

Q

答：係。

Q

R

問：呢一個呢，如果你睇再後面嗰頁，其實就係嗰個 sample approval 嗰個 submission form。你再睇去到--隔幾頁，就會見到有房署嘅嗰啲 contract manager 嘅簽名，亦都有個 Mr Tse 嘅簽名喺 5 月 20 號，見唔見到？2013 年。

R

S

S

T

答：見到。

T

U

問：即係換句話講，你會同意我講法，就係當攞咗房署嘅 approval 之後，關於呢隻“FRY”同埋其他嘅物料，就係話咗畀--或者至少有個

U

V

V



B

B

C

e-mail 就畀咗梁偉健先生，係咪？

C

D

答：如果我根據你呢份 e-mail，我會感覺係。

D

E

問：係。即係換句話講，除咗你响何標記知道係應該用“FRY”，至少文件上、客觀嘅證據上面，至少梁偉健先生亦都知道係應該用“FRY”，係咪？

E

F

答：可以咁講。

F

G

問：好嘞，你知唔知道呢一份文件當 e 咗去梁先生知道，咁佢跟住係應該點處理？

G

H

答：唔知道。

H

I

問：你唔知。唔知道點處理？

I

J

答：因...

J

K

問：你自己係--你自己個人，當時亦都係知道係呢一個物料係房署 approve 咗，係咪？啱唔啱？

K

L

答：係。

L

M

問：我想問你關--跟住你證人口供嘅第 2257 頁嘅 (d) 個度，或者我話一話畀你聽，呢個第 7 個問題，就係問究竟--問就問 China State 係知唔知關於嗰啲咁嘅用咗啲 solder strips。如果你睇，或者你 2259，你睇 (j)，(j) 個度你就話「上面所有嘅嘢都同樣地係可以套用落去葵聯邨。」你見唔見到？

M

N

N

O

O

P

答：見到。

P

Q

問：我想問一問你，响 (d) 個度，呢一度就係你話「我見--我就從黃貴雄先生知道係呢個錫條就去咗呢個--或者係有錫條係去咗 site 度。」跟住你就一大段落去，就關於嗰啲用嗰啲 heat，即係嗰啲工人點樣樣做。首先，我想問你，呢一個資料係黃貴雄同你講，係咪？

Q

R

R

S

答：係事後同我去講。

S

T

問：事後同你講，冇錯。你自己有--亦都有落手落腳試過究竟呢一樣嘢係啱定唔啱，係咪呀？

T

U

U

V

V

B

B

C

答：冇。

C

D

問：你亦都唔會知道，因為你呢個工序亦都唔係你自己嘅範疇，係咪？

D

E

答：係。

E

F

問：唔噃。即係如果有另外一啲工人，即係我哋亦都聽到有證據話啲工人未必係咁樣做法，你亦都唔可以 dispute 到，係咪？即係你唔可以話呢啲工人係錯，你自己唔知，可唔可以咁講？

F

G

答：我唔知道嘅。

G

H

問：唔。而二來，响 (e) 嗰度，當然因為係你話啲嘢係可以响葵聯邨嗰度亦都係套用。(e) 嗰度，你就話「有啲咁嘅 delivery note」，石資深大律師亦都問過你嘅。但係葵聯邨，如果 delivery note 淨係畀佢响何標記現場嘅工人，你知唔知？

H

I

I

J

答：你意思係話...

J

K

問：响葵聯邨，當呢啲咁嘅錫條落到去工地嗰度，係冇去過瑞安嘅，你知唔知？

K

L

L

答：我係知係落咗地盤嘅，係。

M

M

問：淨係落地盤？

N

N

答：你意思--「冇落到瑞安」嘅意思係...

O

O

問：冇落到去--即係淨係畀咗何標記嘅工人，或者--或者我畀你睇睇個文件容易啲。你去 S1...

P

P

Q

Q

主席：即係你嘅意思係何標記訂，就何標記收，係咪？

R

R

林先生：冇錯，冇錯。

S

S

T

答：你去睇 S1 嘅 104...

T

U

U

V

V

B

B

C

主席：使唔使點--何標記訂，就係何標記嗰啲工人喺地盤收？

C

D

答：當然佢哋要收。

D

E

主席：唔，得。

E

F

問：係，當然。但係我想你睇睇 104。或者咁樣講--鄭生，你睇睇 104，就係呢一個係錫條，就雋景嘅送貨單係落到去地盤葵盛圍，何標記，係咪？

F

G

G

H

答：係。

H

I

問：我哋見到阿健，呢個就係我哋頭先見到嗰個梁偉健先生喇，係咪？就係阿健簽收嘅。

I

J

答：係。

J

K

問：當然呢一個你都係睇呢啲文件，你自己唔知嘅，係咪？

K

L

答：你所指嘅「唔知」係...

L

M

問：你當然嗰個正常嘅情況，就係阿健收晒所有嘅--收貨，係咪？

M

N

答：即係收貨嘅情況，唔係，因為我唔喺現場。

N

O

問：冇錯。

O

P

林先生：主席，冇其他問題。

P

Q

主席：唔該。

Q

R

R

S

殷先生盤問

S

T

問：鄭生，我代表房委會嘅。

T

U

答：係。

U

V

V

B

B

C

問：我有一點想你澄清嘅啫，關於你嗰個書面嘅證供。我想你睇睇你個書面證供第 2258 頁。

C

D

答：Sorry。

D

E

問：2258。

E

F

答：唔該你。

F

G

問：英文字母 (e) 嗰段。

G

H

答：係。

H

I

問：你自己讀一讀先，自己睇一睇。

I

J

問：你嗰度有一句嘅，你就講過話“From time to time, HD might request material delivery notes to be provided for their verification.” 即係話耐唔耐呢個房屋署可能會問攞一啲送貨單嚟對核嘅，你講過一句咁嘅嘢。

J

K

K

L

答：係。

L

M

M

N

問：我想問一問你，從你嘅理解，係咪可以咁講呢？就算，第一、你頭先講過畀我哋聽，你自己就唔係長駐喺地盤，啱唔啱？

N

O

答：啱。

O

P

問：兩、三個月至去一次嘅啫？

P

Q

答：啱。

Q

R

問：所以地盤上日常操作發生咩嘢事，你個人都未必知道嘅，可唔可以咁講？

R

S

答：你可以咁講。

S

T

問：但係據你自己嘅理解，我可唔可以咁講，就算房屋署係有問攞單嚟睇，佢都唔會直接問何標記嘅人攞，應該係問中國建築或者問瑞安啲人攞，啱唔啱？

T

U

U

V

V

B

B

C

答：我同意。

C

D

問：而所以其實你自己個人嚟講，你都唔知道房屋署曾否問過擺邊一啲單，關於啲乜嘢物料嘅單、幾時問過，呢啲你完全都唔知嘅？

D

E

答：唔知。

E

F

F

G

殷先生：我有問題。

G

H

主席：唔該。冇人問嘞？冇冇？冇。

H

I

唔該晒，鄭先生，畀完口供，可以走得，唔該晒。

I

J

答：唔該晒。

J

K

K

L

石先生：主席先生，我哋而家傳召陳小華先生。

L

M

主席：好呀。

M

N

N

O

何標記建築工程有限公司（“何標記”）（中國建築（啟晴邨）及瑞安（葵聯邨第二期）的分判商）的第三證人：陳小華（何標記前僱員（啟晴邨的地盤主管））以本地話宣誓作供

O

P

P

Q

主席：請坐，陳先生。

Q

R

R

S

石先生主問

S

T

問：陳先生。

T

U

答：係。

U

V

問：就麻煩你睇睇你面前有一啲好厚啲咩文件夾，就睇 K3，第 2390 頁。

V

B

B

C

你見到你面前呢一份文件嘛？2390，右下角有個數目字就係個頁數嚟嘅。

C

D

答：係。

D

E

問：你睇番呢一份文件，個頂嗰度就寫住「食水含鉛超標調查委員會，陳小華的證人供詞」，你見到嘛？

E

F

答：睇到。

F

G

問：見到？

G

H

答：係。

H

I

問：首先，我想問一問你先，你個名嘅第二個字係大小個「小」，係咪？呢個字係啱嘅，係咪？

I

J

答：呢個字係啱嘅。

J

K

問：啱嘅？

K

L

答：係。

L

M

問：好。我哋個程序就係因為有公眾喺度聽緊，佢哋未必見過你呢份供詞，咁所以我會將呢份證供我會讀出嚟，就你可以照睇住，但係我會讀出嚟，跟住就我會問你係咪確認呢一份嘢嘅真確性。我而家讀出嚟，你照聽得㗎嘞。

M

N

N

O

答：好。

O

P

P

Q

## 食水含超標調查委員會

Q

R

### 陳小華之證人供詞

R

S

S

T

1. 本人陳小華，地址為...

T

我唔讀。

U

U

現謹向食水含鉛超標調查委員會陳述如下：

V

V

- A
- B
- C 2. 我是何標記建築工程有限公司（「何標記」）的前僱員，亦是啟晴邨公屋興建項目（「啟晴邨項目」）的大樓及地下水喉安裝工程的地盤打理。我於中國內地接受教育至初中程度，能讀寫中文，但不懂英文。
- D
- E 3. 我於1983年起學師，成為負責安裝大樓水喉及水渠的散工。在朋友介紹下，我於1988年加入何標記，成為何標記的水喉及水渠安裝工人。
- F 4. 我於1998年考獲「建造業水喉工大工牌」，現附上我的建造業技能測試證明咭的複印本為**附件一**。當時我是應何標記的要求而考大工牌，因為在房委會轄下地盤工作的水喉工人，必須有一定比例是持有大工牌。
- G
- H 5. 我於2000年離開何標記，並替其他水喉及水渠安裝工程公司工作，但在2009年起重返何標記工作，其間擔任整個啟晴邨項目的打理一職。我於何標記工作至2013年4月遭辭退，現在於另一水喉及水渠安裝工程公司工作。
- I
- J 6. 在我過去參與過興建的房委會公屋項目中，有數個是以焊錫方式接駁食水銅喉的。例如在2005年由有利建築興建的元洲都項目，我有份擔任食水喉安裝工人，當時工人是以一條條的錫條作焊錫接駁食水銅喉的。在2009年興建的啟晴邨項目及龍逸邨項目，我擔任何標記的打理，並負責向採購部落單填寫所需物料種類和數量於表格上，和跟進收貨。何標記則負責選訂物料供應商和牌子，和向房委會申請審批水喉工程物料。啟晴邨項目絕大多數是以一條條的錫條作焊錫的，而龍逸邨項目則是以一卷卷的錫線作焊錫的。我隨後會解釋為甚麼兩個差不多同期的項目所用之焊料會有這樣的分別。在2010年興建、位於東隧旁的油麗邨商場，我則負責協助該商場的打理。該商場是以內含焊料的錫曲接駁食水銅喉的，但有時需要在錫曲外補焊時，也是使用一條條的錫條作焊料的。
- K
- L
- M
- N
- O

### 啟晴邨項目

- Q
- R 7. 中國建築有限公司（「中國建築」）是啟晴邨項目的總承建商，何標記則是負責安裝大樓及地下食水喉的分判商。我知道在這項目中，何標記需要連工包料，包括購買水喉及焊料等。在項目中，擔任打理一職的只有一個（即本人），而判頭則（如下面所說）有數位。啟晴邨項目是本人第一次擔任打理這職位的項目。
- S
- T 8. 啟晴邨項目一共有六座大樓，每兩座大樓由不同的判頭負責。第一座及第二座的判頭是黃貴雄及梁偉健，第三座及第四座的判頭是陳思南，第五座及第六座的判頭則是范秀鵬。
- U

9. 作為整個地盤的打理，我主要負責監察六座大樓的食水喉安裝工程和安排施工物料的訂購，以讓物料可配合工程的進度送到地盤。我並沒有落場參與焊接食水喉的工作。我的直屬上司就是何標記的老闆何文標，有需要時，我會向他匯報我作為打理的工作。

### 對鉛及有關使用無鉛焊料規定的認知

10. 在鉛水事件前，我並不知道鉛對人體有害。我亦不知道房委會的合約有規格要求使用無鉛焊料來焊接食水銅喉。無論是何標記、中國建築還是房委會，均從來沒有人向我提及過有關要使用無鉛焊料來焊接食水銅喉的要求。在我考大工牌的時候，並不需要上課，考試的內容也沒有提及過要使用無鉛焊料來焊接食水銅喉。

### 焊料的訂購

11. 在啟晴邨項目的水喉安裝工程中使用的施工物料，是視乎它們的種類，而由不同的供應商所提供的。我記得當時有一家叫「彬記」的公司負責供應銅喉；而雋景建材有限公司（「雋景」）則負責供應喉碼及各類小五金物料等，其中包括焊料。
12. 在啟晴邨項目中使用的小五金物料，包括焊料，早期全部都是由我向何標記採購部落單，再由何標記採購部向雋景訂購回來的。到了工程的後期，即大約2013年9月至10月開始，因為水喉工程全速進行，要訂購及送來地盤的物料實在太多及太亂，所以黃貴雄、梁偉健及范秀鵬亦有就他們負責的座數自行向何標記採購部落單訂料，而不須通過我。由於黃貴雄、梁偉健及范秀鵬都替何標記打工多年，與何文標十分相熟，所以老闆何文標當時知悉及容許他們直接向採購部落單。至於陳思南，他替何標記打工的時間相對較短，與何文標不太熟絡，所以就算到了工程的後期，他仍然是通過我向何標記採購部落單的。
13. 在做啟晴邨項目的打理前，我並未聽過雋景這公司。直至雋景初次送貨到啟晴邨地盤時，我作為打理負責收貨，才從送貨單第一次知悉雋景這供應商。在訂貨的過程中，我都是通過何標記採購部落單，我與雋景並沒有直接接觸。



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### 落單的過程

14. 在落單訂購物料前，我會先與判頭討論工程進度和所需的施工物料，然後我會按工程進度計算出需要訂購的物料種類和數量，再向何標記採購部訂貨。
15. 我每次向何標記採購部落單，都是把手填的訂購表格傳真給他們的。我所填寫的訂購表格（「該表格」）是由何標記所提供。該表格是一疊打橫的A4過底紙，一式三份，有白色、黃色和紅色三張。我會在該表格上親手填上所需要訂購的物料種類和數量、地盤的名稱、我的名字、簽名和日期等，然後把面頭白色的表格傳真給何標記採購部。
16. 我在何標記採購部並沒有既定的聯絡人，落單時只需把該表格傳真回他們的辦公室即可。傳真後，我會把一式三份的過底紙放在一起，在地盤保存。至於該表格本身為甚麼是過底紙和要一式三份，我並不清楚，也沒有細想過。
17. 在該表格上，我會寫明要訂購的物料の種類和數量，但所有要訂購的物料，包括焊料，都不會寫明牌子。因為何標記沒有告訴我，而我也不會知道每種要訂購的物料，包括焊料，獲房委會審批了的究竟是甚麼牌子。根據我的理解，水喉行業的打理在落單買料時，一般都不會寫明施工物料的品牌。
18. 焊接食水銅喉時一向多數都是使用一條條的錫條，所以我一向只會在該表格上寫明需要「錫條」及其數量，但不會寫明牌子和成分。但如我在隨後會解釋，只有在龍逸邨項目中，何標記採購部要求我在該表格上改填訂購「錫線」，而不是「錫條」。採購部從來沒有解釋兩者的分別，由於錫線和錫條在焊錫工序中的用法和效果一樣，我便按採購部要求改填「錫線」。
19. 由於我沒有參與何標記採購部的運作，所以並不清楚他們工作的細節。我不知道何標記採購部是從何時開始在雋景訂料，及為什麼選擇雋景。我也不知道何標記採購部是如何聯絡雋景、需要向雋景提供什麼資料或文件、或在雋景有沒有固定的聯絡人等等。一般來說，在我向何標記採購部落單後約一個星期左右，雋景就會有職員聯絡我以安排送貨到地盤。
20. 關於是否會有地盤工人會自行購買及攜帶焊料進入地盤工作，我認為這是不可能的。因為工人不會願意用自己的錢購買地盤用的材料，而何標記也沒有制度讓工人取回墊支了的材料費。

### 焊料運送到地盤的過程

21. 在雋景送貨前的一兩日，通常都會有一名女職員先以電話聯絡我，通知我物料何時才會送到地盤。就雋景送到地盤的小五金物料而言，我不用就此通知其他人。在其他情況下，如果送來地盤的物料十分大批或大型，需要預先安排地方存放，例如是彬記送來的銅喉或銅部件，我則需先通知中國建築的地盤「老總」陳先生作有關安排。我不知道陳先生的名字和他實際的職位，但工人們都稱呼他作「老總」。啟晴邨項目一共有三位中國建築的地盤「老總」，他們分別是陳先生、高先生和林文光。
22. 在送貨的貨車到達地盤門口時，我需要幫送貨人填寫一張「入閘紙」，以讓貨車可駛進地盤落貨。該入閘紙是一張簡單的表格，需要填上司機姓名、電話、車種及車牌等，亦需要概括填上送貨物料的種類，例如銅喉，但例如小五金等雜項物料則不需特別填上。我在填寫上述資料後需在入閘紙簽名，然後交給任何一位「老總」簽名，最後交予地盤的保安，貨車才可進入地盤落貨，落貨後的物料會存放在架步中。地盤的架步初時只是一個貨櫃，後來設於第五座，再搬到第二座。於工程後期，每座大樓都各自擁有自己的架步。據我所知，雋景送來的物料一定是從貨車落貨的，並不會由工人自行把物料拿進地盤，或用手推車推進地盤。
23. 落貨時，我會大致地檢查雋景送來的物料數量是否和送貨單上所示的相符，然後簽收送貨單。但我並不會把我傳真給何標記採購部的訂購表格拿出來核對，這是因為何標記採購部並不一定會跟足訂購表格上所要求的數量訂貨的。這情況是很常見的，但我不清楚背後實際的原因。
24. 何標記採購部規定，如果我要別人來代收物料及簽收送貨單的話，則要先把代收人的名字報給何標記作紀錄。根據記憶，我在啟晴邨項目應至少有上報了四個代收人的名字，他們是程德成、吳錦池、楊偉強和譚國豪。我記得袁細華好像也是代收人之一，但我不記得有沒有上報過他的名字給何標記。
25. 無論是由我還是代收人簽收，所有已簽收的送貨單的正本均會交由我保管。當何文標的司機每隔一兩天來到地盤時，我會應司機的要求，把手上有的已簽收的送貨單正本交給司機，以帶回何標記。
26. 在交出正本之前，我亦會把所有已簽收的送貨單影印一份給中國建築。我會親自把這些送貨單影印本拿到中國建築的地盤寫字樓，並放在文件盤中。這做法是由何標記的會計部或採購部的一名女職員，在啟晴邨項目開始後不久，在電話中要求我跟從的，但她並沒有解釋這要求背後的原因。我現在已記不起這名女職員的名字或職位。
27. 在執行上，這影印送貨單的做法適用於所有送到地盤的水喉安裝工程物

料，不論它們的大小和類型，當中亦包括各項小五金物料，例如焊料。

28. 在我把送貨單影印本拿給中國建築後的一兩天內，中國建築差不多每次都會派兩三名人員到地盤的「架步」來檢查送到地盤的物料，多數亦有一名房委會的職員同行。他們檢查物料時我也會在場。在印象中，他們較緊張檢查銅喉的牌子，但亦會檢查其他物料，包括錫條。

### 錫條及卷裝錫線

29. 如上所述，在啟晴邨項目中，我一向只會在訂購表格上寫明需要多少盒錫條。而雋景送到啟晴邨項目用作焊接食水銅喉的焊料，絕大部分都是條狀的錫條，估計超過送來的焊料的九成，但也有很少部分是卷裝錫線。

30. 由於就焊錫工序而言，錫條和錫線的用法和效果都是一樣的，所以我並沒有向何標記採購部討論為什麼雋景送了一些卷裝錫線到地盤。

31. 條狀的錫條是扁身的，約 400 至 500 毫米長，送到地盤時是以長條形的紙皮箱承載的。我沒有留意紙皮箱上寫了什麼，或者有沒有標記。卷裝的錫線則是綠色一卷卷的，送到地盤時是以扁身的四方形紙皮盒承載。我沒有留意錫條或卷裝錫線的牌子或成份。

32. 在做啟晴邨項目的打理前，我作為水喉工人，曾分別使用過條狀的錫條及卷裝的錫線來焊接食水喉，該些物料都是由水喉公司提供的。我沒有想過、亦不知道錫條或卷裝錫線的成份，又或者它們各自有沒有含鉛。我只知道焊料有低溫錫和高溫錫之分：條狀的錫條熔得較快，應屬於低溫錫；卷裝錫線熔得較慢，應屬於高溫錫。但是就實際的用法、效果、使用技巧和難度而言，我認為兩者是差不多的。

33. 根據以前焊錫的經驗，使用一卷卷的錫線燒焊時，我不會把卷裝的錫線剪成段，只會整卷地使用。不過在啟晴邨項目中使用的焊料大部份都是錫條，卷裝錫線很少在地盤出現。據我的印象，其他工人在啟晴邨項目和龍逸邨項目使用卷裝的錫線時，都是整卷拿著燒焊的。

34. 我現在知道雋景向委員會提供了一些有關焊料送往啟晴邨地盤的發票和送貨單 (K1/128-204)，其中一些發票和送貨單上，同時出現了「英國 50 力扁錫條」和「FRY 無鉛錫線」兩種焊料。就送貨單來說，我當時沒有留意這情況，也沒有就此和何標記採購部討論過。而我把有關的送貨單提供予何標記及中國建築後，他們亦沒有提出疑問。我並不清楚錫條和卷裝錫線在價錢上有沒有分別，因為雋景的送貨單沒有寫明物料的價錢。至於發

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票，雋景只會把它們送往何標記寫字樓，並不會送到地盤，所以我沒有見過。

35. 我從來沒有注意雋景的送貨車上所顯示的焊料牌子或名字。在鉛水事件前，我並不認識「英國 50 力扁錫條」這個名稱。我不知道「50 力」的意思，事前亦不知道原來「英國 50 力扁錫條」是含有鉛份。至於送貨車上寫有「FRY 無鉛錫線」，它的名字說明了該產品是無鉛的，但我當時沒有留意到這一點。

36. 關於工友對焊料的稱呼，現實中沒有人會把它們叫作焊料」的。大多數人，包括我自己、黃貴雄、梁偉健、陳思南、范秀鵬及其他工人，不論焊料是一條條還是一卷卷的，都是把焊料稱為「錫條」的。至於「錫線」這個稱呼，我以前沒有甚麼印象，直至在龍逸邨項目中，何標記採購部要求我在訂購表格上填寫購買「錫線」，而不是「錫條」，我才開始對這個稱呼較有印象。

### 龍逸村項目

37. 本人在啟晴邨項目開始擔任打理大約三個月後，亦同時擔任整個龍逸村項目的打理。龍逸村項目一共有兩座大樓，都是用焊錫的方式接駁食水銅喉的。

38. 就我所記得，當我一開始就龍逸村項目訂購焊料時，都是向何標記採購部訂購「錫條」的。我記得送來龍逸村項目的焊料，應該全都是一卷卷的錫線，並沒有一條條的錫條。對於送來的焊料是卷裝的而不是一條條的錫條，我並沒有深究，因為錫條和錫線的用途和效果都是一樣的。

39. 在我就龍逸村項目向何標記採購部訂購了數次「錫條」後，何標記採購部有一位女職員在電話中對我說在訂購表格上應該寫「錫線」，而不是「錫條」。但我現在已想不起這個職員是誰。而我當時也的確看見雋景就龍逸村項目的送貨單上是寫著「錫線」，而不是「錫條」的。所以在其後的龍逸都項目的訂購表格中，我在向何標記採購部訂購焊料時都是改為寫「錫線」，而不是「錫條」，而送來地盤的焊料都是卷裝的錫線。但這個轉變只限於龍逸村項目，何標記採購部並沒有要求我改變在啟晴邨項目中訂購「錫條」的做法。我和何標記採購部也沒有討論錫線或錫條有沒有含鉛這個問題。

對何標記的證人供詞的回應

40. 我注意到何文標在他的證人供詞第 6 (e) 段中 (K1/30), 聲稱是我向何標記採購部提出要求使用錫條, 以焊接直徑 50 毫米以下的銅喉; 而卷裝錫線則用以焊接直徑 50 至 75 毫米的銅喉。這並不是事實。

41. 一直以來, 在啟晴邨項目的訂購表格上, 我都是向何標記採購部要求訂購一盒盒的「錫條」的。當地盤需要焊料時, 我作為打理可以向公司訂貨, 但我根本沒有權要求公司特別購買哪一個牌子的材料, 又或者更換材料。事實上, 除了在龍逸邨項目中, 何標記採購部要求我在訂購表格上寫上購買「錫線」外, 我從來都是在訂購表格上寫上「錫條」, 我沒有跟何文標或何標記的職員討論過應該訂購甚麼焊料。

42. 根據何標記的指示, 直徑少於 54 毫米的銅喉是使用普遍的石油氣槍進行走錫焊接的, 使用錫條或錫線均可; 直徑大於 67 毫米的銅喉則需使用風煤樽作銀焊。在我的記憶中, 應該沒有銅喉的直徑是在 54 至 67 毫米之間。何標記的鄭先生 (Kevin) 於每一個項目開始前都會向打理及判頭給予相關的指示, 啟晴邨項目亦不例外。

43. 對於何文標說我提出錫條可以用石油氣槍燒焊, 對工人較方便, 而燒焊錫線則需要用風煤樽, 這是錯誤的。其實不論是錫條還是錫線, 都是可以用石油氣槍燒熔的。

44. 對於何文標說我提議使用錫條可加快工程的進度, 這是不實及不合理的。因為實際工作的速度是快還是慢, 只會影響判頭和工人們, 對我本身作為打理並沒有影響。而且根據我以前的經驗, 無論使用錫線或錫條, 做出來的焊錫都是一樣的, 焊接上的難度亦沒有甚麼大分別。所以我沒有、亦不會向何標記提議使用錫條, 以加快工程的進度。

45. 何文標又說我提出錫條的熔點 (大約 100 多度) 較錫線 (大約 200 多度) 低, 我並沒有這樣說過。雖然我知道錫條比錫線熔得快, 但是我並不知道它們各自的熔點。

46. 關於鄭家富在他的證人供詞第 9 (c) 段中 (K3/2261) 聲稱何標記在啟晴邨和葵聯邨二期的項目前, 未曾使用「50 力扁錫條」進行焊接, 我並不能確定。在我的認知中, 大部份工人都是稱呼焊料為「錫條」的, 所以我認為如果何標記有在其他工程中使用一條條的錫條焊接, 也並不出奇。如我在上面曾提及, 我其中一個參與過的何標記項目是在 2010 年興建的油麗都商場, 該商場是以內含焊料的錫曲接駁食水銅喉的, 但有時需要在錫曲外補焊時, 也是使用一條條的錫條作焊料的。

47. 對於黃貴雄在他的證人供詞第7(k)段中(K3/2242)說他在葵聯邨二期的項目使用錫條是跟隨我的做法，我是不同意的。事實上，我和黃貴雄一向也是把焊料叫作「錫條」的。我從來沒有和黃貴雄討論過應該用甚麼焊料這個問題，也沒有討論過錫條或錫線的分別。

### 焊料的審批

48. 我知道就水喉工程物料而言，房委會會要求承建商呈交一些樣板以作審批，包括焊料。就我所知，何標記的鄺先生是負責處理這方面的工作的，本人並沒有參與。

49. 我從來不知道中國建築或何標記遞交了甚麼牌子的焊料給房委會作審批，亦沒有人通知我房委會最後審批了甚麼牌子的焊料。其實不只是焊料，就算是其他的水喉工程物料或配件，亦沒有人告訴我遞交往審批的牌子，和最後獲得房委會審批的牌子。這情況不只是限於啟晴邨項目中發生，在其他我參與過的何標記項目中也一樣。

50. 所有啟晴邨項目的地盤的工作人員（包括我）新進場時，都要先參加中國建築的安全講座，但講座只是講解一般的地盤安全知識，當中並沒有提及要使用甚麼牌子或規格的水喉工程物料或配件。

51. 對於水喉工程的物料或配件是使用甚麼牌子，我認為何標記採購部在訂料時自然會負責選擇牌子。至於鄺先生有沒有向何標記採購部通報審批了的水喉物料牌子，我則無從知曉，但何標記採購部從來沒有向我查問有關水喉物料牌子的事。

### 中國建築是否知道錫條被使用作食水銅喉焊接

52. 我認為中國建築是應該知道在啟晴邨項目中有使用錫條作食水銅喉焊接用途的。因為（如上面提及）我有把所有送貨單的副本影印及交予中國建築，而中國建築亦有不時有職員在地盤檢查送來的物料。啟晴邨項目中的水喉工人也都是正常地存放和使用錫條，沒有把錫條隱藏起來。中國建築從來沒有向我提出焊接食水銅喉應該使用無鉛錫線，而不是錫條。

### 食水喉安裝工程的進度

53. 關於在啟晴邨項目六座大樓的食水喉安裝工程，我記得一直都有工人進行大樓內的安裝工程，但就大樓外牆需要較多人手的安裝工程而言，則大概有六個月時間去完成所需的工序，並不算是很匆忙。在高峰期，大約有超過 100 名食水喉安裝工人在啟晴邨的六座大樓中同時進行食水喉安裝工作。

### 預製組件

54. 我第一次知道何標記需要先在內地替啟晴邨預製組件安裝食水喉，是由何文標或鄺先生對我說的。我記得當時大樓的建築已經大約起至四至五層樓高。啟晴邨項目是我第一次知悉要在內地替預製組件先安裝食水喉管的項目。

55. 預製組件中的食水喉管安裝，包括廁所和廚房，也是用焊錫接駁銅喉的。安裝食水喉管的過程大都是在深圳龍華的有利華廠房進行，但是我記得大樓低層的預製組件中的食水喉管則是在香港安裝的。這是因為初期深圳預製組件的石屎殼要趕運到啟晴邨安裝，當時趕不及在深圳先裝好食水喉管。所以較低層的預製組件中的食水喉管，是在啟晴邨現場才安裝的。至於較後期的大樓中層及高層的預製組件，則是在深圳一併安裝好食水喉管後再送往香港的。

### 預製組件中使用的焊料

56. 在深圳安裝預製組件食水喉管需要使用的物料，包括焊料，都是由香港運送上深圳的。按何標記寫字樓規定，為了報關的原因，送往深圳的物料，例如喉碼及小五金物料，包括焊料，都會先以前述的落單程序訂購，由雋景送往啟晴邨項目的地盤暫存，儲齊一架貨車後再一次過運上深圳。

57. 那些深圳用的施工物料，包括焊料，送往啟晴邨的地盤暫存時，需要先經過地盤入閘的程序，暫時放在架步。在這些物料送往深圳時，它們則需要經過地盤嚴格的出閘程序。這包括由我親手填寫出閘紙給地盤的保安，及口頭通知中國建築的屋宇裝備工程部 (BS) 的林先生 (Jason) 有物料需要運出地盤，而林先生應該會通知房委會的人員。

58. 運出地盤的物料需要在出閘紙逐一列出，而不可以以一個大項目（例如小五金）概括地描述。對於錫條，我會手寫出需要出閘的錫條有多少磅或多少盒。我在填寫上述資料後需在出閘紙簽名，然後交給任何一位「老總」

簽名，最後交予地盤的保安，有關物料才可運出地盤。中國建築的屋宇裝備工程部的人員及房委會的人員會在出閘的物料運上貨車載走前替它們拍照，以作紀錄。

59. 我記得在大陸的有利華廠房中，曾見過一條條的錫條，也見過一卷卷的錫線。當中的原因，應該和啟晴邨項目也出現過兩種焊料的原因是一樣的。雖然我訂購的是錫條，但有時雋景送來的焊料卻會包括一卷卷的錫線。

### 安裝預製組件的食水喉的人員

60. 關於在深圳安裝預製組件的食水喉的人員，我記得是何標記決定起用一個大陸的判頭，聘請內地的工人進行安裝的，並沒有香港工人北上到深圳進行安裝。但我記得何文標曾吩咐我安排一個何標記的師傅到深圳教內地工人安裝預製組件食水喉的各種工序，當中包括焊接水喉管，於是我找了何標記的楊偉強擔任這工作。我在預製組件製作中的參與，主要是檢查預製組件的食水喉做出來是否合乎圖則，有沒有安裝錯誤及漏水的情況出現。

61. 為了監察預製組件的食水喉的手工，我大概會每兩個星期到深圳的廠房視察一次。因為初期內地工人的手工做得較差，所以我要較多檢查和督促。在上深圳視察的過程中，我比較多和蕭先生（阿蕭）同行，有時也會和梁先生（大隻佬）和林先生（Jason）同行。據我理解，他們都是屬於中國建築的屋宇裝備工程部的人員，而梁先生是他們當中最高級的。在這些視察之中，我們並沒有討論過任何有關焊料的問題。至於何標記的持牌水喉匠林德深，我雖然認識他，但並沒有試過和他一同上深圳視察。

問：陳先生，你見到跟住就有你嘅簽名，你見到嘛？

答：見到。

問：陳小華。

答：係。

問：其中有一點我想同你更正番，就係如果你睇番 2392 頁，第 12 段，第三行，你係講到啟晴邨項目後期，大約 2013 年 9 月至 10 月開始，嗰度嗰個「2013 年」其實應該係打錯咗，應該係「2012 年」嘅，你係咪確應呢一點？啟晴邨嘅後期係 2012，唔係 2013，你有冇呢個印象？以年份



B

B

C

嚟講。

C

D

答：2013？係，2012 應該。

D

E

問：2012 年尾，所以我嗰度即係而家更正番，2012 先至啱，唔係 2013。  
但係除咗剛才改嗰個年份，嗰個數目字之外，其他我啱啱讀出嚟亦都  
喺你面前，你睇到嘅呢一份證人供詞，你係咪即係確認係你嘅證供？

E

F

答：係。

F

G

問：係。我而家就有一啲嘅問題係有關你嘅證人供詞，同埋有關呢個啟晴  
邨同埋龍逸邨同埋葵聯邨，同埋一啲即係建築上嘅問題想問你。

G

H

答：好。

H

I

問：我想問一問你個背景先。你喺...

I

J

J

K

主席：可唔可以 morning break 之後？

K

L

石先生：好，好，好。

L

M

主席：好唔好？我哋 20 分鐘，唔該。

M

N

N

O

上午 11 時 22 分聆訊押後

O

P

上午 11 時 46 分聆訊繼續

P

Q

如席人士如前。

Q

R

何標記建築工程有限公司（“何標記”）（中國建築（啟晴邨）及瑞安（葵  
聯邨第二期）的分判商）的第三證人：陳小華（何標記前僱員（啟晴邨的  
地盤主管））宣誓繼續作供

R

S

石先生繼續主問

S

T

問：陳先生，我有一啲問題想問你，就係你喺內地就接受教育至初中程度？

T

U

答：係。

U

V

V

B

B

C

問：咁即係你喺內地出生，對嘛？

C

D

答：係。

D

E

問：你幾時嚟香港？

E

F

答：1979年。

F

G

問：1979年嚟香港？

G

H

答：係。

H

I

問：你嚟香港之後，就1983年學師，就做咗散工。咁你學師之前係做咩嘢？

I

J

答：做酒樓廚房嘅。

J

K

問：酒樓廚房？

K

L

答：係，冇錯。

L

M

問：咁你學師，後來就88年加入何標記，即係你83至到85年之間都係做水喉同水渠嘅工作？

M

N

答：係。

N

O

問：係咪都係做散工？

O

P

答：係。

P

Q

問：你就做散工做到88年，就加入何標記。咁就你98年就考到大工牌，我想知道你考牌嘅時候，就有一啲叫做筆試嘅嘢，即係唔使你寫字唔使盛嘅，係咪？

Q

R

答：要嘅。

R

S

問：要寫字？

S

T

答：唔使寫字，係好似剔嘅。

T

U

問：剔嘅。多項選擇題？

U

V

答：係，冇錯。

V

B

B

C 問：係。咁就要實際考你手工會，當然係？

C

D

答：係，冇錯。

D

E

問：會考焊接嘅？

E

F

答：係。

F

G

問：你考呢個焊接水喉嘅時候，記唔記得考試嘅當局係畀啲乜嘢嘅焊料你去燒焊嘅呢？

G

H

答：焊料係應該一條嘅，然後摺埋嘅。

H

I

問：一條長嘅？

I

J

答：係，應該接埋嘅，摺埋嘅。

J

K

問：摺...

K

L

答：一條嘅，係直，當然摺兩個或者三個咁樣嘅，摺咗即係細咗嘅。

L

M

問：但係...

M

N

答：一條長嘅，應該佢摺咗嘅。

N

O

問：對摺，...

O

P

答：係，係。

P

Q

問：...唔係捲起咗--唔係一卷卷嘅？

Q

R

答：唔係捲嘅，係摺嘅，都係...

R

S

問：一條嘢，然後將佢對摺，即係拗曲咗咁樣？

S

T

答：係，冇錯，係，係，冇錯，冇錯。

T

U

問：Okay。但係就唔係一卷卷嘅？

U

V

答：唔係。

V

問：咁你又冇深究佢畀你嗰一條焊--但係你上堂學嘅時候，你係喺啲技術學院嗰度係零零舍舍要讀一啲課程，定係都手板眼見工夫，即係之前

B

B

C

一路做一路學咁樣考牌嘅呢？

C

D

答：冇讀嘅，我哋。

D

E

問：冇讀嘅？

E

F

答：冇。

F

G

問：即係總之你做落，你自己措埋咗啲經驗，你就話「我去考嘞」，咁就考嘍嘞？

G

H

答：係。

H

I

問：冇經過啲咩嘢課程咁樣，冇嘅，嗰陣時？

I

J

答：冇嘅，冇嘅。

J

K

問：冇嘅？

K

L

答：冇嘅。

L

問：你 2000 年就離開何標記，就 2009 年返番去何標記，咁中間你都係做水喉同埋水渠，不過係第二間公司，你話？

M

M

答：係，冇錯，係。

N

N

問：你 2013 年 4 月就辭退--何標記辭退，係咩嘢原因，嗰陣時係？

O

O

答：係話我係盜竊嘅。

P

P

問：話你盜竊，咁你就被辭退？

Q

Q

答：係，係。

R

R

問：你就而家都係從事番呢個行業，不過就係何標記以外嘅公司，對嘛？

S

S

答：係，係。

T

T

問：係。好嘞，我就係有幾個題目--大題目就同你去研究下嘅。就係你知道呢啲房委嘅項目，佢哋會有一啲叫做呈交啲物料上去畀房委會，畀房委會審批、准許個承建商用邊一種或者邊個牌子嘅物料，呢一個程序你係知道有呢件事情嘅，係咪喺開工之前？

U

U

V

V

B

B

C

答：知嘅。

C

D

問：知嘅？

D

E

答：唔。

E

F

問：咁就大大細細都有嘅，要呈交嘅物料，對嘛？

F

G

答：係。

G

H

問：你知唔知道其實燒焊接呢個銅喉，用嗰啲焊料都係需要呈交准許嘅其中一種物料嚟㗎？

H

I

答：係。

I

J

問：你知道嘅？

J

K

答：知。

K

L

問：你知道。

L

M

主席：等陣先吓。

M

N

石先生：得。

N

O

主席：唔，繼續。

O

P

問：但係--好嘞，你--我哋唔好淨係講呢個屋邨，唔好淨係講啟晴。一路嚟講，你咁多嘅經驗，做過好多嘅公共屋邨應該，對嘛？

P

Q

答：係。

Q

R

問：係。到除咗呢個啟晴之外，你之前都有冇做過其他屋邨嘅打理㗎？

R

S

答：冇。

S

T

問：冇。即係啟晴其實係你第一次做打理？

T

U

答：係。

U

V

V

B

B

C

問：好。你喺啟晴之前做第二啲邨，就算你唔係做打理，你就係落手落腳做嘅真係要？

C

D

答：係。

D

E

問：係。做打理之後，就唔使落手落腳做嘞，對嘛？今次。

E

F

答：係。你做打理之前，其他嘅屋邨你有冇牽涉在內，就係人哋會話畀你聽，審批咗咩嘢物料諸如此類嘅，即係當你淨係純粹淨係落手落腳做嘅時候？

F

G

G

H

問：打工嗰陣時冇嘅。

H

I

答：打工嘅時候冇嘅？

I

J

問：冇。

J

K

答：好嘞，到到啟晴，你開始係第一次做打理，咁何標記裏面有冇任何人同你溝通係話畀你聽，房委會佢審批咗乜嘢嘅同水喉有關嘅物料呢？

K

L

問：冇嘅。

L

M

答：冇嘅。即係...

M

N

主席：我想問下，你喺 2000 年入番何標記，去到 2009 年做打理，有咩嘢原因你會升咗做打理呢？

N

O

O

P

答：因為我第一次入去何標記，就係去咗天水圍天晴邨嘅，...

P

Q

主席：係。

Q

R

答：...做咗應該兩、三個禮拜嘅，因為佢油麗邨佢話要搵人即係...

R

S

問：停一停。油麗即係東隧口嗰度，係咪？

S

T

答：係，冇錯。

T

U

問：繼續。

U

V

V

B

B

C

C

D

答：佢話佢搵人過去嗰邊留窿，所以...

D

E

主席：我知，我知。

E

F

答：...即係預留啲窿可以就係穿水喉咁樣，佢就搵咗我同埋兩個一齊過去嘅。

F

G

主席：唔係，我嘅意思即係點--即係就你所知，點解 2009 年--對唔住，係喇，即係我嘅意思，你二零零...

G

H

H

I

問：即係你重回何標記，即係你出咗去一輪，你返番去何標記做，因乜嘢事何老闆會突然間畀你，即係畀你做打理咁呢，離開咗咁耐？

I

J

答：我以前喺何標記就係做--判嘢做嘅。

J

K

K

L

主席：吓？

L

M

答：以前喺何標記係判嘢做嘅。

M

N

N

O

問：判嘢做？

O

P

答：判嘢做嘅。以前喺何標記係判嘢做。

P

Q

Q

R

黎先生：即係 09 年之前？

R

S

S

T

主席：00 年？

T

U

答：2000 年之前。

U

V

V

B

B

C

C

D

黎先生：2000年之前。

D

E

主席：由00年。

E

F

問：即係你第一次喺何標記做嘢嘅時候，就係叫做判啲嘢畀你做，即係可能係成個水喉工程當中嘅某部分就判畀你做？

F

G

G

H

答：唔係，直情我哋初初就係同幾個人夾份，同何標記判嘅。後期我哋幾個人就拆檔，各自自己判嘅，各自走去判，即係何標記嘅水喉嘅。

H

I

I

J

主席：你講喺由1988年到2000年嘅期間，...

J

K

答：係。

K

L

主席：...你都係喺何標記--就話就係何標記嘅工人，不過就係判啲工序返嚟做嘅，係咪呀？

L

M

問：係，係。

M

N

主席：你所謂判啲工序返嚟做嘅意思，係做一個工序就計幾多錢，係斷工計嘅，係咪咁嘅意思？

N

O

答：係。

O

P

主席：即係好似我哋細個，阿媽織膠花嗰啲咁樣樣，...

P

Q

答：係。

Q

R

主席：...你織咗--穿咗幾多嘅膠花，就收幾多錢，係咪咁樣樣？就唔係斷日計嘅，你嘅意思係咪咁樣樣？

R

S

答：唔係，後期嗰陣時我哋唔係--就係成單工程同佢判嚟做嘅。

S

T

主席：成單工程--點樣樣成單工程？

T

U

答：即係成個地盤，成個地盤。

U

V

V



B

B

C

主席：即係何標記再判落去畀你哋？

C

D

答：係。

D

E

主席：即係你哋係--如果何標記係二判嘅話，你哋就三沙囉嗰？

E

F

答：係。

F

G

主席：唔。

G

H

黎先生：個時間係幾時，係 2000 年之前？時間係幾時，咩嘢年份？

H

I

I

J

問：即係你做三沙係邊個年代嘅事情，係你...

J

K

答：應該係 97 年嗰陣時。

K

L

黎先生：九七...

L

M

答：97、98，係嘞，嗰陣時，係。

M

N

黎先生：97 至 2000 年咁上下嗰陣時？

N

O

答：係，係，唔。

O

P

P

Q

問：嗰陣時你做三沙嘅？

Q

R

答：係，唔。

R

S

問：好嘞，你 2000 年重回--你 2009 年重回何標記，咁你講番，你就係話先先就係叫你去油麗邨嗰度就幫手...

S

T

答：留窿。

T

U

問：...留窿？

U

V

V

B

B

C

答：係。

C

D

問：咁點樣後來--因為主席先生就問你，點樣輾轉轉會你離開咗咁耐，會委任咗你去做啟晴邨嘅打理呢？

D

E

答：因為去到做商場嗰度有一個--佢有個打理嚟嘅，佢--即係可能商場比較上有啲複雜嘅嘢，啲圖、啲喉點行，佢哋唔係幾熟，咁我或者幫忙去睇，然後，後期慢慢可能何老闆就睇起，即係咁樣嘅。

E

F

F

G

問：即係總之你喺油麗邨嘅商場嗰度有啲事情就好幫得手，何老闆就睇起你，就話畀你做啟晴嘅打理，係咪就係--即係長話短說就係咁樣，係咪呀？

G

H

H

I

答：應該係喇，唔。

I

J

問：得。好嘞，講開啲啲審批咗嘅樣本，就係何標記內部就冇人話畀你聽有啲乜嘢樣本係審批咗嘅。好嘞，但係中國建築有冇人通知你有啲乜嘢樣本係審批咗呢？

J

K

K

答：冇嘅。

L

L

問：都有？

M

M

答：冇。

N

問：你就--首先，okay，我停一停先。我想知道地盤嗰度，各個地盤啲啲管理啲啲人嗰個分布。你嘅證人供詞就係話，啟晴邨第三、第四座負責嗰個叫做判頭，就係陳思南，係你講嘅。

N

O

O

答：係。

P

P

Q

問：尋日我哋聽何文標先生，何老闆講就話，第三、第四座嗰個判頭吓叫做，就係負責管理第三、第四座嗰個係你本人，就唔係陳思南。佢話陳思南只不過就係負責接咗所謂判咗第三、第四座水喉工程其中嘅某一啲嘅項目，其中嘅某幾樣嘢係佢負責做嘅啫，佢唔係管第三、第四座嘅判頭，何先生就咁講。咁你點樣回應，對呢樣嘢？

Q

R

R

S

S

答：何先生係...

T

T

問：第三、第四座其實係你負責嘅，唔係陳思南負責嘅。

U

U

答：何（陳？）思南係判晒...

V

V

B

B

C

問：陳思南，陳思南，佢。

C

D

答：陳思南係判晒三、四座嘅裏面嘅喉、出面嘅喉嘅，天面喉就唔係嘅。然之後，我同咪就係負責嘅，佢有一班公司工嘅，公司工就負責番佢大陸做出嚟嘅喉有啲未做嘅，同埋有啲潔具未裝嘅，佢哋公司工自己裝番嘅。

D

E

E

F

問：陳思南係負責邊度嘅喉話，第三、四座？

F

G

答：走廊。

G

H

問：走廊喉。

H

I

答：上落水喉。

I

J

問：上落水喉？

J

K

答：係。同埋外牆嘅喉。

K

L

問：同埋外牆嘅喉？

L

M

答：係。天面就唔負責，天面係另外一個係叫楊偉強判嚟做嘅。

M

N

問：唔噃。

N

O

主席：天面係...

O

P

問：「天面」係咩意思？

P

Q

答：天面係即係屬於高層嗰兩--嗰層好多水喉嘅。

Q

R

R

S

主席：即係天棚嗰度嗰啲？

S

T

答：係，係，冇錯。

T

U

主席：唔。

U

V

V

B

B

C

C

D

問：好，咁即係其實聽你咁講，陳思南都係判一槓嘢嚟做嘅，佢唔係管晒第三、第座嘅叫做判頭？

D

E

答：因為佢唔判內面啲嘢做，因為內面啲嘢比較好多大陸嘅嘢，有啲未做，或者甩甩漏漏啲嘢有判嘅。

E

F

F

G

問：係。咁所以陳思南個角色佢都唔係叫做管晒成個第三、四座嘅判頭，佢都係判咗部分嘢嚟做，係咪呀？

G

H

答：係，冇錯。

H

I

問：咁第三、四座，如果有人話「我要搵邊個負責三、四座？」整體嚟講，咁都係你負責嘅，係咪叫做係？

I

J

答：所有公司工都係我哋負責嘅。

J

K

問：所謂公司工係你負責嘅？

K

L

答：係。

L

M

問：你駐喺地盤嘅，係咪呀？你做打理。

M

N

答：兩邊走嘅。

N

O

問：兩邊走？

O

P

答：係。

P

Q

問：即係話你會有一部分嘅時間就花喺寫字樓嘅？

Q

R

答：唔係，我喺嗰陣時係同一時間睇兩個地盤嘅。

R

S

問：龍逸同埋啟晴？

S

T

答：冇錯。

T

U

問：「兩邊」嘅意思，就係龍逸同啟晴兩個地盤走？

U

V

答：係。

V

問：你唔多時間喺寫字樓，係咪？

B

B

C

答：好少返去嘅，...

C

D

問：好少返去寫字樓？

D

E

答：...我咁耐先返去應該三、四次嘅啫。

E

F

問：咁耐返去...

F

G

答：寫字樓，應該三至四嘍嘅啫。

G

H

問：三至四次係喺何標記做咗即係啟晴邨呢單嘢咁耐，返得嗰三、四次？

H

I

答：係。

I

J

問：幾時嘅返，開始嘅時候、中間、結尾？

J

K

答：唔係，係有咩嘢事，老闆...

K

L

問：有事先返嘅啫？

L

M

答：先至返去㗎咋，嗰我返去嘅，平時我就唔會返去。

M

N

問：Okay。其他嘅時候就地盤㗎嘞？

N

O

問：Okay。咁地盤接電話同你聯絡或者盛，嗰啲採購部嗰啲女職員，你知唔知佢哋邊個打邊個？

O

P

答：初初唔知嘅，後期先至知。

P

Q

問：初初唔知，後期先知？

Q

R

答：係。

R

S

問：咁有個叫黃慧萍，...

S

T

答：黃慧萍全名我唔知，我只係知道叫--我哋嗰啲嘢黃--姓咩嘢嗰啲姓--嗰個姓氏嘅啫。

T

U

問：嗰黃小姐，呢個就？

U

V

答：係，冇錯，係，係，冇錯。

V

B

B

C

問：黃小姐就係何文標先生嘅叫佢秘書或者私人助理，係咪呀？

C

D

答：唔，係。

D

E

問：咁就有個趙小姐嘅，Jess，趙小姐？

E

F

答：知，唔。

F

G

問：趙小姐又係即係會係負責落單買嘢採購嘅，係咪呀？

G

H

答：係。

H

I

問：Okay。

I

J

主席：喺地盤啟晴邨最大就係你，何標記嚟講？

J

K

答：駐地盤就係。

K

L

主席：唔。

L

M

問：我而家就直到呢個成個事情嗰個比較重要嘅點，就係你喺啟晴邨就訂  
焊料，你會訂好多嘢，你係負責即係同寫字樓聯繫，將一啲訂購嘅所  
謂請購單就 fax 番寫字樓，就將你想要嘅一啲嘢寫出嚟，okay。我  
畀你認一認，呢個又有乜爭議嘅。你睇睇你面前嗰個 file 嘅 2378  
頁。2378 頁，呢一張單就唔係啟晴嘅，不過呢一個係一個樣本，你  
見到嘛？

M

N

N

O

O

P

答：見到。

P

Q

問：寫住「物料請購表」。

Q

R

答：係。

R

S

問：咁你 fax 番去何標記寫字樓就係呢一種嘅訂購表格，對嘛？

S

T

答：係。

T

U

問：真係嘅就一式三份，...

U

V

V

B

B

C

答：係。

C

D

問：...白、黃、紅，fax 咗之後，你就擺咗喺地盤？

D

E

答：係。

E

F

問：咁邊一啲人嚟收番，你有冇理嘅呢，定係定期你會將個正本嗰一式三份搵人擺上去貨車送番去何標記？

F

G

答：呢啲冇嘅。

G

H

問：冇。你唔知道發生咩嘢事嘅？

H

I

答：係。

I

J

問：其實何標記喺地盤嗰個寫字樓裏面啲嘢係邊個嚟管，邊個定期會嚟執下文件咁盛，唔係你嘅？

J

K

答：呢啲唔會擺番寫字樓，...

K

L

問：呢啲唔擺番地盤？

L

M

答：...係收咗貨單，佢有司機嚟，或者有人上寫字樓，我先至畀番佢，跟番--擺番寫字樓嘅。

M

N

問：送貨單你就會擺上去貨車，畀啲何標記司機擺番寫字樓？

N

O

答：係。

O

P

問：但係呢一啲請購單就唔返寫字樓？

P

Q

答：唔返嘅，冇人要求話要返寫字樓。

Q

R

問：咁擺咗喺地盤，就遲啲地盤起咗貨之後，點呀？即係銷毀？

R

S

答：冇嘅，搬--就係搬架步，我哋都有搬去嘅。

S

T

問：搬架步都唔會搬呢啲咁樣嘅一式三份咁樣嘅單？

T

U

答：唔會，唔會。

U

V

問：Okay。好嘞，就你嘅第18段，你睇睇你嘅第18段，第2393。你就話你「焊接食水銅喉一向多數都係使用一條條嘅錫條，所以你一向只

V

B

B

C

會喺表格上寫明需要錫條及其數量。」咁你寫錫條，就係因為你喺何標記呢個啟晴邨做打理，係你第一次做？

C

D

答：係。

D

E

問：所以其實你之前就冇任何關於訂貨實際嘅實踐，就有試過，啟晴邨係第一次你要負責即係寫呢啲紙去訂貨，對嘛？

E

F

答：係。

F

G

問：由於你嘅認知，你一路--你係咪話畀我哋聽你對焊料嘅認知，你都有講過，冇人用焊料呢個名詞，口講就係叫錫條，所以你寫就會係寫「錫條」？

G

H

H

I

答：係。

I

J

問：Okay。你唔知道乜嘢牌子？

J

K

答：唔知。

K

L

問：而佢嚟嘅時候，如果係一卷卷，唔係--以你嘅認知，錫條，因為頭先你所講，你學師嘅時候，考試都係用一條條直嘅條，至多就可能係彎曲咗，但係都係直嘅條？

L

M

M

答：係。

N

N

問：你做其他地盤，做地盤工，落手落腳做嘅時候，用嘅焊料都係大部分係一條條直嘅，係咪呀？

O

O

答：大部分都係。

P

P

問：有時會係一卷卷嘅？

Q

Q

答：都有。

R

R

問：少數？

S

S

答：少數。

T

問：你有冇企圖去認知兩者之間嘅分別？

T

U

答：冇。

U

V

V



B

B

C

問：冇？

C

D

答：因為我就覺得係如果一卷卷，我哋通常都係叫高溫錫。

D

E

問：一卷卷嘅你哋就會叫做高溫錫？

E

F

答：係。

F

G

問：一條條直嘅，你哋就叫低溫錫？

G

H

問：所以其實你在做打埋之前，其實首先你有認知，有直條同埋有卷卷嘅分別？

H

I

答：係。

I

J

問：叫法你就會叫高溫錫同低溫錫，個分別就係在於個容易燒熔嘅程度，一條條直嘅就易啲燒熔，所以叫做低溫，係咪呀？

J

K

答：係。

K

L

問：低溫就會熔，一卷卷呢啲就高溫先至熔？

L

M

答：係。

M

N

問：當你寫「錫條」兩個字嘅時候，你個心係諗住人哋送嚟嘅係邊種呢？

N

O

答：冇諗。

O

P

問：冇諗嘅？

P

Q

答：冇。

Q

R

問：如果--我知呢個可能係比較假設嘅問題，我知道你話何標記有人話畀你聽審批過乜嘢嘢。

R

S

答：係。

S

T

問：如果有人同你講，如果何標記有人同你講，無論係何老闆又好，鄭先生又好，採購部趙小姐又好，總之何標記如果有任何人同你講話「而家上面房署審批咗，淨係准用呢一種高溫錫。」Okay？高溫錫。咁你聽咗呢樣嘢之後，你會仍然係寫「錫條」，定係你會填寫「高溫錫」？

T

U

U

V

V

B

B

C

答：有人同我講過話買呢啲高溫錫嘅話，我都寫番「高溫錫」。

C

D

問：你哋會寫「高溫錫」？

D

E

答：係。

E

F

問：就係你唔會同佢拗話「唔係喎，我介紹你用錫條，錫條又易熔、又平，不如我介紹你，呢隻好啲喎。」你會唔會咁做？

F

G

答：唔會。

G

H

問：唔會？

H

I

答：唔會。

I

J

問：如果老細話要你訂高溫錫，你就會照聽，就寫「高溫錫」？

J

K

答：係，冇錯。

K

L

問：對你嚟講係冇乜嘢分別嘅？

L

M

答：冇，冇分別。

M

N

問：你嘅證人供詞第 12 段就講過，啟晴邨裏面其實就到到後期，就唔係淨係由你寫啲請購單，因為開始有陣時要快手、貪方便，即係為求方便起見，就有其他嘅人士，黃貴雄、梁偉健、范秀鵬，都會開始自己冇陣時填寫呢一啲嘅單去落單？

N

O

答：係，係。

O

P

問：你知唔知道佢哋喺填寫呢一啲--因為我哋嘅問題，我哋而家有--搵唔番呢一拵嘅請購單返嚟，就惟有靠你哋講番。你知唔知佢哋寫呢啲請購單要焊料嘅時候，佢哋點寫嘅呢，關於要焊料，佢哋會用「高、低溫」嚟到寫，定係用個「條」字？

P

R

答：唔知。

R

S

問：唔知嘅？

S

T

答：係，唔知。

T

U

問：你話就話你本人，你有冇同其他嘅人口頭傾過，或者其他喺地盤何標

U

V

V

B

B

C

記嘅人士，梗係唔係地盤落手落腳做嗰啲，即係稍為有管理嗰個層次嘅人，即係譬如話你話范秀鵬、梁偉健之類會落單嘅人，應該咁講，有冇同佢哋傾過焊料係用邊隻嘅呢個問題？

C

D

D

答：冇。

E

E

問：冇嘅？

F

F

答：因為我都唔知用咩嘢焊料。

G

G

問：唔。你就話以你個人嘅做法，寫就係寫「錫條」？

H

H

答：係。

I

I

問：送貨嚟地盤嘅時候，就係你收貨嘅？

J

J

答：初初係，後尾--後期佢哋自己落料嗰啲，佢哋自己收番。

K

K

問：Okay。但係無論你有冇親手簽收都好，送咗嚟咩嘢嘢你都會知㗎？

L

L

答：係。

M

M

問：你亦都知道就係你寫上去就要錫條，實際上雋景送貨嚟地盤，就有直嘅錫條，亦都有卷狀嘅錫線，我哋而家叫做，當時你係知道，係咪呀？

N

N

答：知。

O

O

問：當時係已經知？

P

P

答：係。

Q

Q

問：為咗記認，呢一啲圓形一卷卷嘅綠色呢一隻，我哋叫做--而家我哋知道就係不含鉛嘅一種焊料“FRY”，就係房署審批咗嘅。你當時唔知道原來房署審批咗呢一種綠色一卷卷嘅嘢，係咪呀？

R

R

答：唔知。

S

S

問：你唔知道？

T

T

答：唔。

U

U

問：但係你知唔知審批咗都好，你當時喺地盤就知道雋景係曾經送過呢啲一卷卷嘢嚟？

V

V

B

B

C

答：係。

C

D

問：得。另外，就有一啲係一盒盒長形嘅，就係咁樣嘅，呢啲亦都你喺地盤見過嘅？

D

E

答：見過。

E

F

問：呢啲就係你一向認知嘅所謂錫線，對嘛？

F

G

G

H

主席：錫條。

H

I

問：錫條，對唔住。

I

J

答：係。

J

K

問：當時你喺地盤，你話你知道原來雋景送嚟嘅兩者都有，但係大多數都係一條條直嘅呢啲錫條，對嘛？

K

L

答：係。

L

M

問：少數嘅就係一卷卷嘅呢啲錫線？

M

N

答：係。

N

O

問：你當時雖然對佢哋嘅內--即係嘅化學成份或者有冇含鉛冇乜認知，你都知道兩樣嘢係睇個樣都唔同。你當時有冇考究過點解會你寫就寫「錫條」，嚟就嚟咗一啲咁一卷卷嘅卷物咁樣呢？

O

P

P

Q

答：冇。

Q

R

問：冇。你在啟晴邨做呢個打理之前，就已經見過呢種嘢，你就話？

R

S

答：見過。

S

T

問：會唔會其實之所以雋景送呢兩種嘢嚟--即係你而家同我哋講，就係你當時有考究過雋景點解會送兩種嘢嚟，如果我而家問你點解雋景會送兩種嘢嚟，而家要你畀個猜測，你會點猜測？

T

U

答：我--如果係雋景送嚟嘅話，我認為可能佢唔夠貨嘅啫。

U

V

V

B

B

C 問：即係你會覺得可能雋景送一卷卷嚟，...

C

D

答：係唔夠料。

D

E

問：...可能係因為佢唔夠直啲錫條，...

E

F

答：係，係。

F

G

問：...佢就用呢啲一卷卷嘅嘢就搭夠？

G

H

答：係。

H

問：但係兩者嘅價錢唔同個嘢，可能會？

I

答：我哋唔知價錢。

I

J

問：你唔知價錢？

J

K

答：唔。

K

L

問：你亦都唔知道雋景喺送呢一啲替代品嘅時候，有冇同寫字樓嘅小姐單  
咗一聲話「唔夠直條嘅錫條，我哋會用卷裝，不過就會貴啲，你哋收  
唔收貨？」你唔知道雋景有冇做過呢樣嘢嘅？

L

M

答：唔知。

M

N

問：唔知。其實會唔會事實就係其實落單嘅時候，其實你已經係分開咗  
訂，即係你喺啲單度，啲請購單，已經寫明錫條同錫線係分開訂嘅，  
會唔會係咁？

N

O

答：冇，冇。

O

P

Q

問：冇。你就聽過另外有一個說法，而你嘅證人供詞亦都曾經講過，就係  
話係你--即係有一個說法講過，就係卷狀呢一啲--綠色呢啲一卷卷呢  
啲，就比較適合係焊接一啲直徑比較大嘅，50 毫米至 75 毫米，就要  
用卷裝呢啲；50 毫米直徑以下啲啲，就用直嘅呢啲錫條。所以會唔  
會就係其實你就心知道呢一種嘅分別，所以你喺落單嘅時候，你就計  
過數，就係「啊，我需要多啲嘅錫條。」你就直情寫我要錫條，我要  
少量嘅錫線，亦即係話唔關佢有冇貨事，其實根本你訂貨，你已經分  
開訂錫條同錫線，會唔會係咁呢？

Q

R

R

S

S

T

T

U

答：唔會。

U

V

V

B

B

C

問：唔會。我同你睇睇黃慧萍女士，即係何先生個助理。你睇睇 2336 頁，不過係英文嘅，我話畀你聽不如。黃慧萍女士佢嘅口供係話--但而且遲啲會嚟作供嘅。但係佢就話啟晴邨係你要求錫線，即係卷狀之外，另外要訂一啲錫條，即係佢話分開呢兩種訂，即係又訂錫線，又訂錫條呢個概念係由你嗰度嚟嘅，你...

C

D

D

E

E

答：唔係嘅。

F

F

問：唔同意？

G

G

答：唔同意。

H

H

問：你知唔知道其實你 2009 年重回何標記嘅時候，何標記有其他嘅地盤係用緊錫線，即係卷裝嘅嘢？

I

I

答：唔知。

J

J

問：唔知。即係你知唔知道其實何標記其他嘅地盤係用緊乜嘢類型嘅焊料？

K

K

答：我過去做油麗邨嗰個商場都係一條條嘅。

L

L

問：油麗邨嗰個商場其實佢就唔係用焊料一條條嚟燒嘅你話，即係其實佢已經係用一啲內含焊料嘅啲...

M

M

答：係，冇錯，佢內含嘅，內含，但係佢都...

N

N

問：內含嘅啲就係即係你個做法完全唔同，因為裏面包咗焊料，你喺外面一燒，裏面啲焊料就熔，就會嚟埋咁解，係咪？

O

O

答：係，佢都要補錫，補錫即係用啲啲...

P

P

問：補錫嘅時候，即係你話畀我哋聽嗰度都係用一條條呢啲錫條嘅？

Q

Q

答：係。

R

R

問：但係其他嘅工程，即係你重回嘅時候，就係油麗邨？

S

S

答：係。

T

T

問：擺你喺油麗邨幫手之前，你就喺天水圍嗰度做緊另外一個地盤，對嘛，你話？

U

U

V

V

B

B

C

答：係。

C

D

問：天水圍個地盤就唔關何標記事嘅？

D

E

答：何標記嘅。

E

F

問：都係何標記嘅？

F

G

答：係。

G

H

問：咁個地盤啲水喉用咩嘢？

H

I

答：都係用錫條。

I

J

問：都係用錫條？

J

K

答：係。

K

L

問：即係你嘅經驗中，其實何標記有其他嘅地盤都係用緊錫條？

L

M

答：係。

M

問：所以就唔係話--你嘅意思係咪即係話，唔係話何標記好啲咁用開一啲卷裝嘅錫線，就你去到啟晴，就突然間提議用咗啲新嘅嘢，唔係咁嘅？

N

答：唔係。

N

O

問：何標記一路都用開呢啲錫條？

O

P

答：因為內置嘅配件啲啲溫度係同錫線嘅溫度應該差唔多。

P

Q

問：咩嘢叫做內置嘅配件啲啲溫度？

Q

R

答：即係本身配件入面有錫啲啲，如果你燒呢隻落去，佢啲隻就係熔晒。

R

S

問：唔明。咩嘢叫做內置配件？

S

T

答：即係有錫曲啲啲，即係錫...

T

U

問：係，錫曲，係。

U

V

答：係嘞，啲啲咪...

V

B

B

C

問：錫曲嗰啲即係裏面已經含咗少少焊料？

C

D

答：係，冇錯，冇錯，係。

D

E

問：嗰一種裏面嗰個熔點係點話？

E

F

答：佢應該就係同呢隻唔啱配嘅。

F

G

問：同--應該同卷裝呢隻嗰個熔嘅溫度係唔啱嘅？

G

H

問：所以你嘅意思係咪話如果係用嗰啲錫曲，即係內含焊料嗰種嘢嚟到燒焊，而你要補焊料嘅話，就用直嗰啲錫條補就自然啲，因為大家個熔點差唔多，係咪咁解？

H

I

I

J

答：係，係，係。

J

K

問：即係你堅持就係唔係因為你喺啲請購單度寫兩種嘢，先至嚟咗兩種嘢嘅？

K

L

答：唔。

L

M

問：而你亦都唔會話喺個心度諗因為直徑唔同，而所以係用唔同嘅焊料？

M

N

答：唔關事嘅。

N

O

問：唔關事嘅？

O

P

答：直徑幾大都係一係燒銀焊，一係走錫嘅啫，唔會話有呢兩種嘢。

P

Q

問：好嘞，我又講番呢兩種隻嘢嘅分別。你知道銀焊係特別唔同嘅嘢嚟？

Q

R

答：係。

R

S

問：銀焊就係熔點係真係好高，係咪呀？

S

T

答：銀焊要燒風煤嘅。

T

U

問：要風煤？

U

V

答：係。

V



B

B

C

問：即係要好高溫，係咪呀？銀焊？

C

D

答：係，係。

D

E

問：你頭先講話如果用錫曲，佢裏面含啲咩焊料，嗰個溫度或者容易燒熔嗰個程度，就比較與直啲咩錫條係夾啲，呢一個係你點樣得知？

E

F

答：我都燒過。

F

G

問：即係經驗話畀你聽嘅？

G

H

答：係呀。

H

I

問：你嘅詞人供詞 29 至 30 頁（段？），你睇 30 頁（段？），你就話「就焊錫工序而言，錫條和錫線嘅用法和效果都是一樣的，所以我並沒有向何標記採購部討論為什麼雋景送了一些卷裝錫線到地盤。」你見到？

I

J

J

K

答：係。

K

L

問：但係你都知道其實你嘅證人供詞亦都有講過，就係錫條你頭先都講，就你嘅認知，錫條亦都係叫做低溫錫？

L

M

答：係。

M

N

問：錫線你嘅認知，就叫做高溫錫，咁所以起碼熔點會唔同？

N

O

答：係。

O

P

問：幾多度熔呢啲咁仔細嘅嘢，你未必知，但係手板眼見工夫，有啲就燒得--即係唔使燒得咁熱，唔使燒得咁耐都會熔到嘅，咁啲就係低溫錫。你就話用起上嚟會都係差唔多，...

P

Q

Q

答：差唔多。

R

R

問：...但係快啲熔同埋易啲熔，用起上嚟點都有分別？

S

答：有咩嘢分別？你燒耐一陣得嚟嘞。

S

T

問：我哋--燒咩嘢話？

T

U

答：燒耐一陣就得嚟嘞。

U

V

V

B

B

C

問：燒耐一陣就得？

C

D

答：係呀。

D

E

問：咁起碼時間上有分別，係咪呀？

E

F

答：唔。

F

G

問：時間上有分別，燒耐一陣就得，即係一卷卷呢啲燒耐一陣都係咁熔法。但係快啲燒熔係咪可以方便啲、快手啲？

G

H

答：都唔會嘅，佢主要睇我哋做嗰陣時會唔會漏水，你唔漏水，okay㗎嘞。

H

I

問：係。但係大家都想快啲做完收工，係咪呀？咁可以快啲，我知道你其中一度講過就係話你又唔係老闆，你唔會計較快定慢。咁但係大家做嘢唔係淨係講自己係咪老闆，你快啲可以方便啲做完，咁大家都好。會唔會因為咁，所以你選擇咗、提議咗就係用錫條？

I

J

答：唔會。

J

K

K

L

問：我哋又聽過就係一條條啲錫條係平啲嘅，單價嚟講，你有冇呢個認知？

L

M

答：正常嚟講，我唔係幾清楚呢樣嘢。

M

N

問：正常嚟講咩嘢話？

N

O

答：即係我唔清楚呢個價單嘅嘢。

O

P

問：你就--你喺個證人供詞度，你有同呢個雋景係有直接接觸，咁你知唔知雋景嘅老闆係邊個？

P

Q

答：後期知。

Q

R

問：後期，即係後到幾時？

R

S

答：去到好後期，因為好似有一段時間，或者要追料嗰陣時，追唔到料，佢都有打電話話係咩嘢問題咁樣。

S

T

問：追料，即係你哋問雋景追，叫佢...

T

U

答：唔係，公司追嘅啫，公司追，後期佢哋打電話嚟，咁冇料，我想問佢

U

V

V

B

B

C

咩嘢冇料，有一啲靚女打電話嚟，或者即係送貨嚟，咁送咩嘢貨嚟，都有問嘅。

C

D

問：啲靚女即係雋景工--雋景嘅同事打電話嚟地盤，同你哋直接溝通？

D

E

答：係。

E

F

問：即係話你哋要啲咩嘢料？

F

G

答：嘎。

G

H

問：咁你就後期就直接同雋景有溝通，係咪呀？

H

I

答：唔係溝通嘅，只不過係大家--佢問下我啲譬如啲喉碼要點樣做，啲啲咁嘅問題嘅啫。

I

J

問：Okay。咁但係就唔係訂貨同佢--你直接同佢訂？

J

K

答：唔會，唔會，冇嘅。

K

L

問：咁就你就同佢老細講嘢，定係同佢啲下面啲女下屬傾--聯絡呢？

L

M

答：我同雋景嗰個姓周嗰個講嘅啫，通常都係啲喉碼嘅問題。

M

N

問：喉碼嘅問題？

N

O

答：啲喉碼嘅問題，有啲長短尾、長短大細啲啲，我哋...

O

P

問：有冇同佢傾焊料嘅嘢？

P

Q

答：冇嘅，從來冇。

Q

R

黎先生：我想問一問。你以前即係話做過三沙，97至2000年嗰陣時？

R

S

答：係。

S

T

黎先生：你做三沙嗰陣使唔使自己買料？

T

U

答：唔需要，全部料都係何標記包嘅。

U

V

黎先生：啲料都唔使你自己買？

V

B

B

C

答：唔使，乜都唔使嘅。

C

D

D

E

E

F

F

G

G

問：講開呢兩種焊料嘅用法唔同，我哋就聽見有第二啲證人同我哋講，就係如果你用一條條直啲咁樣嘅錫條，因為佢每一條錫條都係有事先剪定出嚟一條條，有定咗嘅長度，所以你擺咗去燒嘅時候，你圍住嗰個喉嚟到燒，燒熔咗，剩番最靚嗰個仔嘢，可能冇用，就會攞咗佢，咗咗，你有冇聽過呢一種講法？即係使用起、實踐起上嚟嘅一啲問題，有冇聽過？

H

H

答：我哋去到尾都係掉。

I

I

問：吓？

J

J

答：我哋做到尾啲都係掉。

K

K

問：係。即係一條條直啲，你走去焊一條喉，焊完剩番少少一槓，咁你就會掉？

L

L

答：係。

M

M

問：或者焊到最靚，就算係未燒完嗰條喉可能，但係因為臨到最靚傳熱嘍嘛，嗰啲咁樣嘅焊料，會有陣時我留到最靚嗰個，我唔好燒到咁近手，好似食煙咁樣，唔好燒到最靚燒親隻手指，咁就會有一槓就會咗嘅？

N

N

答：係。

O

O

問：係會嘅？

P

P

答：會嘅。

Q

Q

問：同埋就係可能有陣時你用呢一種錫條，佢熔得太快，熔得比較容易，咁佢會成叭嘢咁樣攞咗入去條喉嗰度。如果用一卷卷呢啲錫線，因為佢高溫啲，難熔啲，咁做起上嚟可能會幼細啲，就唔會成叭熔咗，攞咗入條喉裏面，你有冇聽過呢一種分別？

S

S

答：冇。

T

T

問：你明唔明嗰個分別係咩嘢，如果好易熔嘅話，成叭咁樣就會一大嚟塞咗嗰個喉度，就會有少少即係虛耗、浪費？

U

U

V

V

B

B

C

答：即係你講裏面還是出面？

C

D

問：吓？

D

E

答：你講裏面還是出面，入面還是出面？

E

F

問：你喺外面如果成叭...

F

G

答：如果出面嗰啲，即係我哋用隻手即係抹番佢，通常我哋用隻手抹番，如果我做之前都係抹番。

G

H

問：即係如果你燒一啲銀--如果你燒嗰啲焊--錫條，燒熔咗外面一大叭喺外面，...

H

I

答：通常我哋用手...

I

J

問：...就算你見到一大叭，你就搵啲手抹咗嗰一大叭嘢就算？

J

K

答：係呀。

K

L

問：咁但係嗰大叭都係咩咗？

L

M

答：係。

M

N

問：即係呢啲實踐起上嚟嘅一啲問題，其實你係知道，兩者之間？

N

O

問：在漏唔漏水可能有乜分別，但係用法嚟講，首先就係用卷裝嘅就唔會咁容易有虛耗，因為唔存在話用到最耐嗰個攞咗。你一個卷裝嘅話，你真係燒到--燒完一條喉，你咪啱啱 cut 咗佢，你就唔存在虛耗咗一條直嘅錫條最耐嗰個攞呢個情況，同唔同意？

O

P

Q

答：其實打工嗰啲都唔會理你掉--咩唔咩料嘅。

Q

R

問：即係咩都係咩老細，如果講得白啲，你嘅諗法，係咪呀？

R

S

答：係嘞，係嘞，係嘞。

S

T

問：黃貴雄就喺佢嘅詞人供詞嗰度，我哋睇睇 2242，不過佢都係用英文，不過我話畀你聽。等等吓。2242，等等吓。7(k)。黃貴雄就話其實佢喺葵聯邨訂--你知道黃貴雄--你知唔知道黃貴雄係葵聯邨嘅打

T

U

U

V

V

B

B

C

理？

C

D

答：知。

D

E

問：知。但係你就冇牽涉喺葵聯邨嘅建築呢方面，係咪？

E

F

答：冇。

F

G

問：冇嘅。你知唔知黃貴雄佢話佢喺葵聯邨寫嗰啲即係負責訂焊料，係分開訂錫條同埋錫線，你知唔知佢而家咁講？

G

H

答：唔知。

H

I

問：你唔知？

I

J

答：唔。

J

K

問：佢話其實佢喺葵聯邨係訂錫條係要嚟做細啲直徑嘅銅喉，訂錫線就係做大啲直徑嘅銅喉，就係佢跟喺啟晴邨嗰度嘅做法。即係佢言下之意，就係話啟晴嘅做法就係細啲嘅喉就訂錫條，粗啲嘅喉就訂錫線，所以佢就係學咗呢家嘢，就去到葵聯佢做打理，佢都係用番呢個方法走去訂呢啲焊料。你對佢呢個說法有咩嘢睇法？

K

L

L

M

答：我就唔會跟佢咁講，又唔會教佢咁樣做，咁佢...

M

N

問：你有教佢咁做？

N

O

答：冇，我哋就係即係啟晴邨都唔會咁做，啟晴邨我就係有兩種物料嘅啫，一係錫，一係焊，唔會...

O

P

問：咩嘢叫做一係錫，一係焊？

P

Q

答：係呀。

Q

R

問：一係錫條，...

R

S

答：一係錫，一係焊，一係銀焊。

S

T

問：一係銀焊？

T

U

答：係，唔會有三種物料--唔會有三種做法。

U

V

V

B

B

C

問：但係你頭先至講，你其實知道啟晴邨都有一部分係呢啲卷裝嘅錫線？

C

D

答：係，係。

D

E

問：即係都有三種，其實啟晴？

E

F

答：有三種物料，但係做法得兩種嘅啫，一係就錫，一係就銀焊。

F

G

問：即係你歸納卷卷呢啲都係叫做錫，在你嚟講？

G

H

答：係，冇錯。

H

I

問：卷又好，即係條又好，線又好...

I

J

答：係，即係唔會分話大細嘅，大細係有一個固定咗嘅，係幾大就係走錫，幾大就係銀焊，係定咗嘅。

J

K

問：即係在你嘅眼中就係好粗啲就係用--唔係，好幼啲就係睇下先，好粗啲就係用銀焊，係咪呀？六十幾以上啲就係做銀焊？

K

L

答：係，冇錯，冇錯。

L

M

問：五十幾以下啲就係用錫？

M

N

答：係。

N

O

問：錫就係卷同埋--即係卷裝嘅線同埋直嘅條都係錫，都係可以用在細啲直徑嘅？

O

P

答：係，係。

P

Q

問：即係你唔同意黃貴雄所講？

Q

R

答：唔同意。

R

S

問：我想問一問你，就係關於林德深，林德深係持牌水喉匠，你知㗎喇？

S

T

答：知。

T

U

問：你知道其實即係持牌水喉匠就係水務署發牌畀佢咁嘅一種人嚟，你知道，係咪？

U

V

V

B

B

C

答：係，係。

C

D

問：即係你未必知道仔細法例講乜，但係你知道持牌水喉匠就有啲文件上嘅嘢佢要簽、要遞交嘅？

D

E

答：係。

E

F

問：開工前可能要填張嘢，可能有啲物料要寫上去，嗰啲你知道--籠統知道持牌水喉匠係做乜嘅？

F

G

答：係。

G

H

問：林德深佢有幾可喺地盤出現？

H

I

答：唔會多。

I

J

問：唔多，但係會唔會出現？

J

K

答：會。

K

L

問：落唔落手落腳做？

L

M

答：佢唔做嘅。

M

N

問：咁佢嚟做咩嘢？

N

O

答：佢嚟行一下，見下我哋，或者去--佢好少去寫字樓嗰邊，通常同我哋呢啲行下、睇下咁樣。

O

P

問：行，咁睇？

P

Q

答：係嘞。

Q

R

問：即係睇下施工嘅，即係會？

R

S

答：佢唔會上樓。

S

T

問：佢唔上樓？

T

U

答：唔上樓。

U

V

問：咁佢睇乜嘢？

V



B

B

C

答：睇地下啲錶位嗰啲嘢多。

C

D

問：睇錶位？

D

E

答：係呀。

E

F

問：Okay。

F

G

答：即係比較上水記要睇邊幾樣嘅話，佢走去睇邊幾樣。

G

H

問：係，我知，錶位好緊要嘅嘢。咁但係視察啲手工嗰啲咁嘅嘢，會唔會睇？

H

I

答：唔會。

I

J

問：焊料用乜嘢會唔會睇？

J

K

答：唔會。

K

L

問：唔會。你講到有啲預製組件...

L

M

主席：唔好講焊料，水喉嗰啲佢睇唔睇？用咩嘢水喉？

M

N

答：聽唔到。

N

O

主席：林德深，你就話唔睇焊料，咁水喉嗰啲料--佢用咩嘢水喉，用咩嘢牌子水喉，佢睇唔睇？

O

P

答：咩嘢大水喉？

P

Q

主席：用乜嘢牌子嘅水喉，用乜嘢牌子嘅閘掣？

Q

R

答：呢樣佢唔睇嘅。

R

S

主席：唔睇嘅？

S

T

答：唔睇，唔睇。

T

U

主席：佢淨係睇水錶嘅，基本上？

U

V

答：淨係主要睇個水錶位裝得啱唔啱咁樣嘅啫。

V

B

B

C

C

D

問：因為即係我嘅睇法，水務署嗰啲表格好多時候都好重視個錶位係唔係符合...

D

E

答：啱唔啱嘅啫，係嘞。

E

F

問：...放啱位，係咪呀？

F

G

答：係嘞，係，係。

G

H

問：咁佢就比較著緊睇呢樣嘢？

H

I

答：係，係。

I

J

問：唔，okay。有度係講預製組件，喺內地嘅預製組件，你係講過話何標記--唔係，林德深就有試過同你上去深圳視察嗰啲水喉嘅做法？

J

K

答：冇，冇。

K

L

問：你有冇聽過佢直情有冇上深圳睇過，直情？

L

M

答：聽都未聽過。

M

N

問：聽都有聽過？

N

O

問：我想同你講講龍逸邨嗰個情況。

O

P

答：係。

P

Q

問：龍逸邨就係你嘅證人供詞第39段，亦即係2398頁。你就話其實龍逸邨，你寫嗰啲請購單都係寫「錫條」嘅？

Q

R

答：係。

R

S

問：即係做法其實就同啟晴冇分別，都係寫「錫條」？

S

T

答：係。

T

U

問：但係雋景送嚟嘅就係一卷卷嘅呢一啲錫線？

U

V

V

B

B

C

答：係。

C

D

問：就從來冇錫條？

D

E

答：係。

E

F

問：但係你就冇主動地問點解，係咪呀？

F

G

答：冇，冇。

G

H

問：直至到有一位何標記寫字樓嘅女職員打電話嚟地盤，係咪呀？

H

I

答：係。

I

J

問：佢同你點講？

J

K

答：佢咪打電話嚟，「陳小華，你屯門嗰度訂料，但係寫『錫線』」咁樣。

K

L

問：佢話你屯門嗰度訂料，你寫「錫線」喇？

L

M

答：係呀。

M

N

主席：即係佢叫你寫「錫線」，你嘅意思？

N

O

答：係。

O

P

主席：佢就唔係任你寫？

P

Q

答：咁我睇番--後期我都有睇番雋景送嚟嘅單都係寫「錫線」。

Q

R

主席：即係佢--你寫上去嘅請購單就寫「錫條」嘅，原本？

R

S

答：係。

S

T

主席：送就送咗啲錫線嚟？

T

U

答：係。

U

V

主席：跟住佢又特登打個電話，就叫你以後就寫「錫線」咁？

V

B

B

C

主席：其實佢唔使，使乜嘢啫，佢都知道訂咩嘢貨，使乜嘢你畫蛇添足即係？

C

D

答：呢樣唔知。

D

E

E

F

問：因為其實如果佢知道係要用錫線嘅，你寫乜畀佢都係訂錫線，雋景，關你寫乜嘢事啫，你寫「焊料」，你寫乜嘢都得啱喇其實。

F

G

答：其實係...

G

H

問：因乜嘢解究佢要特登打個電話嚟同你講，你有冇諗過？

H

I

答：冇。

I

J

J

K

主席：同埋佢之前--即係如果根據你講，就你不𨵿都寫「錫料」，你都唔知點解有啲情況之下會送咗啲錫線嚟嘅，因為你話可能係因為唔夠貨，佢先至送嚟，係咪呀？

K

L

答：係。

L

M

M

N

問：同埋亦都有可能係你寫啲嘢上去，可能採購部嘅同事自己用佢嘅判斷，決定佢向雋景入咩嘢貨，呢個係採購部同事嘅決定，係咪呀？

N

O

答：係，唔。

O

P

P

Q

問：咁所以即係呢度我就唔係好明，點解嗰個女職員--因為我哋都好想知道呢個職員係邊個，但係你記唔記得呢個女士係邊個？你喺證人供詞度就話唔記得，但係逐個逐個名講，黃慧萍女士似唔似係？

Q

R

答：真係我唔記得。

R

S

問：真係唔記得。所以我畀一搵名你係冇意思嘅？

S

T

答：係。

T

U

問：趙小姐會唔會係？

U

V

V

B

B

C

答：真係唔記得，真係。

C

D

問：真係唔記得。總之有一位女職員？

D

E

答：係。

E

F

問：咁我哋唯有逐個逐個去--咁你有冇諗過，即係當時做乜--當然，即係可能你就係諗住要我寫乜，我咪寫乜。但係即係你有冇諗過，就係話即係因乜嘢事有啲嘢要零零舍舍打嚟叫我喺嗰單度寫某一種名，有冇咁樣諗過呢？

F

G

G

H

答：冇。

H

I

問：好似要做啲嘢畀人睇，咁但係點解？即係「佢都識訂，點解要我咁寫？」有冇咁諗過？

I

J

答：冇。

J

K

問：但係呢個女職員打畀你，叫你寫「錫線」嘅時候，係你已經知道雋景開始送嘅一卷卷嘢嚟，係咪呀？

K

L

答：係，送咗嚟。

L

M

問：係。即係話其實個事情就係你寫話要錫條，雋景就送咗一卷卷嘅錫線，你知道佢送錫線嚟，然後職員先至打嚟，叫你寫要錫線嘅，對嘛？

M

N

N

O

答：係，唔。

O

P

問：我想問一問你，就係有關呢個比較細啲嘅課題，你嘅22頁（段？），證人供詞。22段，對唔住，22段，你話啲貨車，送貨嘅貨車出入開嘅時候要填啲簡單嘅表格，呢個係啟晴，你係講緊啟晴嘅做法，係咪第22段？

P

Q

Q

R

答：係。

R

S

問：即係要填咗張簡單表格，司機姓名、送貨物料嘅種類，呢個係啟晴嘅做法，係咪呀？

S

T

答：係，瑞安都有。

T

U

問：瑞安都係？

U

V

V

B

B

C

答：係。

C

D

問：你就話你會喺嗰張入閘表格度就會填上貨物料嘅種類，例如銅喉，小五金嘅雜項就唔需要特別填上？

D

E

答：唔會。

E

F

問：因為佢--我哋冇嗰啲送貨單，我而家手頭就有嗰啲即係入閘紙嘅樣，咁但係即係嗰度其實我諗係有個空白，就係問你，即係你叫你填寫送咩嘢貨嚟咁嘅啫，即係...

F

G

G

H

答：係呀，係呀。

H

I

問：但係就而決定小五金呢類嘢就唔寫，咁呢個係你自己嘅一種做法嚟嘅？

I

J

答：通常我都係寫一、兩樣，如果係好多樣嘢嘅話，咪寫一樣或者兩樣，總之係有貨送嚟就得。

J

K

問：Okay。即係其實你會覺得就係話睇呢張入閘紙嘅人，都唔會同你仔細咁樣走去斟酌裏面究竟係手套定係幾多條喉，就唔係太緊要嘅？

K

L

L

M

答：係。

M

N

問：即係等於你--okay，得，我明。即係叫做有番個文件交代咁上下嘅啫？

N

O

答：冇呢張嘢，佢閘嗰度保安唔會畀我入。

O

P

問：係。但係只要你寫個字落去，佢就會畀你入其實就係，得。遞交啲送貨單畀個承建商呢個做法，你就話何標記有個職員就係叫過你，就係將一啲送貨單影印本交界中國建築？

P

Q

Q

R

答：係。

R

S

問：瑞安有冇類似嘅做法，收到指示叫--即係何標記嘅職員叫你？

S

T

答：瑞安...

T

U

問：將送貨單影印？

U

V

答：...我記得，就好似有畀送貨單瑞安嘅。

V

B

B

C

問：係。即係畀送貨單就係有畀中國建築，但係就有畀瑞安，因為冇人叫你咁畀？

C

D

答：係，係。

D

E

問：你亦都有呢一個做法？

E

F

答：係。

F

G

問：我想請你睇睇你嘅供詞第 42 段。第 42 段裏面，你就有講到頭先你所講 54 毫米以下嗰啲，即係叫做幼啲嘅銅喉就用石油氣槍，你可以用條，可以用線。粗過 67 嘅就用風煤，就要用銀焊，就有一啲銅喉係 54 至 67 嘅。咁你就話「鄭先生都喺每個項目開始前都會向打理及判頭給予相關嘅指示，啟晴邨項目亦不例外。」呢個鄭先生佢喺寫字樓講定係落地盤講？

G

H

H

I

I

J

答：如果喺地盤見到或者會講，多數喺電話，有時喺電話。

J

K

問：喺電話講？

K

L

答：係。如果喺地盤嘅話見到，或者喺地盤講，我感覺上係電話講。

L

M

問：即係佢會逐個逐個人打去講？

M

答：唔係，通常講番畀邊個判頭或者打理--同打理講。

N

N

問：即係佢會打個電話落去

O

答：係呀...。

O

P

問：...就同你哋講，講乜嘢？

P

Q

答：講咩嘢喉，幾大喉以下嘅用咩嘢物料，幾大喉以上用咩嘢焊料咁。

Q

R

問：但係你知唔知鄭生讀乜嘢--做乜嘢，你知唔知？

R

S

答：唔知。

S

T

問：因為鄭生即係做嗰啲即係...

T

U

主席：KOS。

U

V

V

B

B

C

石先生：KOS 中文係叫做咩嘢？

C

D

主席：物料...

D

E

問：測量師，物料測量師，你知唔知佢個專業叫做？

E

F

答：唔知。

F

G

問：物...

G

H

答：我知道所有物料，佢入物料，但係我唔肯定佢係咪...

H

I

問：但係物料佢就--佢幫何老闆計數就係決定呢種物料，我要整個價出嚟，就係報價，去入標去做呢樣嘢，你知嘅？佢係駐喺寫字樓嘅？

I

J

答：係，冇錯。

J

K

問：佢其實就好日都唔會落下個地盤，係咪？

K

L

答：係，好少。

L

M

問：佢落地盤...

M

N

主席：計糧嘍咋嘛，佢係咪？

N

O

石先生：係，我正想問佢。

O

P

主席：係嘞，係嘞。

P

Q

石先生：咁...

Q

R

主席：佢計糧嘍咋嘛。

R

S

T

問：佢自己唔識燒焊？

T

U

答：係。

U

V

V



B

B

C

問：係。我哋從來冇喺佢口中聽過佢要負責嘅嘢，就係畀指示大家邊一種喉就用乜嘢嘅方法嚟燒焊，即係你堅持佢會打電話講...

C

D

答：唔係，正常理解，你批物料畀房署，你都要講埋出嚟係幾大喉用咩嘢焊料。

D

E

E

F

問：即係你覺得批--即係呈交物料上房署話用呢隻焊料嘅時候，其實應該講明呢隻焊料係燒幾多毫米嘅喉，應該咁樣講埋嘅？

F

G

答：係。

G

H

問：所以佢應該知嘅，...你覺得係？

H

I

答：係，係。

I

J

問：所以佢就會順帶打電話去地盤嗰個寫字樓嗰個架步又好，點都好，即係你哋--即係佢--你覺得--即係你就話佢係打過電話去地盤嗰度，...

J

K

答：呢啲幾大喉、燒咩嘢焊料，唔係我哋話到--決定到話燒乜嘢。

K

L

L

M

主席：你都話唔到，你做咗幾十年水喉工人都話唔到？

M

N

答：唔係我哋話，一定係批出嚟嗰啲講。

N

O

O

P

問：即係你話用邊一種槍...

P

答：喺...

Q

Q

問：...嚟到燒邊一個直徑嘅喉，係聽上頭指示嘅？

R

答：唔係支槍，係講啲...

R

S

S

T

主席：用啲咩嘢料。

T

U

U

V

V

B

B

C

問：用咩嘢料？

C

D

答：用咩嘢料，譬如你係 54 以下嘅用錫，同埋 67 以上用銀焊，唔係我哋決定嘅，係你批物料嗰陣時決定咗嘅。

D

E

E

F

主席：我哋即係去到而家聽嘅詞供，就係房署嗰啲咁嘅起公屋工程水喉嗰啲，基本上係千篇一律嘅啫，尤其是如果講到水喉要駁直徑大小嗰啲，基本上嗰啲焊料差唔多都已經係千篇一律，唔會有改變嘅。

F

G

G

H

H

I

問：係。所以即係我正想問嘅，就係話即係--你即係話畀我哋聽，其實每一單工程，你哋開工前都要等待寫字樓下呢個聖旨，就話「今次啟晴邨呢個，即係粗嘅喉就用銀焊，幼嘅喉就用錫。」即係佢會點講呢，佢？

I

J

J

K

K

L

主席：即係你嘅意思即係話畀我哋聽，係咪第一，水喉嘅大細、粗幼、用乜嘢料，就上高寫字樓畀指示你？

L

M

答：係。

M

N

主席：你訂乜嘢料就唔知嘅，總之上面畀咩嘢料，你就用咩嘢料，如果話嗰啲係要走錫嘅，咁上面畀乜，你就用乜，係咪咁嘅意思？

N

O

答：係。

O

P

主席：唔。即係換句話嚟講，你哋就基本上就完全聽從寫字樓嘅指示，你哋自己下低地盤就唔會作主嘅？

P

Q

答：係。

Q

R

主席：唔。

R

S

S

T

問：咁你有冇經驗話你--呢啲係上頭話畀你聽幾粗就用銀焊，幾幼就用錫，即係呢啲唔係你實際嘅專業嘅一種知識嚟嘅？

T

U

U

V

V

B

B

C

答：唔係。

C

D

問：係要聽人話畀你聽？

D

E

答：係。

E

F

問：咁即係話你係咪話畀我聽就唔同嘅地盤，有啲地盤就真係原來好粗走去用咗錫，...

F

G

答：冇錯。

G

H

問：...或者有啲好幼嘅用咗銀焊，有㗎？

H

I

答：冇錯，冇錯。

I

J

問：吓？

J

K

答：係。

K

L

問：呢個我真係要等待何標記嘅大律師即係將佢咁嘅理解話畀你聽，真係。你等我睇睇有冇第二啲嘅問題先。我想同你搞清楚，呢個所謂鄺先生佢會打電話嚟地盤畀指示嘅呢一個做法，你嘅 42 段就話「鄺先生於每一個項目開始前都會向打理及判頭給予相關嘅指示」。啟晴邨你就係打理？

L

M

M

N

答：係。

N

O

問：咁你係咪話啟晴邨你係由鄺先生口中聽到呢個指示？

O

P

答：係。

P

Q

問：咁其他地盤，你又點知佢係打畀個判頭定係打理？

Q

R

答：我哋喺屯門都係嘅。

R

S

問：屯門都係嘅？

S

T

答：係。

T

U

問：屯門你唔係打理。

U

V

答：屯門我係打理。

V

B

B

C

問：屯門都係你係打理？

C

D

答：龍逸邨。

D

E

問：你又話啟晴邨你先--屯門係龍逸邨，係咪？sorry，係。屯門係龍逸邨，你係打理，咁佢亦都係打去龍逸邨嗰個地盤嗰個寫字樓嗰度就係同你講嘅，係咪呀？

E

F

答：打我手提電話講。

F

G

問：打你手提電話講？

G

H

答：係。

H

I

問：咁佢用乜嘢嘅形容詞嚟形容嗰啲物料？銀焊就叫銀焊，係咪呀？

I

J

答：佢通常都話幾大以下走錫，幾大以上就係銀焊。

J

K

問：幾大以下就咩嘢話？

K

L

答：走錫。

L

M

問：走錫？

M

N

答：係。

N

O

問：佢叫做--佢用「走錫」呢一個名詞嘅？

O

P

答：係，唔。

P

Q

問：就唔係用條或者線嘅？

Q

R

答：唔係。

R

S

問：佢叫做走錫？

S

T

答：係。

T

U

問：幾多以上就用銀焊，係咪呀？

U

V

答：係。

V

B

B

C

主席：我想問下，有陣時你話冇貨，就於是就送咗啲錫線喇，係邊一個  
--即係你其實係完全唔知道？

C

D

石先生：我嘅理解係佢而家估出嚟。

D

E

E

F

主席：係嘞，即係你完全唔知--總之你就係訂錫條，不過有陣時就嚟咗一  
啲一卷卷嘅錫線，咁你就估就係因為冇貨？

F

G

答：係。

G

H

主席：咁至於係雋景自把自為，抑或係你寫字樓叫雋景送，就你就唔知，  
係咪咁？即係有兩個可能性，你訂錫條，跟住你上邊啲寫字樓啲  
女士咪打電話去雋景，係咪？

H

I

答：唔。

I

J

主席：好嘞，咦，點知嚟啲貨係有錫線，一係就雋景自把自為就送咗啲  
錫線喇，一係就係你寫字樓啲女士就話畀雋景聽，「啊，如果你有  
錫條就送啲錫線喇。」咁邊一個情況你就唔知嘅？

K

L

答：我都唔知。

L

M

M

N

問：但係你斷估就係因為可能佢冇貨，所以就以線代條？

N

O

答：係。

O

P

P

Q

主席：斷估就覺得佢冇貨，就以線代條。不過我哋又睇下啲 invoice，  
睇落去又唔似冇貨嘞，因為--當然你睇...

Q

R

石先生：因為佢有一部分嘅--即係一張單包兩樣嘢嘅。

R

S

主席：呢個就第一，你 128 就喺...

S

T

石先生：S，你畀 S bundle。

T

U

U

V

V

B

B

C

主席：S1，128。其實如果你細心少少睇，你就會發覺所謂送咗啲無鉛錫線嚟嘅，就係喺 2011 年 10 月 14 號、2011 年 12 月 17、2012 年 4 月 2、4 月 13，同埋就係 5 月 25 號，同埋 6 月 12 號。就基本上就係 2011 年尾、2012 年嘅上半年，下半年就完全冇問題嘅，冇咩嘛，即係完全冇貨，你明我意思嘛？

C

D

D

E

E

答：明。

F

F

主席：係。好嘞，我哋又於是就話，既然係上半年有機會冇貨，咁我哋又睇下上半年係咪真係冇貨，我哋就於是又可以揭去下其他啲邨嗰度睇下究竟係咪真係冇貨。我哋首先就揭去第 205 頁，其實 205 頁都唔係好有關係。217 頁，217 頁我哋其實尤其是睇到有一個--第一次，就係 S1，217，2012 年嘅 6 月 16 號，你睇到呢個金日喺榮昌邨嗰度，就叫咗 275 磅嘅 50 力。你見到你哋啟晴邨第 128 頁，喺 2012 年嘅 6 月 12 號，又 order 咗 50 力 220 磅，又 order 咗“FRY”無鉛錫線 100 網。即係換句話嚟講，係大量貨品供應，你明我意思嘛？

G

G

H

H

I

I

J

J

答：明白。

K

K

主席：跟住你睇下 2012 年一路落都冇。2011 年，好嘞，2011 年有冇問題？睇番第 205 頁，東匯邨，啲日子就全部都錯嘅，嗰個表上高啲日子就全部都錯，咁我之前已經講過一次正確嘅日子，基本上就係由 2010 年嘅年尾去到--11 月去到 2011 年嘅 8 月，全部都係 50 力，又唔似 2010 年--2011 年有曾經缺貨嘅問題，咁似乎缺貨都唔係一個問題嚟個嗎？

L

L

M

M

N

N

答：呢樣我就唔知。

O

O

主席：係囉。如果係咁，仲有啲咩嘢原因？

P

P

Q

Q

問：因為講嚟講去，就係返番去就係除非真係落單嗰個人係真係自動自覺地話到明我要條同線嘅啫，否則嚟講嘅話，就真係冇咩嘢理由你要條，人哋就畀咗線你嘅。即係我再問多你一次，就係即係其實會唔會就係你落單嘅時候，你已經寫明你係要條同線呢？

R

R

S

S

答：冇。

T

T

問：冇？

U

U

V

V

B

B

C

答：冇。

C

D

問：我想問一問...

D

E

E

F

主席：因為我哋睇番譬如你呢個水泉澳邨，即係我而家講緊 2378，你落  
嗰啲錫線講到明係幾多卷，即係當然呢個係范先生，就唔係你本人，  
不過就似乎--呢個水泉澳邨呢一個時--呢個落單嘅時候都未爆--即  
係呢個鉛水事件都未被發--未爆發，你明我意思嘛？即係其實...

F

G

G

H

答：明白。真係後期我哋龍逸邨係寫幾多卷。

H

I

主席：吓？

I

J

答：龍逸邨喺後期都係寫「錫線」，寫幾多卷。

J

K

主席：係呀。

K

L

問：係，龍逸邨你就話因為寫字樓嘅女士要你寫「錫線」，咁你就寫「錫  
線」...

L

M

M

答：係，咁寫幾多卷都有。

N

N

O

問：都係寫幾多卷，我知道呢啲線係一卷卷。但係我哋而家嘅意思就係  
話，你睇番水泉澳邨，2014年3月，未爆出鉛水事件，嗰一張請購  
單，頭先咪畀你睇過嘅？

O

P

答：唔。

P

Q

問：佢裏面都有一位經手人係識得訂一卷卷嘅錫線，而唔係錫條，仲係用  
一卷卷，即係其實何標記裏面係有人有呢個認知，係寫「錫線」嘅。  
咁所以就係即係似乎就唔係話你走去訂錫條，即係跌跌撞撞，無從解  
釋地係雋景就 send 咗啲錫線過嚟畀你咁啲？

Q

R

R

S

答：呢樣嘢唔清楚。

S

T

問：呢個係唔清楚？

T

U

U

V

V

B

B

C

主席：唔清楚。得，唔緊要。

C

D

D

E

問：我想問多你一個問題，就係關於你同陳思南先生嘅關係，你識陳思南，係咪？

E

F

答：識。

F

G

問：有冇錢銀瓜葛，你哋？

G

H

答：冇。

H

I

問：冇。我哋聽過有一個指控，就係話喺啟晴邨第三、第四期嘅施工期間，即係話陳思南先生就係判咗其中一部分嘅喉嚨到做，你知道走廊...

I

J

答：係呀。

J

K

問：...同埋--即係頭先你所講嗰幾部分嘅喉。咁嗰幾部分喉判--叫做判咗畀佢做，就唔應該用公司工去做，係咪呀？

K

L

答：係，冇錯。

L

M

問：判咗畀佢，就係佢負責搵人去做？

M

N

答：係。

N

O

問：一係佢做，一係搵人做？

O

P

答：係。

P

Q

問：我哋聽過有一個指控，就係話喺第三、四座度，就係有人就係用啲公司嘅工走去幫陳思南先生去做咗一啲應該係佢負責做嘅嘢，有冇呢一件事？冇？

Q

R

答：（沒有可聽到的回答）

R

S

問：我講多一次，應該係未必有提--係有提第三、第四座，係有人用啲公司工，冇提陳思南呢個名。

S

T

答：唔。

T

U

問：第三、第四座係有人叫啲公司工去做一啲應該係判工做嘅嘢，你知唔

U

V

V



B

B

C

知道有呢啲事情？

C

D

答：但係唔會做判工嘅嘢。

D

E

問：吓？

E

F

答：唔會做判工嘅嘢。

F

G

問：我明。公司工正路嚟講就應該係負責做公司工應做嘅嘢，...

G

H

答：係，冇錯。

H

I

問：...判工嘅嘢，就應該判嗰個人自己去搵一啲工人返嚟做或者佢哋自己  
自己做，...

I

J

答：係，冇錯。

J

K

問：...應該分開嘅？

K

L

答：係。

L

M

問：如果有人叫公司工走去做一啲判工應該做嘅嘢，就其實係搵緊公司老  
襯嘅，你同唔同意？

M

N

答：同意。

N

O

問：但係有呢個指控，就係話第三、第四座啟晴邨係有人做咗一啲咁樣嘅  
嘢，你知唔知道當時有冇人做呢啲咁嘅嘢，第三、第四座？

O

P

答：應該冇。

P

Q

問：應該冇，唔應該--應該冇，定係你知道冇？

Q

R

答：知道係冇。

R

S

問：知道冇？

S

T

答：冇。

T

U

問：存唔存在一啲可能--只不過係可能，即係如果你唔同意，你可以講。  
就係即係其實有冇一個可能係由於你想益陳思南，所以就叫啲公司工  
去幫陳思南做一啲佢判番嚟嘅嘢。仲由於用呢個錫條方便用，容易啲  
做、快啲做，可以快啲起好多貨，所以就成個地盤都用咗錫條呢一個

U

V

V

B

B

C

做法，又可以快啲做，又可以幫陳思南快啲起多啲貨，咁就可以收多啲錢，有冇呢個可能？

C

D

答：因為陳思南都係何標嗌番嚟嘅。

D

E

問：都係何標嗌番嚟嘅？

E

F

答：係呀。

F

G

問：即係你意思係你同佢冇乜嘢交情，你唔需要咁益佢，係咪呀？

G

H

答：我本身都唔識佢。

H

I

問：你唔識佢？

I

J

答：係。

J

K

石先生：Okay，得。我諗而家我哋可以 lunch break。

K

L

主席：好呀，我哋食晏先，兩點半再繼續，好，唔該。

L

M

M

N

下午 12 時 58 分聆訊押後

N

O

下午 2 時 31 分恢復聆訊

O

P

出席人士如前。

P

Q

石先生：主席，我有其他嘅問題。

Q

R

主席：冇，係。係。

R

S

楊先生：係，主席。

S

T

主席：係。

T

U

U

V

V

B

B

C

何標記建築工程有限公司（“何標記”）（中國建築（啟晴邨）及瑞安（葵聯邨第二期）的分判商）的第三證人：陳小華（何標記前僱員（啟晴邨的地盤主管））宣誓繼續作供  
楊先生盤問

C

D

D

E

問：陳生，我係代表何標記嘅大律師。

E

F

答：係。

F

G

問：就住你畀調查委員會嘅證人供詞，我有啲問題想同你澄清嘅。

G

H

答：係。

H

I

問：我哋知道嚟講，你就話 1988 年至 2000 年嚟講，你加入何標記公司作為佢嘅安裝水喉工人，係咪？

I

J

答：係。

J

K

問：响嗰段時間嚟講，其實就有裝過銅喉，係咪呀？

K

L

答：有銅喉，就唔係走錫嘅。

L

M

問：吓？

M

N

答：有銅喉，...

N

O

問：有銅喉？

O

P

答：...就唔係走錫嘅。

P

Q

問：唔係走錫嘅？

Q

R

答：係。

R

問：係。嗰陣時嘅銅喉都係點樣，...

S

答：攞忒嘅。

S

問：...係裏面內藏錫嘅？

T

答：攞忒嘅，攞忒。

T

U

問：明白。好嘞，我哋知道你 2009 年至到 2013 年就再返番去何標記做，

U

V

V

B

B

C

係咪？

C

D

答：係。

D

E

問：今早都問過你，响 13 年 4 月你就離開，原因就係因為有單盜竊案件，係咪？

E

F

答：係。

F

G

問：單盜竊嚟講，其實就係响個啟晴邨發生嘅，係咪呀？

G

H

答：係。

H

I

問：你就偷咗啲銅喉？

I

J

問：所以就被定罪？

J

K

答：係。

K

L

問：根據何生講，就係話你就係判咗 120 小時服務令，係咪？

L

M

答：係。

M

N

問：然之後，之後你就被辭退，係咪呀？依據你咁講。

N

O

答：係。

O

P

問：好，响同何標記嗰度，講番 09 年你再次加入番何標記嗰度，你就正話講，你就話响個天水圍嗰個項目做，係咪？

P

Q

答：係。

Q

R

問：但係天水圍項目，你做嗰次係做咗好短時間，你就過咗去呢個油麗邨，係咪呀？

R

S

答：係。

S

T

問：好喇，天水圍嗰度你唔係做打理嘅，係咪？

T

U

答：打工嘅。

U

V

V

B

B

C

問：你係打工嘅？

C

D

答：工人嚟嘅。

D

E

問：工人嚟嘅？

E

F

答：係。

F

G

問：即係訂料嗰方面你唔知嘅，係咪？

G

H

答：唔知。

H

I

問：好喇，油麗邨，你過去，係咪呀？

I

J

答：（沒有可聽到的回答）

J

K

問：你就講咗去跟住過去油麗邨，油麗邨你都唔係做打理嘅，係咪？

K

L

答：係。

L

M

問：亦都係喇，你冇牽涉到响訂料嗰方面嘅，係咪呀？

M

N

答：係。

N

O

問：究竟嚟講，用嗰隻...

O

P

主席：不如你講慢少少。

P

Q

楊先生：對唔住，唔好意思，太快。

Q

R

問：個錫料嗰方面嚟講，究竟用邊隻錫料嚟講，你自己唔知嘅，係咪呀？  
只不過你一般就係當係錫料咁解？

R

S

答：係。

S

T

問：至於呢個錫料，係一個錫條或者而家我哋知道有個錫線呢個分別，你唔知嘅，係咪呀？當時。

T

U

答：係。

U

V

V

B

B

C

問：好喇，你就講過，就係响個 2000 年至到 2009 年嘅話，你出去做嗰陣時，你就牽涉到就係即係你當時嚟講，你就吸收咗啲經驗，就係關於係點樣做呢個--即係嗰個焊嘅工作，係咪呀？即係焊接呢個食水喉管嘅工作？

C

D

D

E

答：係。

E

F

問：你就講過，2005 年當你做呢個元州邨項目嗰陣嚟講，你就幫有利建築做，就係用呢個係一條條嘅錫條做嘅焊接嘅？

F

G

G

答：係。

H

H

問：呢個係咪第一次接觸到係用個焊錫條做？

I

I

答：唔係。

J

J

問：幾時第一次接觸？

K

K

答：喺加入何標記之前都有㗎喇。

L

L

問：加入呢個有利之前都有？

M

M

答：何標記之前，喺 1988 年前都有。

N

N

主席：一九幾多話？

O

O

答：1988 年之前都有。

P

P

主席：做乜嘢話？

Q

Q

答：做嗰啲私人樓。

R

R

主席：做銅喉？

S

S

答：私人樓，銅喉，銅喉，都係走錫嘅。

T

T

問：走錫都係用錫條，你記得？

U

U

答：都係錫條㗎。

V

V

B

B

C

問：都係用錫條，就係而家我哋見到一條條嗰啲？

C

D

答：係。

D

E

問：而唔係用呢個焊線？

E

F

答：唔係。

F

G

問：你好肯定？

G

H

問：你幾時第一次接觸到呢啲我哋見到綠色嘅，我哋叫做錫條--錫線？

H

I

答：應該去到 2004 嘅喇，03、04 嘅。

I

J

問：03、04？

J

K

答：係。

K

L

問：响咩嘢場合之下接觸到？

L

M

答：都係做私人樓嘅。

M

N

問：做私人樓？

N

O

答：係。

O

P

問：當時係唔係何標記嘅，係咪？

P

Q

答：唔係何標記，私人樓嚟。

Q

問：你當時嚟講，接觸到呢個錫條，你見到呢個，同埋錫線嚟講，係有個  
--形狀上起碼有個分別，係咪呀？

R

答：乜嘢？

R

S

問：形狀上有分別。

S

T

答：形狀分別，有。

T

U

問：你亦都知道呢個係高溫嘅？

U

V

V

B

B

C

答：係。

C

D

問：而嗰個係低溫嘅，係咪？

D

E

答：係。

E

F

問：我哋知道--燒銅喉嘅即係焊接嘅過程你熟悉嘅，係咪？因為你都話你自己燒過，你係工人，係咪呀？

F

G

答：係。

G

H

問：好喇，雖然响啟晴邨，我知道你冇燒到，但係你應該有咁嘅經驗，係咪？

H

I

答：乜嘢？

I

J

問：你應該有咁嘅經驗係知道點樣用呢個錫料係焊接銅喉，係咪呀？

J

K

答：係。

K

L

問：好喇，或者我有幾個問題想問一問你，我驚我自己講得唔係好清楚，我用一個例子嚟舉證，呢條就係個銅喉，呢個就係曲，一個 90 度曲，係咪呀？

L

M

答：係，唔。

M

N

問：我哋睇過建造業訓練局嗰度有講過話點樣係將呢啲咁嘅錫料就係去焊接呢個銅喉嘅，佢首先做嘅步驟就要「省」咗佢，然後加啲松香膏，然後嚟講就有個加錫嘅程序嘅？

N

O

答：係。

O

P

問：嗰個加錫程序牽涉到就係要燒熱呢個銅喉，然後先可以加到啲錫落去，係咪？

P

R

答：係。

R

S

問：就嗰個步驟嚟講，要燒熱呢個銅喉，就係明顯地就睇下你用高溫錫抑或低溫錫，因為如果你用個錫係個錫料嘅溫度唔夠嘅話，呢個銅喉就有辦法可以有啲錫可以放得落去，同唔同意？

S

T

答：係。

T

U

U

V

V



B

B

C

問：即是話如果係高溫錫嘅話嚟講，係要個時間應該會耐啲，係咪？

C

D

答：係。

D

E

問：好喇，同樣道理，當佢接去呢度，因為呢個係一個 90 度曲，我哋要同一--即係會係有兩條喉接嘅，如果每一條呢個焊接嘅話，係需要 30 秒嘅話，另外一條亦都需要 30 秒，係咪？

E

F

答：唔係。

F

G

問：唔係，唔係點樣？

G

H

答：我哋燒中間嘅。

H

I

問：燒中間？

I

J

答：係。

J

K

問：我哋咁樣講番先，我哋先講番個即係裝錫嘅或者我哋叫上錫嘅過程，每一條銅喉都要咁樣燒，係咪？

K

L

答：係。

L

M

問：嗰陣時係未有呢個曲㗎嘛，啱唔啱？

M

N

答：係。

N

O

問：即是話如果呢條，照你所知，要幾耐，即係上錫嘅過程？

O

P

答：我哋冇計過數。

P

Q

問：你計過數？

Q

R

答：係。

R

問：如果我話畀你聽 30 秒，...

S

答：係。

S

T

問：...差唔多，係咪？

T

U

答：（沒有可聽到的回答）

U

V

V

B

B

C

問：好喇，即是話嚟講，我要做呢個曲嘅話嚟講，我呢度要用咗 30 秒，另外一面我都要用番 30 秒，係咪？

C

D

答：唔係，我哋燒中間㗎嘛。

D

E

問：我明白，但係你燒之前，你要上咗錫㗎嘛，係咪呀？你要上咗錫，你先可以燒落去㗎嘛？

E

F

答：唔係，唔係，唔係，一燒就紅咗嘅話，可以兩邊上錫㗎喇。

F

G

問：你有一個上錫嘅過程？

G

H

答：唔需要嘅。

H

I

I

J

主席：燒咗先至上錫㗎嘛？

J

K

K

L

問：燒咗，上錫，先至跟住再落去個曲嗰度？

L

答：唔係咁樣做。

M

M

N

主席：唔係，你插咗入去，跟住燒條喉㗎嘛？

N

O

答：係，插咗入去，...

O

P

P

Q

楊先生：係，但係法官閣下，就即係睇番建造業訓練局嗰度，佢有個要上咗錫先嘅，呢一段要上咗錫先，然後至插入去。

Q

R

主席：你睇下，你上去 YouTube 睇下唔係咁呀。

R

S

楊先生：唔好意思，主席閣下，我哋先至啱啱嚟之前，仲睇完呢樣。或者咁樣，我哋--如果你唔介意...

S

T

主席：你睇乜嘢先？

T

U

楊先生：就係上錫嘅過程。

U

V

V

B

B

C

主席：訓練局咁嘛？

C

D

楊先生：係呀。

D

E

主席：我咪話畀你聽你睇訓練局可能有唔同，上去睇 YouTube 都有唔同，冇話邊一個實啱㗎嘛。

E

F

黎先生：即係佢燒嘅方法有唔同。

F

G

楊先生：係，明白，明白。

G

H

主席：燒嘅方法，唔係你訓練局嗰個一定啱㗎嘛。

H

I

楊先生：我明白，我明白。所以我就係正話問佢，我就係問佢呢個過程。

I

J

主席：唔係，我而家話畀你聽，當然你有大部分時間你都唔喺我哋呢一個調查委員會裏面出現過。

J

K

楊先生：係，唔好意思，主席閣下。

K

L

主席：所以就有好多嘢你又唔知道我哋知道乜，就唔知道我哋知道乜，即係我而家話畀你聽你個所謂方法就未必係唯一嘅方法，就係咁多。

L

M

楊先生：好，好，明白，明白。

M

N

N

O

問：但係一樣嘢，就係你都會同意，就係話如果係用高溫錫嘅話，燒嘅時間會長啲，係咪？

O

P

答：應該會長啲。

P

Q

問：即係燒，你話一定--係咪？

Q

R

答：係。

R

S

問：至於長幾多，你唔知道嘅，係咪呀？

S

T

答：唔知。

T

U

問：但係就變咗嚟講，你作為一個地盤打理，你係第一次响啟晴邨做地盤打理嘅，係咪？

U

V

V

B

B

C

答：係。

C

D

問：其實--應該咁講，何老闆嗰陣時第一次睇起你，你都會好著力去做好啟晴邨嘅工作，係咪？

D

E

答：係。

E

F

問：作為地盤打理，其中一個工作當然就係要睇住個進度，係咪呀？

F

G

答：係。

G

H

問：即是如果係中國建築，啟晴邨我哋知道個主承建商係中國建築，如果中國建築係畀一個進度，你都要係跟住，係咪呀？

H

I

答：係。

I

J

問：即是話你會安排個人手同埋啲物料去配合㗎喇？

J

K

答：人手唔使我安排嘅。

K

L

問：人手唔使你安排？

L

M

答：唔使嘅。

M

N

問：好喇，人手唔使你安排，咁係邊個安排？

N

O

答：判頭安排。

O

P

問：吓？

P

Q

答：判頭。

Q

R

問：判頭安排？

R

S

答：係。

S

T

問：即係你就唔需要㗎喇？

T

U

答：唔需要。

U

V

問：但係如果個判頭係做嘅工序嚟講係做慢咗，你都會係擔心嘅，係咪？

V

答：喺啟晴邨嚟講，係冇慢過嘅。

B

B

C

問：冇慢過？

C

D

答：冇嘅，係，中國建築冇追我哋進度嘅。

D

E

問：哦，咁樣，係，但係就明顯地，因為你個證人口供裏面話就啲工人做得快慢唔關你事嘅？

E

F

答：係。

F

G

問：但係如果工人係比預期中慢嘅話，呢個你唔會去擔心嘅咩？

G

H

答：工人做慢咗係判頭嘅問題嚟嘅。

H

I

問：就係判頭問題，但係你都會同判頭傾下點解啲工人慢咗，係咪呀？

I

J

答：因為咁耐都中國建築同埋何標記都冇人追過我哋話工程慢嘅。

J

K

問：所以你就覺得呢個都唔使你擔心，係咪呀？

K

L

答：冇需要擔心，因為個個都追到個進度。

L

M

問：Sorry，對唔住，聽唔到。

M

N

答：因為個個判頭都追到個進度。

N

O

問：好呀，我哋睇一睇先，嗰個判頭，而家講番响個啟晴邨嗰度，你打理嗰度，你就當初嚟講，就係標哥就委派你就係做個地盤打理？

O

P

答：係。

P

Q

問：當時嚟講，你認識一個黃貴雄嘛？

Q

R

答：初初唔認識。

R

S

問：唔認識，係喇，黃貴雄係後來先加入嘅，係咪呀？

S

T

答：係。

T

U

問：巨大概嚟講，我哋知道啟晴邨個地盤大概係10年10月嘅就何標記開始進場，你嗰陣時進場未？

U

V

答：我進場先嘅。

V

B

B

C

問：你進場先嘅？

C

D

答：係。

D

E

問：嗰陣時係咪大概一...

E

F

答：佢跟住進場，我就係時間上唔清楚。

F

G

問：時間上唔清楚，okay。黃貴雄嚟講，佢進場嘅時間係咪大概12年嘅4月嘅？

G

H

答：時間唔清楚。

H

I

問：唔清楚，但係佢進場嘅時候嚟講，就係應該工夫多嗰陣時先搵佢嚟幫手，係咪呀？

I

J

答：唔係。

J

K

K

L

主席：點解呢？

L

M

答：因為地盤係嗰陣時都仲未做得水喉嘅。

M

N

主席：點解工夫多嗰陣時先搵佢進場呢？

N

O

楊先生：減輕個負擔，減輕個人手負擔。

O

P

主席：唔係每人兩座咩？

P

Q

楊先生：我就而家就問佢。

Q

R

主席：咪係囉。

R

S

S

T

問：你當初嚟講，你係當初開始嗰陣時你係負責晒六座，係咪？

T

U

問：到後來12年嘅4月嗰陣嚟講，因為開始嗰陣時真係要裝水喉，係咪？

U

V

V

B

B

C

答：係。

C

D

問：嗰陣時嚟講，根據標哥個安排，就係一、二座就係黃貴雄同梁偉健負責打理，係咪？

D

E

答：係。

E

F

問：好喇，然後你就係負責番個三同 4 四座？

F

G

答：唔係。

G

H

問：唔係，咁三、四座係邊個？

H

I

答：三、四座，全個地盤都係由我打理嘅，三、四座陳思南做嘅。

I

J

問：打理嘞，我哋先...

J

K

答：打理我打理嘅，全部地盤都是我打理。

K

L

問：全部打理？

L

M

答：係。

M

N

問：好，一陣間再返嚟再睇番陳思南。好喇，第五、六座係范秀鵬，係咪？

N

O

答：係。

O

P

問：范秀鵬之下，其實就佢就仲有一個判頭嚟嘞，叫做...

P

Q

答：呢啲我唔識嘅。

Q

R

問：你唔清楚？

R

S

答：係，因為老細嗰陣時帶人嚟，「噏，呢幾座邊個判，呢座邊個判嘅。」佢唔係講佢打理嘅。

S

T

主席：你點解會唔識嘅呢？

T

U

答：邊個？

U

V

主席：唔係，你喺何標記，喺啟晴邨嘅話事人嚟嘞嘞，你點解會唔知道下

V

B

B

C

面用啲乜嘢人呢？嗰啲判頭又或者判頭帶嚟嘅判頭。

C

D

答：因為我哋主要係何標記，何標帶啲人返嚟，呢幾個邊個判邊度、呢幾個判邊度、呢個判邊度，但係佢入面點樣判法，我唔知嘅。

D

E

主席：你唔知佢點判法呀？

E

F

答：因為可能黃貴雄直接判畀人做，我哋唔知嘅，或者范秀鵬判畀人做，我都唔知嘅。

F

G

主席：但係你就係話事人，你如果啲工程進度做得唔好或者啲手工做得差、用料用錯，追邊個？

G

H

答：如果大事，都係搵番何標記嘅，如果小問題...

H

I

主席：何標記咪係你囉，何標記咪係你囉，你仲搵何標記？

I

J

答：佢唔係，我同番何標記講--何標講咩嘛，同番我哋老細講，如果小問題，搵番啲判頭嘅。

J

K

主席：點解要搵老細講啫？你話事咩嘛，你老細成...

K

L

答：我哋話事係話唔到，嗰啲判頭...

L

M

主席：你話唔到嗰啲事就當然係你要問老細，但係你老細十個、八個地盤嚟嘛隨時，係咪呀？你老細咁多個地盤點睇呀？

M

N

答：如果話跟工程進度同埋做錯嘢，我負責嘅。

N

O

主席：老老實實，呢個啟晴邨大 project 嚟嘅嘛，六躉樓喎，五千幾百個單位喎，係咪？

O

P

答：係。

P

Q

主席：你係嗰個嘅打埋人，似乎你而家想話畀我哋聽「大嘅事就老細理，其他細嘅事我又唔知」。

Q

R

答：細嘅事我哋係--如果係工程進度嘅嘢，我會搵番判頭處理嘅。

R

S

主席：繼續。

S

T

U

U

V

V



B

B

C

問：你個位都好做嘞，有咩嘢事就老細，然後跟住有咩嘢問題就判頭，係咪呀？

C

D

答：乜嘢呀？

D

E

問：我話你個位好好做，因為你有咩嘢事就問老細何標記，有咩嘢問題就問番--下面小問題就問番判頭，係咪呀？你嘅做法就係咁樣？

E

F

答：如果係進度係判頭做嘅，我一定搵番佢嚟喇。

F

G

問：你嘅意思就話响第一、二座嘅話嚟講，你就搵番黃貴雄同梁偉健搞番掂，係咪？

G

H

答：係。

H

I

問：實際上嚟講，黃貴雄同梁偉健究竟以乜嘢形式响呢座做嘅，你係唔知，你嘅意思，係咪呀？

I

J

答：唔知嘅。

J

K

問：佢可能係何標記嘅直屬員工或者...

K

L

答：但係嗰陣時老細同我哋講話每個人判兩座嘅。

L

M

問：係，佢話--佢用咩嘢字眼，佢話判兩座？抑或用咩嘢？

M

N

答：係判兩座大樓嚟做嘅。

N

O

問：佢話畀你聽就係黃貴雄同梁偉健係判咗嚟做？

O

P

答：係。

P

Q

問：何標記唔同意咁講，佢話黃貴雄同梁偉健係一路幫佢打開工，一路嚟講，係幫佢睇住工程，同唔同意？

Q

R

答：呢啲我哋唔清楚。

R

S

問：你唔清楚嘅？

S

T

答：係。

T

U

問：范秀鵬都係嚟嘞，都係一路幫何標記睇住工程，但係實際上就係另外一個董欽偉做嚟嘞，你...

U

V

V

B

B

C

答：嗰啲我哋唔清楚。

C

D

問：你都唔清楚？

D

E

答：係。

E

F

問：講番你清楚嗰個第三、第四座，嗰個陳思南就係一個判頭，係咪？

F

G

答：係。

G

H

問：第三、四座嗰個工作安排就係其實我哋知道做水喉嚟講，有幾樣嘢主要做嘅，第一就膠喉，係咪？

H

I

答：係。

I

J

問：第二就係銅喉？

J

K

答：係。

K

L

問：仲有接駁房口嘅嘢，係咪？

L

M

答：係。

M

N

問：好喇，呢三類唔同嘅嘢，我哋講番陳思南嗰度嚟講，你同唔同意其實判畀陳思南，响第三座同第四座嚟講，淨係判咗個膠喉同銅喉，其他啲嚟講，包括咗接駁房口嗰啲工作嚟講，就係由何標記嘅直屬員工做，所謂公司工？

N

O

答：房口係有一部分係大陸做嘅。

O

P

問：有一部分大陸做，但係做完返嚟要做接駁，係咪？

P

Q

答：係。

Q

R

問：接駁嘅係咪何標記嘅所謂公司工做嘅？

R

S

答：係，冇錯。

S

T

問：公司工嚟講，就唔論佢快慢就照支人工，係咪？

T

U

答：係。

U

V

問：至於其他啲判頭嚟講，個做法就係佢哋每一日其實都照支人工嘅，只

V

B

B

C

不過到你嗰陣嚟講，就到時睇下佢做得幾多，所謂多勞多得就加上  
去，同唔同意咁嘅安排？

C

D

答：你講判頭嗰啲，係咪呀？

D

E

問：唔。

E

F

答：係。

F

G

問：係咁嘅安排，係咪？

G

H

答：唔。

H

I

問：呢個就所謂你為之判頭，係咪？

I

J

問：好喇，我哋响呢度暫時跳一跳咗出去先，你同我哋食飯之前講過 1997  
至 2000 年嗰陣時，你已經幫何標記做過判工，係咪？

J

K

答：係。

K

L

問：其實個模式都好似我正話咁講，係咪呀？

L

M

答：我哋嗰陣時係成個地盤判出嚟做嘅，成個地盤判出嚟做嘅。

M

N

問：成個地盤判咗？

N

O

答：係。

O

P

問：係邊個地盤？

P

Q

答：喺筲箕灣嘅，筲箕灣愛秩序邨好似。

Q

R

問：吓？

R

S

答：喺筲箕灣嘅愛秩序邨。

S

T

主席：愛秩序邨。

T

U

U

V

V

B

B

C

問：愛秩序邨，係公屋嚟嘅，係咪？

C

D

答：吓？

D

E

問：公共房屋？

E

F

答：公屋嚟嘅。

F

G

問：你嘅講法就係話除咗料之外，其他工人就你負責包？

G

H

答：係。

H

I

問：就以一個價錢包？

I

J

答：唔。

J

K

問：包括咗係所有啲喉同埋接駁嘅？

K

L

答：係。

L

M

問：當時係你同埋另外幾個人一齊包嘅？

M

N

答：愛秩序邨就唔係，得我自己一個嘅啫。

N

O

問：係幾個人？

O

P

答：自己一個。

P

Q

主席：自己一個。

Q

R

問：自己一個，明白。好喇，但係即是話嚟講，就係你認識嗰陣時 1997  
同 2000 年同埋而家响啟晴邨係唔同嘅一個模式，係咪？

R

S

答：唔同。

S

T

問：即係嗰個判個度，唔同，係咪呀？

T

U

答：唔。

U

V

V

B

B

C

問：好喇，講番就之前嚟講，今早你就答咗委員會律師嘅一個提問，就話你係知道焊料都係要批核嘅，係咪？

C

D

答：係。

D

E

問：我想問你，你知唔知道中國建築响啟晴邨呢個地盤嗰度嚟講，佢係批核咗用一隻叫做“FRY”99C 嘅無鉛焊料？

E

F

答：我唔知嘅。

F

G

問：你唔知？

G

H

答：唔。

H

I

問：首先你知道個無鉛焊料，一路我哋而家講緊呢隻綠色嘅都係叫“FRY”99C，係咪？

I

J

答：唔。

J

K

問：你知，呢個你知嘅，係咪呀？

K

L

答：乜嘢？

L

M

問：我想問清楚，响你重新加入何標記之前，你知唔知綠色呢隻焊料一般嚟講叫“FRY”99C？

M

N

答：唔知。

N

O

問：你點樣點佢？

O

P

答：我哋叫高溫錫。

P

Q

問：高溫錫？

Q

R

答：係。

R

S

問：你又唔知道呢隻叫“FRY”99C？

S

T

答：唔知。

T

U

問：幾時先知道？

U

V

答：發生之後先至知。

V

B

B

C

問：發生之後先至知？

C

D

答：係。

D

E

問：我哋睇文件嗰度就見到嚟講，其實 2010 年嘅 10 月嗰陣時，就中國建築就通知咗何標記，就話畀佢聽房署已經批准咗用呢一隻 99C 嘅無鉛嘅錫料，你知唔知道呢件事？

E

F

答：唔知。

F

G

問：唔知？

G

H

答：唔。

H

I

問：但係睇文件見到--或者我請你睇一睇呢份文件，呢份文件就係响 F1 嘅 215.2，對唔住，應該係 2011 年嘅 10 月 3 號，見到，呢份文件你之前有冇見過？

I

J

答：冇。

J

K

問：冇，但係就呢度首先我哋睇番個內容先，睇下你睇得明唔明先，呢度個標題係寫住「批准之物料 - “FRY”99C Lead free solder wire」同埋其他嘅叫 Powerflux，係咪？

K

L

答：係。

L

M

問：呢度就話中國建築就通知何標記，就話「貴公司下列所示嘅物料已獲得則師」及批准使用，有個報批嘅編號，同埋有個叫做“‘FRY’99C”呢個形容嘅，係咪？

M

N

O

答：（沒有可聽到的回答）

O

P

Q

問：然之後就「附件為有關之物料樣辦審批表格以供存檔及跟進」，見到嘛？

Q

R

答：見到。

R

S

問：你嘅意思就話你從來都有見過呢封？

S

T

答：冇。

T

U

問：但係睇中國建築嗰個紀錄嗰度嚟講，你實際上係收過呢份嘍嗎？

U

V

V

B

B

C

答：我哋收信，我哋要簽埋之後，全部收晒，睇下有冇我哋需要--我--即係安全或者公司個進度之後，我哋呢啲所有文件都係畀番公司嘅。

C

D

問：係囉，即是話你都會睇過內容先，然後你先至決定邊啲文件係畀邊啲人，係咪？

D

E

答：係。

E

F

問：即係呢封文件嘅內容，你睇過，係咪呀？

F

G

答：冇。

G

H

問：如果你未睇過，你點知道究竟係畀咩嘢人？

H

I

答：因為佢呢度唔關我哋安全或者進度嘅事，我就唔會睇呢啲文件。

I

J

問：你就話淨係同安全、進度有關，但係呢度嚟講係講緊審批物料，而你知知道有個要求係用個審批物料，係咪？

J

K

答：知道。

K

L

問：係囉，咁點解你覺得呢度同你完全冇關係呢？

L

M

答：我哋唔會睇呢份嘢。

M

N

問：吓？

N

O

答：我哋唔會睇咁嘅嘢嘅。

O

P

問：唔會睇呢樣？

P

Q

問：睇番啲時間嚟講，我哋睇番你送料啲時間，就我哋响個個啟晴...

Q

R

R

S

主席：即係你嘅意思唔單只唔係淨係呢一個焊料，其實即係可能我哋都已經討論過，所有房署、所有中國建築通知你哋何標記邊一啲物料審批，你都從來唔睇嘅，係咪咁樣樣？

S

T

T

U

答：我哋唔會睇。

U

V

V

B

B

C

主席：唔好講「我哋」，你。

C

D

答：係，我唔會睇。

D

E

主席：你唔睇嘅？

E

F

答：唔。

F

主席：所有嘅嘢都唔睇嘅，因為唔關安全、唔關進度？

G

答：係。

G

H

H

I

問：好喇，我或者請你睇睇一份文件，就係 S1，S 嘅 128 頁。

I

J

J

主席：如果你唔睇，地盤冇人睇㗎囉嗎？

K

K

答：全部由司機或者由番寫字樓嘅人擺番去寫字樓嘅。

L

L

主席：係喇，即係地盤冇人睇㗎囉嗎？

M

M

答：冇，冇。

N

N

O

問：我哋睇番呢個就係嗰個由雋景提供嘅資料，呢度 128 頁顯示到係一個總目㗎嘅，陳生，呢個係總目，即係簡單㗎講，一個總結，就係有啲咩嘢單送過去嘅，係咪？

O

P

P

答：係。

Q

Q

問：我哋睇到㗎講，就响啟晴邨㗎講，其實就訂嘅貨物--呢個係雋景提供嘅單，我都講過，就响 10 年嘅 11 月嘅 15 號就送咗 50 力嘅扁錫條嘅，11 年嘅 10 月 8 號送咗扁錫條，去到 10 月嘅 14 號，11 年嘅 10 月 14 號開始第一次有個「FRY 無鉛錫線」，係咪呀？

R

R

S

S

T

答：見到。

T

U

問：正話我哋睇番嗰個時間上㗎講，就都幾吻合就係你應該係知道中國建築通知咗用個 FRY 無鉛錫線之後，開始我哋見到大概一個星期嘅，一

U

V

V



B

B

C

個星期多啲嘅話，就開始有呢隻料到，係咪？

C

D

答：我哋唔清楚佢嘅？

D

E

問：你唔清楚嘅？

E

F

答：唔。

F

G

問：實際上嚟講，其實就係--如果我話畀你聽其實係你知道係要用呢個無鉛錫線嘅，所以你要求用個無鉛錫線，你同唔同意？

G

H

答：冇。

H

I

問：冇？

I

J

答：冇。

J

K

問：但係嗰個時候嚟講，要求乜嘢嘅錫料嘅話嚟講，係你決定嘅，係咪？

K

L

答：唔係。

L

M

問：唔係你決定嘅？

M

N

答：所有用咩嘢料係由公司決定嘅。

N

O

問：由公司決定？

O

P

答：係。

P

Q

問：但係我哋知道有一份叫做物料請購單，係咪？

Q

R

答：係。

R

S

問：响啟晴邨嗰度嚟講，你係地盤打理人？

S

T

答：係。

T

U

問：嗰個時候除咗你之外，仲有冇其他人係可以簽呢個物料供應單？我想講清楚先，我哋知道12年嘅6月之後，你話有其他人可以。

U

V

答：係。

V

問：但係講12年6月之前。

B

B

C

答：冇嘅。

C

D

問：淨係得你，係咪？

D

E

答：係。

E

F

問：簡單嚟講，就係話地盤要乜嘢料嘅話，你就會同其他啲承建商--同其他啲--同啲工人傾，傾完之後就向公司請求，係咪？

F

G

答：有判頭嚟先同佢哋傾嘅啫，如果喺未有判頭嚟，即係我都係自己寫嘅。

G

H

問：你自己寫嘅？

H

I

答：係。

I

J

問：但係究竟嗰啲工人要啲乜嘢物料，尤其是啲小五金嘅話，你點知道？

J

K

答：工人冇乜點要求。

K

L

問：工人有點要求？

L

M

答：冇。

M

問：你點知道譬如幾時「我要係二十網嘅無鉛錫線。」或者幾時「我要 55 磅係錫條。」呢？

N

答：我哋全部都係寫錫條嘅，我哋全部都係寫錫條嘅。

N

O

問：全部寫錫條？

O

P

答：係。

P

Q

問：但係錫條你都有講幾多磅或者要幾多份量㗎？

Q

R

答：寫盒，幾多盒。

R

S

問：Okay，要幾多盒，你點決定呀？

S

T

答：吓？

T

U

問：你點決定要訂幾多盒呀？你訂十盒㗎，二十盒㗎，抑或三十盒，你點決定？

U

V

V

B

B

C

答：通常咪兩盒、兩盒咁，或者兩、三盒咁。

C

D

D

主席：唔係通常，冇通常㗎。

E

E

答：我哋每次寫，如果係啱啱開工，因為做少少嘢，唔需要好多嘅話，都係訂好少嘅啫，真係去到好多嘢做，我哋先至訂好多嘅要。

F

F

G

G

H

問：我哋見得到，就你睇番，仲我哋睇番係 128 頁嗰度，你根據乜嘢，你訂 55 磅嘅 50 力錫條？你話你唔係你訂嘅錫線，但係錫條係你要求嘅，係咪？

H

I

I

答：我哋全部都係訂錫條。

J

J

問：訂錫條，係你要求嘅，係咪呀？

K

K

答：係。

L

L

問：你當時呢度嚟講，55 磅係一包，係咪呀？幾多包？

M

M

答：我唔知幾多包。

N

N

問：咁一包幾多磅，你知唔知？

O

O

答：我唔知。

P

P

問：你點樣上--你要求...

Q

Q

答：或者我可能寫四十包--即係寫三包或者寫四包，即係或者寫兩盒或者寫三盒或者寫四盒。

R

R

問：對唔住，陳生，一盒幾重，你唔知？

S

S

答：唔知。

T

T

問：你係地盤打理，你負責提供--負責保證嗰啲工人嚟講係有足夠嘅物料去施工，同唔同意？

U

U

答：同意。

V

V

B

B

C

問：你連究竟嚟講，你今次要訂幾多，你都唔知嘅，你點樣保證呢樣嘢？

C

D

答：咁咪而家係--譬如我哋訂兩盒，如果用晒，咪又訂兩盒囉。

D

E

問：你係等到用晒，你先去訂？

E

F

答：差唔多用晒，冇咪就訂。

F

G

主席：你都唔知個份量，一盒可能得 1 磅嘅咋喎，1 磅可能做半個單位做完嘍囉喎，咁點算呀？

G

H

答：因為我知道一盒有咁多嘢嘅話，我就即係訂幾盒嘅啫，唔會訂好多。

H

I

主席：你又話唔知一盒有幾多吖嘛？

I

J

答：咁我唔知佢重量係幾多吖嘛。

J

K

主席：吓？

K

L

答：咁我唔知佢重量係幾多吖嘛，嗰個重量我唔知幾多，知道係咁多，係咁大件嘅嘢，但係嗰個重量我就唔知。

L

M

主席：你又唔知究竟係嚟嗰啲係以磅數計，又唔知嚟嗰啲究竟係咪以網數計，你點訂呀？

M

N

答：唔係，寫盒數，我哋都係即係寫盒數，即係一盒咁。

N

O

主席：我知，一盒裏面有啲就 1 磅，有啲係磅數計，有啲係用網數計，如果你又唔知佢哋啲數量，你點訂貨呀？

O

P

Q

答：即係如果係呢次佢嚟得少嘅，咁下次我又訂多啲。

Q

R

主席：你喺呢一個行業做咗大大話話二、三十年，房署嗰啲咁嘅項目、建築署嗰啲咁嘅項目用嚟用去都係用嗰兩--就算你話，都係得兩隻咋，你一係就幾多網，一係就幾多磅，你而家話畀我聽係完全唔知？

R

S

答：唔係，幾多盒之嘛，我而家就係幾多盒。

S

T

主席：一盒有幾多，究竟兩網吖，抑或二十網吖，抑或二百網吖，咁可以用幾耐，你都唔知？

T

U

V

V

B

B

C

答：通常我哋係唔知幾多。

C

D

D

問：好喇，你上單要求，你就要話幾多盒，係咪呀？

E

E

答：係。

F

F

問：好喇，你會知道嚟講，其實應該係送啲錫條落嚟，係咪？

G

G

答：係。

H

H

問：但係我哋睇到，响最早 2011 年嘅 10 月 14 號佢唔單只係送咗錫條，送埋個錫線落嚟㗎。

I

I

答：唔。

J

J

問：你當時嚟講，呢張單就未必係你收，但係我哋睇到另外一張單，11 年嘅 12 月 17 號，如果你睇番個文件夾嚟講，就响 138 頁，見到呢個係你簽名，係咪呀？陳生。

K

K

L

L

答：係。

M

M

問：你就睇到個送貨單嚟講，係送咗唔單只係錫條，而係有個錫線㗎，仲係有二十個添㗎。

N

N

答：係。

O

O

問：你唔覺得奇怪咩？你訂嘅係錫條，畀埋錫線你㗎，唔單只係--有錫條加錫線㗎。

P

P

答：唔會覺得特別。

Q

Q

問：唔會覺得特別？

R

R

答：係。

S

S

問：但係一個係高溫，一個低溫，係咪？

T

T

答：係。

U

U

問：你覺得用途係一樣嘅，所以你就覺得唔出奇？

V

V

B

B

C

答：係。

C

D

問：但係一般嚟講，呢個錫線你唔會覺得係錫條嚟㗎嘛，係咪呀？

D

E

答：錫線我哋都係叫錫嘅啫，都係--嗰陣時都係得高溫錫、低溫錫。

E

F

問：但係嗰個係叫錫料啫，唔會叫錫線㗎？

F

G

問：係喇，錫線咪同你個錫條咪唔同囉，你錫條個形狀都係條形狀㗎喇？

G

H

答：我哋都係跟--用法一樣。

H

I

問：用法一樣？

I

J

答：係。

J

K

問：就其實黃貴雄先生佢有解釋過，响葵聯邨，當然葵聯邨咁樣用，但係就佢都係响個啟晴邨佢都係其中由12年4月都開始做嘅，係咪？

K

L

答：時間唔清楚。

L

M

問：時間唔清楚？

M

N

答：係。

N

O

問：Okay，但係雖然我知道你有真係自己落手落腳做，但係你有睇過工人做，係咪呀？

O

P

答：有。

P

Q

問：我想問一問你，燒個減壓掣，啲工人係咪通常都會用呢個錫線嚟燒？抑或你唔清楚？

Q

R

答：應該有咁嘅需要。

R

S

問：唔係，你清唔清楚先？

S

T

答：有咁嘅需要，我覺得有咁嘅需要。

T

U

問：你有冇見過啲工人燒減壓掣？

U

V

V

B

B

C

答：燒減壓掣，有冇見過，冇。

C

D

問：你有見過，所以你唔知道嘅，係咪呀？

D

E

答：唔。

E

F

問：好喇，黃貴雄先生亦都有講過，就話...

F

G

主席：你有冇做過呀？

G

H

答：乜嘢？

H

I

主席：你自己有冇做過燒減壓掣？

I

J

答：有。

J

K

主席：有。

K

L

問：你用咩嘢料？

L

M

答：都係錫條。

M

N

問：都係錫條？

N

O

答：係。

O

P

問：但係你就唔係响啟晴邨，因為你有做過吓嘛，你有响啟晴做，你响其他啲項目做，係咪呀？

P

Q

答：係，冇錯。

Q

R

R

S

主席：你要慢慢講。

S

T

楊先生：唔好意思，唔好意思，心急。

T

U

主席：你慢慢講，等人哋聽清楚，嚟嚟嚟嚟嚟，咁人哋都唔知你講乜。

U

V

V

B

B

C

楊先生：明白。

C

D

主席：唔。

D

E

楊先生：多謝法官閣下提醒。

E

F

主席：唔。

F

G

問：好喇，講番就係話另外嚟講，就係我哋知道啟晴邨嚟講，有好多唔同嘅銅喉嘅尺碼，係咪？

G

H

答：係。

H

I

問：好喇，其實有啲由十幾 mm 去到幾十 mm 都有，係咪呀？

I

J

答：係。

J

K

問：而家我哋見到，有啲錫線，有啲錫條都嚟到地盤，啲工人究竟嚟講，係咩嘢地方用錫線或者咩嘢地方用錫條嗰方面嚟講，你清唔清楚？

K

L

答：咩嘢地方用錫線、咩嘢地方用錫條？

L

M

問：唔。

M

N

答：唔清楚。

N

O

問：你唔清楚？

O

P

答：係。

P

Q

問：黃生就話咁樣，燒有兩種尺碼嘅，一種就係 54 mm，一種就係 67，即係其實 66.7 mm，呢兩種尺碼嘅喉就係用呢個錫條嘅--用錫線嘅，你知抑或唔知道？

Q

R

答：我聽嗰陣時--我記得鄭生就話 54 以下就用錫，67 以上就用銀焊嘅。

R

S

問：我哋唔好理鄭生點講，鄭生嗰度一陣間會慢慢再同你傾嘅。照你响地盤見得到，你有冇見到啲工人係用乜嘢嚟燒焊呢個 54 mm 或者 66.7 mm？

S

T

T

U

答：地盤嚟講，喺 54 係走錫嘅。

U

V

V



B

B

C

問：走錫，我知道，係，但係走錫可以係用錫線，可以用錫條，係咪？

C

D

答：係。

D

E

問：但係你唔知工人用乜嘢嚟走錫嘅，係咪呀？

E

F

答：唔知？應該知，知。

F

G

問：知，用乜嘢？

G

H

答：用錫條。

H

I

問：用錫條？

I

J

答：係。

J

問：你知啲工人响乜嘢地方用咗錫線？

K

答：喺咩嘢地方用錫線，冇乜點用，係有時冇錫條，先用錫線嘅啫。

K

L

問：哦，即係呢個係...

L

答：即係唔係話有咩嘢特別要求，幾大喉用錫線嘅。

M

問：即是啲工人係其實就有得選擇，佢就會係用錫條，係咪呀？

M

N

答：係。

N

O

問：而到最後冇料嗰陣時，佢先用個錫線，係咪呀？

O

P

答：係。

P

Q

問：知唔知點解？

Q

R

答：唔知。

R

S

問：會唔會個原因就係其實用錫線嚟講，係燒嘅時間長咗，所以變咗嚟講，  
啲工人就唔喜歡用錫線，而係鍾意用錫條？

S

T

答：呢樣我唔清楚。

T

U

問：你唔清楚？

U

V

V

B

B

C

答：係。

C

D

問：但係我哋見到啟晴邨，我哋都講番 128 頁，其實不斷同時間，由 11 年嘅 10 月開始到到 12 年 6 月，都不斷有嗰個錫線運嚟地盤，係咪呀？

D

E

答：聽唔清楚。

E

F

問：我再重複一次，我哋睇番 128 呢個紀錄嚟講，即係呢個 128 頁呢個文件嘅紀錄，其實响 11 年嘅 10 月至到 12 年嘅 6 月都不斷有啲無鉛錫線運嚟地盤㗎。

F

G

G

H

答：係。

H

I

問：正話你講，就話啲工人其實唔喜歡燒呢個錫線嘅？

I

J

答：係。

J

K

問：你第一次見到，你第二次見到，到後來點解你唔出聲話「我訂錫條㗎，點解你運啲錫線畀我？啲工人都唔鍾意燒。」㗎？

K

L

答：冇問。

L

M

問：點解唔問呢？你關注個進度㗎嘛。

M

N

答：佢哋有得用就得㗎喇。

N

O

主席：乜嘢話？

O

P

答：有得用就得㗎喇。

P

Q

主席：有得用就得。

Q

R

答：係。

R

S

S

T

問：就算啲工人唔鍾意用嘅，你都就咁由佢，係咪呀？

T

U

答：係。

U

V

V

B

B

C

問：何標記先生--何文標先生委託你做打理啲嘢？

C

D

答：係。

D

E

問：你覺唔覺得辜負咗佢個期望呀，要跟進？

E

F

答：因為佢一些都係做到嘢嘅之嘛。

F

G

問：你同唔同意其實你係有個責任要提供合適嘅物料畀啲工人去施工？

G

H

問：所以你就唔需要理，係咪呀？

H

I

答：唔係唔需要理，何標記送到嚟，就係佢何標供應畀我哋啲喇。

I

J

J

K

主席：你唔可以話何標記，因為你就係何標記嚟嘅嘛，你唔可以下下話何標記啲嘢，你係何標記。

K

L

答：咁佢都係...

L

M

主席：你係--你其實...

M

N

答：貨全部係佢訂嚟嘅嘛，我都唔知佢送咩嘢嚟，啱用嘅，我哋都係咁用。

N

O

主席：我想問一問，邊一個決定乜嘢焊料係送去大陸有利華嘅呢？

O

P

答：料係我訂嘅，全部料都係我訂嘅，就係去有利華啲料都係我訂嘅。

P

Q

主席：乜嘢話？

Q

R

答：就算上有利華嘅材料都係我訂。

R

S

主席：係囉，即係你決定，係咪呀？

S

T

答：係，我訂嘅，全部我訂。

T

U

主席：你訂啲乜嘢上去畀有利華？

U

V

答：銅喉，銅...

V

B

B

C 主席：唔係，嗰啲唔好講，銅喉嗰啲，...

C

D 答：即係錫條...

D

E 主席：...邊一隻焊料呀？

E

E

答：錫條。

E

F

主席：錫條？

F

G

答：係。

G

H

主席：邊一隻錫條？

H

I

答：長呢隻。

I

J

主席：長嗰隻呀？

J

K

答：係。

K

L

主席：錫線有冇擺過上去上高有利華？

L

M

答：有。

M

主席：點解？

N

答：因為佢嗰批嚟埋，就成批都有嘅。

N

O

主席：吓？

O

P

答：因為我訂嗰批貨，成批都有嘅。

P

Q

主席：點解你兩...

Q

R

答：即係我訂呢批料去有利華嘅，...

R

S

主席：點解你訂兩隻呀？

S

T

答：唔係我訂兩隻，我係訂一隻嘅。

T

U

主席：你訂一隻，就送兩隻嚟？

U

V

答：係。

V

B

B

C 主席：跟住你就決定兩隻都送上去大陸？

C

D

答：係。

D

E

主席：點解？

E

F

答：因為佢成批訂，佢都有嚟㗎嘛。

F

G

主席：你應該送錫條上去吖嘛，點解你要送錫線上去？

G

H

答：因為佢成批貨都係一次嚟，然後我...

H

I

主席：我知，佢一次過嚟，你知道有啲啱、有啲唔啱㗎嘛，你理論上就應該淨係送啲啲上去吖嘛？

I

J

答：我哋冇分呢樣嘢，即係佢成批嚟就放埋呢間房呢度，所有料就係放埋呢間房呢度，銅喉又係，喉碼都係，搵埋一齊。

J

K

主席：即係你嘅意思，其實佢送啲兩種料嚟，你就唔理佢㗎喇，總之就送上去大陸，就係咁樣樣，係咪咁呀？

K

L

答：係。

L

M

主席：你又唔知房署批咗邊一隻㗎嗎？

M

N

答：唔知。

N

O

主席：有一隻可能唔啱㗎嗎？

O

P

答：唔出奇。

P

Q

主席：你作為打理，你都覺得冇問題？

Q

R

答：因為公司決定咗嘅嘢，送嚟嘅嘢...

R

S

主席：你係公司嘅最後一個防線㗎嘛，你決定乜嘢送上去祖國吖嘛？

S

T

答：因為我唔清楚佢邊啲批、邊啲唔批。

T

U

主席：繼續。

U

V

V

B

B

C

問：我哋又睇番啲發票先，或者送貨單，好唔好？就關於送上去有利華  
D 嗰度，我哋睇番，就有啲發票寫得好清楚係畀有利華，我哋睇番一張  
先，就係同第二張發票有關嘅，就我哋睇番就係响個 131 嗰度，就係  
E 嗰個發票寫住係「中國建築（深圳有利華用）」嘅，見唔見到？

C

D

E

答：見到。

E

F

問：個送貨地址嗰度，好喇，送貨單嚟講，就响個 132 頁裏面，啲料係特  
G 登訂嚟係畀有利華用嘅，係咪呀？

F

G

答：係。

G

H

問：好喇，然後之後跟住我哋睇到，即係跟住再睇 133 嗰張嚟講，就唔係畀  
I 有利華用，嗰度有呢個無鉛錫線，就然後之後我哋去到 135 嗰個發票，  
嗰度寫住係「中國建築」「有利華廠」嘅，見唔見到？見到嘛？135  
J 頁嗰度。

H

I

I

J

答：係，見到。

J

K

問：嗰度 136 頁其實就睇到係你嗰個簽名添嘅，你簽收嘅，係咪呀？

K

L

答：邊度？

L

M

問：136 頁。

M

N

答：136。係。

N

O

問：好喇，跟住就 137 頁嗰個就係有無鉛錫線，但係嗰個就唔係畀有利華  
P 廠用嘅，同唔同意？

O

P

答：喺。

P

Q

問：但係 139 頁嘅話嚟講，就睇到嗰個發票就係畀有利華廠，係咪呀？

Q

R

答：係。

R

S

問：嗰度又係有嗰個無鉛錫線，係咪呀？

S

T

答：係。

T

U

問：即是其實如果睇番落去，就係似乎嗰個目的就係去有利華廠嗰啲就係  
V 嗰個扁錫條，而有呢個錫線，係咪？

U

V

V

B

B

C

答：睇呢度，係，係。

C

D

問：點解你會安排送啲錫線上去？

D

E

主席：錫條定錫線？

E

F

楊先生：錫線。

F

G

G

H

答：因為佢成批嘢嚟㗎嘛。

H

I

主席：吓？

I

J

答：成批嘢我擺埋一齊。

J

K

K

問：我哋睇到你係唔同嘅單落㗎㗎，寫得好清楚係有利華㗎㗎。

L

L

答：係。

M

M

問：嗰度係冇包個錫線㗎㗎，點解？

N

N

答：咁耐，我唔記得㗎。

O

O

問：吓？

P

P

答：可能咁耐，真係唔記得，咁耐喇，可能真係唔記得。

Q

Q

問：Okay，好。好喇，同一時間，其實差三個月喇？

R

R

答：唔。

S

S

問：就你話就差三個月之後，即係你接手咗呢個啟晴邨三個月之後，就老  
闆就叫你睇埋龍逸邨，係咪？

T

T

答：係。

U

U

問：大概幾時你開始睇龍逸邨？

V

V

B

B

C

答：應該係年尾嘅，即係時期幾時就唔清楚，應該係年尾，應該係嗰年嘅年尾嚟嘅。

C

D

問：係10年嘅年尾，11年嘅？

D

E

答：係，係，係。

E

F

問：吓？

F

G

答：10年嘅年尾。

G

H

問：10年嘅年尾？

H

I

答：係。

I

J

問：Okay，好喇，你就响個證人供詞嗰度講咗就話其實你就响呢個龍逸邨你係要求訂個錫條嘅，係咪？

J

K

答：係。

K

L

問：但係佢就送咗錫線嚟？

L

M

答：係。

M

N

問：同樣道理，即係你都知道係响嗰個即係啲工人係鍾意用錫條，唔鍾意用錫線㗎嘛？

N

O

答：係。

O

P

問：咁就送咗錫線，你唔--今次係全部都係錫線添㗎，你唔會打電話上去寫字樓話「點解我訂錫條，嚟咗錫線呀」？

P

Q

答：冇。

Q

R

問：冇，點解？

R

S

答：因為佢公司送咩嘢貨嚟，我哋就收咩嘢貨。

S

T

問：但係你要求錫條㗎嘛？

T

U

答：但係我哋嗰陣時兩樣嘢都係啱錫條。

U

V

問：Okay，但係你知道有分別嘅，係咪呀？

V



B

B

C

答：係。

C

D

問：而家即係睇到燒嗰度嚟講。

D

E

答：唔。

E

問：好喇，跟住你就話冇耐之後，公司有位小姐，你唔知係邊個？

F

答：係。

F

G

問：就打電話叫你以後改咗係用--寫錫線，係咪？

G

H

答：係。

H

I

問：你就跟佢個要求，寫錫線？

I

J

答：係。

J

問：你就話冇問佢點解？

K

K

答：唔。

L

L

問：好喇，你知道龍逸邨有咁嘅要求，同一時間你都係睇緊個啟晴邨嘅？

M

答：係。

M

N

問：你唔會覺得好奇怪「點解一條邨佢就要求我改咗做錫線，但係响啟晴邨嗰度嚟講，我照樣上錫條，而佢冇要求我改？」呢？

N

O

答：冇，冇問。

O

P

問：但係呢樣嘢會係好奇怪，係咪呢？即係做緊好似唔單只一國兩制，直情係兩個唔同嘅制度？

P

Q

答：唔會，咩嘢奇怪？因為都係錫條嚟，都係錫條嚟，即係錫嚟嘅。

Q

R

問：但係我哋都講咗，你係要負責做打理--龍逸邨都係你負責打理嘅，係咪？

R

S

答：係。

S

T

問：同樣道理，龍逸邨嘅進度都係你關心嘅，係咪？

T

U

U

V

V

B

B

C

答：係。

C

D

問：好喇，換句話講，如果啲工人响今次情況嚟講，就全部都要燒個錫線嘅，咁咪會對個進度慢左囉，係咪呀？

D

E

答：我覺得進度唔會點慢嘅啫。

E

F

問：唔會點樣慢？

F

G

答：係。

G

H

問：嗰時你未燒㗎，但係嚟左呢個錫線啲，你都會擔心㗎，因為你响啟晴--對唔住，你响啟晴嗰個經驗嚟講，係知道啲工人唔喜歡燒，就因為慢，係咪呀？

H

I

答：唔係慢，即係燒耐左啫。

I

J

問：燒耐左...

J

K

答：第一，佢嗰個工序即係出嚟嘅效果差唔多嘅啫。

K

L

問：即係燒耐左，但係你就覺得就唔係慢？

L

M

答：係，譬如佢一日做三間房嘅話，佢燒呢個錫線或者呢個錫條，佢都係一日做三間房嘅啫，佢唔會話做多三間半出嚟，或者做兩間半，少左，唔會。

M

N

N

O

O

P

主席：可以早啲收工嘛？

P

Q

答：冇得收工。

Q

R

主席：係咩？

R

S

主席：做完咪坐喺度。

S

T

答：呢啲佢嘅問題。

T

U

主席：抖下涼都好吖。

U

V

V

B

B

C

C

D

問：即是工人係普遍係要求或者喜歡燒呢個錫條，係咪？

D

E

答：工人冇要求嘅，工人有乜嘢燒乜嘢嘅啫，冇乜要求。

E

F

問：你作為地盤打理，你都希望嗰啲物料係對佢嚟講，更加合適使用，譬如咁講，好唔好？

F

G

答：唔係，都係公司要咩嘢料就我哋用咩嘢料嘅咋，嚟咩嘢料就用咩嘢料。

G

H

問：但係物料係你要求㗎嘛，係咪？

H

I

答：唔係我要求，唔係呢啲係我要求嘅，係批咗用乜嘢就用乜嘢，唔係我要求。

I

J

問：係喇，批咗用乜嘢就用乜嘢，係咪呀？

J

K

答：係，係，冇錯。

K

L

問：你知唔知呢個錫條--即係我指唔係你講嗰個錫線，有冇批核過？

L

M

答：我唔知批乜嘢嘅。

M

N

問：你唔知批咩嘢？

N

O

問：你就假設呢啲錫條都係批核咗，係咪呀？

O

P

答：係。

P

Q

問：咁樣，好。講番，你就响嗰個你個證人口供個第 23 段，你就講話落貨嗰個程序，就係响你嘅 2395 頁嘅，你就話响落貨嗰陣時，你會大致地檢查雋景送來嘅物料、數量是否和送貨單上所示嘅相符，然後就簽收嗰個送貨單，但係「我並不會把」傳真給何標記採購部嘅訂購表格拿出來核對，係咪呀？

Q

R

R

S

S

T

答：係。

T

U

問：問題係點解你唔搵出嚟核對呢？

U

V

答：因為每次訂貨，譬如我哋訂五盒，未必嚟五盒，我就冇對嘅，不𨵮都

V

B

B

C

冇對嘅。

C

D

問：但係，陳生，有冇咁嘅可能性就係你訂五盒呢個錫料，不如咁講，錫料，然後之後佢嚟咗五盒嘅銀料嘅，呢個直情係即係風馬牛不相及嘅嘢，有機會㗎㗎，點解你唔核對下究竟嚟講你要求啲乜嘢料呢？

D

E

答：冇，總之公司嚟乜嘢，我哋都係用乜嘢。

E

F

問：即係就算係你訂嘅錫料，佢嚟咗銀料嘅，你都係照收，係咪呀？

F

G

答：係。

G

H

問：但係明顯地，你响你個物料請購單嗰度你係要求錫料，但係送咗銀料畀你，你唔會係要係你一個擔心咩？

H

I

答：唔會。

I

J

問：點解呢？

J

K

答：如果佢冇貨，咁樣我下次又訂過嘅啫。

K

L

問：係囉，你都會跟進要去訂過㗎，係咪呀？

L

M

答：係。

M

N

問：即是你都會睇睇究竟送貨嘅同你當時要求嘅物料單嘅係有乜嘢唔同，係咪呀？

N

O

答：冇睇過，我哋收貨係冇對單，我哋訂嗰張單真係收，都係擺番佢送貨嗰張單，我走去對嘅啫。

O

P

問：但係我唔係好明嘅，就係話佢送乜嘢嚟，如果同你個物料要求嘅單係唔同嘅，呢個對你嚟講，係一個擔心，因為嗰啲料送咗嚟係幫唔到你嘅進度，係咪呀？同唔同意？

P

R

答：同意。

R

S

問：係囉，咁點解唔睇？

S

T

答：我哋不嬲都有睇。

T

U

問：不嬲有嘅？

U

V

V

B

B

C

答：係。

C

D

D

E

主席：呢個喺有利華做呢啲水喉，喺上高做預製組件，加埋水喉，係你哋公司或者喺房署嚟講，係第一次嘅舉動嚟㗎嗎，第一次做，之前未做過，你知唔知？

E

F

答：知。

F

G

主席：如果係第一次做嘅時候，係咪要緊張啲啲啲物料一定要符合晒規格呢？

G

H

H

I

答：呢樣我有真係跟。

I

J

主席：吓？

J

K

答：呢樣冇真係睇。

K

L

主席：冇咩嘢話？

L

M

答：我哋冇真係睇，因為我哋唔知佢批乜嘢，我哋落咩嘢單，嚟咩嘢貨，我哋就係儲埋一間房。

M

N

主席：唔係，即係如果根據你所講嘅，你基本上就唔睇，即係有機會嚟錯嘢，你哋照上去內地？

N

O

答：係。

O

P

主席：內地啲工人照用錯嘢，你哋又唔理？

P

Q

答：我哋唔知，唔係唔理。

Q

R

主席：唔知？

R

S

答：係。

S

T

主席：你如果要知，可以知，不過你唔想...

T

U

答：我唔知佢批咗咩嘢料，係咪呀？我哋都係跟嚟乜嘢，放埋一間房，儲齊埋，完喇，夠喇，佢哋報咗關，佢哋有部車嚟，我哋搵啲工人搬上去，咁就去喇喇。

U

V

V

B

B

C

主席：因為我哋見到有利華嗰啲相淨係見到呢個無鉛錫線嘅之嘛，我哋淨係見到有幾卷無鉛錫線嘅咋，啲相影出嚟，你明唔明呀？

C

D

答：明。

D

E

主席：即係我會覺得如果你哋貴公司係第一次做呢啲咁樣嘅預製水喉組件嘅話，你梗係希望以後都有得做，梗係會萬二分著緊運上去嗰啲係咩嘢物料嘅，即係你嘅意思就即係總之嚟乜就上乜？

E

F

F

G

答：係。

G

H

主席：用咗乜嘢嘢，啱又好，錯又好，都唔知㗎喇？

H

I

答：係。

I

J

主席：好。

J

K

K

L

問：但係你知道呢啲物料上去內地嘅，要去報關嘅，知唔知？

L

M

答：知。

M

N

問：張報關單係咪你做㗎？

N

O

答：唔係。

O

P

問：係有利華做嘅，係咪呀？

P

Q

答：唔知。

Q

R

問：你唔知？

R

Q

答：係。

Q

R

問：你有參與到嘅？

R

S

答：唔會。

S

T

問：好喇，問番你就係個油麗邨嗰度，嗰個油麗邨係第一次老闆欣賞你，係咪呀？

T

U

答：咩嘢？聽唔清楚。

U

V

V

B

B

C

問：應該咁講，何文標先生佢搵你做呢個啟晴邨打理嘅，就係因為响油麗邨嗰度知道你可以幫得到手，係咪？

C

D

答：係。

D

E

問：好喇，講番個油麗邨嗰度嚟講，就佢用嘅物料其實就係用啲咩叫做錫曲，即係有個錫响裏面嘅，係咪呀？

E

F

答：係。

F

G

問：其實嚟講，就燒熱咗之後，啲錫料就會膨脹咗，其實就變咗已經係可以做到個焊接，係咪呀？

G

H

答：係。

H

I

問：其實一般嚟講係唔需要用個外置嘅錫料嘅，係咪呀？

I

J

答：都唔係，所有工人都要用，都要揸條錫條走去補錫。

J

K

K

L

主席：再講多次。

L

M

答：所有工人都會用，因為揸條錫條走去補錫。

M

N

主席：因為咩嘢話？

N

O

答：因為佢驚會漏水，所以補多啲錫落去。

O

P

主席：補番啲上去？

P

Q

答：係。

Q

R

主席：得。

R

S

問：但係嗰個嚟講，係用啲乜嘢錫料嘅，你唔知，係咪？

S

T

答：係一條條嘅。

T

U

問：一條條？

U

V

V

B

B

C

答：一條條嘅。

C

D

問：一條條，咁一條條可以係响嗰個曲線--响嗰個錫線嗰度剪出嚟㗎，係咪呀？

D

E

答：應該燒落去就唔同嘅，因為燒落去，你燒呢隻高溫錫嘅話，佢本身嗰個錫曲嗰啲嘢就會用晒。

E

F

F

G

主席：即係你嘅意思，就係喺裏面嗰啲，喺即係已經...

G

H

答：嗰啲係低溫錫嚟嘅。

H

I

主席：預備擺咗喺裏面嗰啲就已經係低溫㗎喇？

I

J

答：係。

J

K

K

L

問：呢個係你嘅認識，就係裏面嗰啲錫曲，嗰啲裏面啲料就係低溫錫嘅？

L

答：係。

M

M

問：所以你就有咁嘅睇法？

N

N

答：係。

O

O

問：好喇，就天水圍嘅其實都係用番同一類嘅，即係裏面內藏有即係所謂錫曲嘅，係咪呀？

P

P

答：係。

Q

Q

問：你嘅意思就係話每一條嘅焊接嗰點都會用番個錫料係再加落去嘅，你叫...

R

R

答：係。

S

S

問：即係所謂叫封錫，係咪呀？

T

T

答：係。

U

U

問：好喇，就你响個證人口供嘅第 42 頁嗰度，其實今早就係--就嗰個頁

V

V



B

B

C

碼就係 2399 嘅，今朝委員會大律師都問過你，就係關於就係你响嗰度聲稱就係何標記嘅鄭生，Kevin Kwong，就每一個項目開始前都會向打理及判頭給予相關嘅指示，啟晴邨項目亦不例外？

C

D

D

答：係。

E

E

問：你都講過，你話今日佢--今早你講過，就話鄭先生畀你嘅指示就係話嗰啲喉大過幾多就用銀焊，細過幾多就係用嗰個錫焊，係咪呀？

F

F

答：係。

G

G

問：走錫，係咪呀？

H

H

答：係。

I

I

問：鄭先生幾時同你講？

J

J

答：應該係打電話。

K

K

問：我知，打電話，幾時？幾時？

L

L

答：唔記得。

M

M

問：你係接咗手啟晴邨之後，係咪呀？

N

N

答：係，一定係喇。

O

O

問：我哋見到，你開始就已經係呢個 11 年嘅十--睇下先，對唔住。10 年 11 月嗰陣時就已經第一次訂料，係嗰個之前抑或之後？

P

P

答：聽唔清楚。

Q

Q

問：2010 年嘅 11 月嘅 15 號就已經有第一批嘅 50 力扁錫條送到地盤，嗰個係咪你--送到去啟晴邨，我知道，嗰個係咪你落單訂？

R

R

答：唔記得。

S

S

問：唔記得？

T

T

答：係。

U

U

問：但係而家問番，鄭生幾時打電話畀你，你又唔記得，係咪呀？

V

V

B

B

C

答：係。

C

D

問：但係你落單訂料之前抑或之後？

D

E

答：講清楚，講多次，聽唔清楚。

E

F

問：係你單訂料，第一張單，2010年嘅11月15號嘅之前抑或之後？

F

G

答：應該係我落單之後。

G

H

問：落單之後？

H

I

答：係，係。

I

J

問：你落單之後，你嗰時點知道係要有啲錫條--呢啲錫條响邊度用？

J

K

答：呢啲錫條通常都係做細喉嘅。

K

L

問：細喉？

L

M

答：係。

M

N

問：你即係換句話講，鄭生未同你講之前，你知道細喉一定要用錫條，係咪呀？

N

O

答：係。

O

P

問：係咪呀？

P

Q

答：係。

Q

R

主席：細咩嘢話？

R

S

楊先生：細喉。

S

T

主席：細喉，哦。

T

U

問：好喇，問題嚟講，就係鄭生要話畀你聽係咩嘢，係咩嘢嘅尺碼？

U

V

V

B

B

C

答：如果啟晴邨嘅話，應該係 54 以下你用走錫嘅，67 以上就係銀焊。

C

D

問：即是 67 都要用銀焊嘅，係咪呀？

D

E

答：係。

E

F

問：你意思？

F

G

答：唔。

G

H

問：就 54 或者以下就用走錫？

H

I

答：係。

I

J

黎先生：你記唔記得係 10 年 11 月點解訂咁少嘅，嗰啲錫條訂 5 磅咁少嘅，記唔記得？

J

K

答：唔記得。

K

L

黎先生：點呀？有冇試過真係訂咁少？你點落法呀，好少嘅咋喎，5 磅，愛嚟做乜呢？好零零丁丁係 10 年 11 月 15 號 50 力錫條 5 磅，好少嘅咋喎。

L

M

答：唔記得係有咩嘢用？

M

N

黎先生：即係你唔記得落得咁細嘅單？

N

O

答：係。

O

P

黎先生：好細嘅單嚟喎，一盒都有喎。

P

Q

答：我唔記得係咪同中國建築做啲臨時嘢還是咩嘢，我唔記得。

Q

R

黎先生：Okay。

R

S

T

問：咁樣，好喇，亦都講番呢樣嘢，即係 54 就以下就封錫，係咪呀？

T

U

答：係。

U

V

V

B

B

C

問：67 或以上就銀焊？

C

D

答：係。

D

E

問：呢個係咪同你其實其他地盤嘅認識都係一樣？

E

F

答：未必。

F

G

問：有個分別喺邊度？

G

H

答：有啲去到八十--唔係，七十幾以上先燒銀焊嘅，一啲啲唔同。

H

I

問：有啲 76 先至燒銀焊，係咪？

I

J

答：係。

J

K

問：67，其實就 67 究竟係燒銀焊抑或燒呢個封錫係唔同嘅，你嘅意思就係？

K

L

答：係。

L

M

問：但係响呢個地盤，你就話 67 係封錫？

M

N

答：67...

N

O

問：係銀焊，對唔住。

O

P

答：係，銀焊。

P

Q

問：你好肯定係咁樣？

Q

R

答：係。

R

S

問：你有冇將呢樣嘢交帶畀其他工人？

S

T

答：有嘅。

T

U

問：你有冇同黃貴雄講過？

U

V

答：應該--冇嘅。

V

問：冇，點解呢？

B

B

C

答：因為佢--鄭生應該會通知番佢。

C

D

問：你又冇同...

D

E

答：因為佢係判頭嚟嘅。

E

F

問：你有同黃貴雄講？

F

G

答：吓？

G

H

問：你有同黃貴雄講，係咪？

H

I

答：冇。

I

J

問：你就以為鄭生會通知佢，係咪呀？

J

K

答：應該係嘅。

K

問：點解呢？你係個地盤打理，黃貴雄係承接--根據你講，係承接呢個一、二座嘅，點解你唔同黃貴雄講？

L

答：因為黃貴雄同鄭生仲熟過我嘅。

L

M

問：熟啫，未必一定係講起呢件事情㗎，因為你而家好特別，67係同平時唔同嘅，係响呢個情況之下係用銀焊㗎嘛？

M

N

答：因為佢係判頭嚟嘅，所以好多嘢都係佢同佢哋講番嘅，唔會經到我嘅。

N

O

問：但係你唔會擔心就係話响67嚟講，67呢種喉嚟講，會係燒錯料呢？

O

P

答：唔會擔心。

P

Q

問：點解呢？因為係同一般嘅做法嚟講唔同㗎嘛，又...

Q

R

答：因為佢已經何標記做咗咁多個地盤，佢一定知道叫啲人點做。

R

S

問：咁樣。好喇，有冇同范秀鵬講過？

S

T

答：冇。

T

U

問：都有？

U

V

答：冇。

V

B

B

C

問：其實你有其他人講，係咪呀？

C

D

答：同番三、四座陳思南講。

D

E

問：淨係同陳思南講？

E

F

答：係。

F

G

問：就有同其他座數啲打理講？

G

H

答：係。

H

問：好喇，我哋知道你都負責埋個龍逸邨㗎？

I

答：係。

I

J

問：好喇，龍逸邨鄺生有冇同你又咁講過？

J

K

答：都有。

K

問：响龍逸邨嗰個做法係咪同啟晴邨一樣，即是話 67 係用銀焊？

L

答：係。

L

M

問：你有冇同其他人交代呢樣嘢？

M

N

答：有。

N

O

問：點解龍逸邨你交代，就其他啟晴邨你就唔做呢？尤其是...

O

P

答：因為龍逸邨嗰啲同公司啲人唔熟嘅。

P

Q

問：唔係好明，對唔住，你可唔可以再次...

Q

R

答：龍逸邨嗰啲判頭同鄺生係唔熟嘅，係唔識嘅。

R

S

問：所有就變咗龍逸邨你就要講？

S

T

答：係。

T

問：然之後就係啟晴邨你覺得呢兩位先生同鄺生熟，就所以唔使講？

U

答：係。

U

V

V

B

B

C

問：今早都問過你，你知鄭生只係一個工料測量師，係咪？

C

D

答：唔，唔。

D

E

問：佢比較少落地盤嘅，係咪呀？

E

F

答：係。

F

G

問：你其實响地盤嚟講，根據鄭生講，係兩、三個月先落一次嘅啫，係咪咁樣？你係咪見到都係咁樣？

G

H

答：我睇都係差唔多，差唔多時間，都係一、兩個月頭嘅啫一次嘅。

H

I

問：鄭生落去就係主要睇下要上咩嘢糧，係咪呀？即係做個 payment...

I

J

答：呢一樣唔清楚。

J

K

問：你唔清楚？

K

L

答：唔清楚。

L

M

問：但係佢有冇同你傾下工作嗰啲進度或者技術上嘅困難？

M

N

答：技術上有嘅。

N

O

問：冇，係咪呀？

O

P

答：係。

P

Q

問：其實呢個一般工料測量師都唔會係識做呢樣嘅，係咪呀？同唔同意？

Q

R

答：唔會，佢唔會做。

R

S

問：唔？

S

T

答：唔。

T

U

問：唔同意抑或唔知？

U

V

答：佢唔會同我講進--只有講進度嘅嘢，唔會講質量嗰樣嘢。

V

問：佢只會同你講進度嘅嘢？

B

B

C

答：係。

C

D

問：即係鄭生會同你講進度？

D

E

答：進度。

E

F

問：但係...

F

G

答：進度，因為佢要上糧嘅。

G

H

問：因為要上糧吓嘛，係咪呀？

H

I

答：係。

I

J

問：即係佢落嚟嘅目的就係為咗佢可以準備糧單上嚟畀中國建築，係咪？

J

K

答：係。

K

L

問：但係工程個問題、點樣做法諸如此類，你唔會同佢傾嘍嘛？

L

M

答：唔會。

M

N

問：鄭生亦都同你傾嘍嘛？

N

O

答：係。

O

P

問：咁點解鄭生會响開始嗰陣嚟講，會同你講話 67 mm 要用銀焊呢？

P

Q

答：因為每一樣嘢唔係我哋--要--佢知道批物料嗰陣時知道係點樣分法、點樣幾大嘅喉要做咩嘢物料，即係照我理解，即係你送物料上去，錫條或者銀焊，上畀房屋署嘅話，有點樣分法。

Q

R

問：你會唔會問鄭生「咁而家用咗啲料究竟係咪已經批核咗？」有冇問過？

R

S

答：冇。

S

T

問：我向你指出，其實鄭生就有同你講過呢啲事情嘅，你同唔同意？

T

U

答：乜嘢？

U

V

問：鄭生冇同你提過就話即係究竟嚟講，幾多--譬如好似百分之--譬如嚟講，係 67 mm 嘅喉係要用銀焊嘅，鄭先生冇同你講過，你同唔同意？

V



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V

答：有嘅。

問：有，即係你唔同意？

答：唔。

楊先生：主席，我有其他問題。

主席：唔該。有冇人有問題？有，好，唔該晒。

MR PENNICOTT: Mr Chairman, just a few more questions.

MR PENNICOTT 盤問

問：Mr Chan, I represent China State and I just have a few questions for you. Can we please go back to the document at F1/215.2, the memo. Mr Yeung has already asked you some questions about this document, which will require me to ask a lot less questions about it. Do you accept, Mr Chan, that you took personal delivery of this document?

答：啲文件唔會我遞交嘅。

問：That wasn't the question, Mr Chan. The question was: did you receive, take delivery of, this document?

答：因為我即係嗰個 counter 嗰度收文件，有好多文件嘅，我就有留意啲咁樣。

問：Mr Chan, can I draw your attention to the reference, towards the top of the page, just under the word "Memo" where it says "9887"; do you see those figures?

答：睇到，睇到。

問：Could we please look at a new bundle, F3, at page 1694. Mr Chan, you may have seen this document before, at

B

B

C

least part of it. What this is is the China State register of documents that it dispenses, that is documents going out, to HBK. Do you understand?

C

D

D

E

答：明白。

E

F

問：If you would be good enough, please, to go to page 1705, and look towards the top of the page, the entry against "3/10", that's 3 October. Do you see the figures "9887"?

F

G

G

H

答：見到。

H

I

問：In the second column from the right, is that your initial or signature?

I

J

答：係。

J

K

問：Mr Chan, that's why I suggest to you that you took delivery of this document personally. You signed for it. Do you accept that?

K

L

L

M

答：接受。

M

N

問：If that is right, Mr Chan, could you then please tell us -- you have already told us that you didn't read the document, apparently -- what did you do with it?

N

O

O

P

答：實際上，就係我收咗所有嘅文件，如果睇番，唔關我進度同埋安全嘅嘢，我都係掉番畀寫字樓嘅。

P

Q

問：That's the point I want to pursue with you a little bit further, if I may, Mr Chan. When you say "give them back to the office", what do you mean by that? Do you mean the head office, HBK's head office, or do you mean some other office?

Q

R

R

S

S

T

答：何標記嘅總寫字樓。

T

U

問：And how did the documents travel from the site to the head office?

U

V

V

B

B

C

答：多數都係司機，或者有其他或者上寫字樓嘅公司嘅人擺上去嘅。

C

D

問：Would this be done on a regular basis, weekly, monthly, or some other period?

D

E

答：冇嘅，都係等司機嚟，或者等人上去，先擺上去嘅。

E

F

問：The documents, before they were sent back to the office, would you put them in a file or would they be loose?

F

G

How would they get back? In what form would they be sent back?

G

H

答：都係成沓咁擺嘅。

H

I

問：Would you put the documents in a file before they were transported back to the office, or would they just be in loose form?

I

J

J

K

答：一張張咁樣嘅，都有--唔會入袋嘅。

K

L

問：All right. Now, Mr Chan, are you sure that you did not read this memo when you received it? It's an important document. Are you sure you didn't read it?

L

M

M

N

答：肯定冇睇嘅。

N

O

問：Did you understand at all what it was that you were receiving? You did not even glance at it?

O

P

答：我就冇睇呢啲咁嘅嘢嘅，通常我哋都係見到有啲咩嘢安全或者有咩嘢會議紀錄啲啲進度嘅嘢，我先至睇一睇嘅啫。

P

Q

Q

R

主席：對唔住，可唔可以返番去嗰個 215.2？呢度上高寫啲嘢，雖然你話嗰陣時冇睇過，你明唔明上高寫咩嘢？而家睇，你明唔明上高寫乜？

R

S

答：明。

S

T

主席：吓？

T

U

答：明。

U

V

V

B

B

C

主席：明，係咪呀？

C

D

答：係。

D

E

主席：即係你識睇嗰啲英文字，“Lead-free solder wire”...

E

F

答：嗰啲唔識。

F

G

主席：吓？

G

H

答：唔識。

H

I

主席：唔明呀？咁你明咩嘢呀？

I

J

答：咁明咪寫咗「批准之物料」。

J

K

主席：但係就唔知咩嘢物料？

K

L

答：係。

L

M

主席：咁即係唔明喇？

M

N

答：係。

N

O

主席：你知唔知--即係如果你咁多嘢都唔知，即係基本上你淨係識睇啲中文，係咪呀？

O

P

答：係。

P

Q

主席：即係啲英文講咩嘢，唔知？

Q

R

答：唔。

R

S

主席：咁知唔知可能係同譬如啲嘢安唔安全有關？

S

T

答：安全部嗰啲另自己一張，呢啲--唔同呢張嘢。

T

U

主席：唔同嘢嘅？

U

V

答：係。

V

主席：呢啲就一定係物料㗎喇，係咪呀？

B

B

C

答：總之呢啲係屬於其他嘅嘢，就唔係屬於...

C

D

主席：得。我想問下，如果有啲物料呈咗上去畀中國建築，如果中國建築唔批，寫番張嘢落嚟，咁點呀？

D

E

答：我都係掉番上寫字樓嘅。

E

F

主席：跟住又有 follow up 㗎喇？

F

G

答：冇。

G

H

主席：於是你就繼續叫你鍾意叫啲嘢嘢？

H

I

答：係。

I

J

主席：佢於是繼續何標記 procurement 鍾意買啲嘢嘢，就買啲嘢嘢落嚟喇？

J

K

答：可以咁講。

K

L

主席：係咪咁講呀？

L

M

答：可以咁講。

M

N

主席：即係呢啲完全對地盤嚟講又有意思，對寫字樓嚟講都有意思嘅？

N

O

答：係。

O

P

問：Can we go back very briefly to S1, page 128. Mr Chan, can you look at the entry for 14 October 2011. What the document shows is that one box or 20 reels of FRY lead-free solder and one box of WL50D solder strips was ordered and delivered to the site. Do you follow?

P

Q

Q

R

R

S

答：跟到。

S

T

問：If you ordered this material, what did you say to the procurement officers? Just "Two boxes"? What would you have said? Do you have any recollection at all?

T

U

U

V

V

B

B

C

答：「錫條」或者「兩盒」咁樣。

C

D

問：So, if that's what you ordered, two boxes of strips, and what turned up at site was one box of strips and one box of reels or rolls, did you not query it and say, "Hang on a minute, that's not what I ordered; I ordered two boxes of strips"?

D

E

E

F

答：冇質疑嘅。

F

G

G

H

問：If you look at the entry for 17 December 2011, we see there one box of FRY lead-free solder rolls, and this time two boxes of the WL50D. So, this time, did you order three boxes?

H

I

I

J

答：照咁睇，應該係。

J

K

問：But again you didn't query what actually turned up?

K

L

答：冇，冇嘅。

L

M

問：Just very quickly, Mr Chan, a separate topic. You mention in your witness statement that you gave, on numerous occasions, delivery notes to the China State site staff. Do you recall that in your witness statement?

M

N

N

O

答：唔係畀員工嘅，係畀中國建築有個兜裝住嘅，放文件--有一張檯放啲嘢嘅，放喺度嘅。

O

P

問：Where was the tray, Mr Chan?

P

Q

答：喺中國建築寫字樓有啲女文員嗰個位置度嘅。

Q

R

問：Right. Did you know that China State had, as we have seen the outgoing register, an ingoing register of documentation received from its subcontractors, including HBK? Were you aware of that?

R

S

S

T

答：唔知嘅。

T

U

問：So you didn't make any attempt to ensure that the

U

V

V

B

B

C

documents that you put in the tray were registered by the site clerks?

C

D

答：唔清楚嘅。

D

E

問：All right. Another separate and short topic. You mention in your witness statement that representatives of China State and the Housing Department inspected materials upon delivery. Do you remember that in your witness statement?

E

F

F

G

G

H

答：係嘅。

H

I

問：It's right, is it not, Mr Chan, that the materials that were inspected by China State and the Housing Department were principally either copper pipes or the important materials that are on a form known as form 6210? Are you aware of that form?

I

J

J

K

K

答：唔知。

L

L

M

石先生：我嘅理解係嗰張 form 係 6210，即係個地盤就會 check 嗰個清單，但係頭先我嘅副手話畀我聽中文係變咗 6030，咁所以我想...

M

N

N

主席：6210。

O

O

石先生：6210，6210。

P

P

Q

問：Let's break it down, Mr Chan. Were you aware of a form, Housing Authority form, form 6210?

Q

R

R

答：唔知。

S

S

問：All right. Let's move on. Lastly, Mr Chan, I think in your evidence to Mr Yeung a short while ago, you indicated that you personally were not involved in the production of documentation that led to materials being exported to Yau Lee Wah in Shenzhen. Is that

T

T

U

U

V

V

B

B

C

right?

C

D

答：我有送文件嘅。

D

E

問：You weren't involved in preparing documents for exportation of materials to Shenzhen; is that right?

E

F

答：冇嘅。

F

G

問：Thank you very much.

G

H

H

I

林先生盤問

I

J

問：陳生，我係代表瑞安，我想問一問你，你當時就係响啟晴邨做打理，黃貴雄先生就淨係做一同埋二座，係咪？

J

K

答：係。

K

L

問：即係換句話講，你就係阿頭嚟嘅，係咪？

L

M

答：係，唔。

M

N

問：佢如果有咩嘢問題，就要搵你嘅，係咪？

N

O

問：我想亦都問梁生高級啲定係黃生高級啲，當時？梁偉健先生，嗰兩個點樣分工？

O

P

答：梁偉健同黃貴雄點樣分工？

P

Q

問：係。

Q

R

答：唔知道。

R

S

問：但係你係阿頭嚟㗎嘛，譬如邊個同你講啲咩嘢，你都要知㗎？

S

T

答：我唔知佢兩個點分工。

T

U

問：你有冇話畀佢聽「你兩個應該點分工」？

U

V

V



B

B

C

答：冇。

C

D

問：即係佢自己係可以自把自為嘅，你嘅管理？

D

E

答：係。

E

F

問：兩個--黃貴雄先生，佢就講咗佢有二十年經驗，你又知唔知梁先生有幾多年經驗？

F

G

答：聽唔清楚。

G

H

問：黃貴雄先生响佢口供就話佢有二十多年經驗，你就 83 年就已經入行，你當然經驗係多過黃貴雄先生，你又知唔知道梁先生佢有幾多年嘅經驗？

H

I

答：唔知。

I

J

問：你有冇問過佢？

J

K

答：冇。

K

L

問：你有冇睇過佢嘅工作表現、態度啲啲咁嘅情況？

L

M

答：冇。

M

N

問：黃生呢？

N

O

答：冇。

O

P

問：你响地盤做咩嘢嘍？

P

Q

答：我就唔會真係睇佢表現嘍嘛。

Q

R

問：睇咩嘢？

R

S

答：我就唔會真係睇佢表現嘍嘛。

S

T

問：你都知道個進度嘍，譬如黃生，你一睇，呢個人完全唔做得--我唔知吓，完全唔做得嘢嘅，你都知道佢請嘅工人做唔做得嘢，或者--即係你係要睇進度嘍嘛？

T

U

答：我就睇佢進度，係知道中國建築有冇追我哋進度嘅啫，中國建築唔追我哋進度，我就唔會同你講番話畀人追進度咁樣。

U

V

V

B

B

C

C

D

主席：即係中國建築唔同你追，你就於是就唔使追㗎喇？

D

E

答：係。

E

F

問：但係因為啲工人做到嘢先至唔會追啫，係咪呀？呢個雞同雞蛋嘅問題，因為我想問即係你嘅管理係咩嘢模式嘅，我就想知道，因為黃先生就話佢係跟你學嘢嘅，即係我會跟住問一問呢一個範疇嘅，响啟晴個度，我想知道你嘅管理模式係咩嘢先得㗎？

F

G

G

H

H

I

答：佢係判出嚟做，佢個進度，我就唔會點樣理佢嘅。

I

J

問：你係進度理定係唔理話？

J

K

答：唔理嘅。

K

L

問：即係其實你咩嘢都唔理嘅？

L

M

答：唔係乜都唔理，佢啲進度係中國建築冇追嘅話，我就唔理嘅。

M

N

問：你都要知道例如第一座、第二座，黃貴雄先生其實去到乜嘢進度㗎，例如佢做到邊一層樓、用啲咩嘢物料、點樣樣做、啲工人做唔做到嘢，都要知㗎？

N

O

答：唔知嘅，因為佢報糧單畀鄺生都係佢自己報番嘅。

O

P

問：唔係，嗰個報糧單啫，你自己都會唔會上去睇下燒焊燒成點、啲喉有冇裝到，你都要睇㗎？

P

Q

答：冇嘅，冇。

Q

R

問：你係咩嘢都有睇嘅？

R

S

答：我就唔會睇，因為嗰個係佢個兩座嘅。

S

T

問：即係換句話講，呢一樣嘢係咪第三、第四座你都係唔睇嘅？

T

U

答：第三、第四座，我唔會真係上去睇嘅。

U

V

問：即係你一、二、三、四座都唔睇，你嘅講法？

V

B

B

C

答：唔睇，唔。

C

D

問：係咪因為有咗鉛水事件，你先而家變咗唔睇，之前就有睇嘅？

D

E

答：唔係。

E

F

問：我亦都想問你...

F

G

主席：五、六都唔睇㗎喇，係咪呀？

G

H

林先生：吓？

H

I

I

J

主席：五、六都唔睇㗎喇？

J

K

答：係，冇錯。

K

L

L

M

問：係，五、六都唔睇，咩嘢都唔睇。我想問你，黃貴雄先生就話你其實之前已經--响呢個啟晴之前係咪已經識黃貴雄先生？

M

N

答：喺啟晴邨先識嘅啫。

N

O

問：响啟晴先識嘅？

O

P

答：係。

P

Q

問：之前係完全唔識嘅？

Q

R

答：唔識嘅。

R

S

問：所以你連佢咩嘢工作經驗、佢做過啲咩嘢或者係新入行，你都唔知嘅？

S

T

答：唔知嘅。

T

U

問：你就從來都冇過問，亦都冇睇下佢做唔做到嘢？

U

V

答：冇，因為係老細嗰番嚟嘅。

V

B

B

C

問：但係我又--老細突然間升咗你一個咁重要嘅位，你都唔睇一睇你下面  
嗰啲人幫唔幫到你？

C

D

答：因為老細佢講，佢話佢同佢做咗好耐。

D

E

問：你話咩嘢話？

E

F

答：老細話佢同佢做咗好耐㗎喇。

F

G

問：老細話佢同佢合作咗好耐？

G

H

答：係。

H

I

問：你都要知道佢合作嘅時候佢做唔做到嘢㗎？我講緊黃貴雄先生。

I

J

答：我呢個--我係主要都睇番有啲冇人判嘅--做嘅嘢或者公司工嗰啲人㗎  
嘅。

J

K

K

L

主席：乜嘢話？

L

M

答：即係有啲嘢冇人判嘅，例如商場、地喉嗰啲同理大陸做唔到出嚟--未  
做出嚟嗰啲嘅咋。

M

N

N

O

問：去一去梁偉...

O

P

P

Q

主席：即係你講一、二、三、四、五、六你都唔理嘅，你就理其他嗰啲商  
場？

Q

R

答：商場、地下同理大陸以前未做嗰啲。

R

S

S

T

問：梁偉健先生，你又响啟晴之前識唔識得佢？

T

U

答：梁偉健識嘅。

U

V

問：識，响第二啲地盤識嘅？

V

B

B

C

答：梁偉健識，喺好耐之前，喺天水圍識嘅。

C

D

問：Okay，佢即係同你差唔多年資，即係亦都係咁有經驗嘅，同你？

D

E

答：唔知我...

E

F

問：當時佢做緊咩嘢？

F

G

答：我記得係佢好似--我唔係好清楚，因為大家出咗地盤做，我--好似係啱啱入行冇幾耐嘅啫。

G

H

問：佢啱啱入行冇幾耐，即係講緊八十年代？

H

I

答：我喺天水圍應該係...

I

J

問：九十年代？

J

K

答：九十年代尾嘍。

K

L

問：九十年代尾？

L

M

答：係，係，差唔多。

M

N

問：佢就啱啱入行，你嘅印象？

N

O

答：我有問佢，因為我睇佢，當然大家感覺上，佢應該啱啱入行嘅啫。

O

P

問：即係其實你一睇嗰個人，已經知道佢有冇經驗，係咪呀？可唔可以咁講？

P

Q

答：未必嘅。

Q

R

問：你就知道梁偉健先生九十年代入行，你就去响啟晴邨就撞番佢，就係何文標先生就帶佢嚟去做你嘅手下，一、二座，係咪？

R

S

答：唔係我嘅手下嚟。

S

T

問：但係你係管理嚟嘛，你係最高嗰個嚟嚟嘛？

T

U

答：因為何標記啲嘢好特別嘅。

U

V

問：梁先生又係唔係會跟你--學你嘅做法呢？

V

B

B

C

答：唔會嘅。

C

D

問：唔會，佢自己有自己嘅做法嘅？

D

E

答：係。

E

F

問：梁先生--可唔可以講話梁先生如果做第一、第二座嘅時候，佢始終都係你嘅-- under 你呢？或者係即係你係做總管，佢就係一、二座嘅或者處理人，我唔知應該點樣講，可唔可以咁講？

F

G

答：因為喺何標記比較特別啲嘅，未必我哋可--我哋管唔到佢嘅。

G

H

問：你管唔到佢，你譬如有一個安全嘅問題，你都要有人要處理㗎？例如因為啟晴...

H

I

答：嗰啲安全啲嘢，我...

I

J

問：啟晴邨係你會負責㗎嘛？

J

K

答：嗰啲安全嘅嘢，我一定會同佢講嘅。

K

L

問：一定會咩嘢話？

L

M

答：同番佢哋講嘅。

M

N

問：同...

N

O

答：黃貴雄或者梁偉健。

O

P

問：係囉，即係換句話講，你可以管理到㗎嘛？

P

Q

問：係囉，但係到去進度嘅問題，如果進度有問題嘅時候，你亦都可以同梁先生講，係咪？

Q

R

答：係。

R

S

問：係囉，即係換句話講，你可以處理佢㗎嘛，如果佢進度有問題，㗎唔㗎？

S

T

答：唔得嘅。

T

U

U

V

V

B

B

C

問：又唔得？

C

D

答：係。

D

E

問：咁你講咩嘢？

E

F

答：即係講番譬如個人--譬如「中國建築追喇，你快啲。」咁樣嘅啫，因為佢做唔做到，我哋控制唔到。

F

G

G

H

林先生：主席先生，我有其他問題。

H

I

主席：唔該。

I

J

何先生盤問

J

K

問：頭先代表總承建商中國建築嗰位大律師問過你關於有一個房委嘅表格，叫做 6210 嘅。

K

L

答：房委嘅表格？

L

M

問：叫做 6210。

M

N

答：唔知。

N

O

問：你唔認知呢一個表格，係咪呀？

O

P

答：唔知。

P

Q

問：你知唔知呢一個表格係房委會驗收某一啲物料裏面係講--好明顯講咗三十二隻物料嘅，你有冇咁嘅知悉呀？

Q

R

答：冇。

R

S

問：係唔會包要驗焊料嘅，你又有冇呢啲咁嘅知悉？

S

T

答：冇。

T

U

問：冇，你知唔知如果係驗收，房委要驗收嗰個表格裏面嗰三十二隻物料，貨到就要驗㗎喇？

U

V

V

B

B

C

答：大聲啲，聽唔清楚。

C

D

問：如果係表格裏面嗰三十二隻物料到咗地盤，房委係會有職員落去驗嘅，嗰三十二隻物料。

D

E

答：三十幾種嘅物料？

E

F

問：係喇。

F

G

答：我唔清楚。

G

H

問：你唔清楚。我提議你你所講話房委會有人走去架步去睇嗰啲焊料，呢個講法唔正確嘅，不正確？

H

I

I

J

主席：你三十二種焊料裏面有邊幾隻...

J

K

何先生：三十二種物料。

K

L

主席：三十二種物料...

L

M

何先生：不包括焊料。

M

N

主席：我知。你三十二隻物料裏面有幾多隻係同呢個水喉有關？

N

O

何先生：有啲 PLU2，而家喺 F2 998 頁。

O

P

主席：PLU2 嗰啲唔關事，嗰啲潔具嚟嘅。

P

Q

何先生：基本上都唔係同水喉直接有關嘅。

Q

R

主席：係喇，冇，就我所記得，就好似冇。

R

S

何先生：第三十二隻係 uPVC pipe and fittings，第三十二行。

S

T

主席：uPVC pipe and fittings？

T

U

何先生：Pipe and fittings，係。

U

V

主席：係咪 PLU1 嘍？

V

何先生：唔係嘅。



B

B

C

主席：係咩嘢？

C

D

何先生：嗰個 DRA1。

D

E

主席：吓？

E

F

何先生：DRA1。

F

G

主席：Drainage 嘅？

G

H

何先生：Drainage 嘅，係，嗰個都唔係同 PLU...

H

I

主席：唔係佢咩--唔係嗰，係佢咩做嘢嗰，唔係。

I

J

去水喉都係你咩做嘢嘛，係咪呀？

J

K

答：係。

K

L

主席：去水喉用 uPVC pipe 嘢嘛？

L

M

答：係。

M

N

主席：係咪？

N

O

答：係。

O

P

主席：你咩要收貨嘢嗰，送貨去嗰陣時候？

P

Q

答：係。

Q

R

主席：何標記包埋嘢嘛？

R

S

答：係。

S

T

主席：送貨去到地盤，你要同埋房署嗰啲人一齊喺度收貨嘢嗰？

T

U

答：啲貨我咩嚟，我咩自己收嘢。

U

V

主席：吓？

V

答：我咩自己收嘢。

B

B

C

主席：你就從來都未聽過 6210？

C

D

答：係。

D

E

主席：理論上你哋嗰啲 uPVC pipe 送到去你哋個地盤嗰陣時候，你哋收，  
你知唔知道有埋房署嘅人，可能有埋大判嘅人一齊喺度收添呀？

E

F

答：冇嘅。

F

G

主席：吓？

G

H

答：冇嘅。

H

I

主席：冇呀？

I

J

答：冇。

J

K

主席：即係房署失職？

K

L

問：你對於地盤嘅運作，我可唔可以咁講，其實你真係好似一塌糊塗，你  
其實都唔係好清楚，呢個唔係房署失職個問題，係你根本都唔知道。

L

M

答：我唔知道要搵埋房署人嚟收貨。

M

N

N

O

主席：你連呢張 form 都未見過？

O

P

答：未。

P

Q

主席：見都未見過？

Q

R

答：未。

R

S

黎先生：未聽過。

S

T

T

U

主席：都未聽過，咁好難做打理人啫。

U

V

V

B

B

C

答：係。

C

D

D

E

問：Okay，如果係咁，我不如問過你其他嘅問題喇。我想問，睇睇你個口供紙嘅第 57、58 段，你知唔知如果係物料要離開地盤嘅話，房署係有紀錄㗎？

E

F

答：我唔知房署有紀錄。

F

G

問：你唔知呀？

G

H

答：唔知。

H

I

問：你呢度又話咩嘢影相啲啲咁嘅，58 段？

I

J

答：我哋走啲陣時，上車之前，有房署人嚟影相嘅。

J

K

問：係喇，好，唔緊要，我畀啲房署嘅紀錄，關於呢啲離開地盤嘅物...

K

L

L

主席：唔係，咪住先，咪住先，你唔好交呢啲嘢上嚟住先，有咩嘢關係先？

M

M

何先生：我想話畀佢聽呢啲全部同啲個 solder，同啲個焊料係冇關係。

N

N

主席：咁畀...

O

O

何先生：有相，...

P

P

主席：畀我哋做乜嘢嘅先？想話...

Q

Q

何先生：想 prove the negative，即係話畀佢聽我哋係有紀錄嘅，不過呢啲全部同呢啲講緊嘅焊料係完全冇關係。

R

R

主席：咁又想證明啲咩嘢？我...

S

S

何先生：我而係想回應佢呢一段，57、58 段話離開啲個工地係會影埋相各樣嘢，似乎想講其實大家都知道啲啲好可能係有啲咁樣嘅焊料都會離開咗工地咁樣，我 get 到佢啲 57、58 段係想講啲咁嘅嘢，仲要影埋相添，我而家啲相就喺度，完全同啲個焊料、焊錫、焊線、焊乜都係冇關。

T

T

U

U

V

V

B

B

C

主席：冇關吓嘛，係吓，咁跟住下一步又想證明啲咩嘢，冇關，咁又點呢？

C

D

何先生：我想話畀佢聽佢而家所講呢一度完全係同焊錫、焊線乜嘢都係冇關係，冇啲啲焊個問題。

D

E

主席：咁都有乜關係㗎，同我哋要決定啲啲嘢有咩嘢關係？

E

F

何先生：我係只係回應佢嗰段。

F

G

主席：咁唔好喇，唔好睇紙，唔該。

G

H

何先生：如果佢唔需要嘅話，我唔需要...

H

I

主席：係，唔需要，唔該。

I

J

何先生：唔該，我有進一步問題，唔該。

J

K

主席：好，唔該。

J

L

黃小姐：主席，唔好意思，有一個 translation problem，我想而家 raise 咗先，係 line 111.9，頭先證人就講咗話“I ordered the materials on the instructions of 有利華”，但係我聽番嚟就唔係--冇咗話“on instructions of 有利華”。

L

M

主席：佢應該冇講過嘅，係。

M

N

黃小姐：係，佢冇講過，我想澄清番呢樣嘢。

N

O

主席：係呀，係呀。喺...

O

P

黃小姐：111.9。

P

Q

主席：應該冇講過，我嘅理解，佢冇講過。得，唔該。

Q

R

黃小姐：唔該。我有一條問題嘅啫，主席。

R

S

主席：問喇。

S

T

黃小姐盤問

T

U

問：陳生，你就喺第 6 段提及到你喺元州邨嗰度係做過水喉安裝工人嘅，

U

V

V

B

B

C

第二同第三行，睇唔睇到？

C

D

答：係。

D

E

問：當時係咪一位莫海光先生請你？

E

F

答：莫海光，係咪呀？

F

G

問：係。

G

H

答：係，係。

H

I

問：唔該。

I

J

黃小姐：唔該，主席。

J

K

主席：好。

K

L

石先生：如果冇人再有問題問嘅話，主席，我諗陳先生作供...

L

M

主席：唔係，我想再同你澄清一下你同陳思南嘅關係，冇關係？

M

N

答：冇關係。

N

O

主席：係何文標搵佢返嚟做判頭嘅？

O

P

答：係。

P

Q

主席：同你完全冇關？

Q

R

答：冇關係嘅。

R

S

主席：但係就要你管？

S

T

答：要我--即係佢何標記唔會好熟嘅啫。

T

U

主席：吓？

U

V

答：即係佢同何標記唔係太熟。

V

B

B

C

主席：唔係太熟？

C

D

答：係。

D

E

主席：你就淨係管佢嘅乜嘢嘢？

E

F

答：我有管佢嘢嘢。

F

G

主席：你就唔管佢嘅嘢？

G

H

答：係。

H

I

主席：佢喺啟晴邨就即係冇人管佢嘅？

I

J

答：咪老細管佢囉。

J

K

主席：何文標管佢？

K

L

答：係。

L

M

主席：即係佢又唔需要向你負責嘅？

M

N

答：唔需要。

N

O

黎先生：第三、第四座，陳思南淨係做走廊上落外牆喉嘅之嘛，其他都係你做嘅？

O

P

答：其他啲唔係，係嗰啲入面大陸未做出嚟嗰啲先至係。

P

Q

黎先生：先至係你做？

Q

R

答：唔係我做，係公司工做。

R

S

黎先生：有公司其他人管？

S

T

答：係，公司工做嘅。

T

U

主席：對唔住，三、四座，我記得曾經交過個表上嚟，有幾多曾經係 precast、有幾多層唔係 precast，喺邊度搵到？

U

V

V

B

B

C

Mr Pennicott : F2 1526。

C

D

主席：唔該。

D

E

E

F

好，我哋睇下先。三、四座，三、四座其實唔係全部都係用晒預製嘅組件㗎喎，廁所？

F

G

答：係。

G

H

主席：係咪？

H

I

答：唔係全部做晒嘅。

I

J

主席：咁點樣樣㗎？

J

K

答：佢有啲係大陸係--有好多未做出嚟，已經運咗落嚟㗎喇。

K

L

主席：有--點樣樣--唔係，佢係預製組件㗎嘅，不過...

L

M

答：預製組件㗎嘅，大陸嗰陣時係未做得切咁多水喉落嚟。

M

N

主席：有啲就有做水喉嘅？

N

O

答：係。

O

P

主席：有啲就做咗水喉嘅？

P

Q

答：係，冇錯，冇錯，冇錯。

Q

R

主席：三、四座就完全冇預製廚房嘅？

R

S

答：喎。

S

T

主席：喎唔喎呀？

T

U

答：唔，唔。

U

V

主席：即係嗰啲即係喉，陳...

V

B

B

C

石先生：主席，我個理解係 1536 係一份比較 up-to-date，即係比較新  
啲嘅表，1526 係之前嘅一份。

C

D

主席：1536，1536，係喇。

D

E

E

F

陳思南就做邊啲項目？

F

G

答：做走廊、錶位、外牆嘅銅喉同埋膠喉。

G

H

主席：2 樓到 18 樓呢？

H

I

答：嗰啲公司工做，即係房喉，係房喉，係房口嘅喉，走廊都係陳思南做  
嘅。

I

J

主席：走廊係咩嘢話？

J

K

答：陳思南做嘅。

K

L

主席：走廊陳思南做嘅？

L

M

答：係房口先至係公司工做嘅。

M

N

主席：房口？

N

答：唔，即係廁所房、廚房嗰啲。

O

主席：再講多次，唔該，三、四座。

O

P

答：三、四座，陳思南係做走廊、錶位同埋外牆喉。

P

Q

主席：同埋外牆？

Q

R

答：唔。

R

S

主席：走廊、錶位、外牆？

S

T

答：係。

T

主席：全躉嘅走廊、全躉嘅錶位、全躉嘅外牆？

U

答：係。

U

V

V



B

B

C

主席：房口呢？

C

D

答：房口全部--有啲大陸做嘅，大陸冇做嗰啲就公司工做嘅。

D

E

主席：全部喺大陸做。如果咁講，陳思南要做嘅嘢唔算多嘅咋嘞？

E

F

答：係。

F

G

主席：好少嘅咋嘞？

G

H

答：係，其實同三、四座、五、六座都係差唔多嘅啫，因為其實五、六座、三、四座做番大陸未做嗰啲，佢都做埋，就係陳思南做。

H

I

主席：有啲咩嘢原因，點解第三、第四座就要判咗畀陳思南，就唔係公司工去做？

I

J

答：因為陳思南唔判呢啲嚟做吓嘛，佢話唔...

J

K

主席：吓？

K

L

答：陳思南話唔做呢啲。

L

M

主席：陳思南乜嘢話？

M

N

答：陳思南話唔做房口嗰啲，因為房口有好多未做，佢話唔做，即係廚房同埋廁所房嗰啲，陳思南話唔做，講做唔做嗰啲都係陳思南同何標講嘅啫，唔係同我講嘅。

N

O

主席：我想問下，搵陳思南做，同呢個啟晴邨因為趕唔上進度，所以要呢個多勞多得有冇關係呢？

O

P

答：冇嘅。

P

Q

主席：完全冇關係嘅？

Q

R

答：冇。

R

S

主席：暫時我有嘢問。請問仲有冇人有嘢問？冇嘢問。

S

T

唔該晒陳先生，走得，可以離開。

T

U

答：好，唔該。

U

V

V

石先生：主席先生，下一個證人，而家尷尬時刻，因為四點查四，下一個證人原本就應該黃貴雄先生，但係我哋就了解到就係原先有一個證人係採購部嘅其中一位--應該採購部或者係--即係總之係寫字樓嘅嗰位女同事，就黃慧萍女士，就佢星期一就即係屋企有事，就唔嚟得，我哋就為免就--因為我哋亦都叫咗梁偉健先生聽日嚟嘅，我哋就為免就--如果我哋傳召黃貴雄，跟住梁偉健，到時就可能有個危險，就係我哋跟住如果先傳召黃慧萍女士，佢就會 schedule 咗到禮拜一，咁所以我有個提議，就係我哋就 interpose 聽日第一個就傳召咗黃慧萍女士先。

主席：可以。

石先生：唔會太長，起碼佢可以離開，跟住就梁偉健先生，因為就叫咗佢聽日嚟。

主席：好呀。

石先生：跟住先至黃貴雄嘅。

主席：黃貴雄，好呀。

石先生：另外我就同楊大律師都傾過，就係剛才陳先生佢有一連串嘅證供係講咗係有關鄭先生同佢或者同其他嘅判頭有冇講過唔同嘅口徑就用乜嘢嘅物料，嗰度我就同楊大律師傾過係有冇需要佢會即係 recall 或者傳召鄭先生去 specifically deal with 呢樣嘢，楊大律師話佢都有問題，但係佢可以叫鄭先生聽日，佢聽日 recall 鄭先生，淨係 deal with 嗰一點就好短嘅啫，應該係。

主席：好呀，好呀，我哋聽日再繼續，唔該。

2016年1月14日

下午4時20分聆訊押後

A *Annex: Realtime English Transcription based on floor / Simultaneous Interpretation* A

B Commission of Inquiry into Excess Lead Found in Drinking Water Day 38 B

C Thursday, 14 January 2016 C

D (10.01 am) D

E (Transcript of simultaneous interpretation D

F except where otherwise specified) E

G MR KEVIN KWONG KA FU (on former affirmation) G

H CHAIRMAN: Who would like to ask questions? H

I Cross-examination by MR PENNICOTT I

J (All questions from Mr Pennicott were in English) J

K MR PENNICOTT: Good morning, Mr Chairman. K

L Good morning, Mr Kwong. L

M A. Okay. M

N Q. Thank you, Mr Kwong. I just have a few questions for N

O you on behalf of China State. O

P You tell us that you were responsible for tendering P

Q in respect of Kai Ching Estate. Is that right? Q

R A. Yes, correct. R

S Q. When you were preparing tender, did you have any S

T materials price lists from material suppliers? T

U A. I said before that we had a standard price. U

V Q. So you did not have the materials price list from V

Prosperity in front of you when you were preparing the

tender?

A. Correct, I did not have it.

Q. Could I ask you, please, to go to or be shown bundle K1,

and we start at page 71. Mr Kwong, this is just to

orientate ourselves. This is the front sheet of the subcontract between China State and your company. Do you see that?

A. Yes.

Q. Over the page, at page 72, you see the articles of agreement?

A. Yes.

Q. And halfway down the page, we see the subcontract sum of \$57 million; do you see that?

A. Yes.

Q. As I understand it, that figure was a figure that was agreed by Mr Ho and China State; is that right?

A. I don't quite understand what you mean.

Q. The overall contract sum and subcontract sum that went into this contract was ultimately agreed between Mr Ho, on behalf of your company, and the gentleman on behalf of China State. Is that your understanding?

A. Because that was the preliminary contract for the tender, and there were additional amounts added, so at the end the amount changed.

Q. I appreciate the amount may have changed at the end, but that was the starting point, \$57 million, agreed by Mr Ho?

A. Right.

Q. Could we then move on to page 495 in the bundle. This

subcontract contains many hundreds of pages and I just want to look at a couple of them. If we could look at page 495 to start with.

A. Yes.

Q. This is, as you will see, a page from the bills of quantities for block 1 of the Kai Ching Estate. Do you see that?

A. Yes.

Q. As a quantity surveyor, you will be familiar with bills of quantities?

A. Yes, I saw those documents from time to time.

Q. Okay. Then if you go to page 504, please, on the left-hand side, just under D, you will see a heading, "Cold water supply installation"; do you see that?

A. Yes.

Q. Then, over the page, two pages, to 506, you will see a heading, just under E, "Copper pipes and fittings"; do you see that?

A. Yes.

Q. And underneath that heading there is, from F through to -- there are a couple of letters missing -- about P, a list of copper pipes of various diameters; do you see that?

A. Yes.

Q. Just focusing on one of the items, let's look at G,

22 millimetre diameter pipes -- the Housing Authority have put the quantity in of 2,044, and the unit of metres; do you see that?

A. Yes.

Q. My understanding is that where it's blanked out, ordinarily one would find a series of manuscript figures. Is that your understanding as well?

A. Do you mean what part left blank?

Q. If you see the column "Rate" -- I know it's all been blanked out, but ordinarily one would see a figure in manuscript, in the "Rate" column, against the figure of 2,044 metres.

MR SHIEH: The black bit on the far right?

MR PENNICOTT: Yes, the black bit on the far right.

A. Do you mean to say that under the column "Quantity", if it's left blank, it means there is none?

CHAIRMAN: No. Some have been blocked out, but in fact originally there was a handwriting of some figures.

MR PENNICOTT: Yes. Thank you very much. "Blocked out" would have been a better expression, no doubt.

And that figure, as I understand it, was put in by you; is that correct?

A. Right.

CHAIRMAN: Just focusing on that one item, can you just explain how you would have gone about calculating the

rate? How would you have calculated that figure?

A. As I said just now, we already had a price list, and we would not -- because for PRH projects, the same formula applied, so if we had a price list, we would roughly know what the rate would be.

Q. Would that price list have to be reviewed from time to time? It clearly wasn't going to be constant over many years, was it?

A. Yes, we would, but not substantial changes would be made within a short period of time.

Q. Right. From your evidence yesterday, I understand that you would have added, I think you said 5 per cent to whatever figure you came up with, to allow for the jointing of the pipes; is that right?

CHAIRMAN: 5 per cent is small fittings.

A. In fact what I meant was in the price list, it involves around 5 per cent for the minor hardware items.

MR PENNICOTT: I see. All right. Were you aware that if you look at this list of pipes here, of different diameters, some were jointed by solder and some were jointed by silver brazing? Were you aware of that?

A. I knew that there would be two types of solder materials.

Q. Would the percentage be the same for solder and silver brazing, that is for the jointing, the jointing

percentage?

A. Basically, they would be the same.

Q. All right.

CHAIRMAN: Sorry, the percentage, you were referring to the 5 per cent for the minor hardware items. I don't know what Mr Pennicott was referring to when he talked about the percentage. Was it in relation to the diameter or was it in relation to the minor hardware items? Because your answer said that the same percentage applied, that is the 5 per cent.

A. That is the percentage taken up by minor hardware items.

MR PENNICOTT: Okay. Could we then look at something else.

Could you be shown bundle F2 at page 1340.

Mr Kwong, do you have that?

A. Yes.

Q. It's a schedule that's headed, "Summary of subcontractors and [licensed plumbers] for unaffected estates (China State)". Do you see that's the heading?

A. Yes.

Q. In the middle column, one of the middle columns, the heading "Subcontractors" -- do you see that?

A. Yes.

Q. Your company is identified as the subcontractor on I think it's 11 out of the 16 estates that are listed here. The list continues on page 1341. Do you see



that?

A. Yes.

Q. You told the Commission yesterday that you took up responsibility for sample submissions in about 2003, as I understand it; is that right?

A. Right.

Q. So does it follow that you would have been responsible for the sample submissions for all of these unaffected estates that we see on this list, bar perhaps the first couple, which I see were completed in 2005; does that follow?

A. Yes, you can put it this way.

Q. To the best of your recollection, would there have been a sample submission of solder in relation to each one of these unaffected estates?

A. Through me, then the answer is yes, because in the list, for the first several projects -- well, I no longer recall whether submissions were made.

Q. Right. But from, let's say, item 6, 2008 onwards, you confirm that a sample submission of solder would have been made, to the best of your recollection?

A. Yes.

Q. Again, to the best of your recollection, would that sample submission have been FRY 99C lead-free solder?

A. Yes.

Q. Thank you very much.

A slightly different topic but still to do with samples. At the very end of your evidence yesterday, Mr Shieh asked you whether you had typed up a list of approved materials, and you said no. Do you recall that question and answer?

A. Are you referring to the form submitted to the Housing Department?

CHAIRMAN: The approved one.

A. I don't know.

MR PENNICOTT: Mr Shieh asked you whether you prepared a list of all the approved materials. Did you type up such a list or not?

A. As I recall, there would be an external list for the relevant BS staff at China State.

Q. Okay. Let's look at another document. F1/215.1, and with a bit of luck it will be in A3. Do you have that?

A. Yes, I see that.

Q. When two of the China State witnesses gave evidence, they said that this was a document produced by HBK, by your company. Do you agree with that?

A. Yes. I prepared it.

Q. You prepared it? Right.

We see, at item 23, the words "Lead-free solder wire", and I think the Chinese characters read "solder

strips", and then "FRY", and then in the "Model number" column, the number 20813. Do you know what that number represents, Mr Kwong?

A. I don't know.

Q. If you prepared this document, you must have had some idea at the time what it was, but you don't know now; is that the position?

A. Well, I don't have a clear recollection now.

Q. Okay. That's fair enough.

Then on the right-hand side of this document are various details of the materials suppliers, and we can see against, amongst others, item 23, the name Prosperity and Mr Chow; do you see that?

A. Yes, I see that.

Q. And various contact details.

Apart from submitting this document to China State, was it circulated to anybody else in your company?

A. No. According to the request of the BS of the main contractor, we supplied this document.

Q. So, for example, you didn't give it to Ms Wong or to Ms Chiu, who were responsible for purchasing materials? They didn't see this document; is that right?

A. Are you referring to Ms Wong and Ms Chiu?

Q. I am indeed. Obviously, we can ask them, but to your knowledge, did they see this document?

A. I did not share this with anyone internally.

Q. Thank you very much.

Then my last topic -- can I start by saying this to you. As I understand it, you were based essentially full-time in the office, is that correct, in the head office?

A. (Nodded head).

Q. You will need to say "yes".

A. Yes.

Q. Did you ever visit the Kai Ching Estate during the course of the construction of the plumbing works?

A. Yes, I did.

Q. How often?

A. The visits were irregular, but on average, around once every two or three months.

Q. What was the purpose of your visits?

A. I am a QSE and I would follow up with the QSE of the main contractor to follow up on payroll, so I would discuss payment issues with them at the site.

Q. Understood. Now, the site supervisor or officer in charge at the Kai Ching Estate, on behalf of your company, was a gentleman called Chan Siu Wah. You know Mr Chan, I assume. Is that right?

A. Yes.

Q. As a general question, Mr Kwong, were you aware that

from time to time Mr Chan would receive a variety of documents from China State?

A. Yes. To my knowledge, as I know, whenever your company submits documents to our company, they would put those documents in a so-called birdcage at the site, and I believe that Mr Chan Siu Wah would receive those documents from the pigeonhole at site.

MR SHIEH: I want to clarify that that's called a pigeonhole.

MR PENNICOTT: Right. Once Mr Chan Siu Wah had obtained the documents from the pigeonhole, was there a system or a mechanism in place as to what he should do with those documents?

A. No. Whenever they are received, they would usually be placed in a workshop at the site. They wouldn't submit those documents to the office.

Q. Could I ask you, please, to go to page 215.2, so quite close to where we were just a moment ago. You will see, Mr Kwong, that this is a memo dated 3 October 2011 from China State to HBK. Do you see that?

A. Yes, I see that.

Q. Is it a document you have ever seen before?

A. I have no recollection.

Q. This, as I understand it -- sorry, do you want to add something?

A. What I meant was that I have no recollection of the cover page. I might have seen those attachments.

CHAIRMAN: Can you speak up, please.

A. For 215.2 and 215.4, I have seen those forms, but I have no recollection of the cover pages.

MR PENNICOTT: Our understanding, Mr Kwong, is that this is a document that Mr Chan Siu Wah would have picked up or be given at the site. Are you aware of that?

A. I don't know. But I guess, if China State issued this document, they would have placed it in the pigeonhole.

Q. Right. Let's assume that Mr Chan picked this document up. Are you saying, in the light of your answers just a few moments ago, that what would have happened to this document is that Mr Chan would simply have put it into a file which would have gone to the site office, and nobody else would have seen it? Is that the effect of your evidence?

A. I cannot say for sure whether anyone else might have seen it.

Q. Tell me this, Mr Kwong. We looked at the materials submission list that you prepared. How would you update that list without seeing this sort of document?

A. What I meant was that I don't have much recollection of this document. I handle a lot of documents so I cannot remember everything.

MR SHIEH: As I know, they don't have to rely on  
China State, and whenever -- that's my understanding.

CHAIRMAN: So when the Housing Department grants approval,  
you would know immediately, you would have been informed  
by China State, and as far as these documents are  
concerned, China State would submit another copy to the  
site staff?

A. I believe that the staff of the main contractor would  
take care of this document and they would place it in  
the pigeonhole.

CHAIRMAN: How do you know?

A. They would send us an email.

CHAIRMAN: So there would be two different channels?

A. Yes.

MR PENNICOTT: Mr Kwong, please go back to the materials  
submission list, at page 215.1. Right?

A. Yes.

Q. Do you see the column where the word "Approved" appears  
a number of times?

A. Yes, I see that.

Q. Then there's a date in the next column; do you see that?

A. Yes, I see that.

Q. Then there's a reference, which is a reference of  
a China State document, in the next column. How would  
you have put those details into this form without seeing

the documents?

A. What I meant was that I handled a lot of documents, so I have little recollection of this document.

Q. I suggest to you that had you updated this document that we are looking at, you would have had the memo, and you would have put in there the reference KT1A/BLK.

Now, did you update this document to include all approvals that have been given or not?

A. Yes, I did, but I had to deal with a lot of documents.

I can't remember what I did on a daily basis. But I did update it.

But if you ask me what happened so many years ago, whether I saw this document or not, then I'm afraid I can't answer you for sure, 100 per cent for sure, what I did.

Q. Do you happen to know today whether a final version of this document, with all the details filled in about the approvals, still exists?

CHAIRMAN: I don't think this is really an issue. At this stage, from the evidence we have heard so far and the evidence presented to us, nobody is suggesting -- well, let me put it this way. No one objects to the sample submission aspect. Ho Biu Kee, China State, they were all in the know, and there was no objection on the use of materials.



The only contested issue is that why was it that the material not approved was used. So in fact it all hinges on Mr Chan Siu Wah's evidence.

MR PENNICOTT: I accept that. I was also just trying to establish whether there might have been anybody else in HBK who might have known about this, but I accept the point.

CHAIRMAN: But I suppose Chan Siu Wah is the site agent and he should be in the know.

MR PENNICOTT: I accept that.

Thank you very much, Mr Kwong.

Cross-examination by MR LAM

MR LAM: Mr Kwong, I would like to refer you to your witness statement, page 2253, point (d). Do you have the Chinese version?

A. No.

Q. Let me explain to you. Under (d), you said:

"At the material times, my colleagues did not know that the solder strips might contain lead; nor were they aware of the requirements that the solder strips should be 'lead-free'."

That's your statement; right?

A. You mean page 2253, part (d)?

Q. Part (d). That's your statement; correct?

A. Yes.

Q. Did you learn about that when you asked colleagues afterwards or did you know it beforehand, because we were referring to the time when you had this knowledge?

A. I learned about that after the incident happened.

Q. And you told Mr Shieh very frankly that in fact, in Ho Bui Kee, after FRY had been approved, you had never told anyone in your company that this brand FRY had to be used.

A. Right.

Q. Mr Shieh, the counsel, earlier also asked you, did it not meet the expectation. In fact, it did not meet the expectation of the main contractor, because you didn't know what was going on in the company?

A. I cannot speculate.

Q. But very clearly, you failed to tell your colleagues, so your colleagues did not know what materials were to be procured?

A. Correct.

Q. I would like to show you H1, page 122.

A. Yes.

Q. Do you see that?

A. Yes.

Q. This is a letter set by Man Kwan Wa, who is AQCC of Shui On.

A. Yes, I see that.

Q. Then the recipient, HBK Leung, was Patrick Leung, Leung Wai Kin.

A. Yes.

Q. Who was one of your colleagues in your company?

A. Yes.

Q. And of course we know that there is a Wong Kwai Hung but Mr Leung was also responsible for Kwai Luen Estate?

A. Yes.

Q. If you turn over to the next page, it is a sample submission and approval form. Just several pages behind, you will see the signature of the contract manager of the HA and the signature. Do you see that?

A. Yes.

Q. So you will agree with me that after getting the HA's approval on the use of this material FRY, you then attach this form in the email and send it to Mr Leung Wai Kin?

A. That's my impression, according to this email.

Q. So, apart from you, in Ho Biu Kee, knowing that FRY had to be used, then according to the paper, Mr Leung also knew that FRY had to be used; right?

A. Yes, you can put it this way.

Q. So do you know that after emailing this document to Mr Leung, how would it be dealt with?

A. No idea.

Q. No, you had no idea? But you personally, at the time, also knew that this material had been approved by the HA; right?

A. Yes.

Q. Back to your witness statement, page 2257, part (d). Question 7, this is in relation to China State, whether China State knew that solder strips were used, or perhaps you should read part (j) on page 2259. (j) says:

"I would also add that the above scenario also applies to the Kwai Luen Estate."

Do you see that?

A. Yes.

Q. So my question is this. Back to (d). In part (d), you said:

"I now find out from Mr Wong Kwai Hung that solder strips were delivered [to the site]."

Then this whole paragraph talks about how the workers performed the work. Now, that was told by Mr Wong Kwai Hung to you?

A. Right, after the incident.

Q. But you personally did not do the job and see if it fit?

A. I did not.

Q. And it was outside your scope of work?

A. Right.

Q. So, as we heard from the evidence of other workers that other workers had done it in this way, then you would not be in a position to judge whether they did it wrongly or not?

A. No, I have no idea.

Q. Then part (e) -- well, of course you said that it also applied to Kwai Luen Estate. In part (e), you talk about the delivery notes, and Mr Shieh also asked you some questions. For Kwai Luen Estate, however, the delivery notes were only given to site staff of Ho Biu Kee; is that correct? For Kwai Luen Estate, when the solder strips arrived at the site, it never went through Shui On. Do you know that?

A. I know that the delivery notes were given at the site.

Q. Yes, to the site staff of Ho Biu Kee. I can show you some documents. S1.

CHAIRMAN: Do you mean that Ho Biu Kee placed order and Ho Biu Kee received the delivery?

MR LAM: Right.

CHAIRMAN: Then we don't need to refer to documents.

A. Of course Ho Biu Kee would receive the goods they delivered.

MR LAM: Page S1/104.

You can see solder strips, Prosperity's delivery note to the site, and the name of client, Ho Biu Kee,

Kwai Shing Circuit. This is to Leung Wai Kin, which we saw just now. He signed for it?

A. Yes.

Q. Of course, you did not have personal knowledge; you just learned about it from documents, not knowing what is the normal procedure of materials delivery?

A. Correct, because I didn't work at the site.

MR LAM: I have no further questions, Chairman.

Cross-examination by MR YIN

MR YIN: Mr Kwong, I represent the Housing Authority.

I would like you to clarify one point in relation to your witness statement. I would like to refer you to page 2258 of your statement, paragraph (e).

A. Yes.

Q. You can just read through it first.

A. Okay.

Q. There was a sentence in your paragraph -- you mentioned:

"(In English) From time to time, HD might request material delivery notes to be provided for their verification."

That means from time to time the Housing Department might request material delivery notes to be provided for verification.

A. Right.

Q. So my question is this. Can I take it that your

understanding is this. First of all, you told us just now that you were not attached to the site; you just went to the site once every two or three months. So, as to daily operations at the site, you might not have personal knowledge; can I put it this way?

A. Yes.

Q. However, can I say that according to your understanding, even the Housing Department had requested for material delivery notes to be provided, the Housing Department would not ask Ho Biu Kee directly; the Housing Department would have asked China State or Shui On instead?

A. I agree.

Q. So that means you personally have no idea what delivery notes had been requested by the Housing Department and when; you have no idea?

A. No idea.

CHAIRMAN: No more questions?

Thank you, Mr Kwong. You may be excused. You have finished your evidence.

(The witness withdrew)

MR SHIEH: I now call Mr Chan Siu Wah.

MR CHAN SIU WAH (affirmed)

CHAIRMAN: Please be seated.

Examination-in-chief by MR SHIEH

MR SHIEH: Mr Chan, before you in the bundle, please turn to K3, page 2390. Do you see this statement in front of you, and in the bottom-right corner we have the page number 2390. At the top of this document, it says, "Commission of Inquiry into Excess Lead Found in Drinking Water, Chan Siu Wah's witness statement"; do you see that?

A. Yes.

Q. First of all, the second character in your Chinese name, "Siu", is correct; right?

A. Yes.

Q. Since this is a public hearing, they might not have seen your witness statement, so I will read out your witness statement. Please follow what I read, and after that I will ask you to confirm the authenticity of this statement.

I will read it out:

"1. I, Chan Siu Wah, [the address blah, blah, blah], now make the following submission to the Commission of Inquiry into Excess Lead Found in Drinking Water.

2. I am a former employee of Ho Biu Kee Construction Engineering Co Ltd and I am also the person in charge of the Kai Ching Estate project for the main block and underground plumbing works, and I graduated



from junior secondary in mainland China. I can read and write Chinese but I don't understand English.

3. I became an apprentice in 1983 and became a casual worker for plumbing and drainage works. On friend's referral I joined Ho Biu Kee in 1988 and became their plumbing installation worker.

4. In 1998 I obtained the construction plumbing full trade test certificate and I now attach a copy of my trade test certificate in annex 1. On Ho Biu Kee's request, I undertook an exam for this certificate, because for plumbing workers working in the HA sites, a specific percentage must hold this full trade test certificate.

5. I left Ho Biu Kee in year 2000 and worked for other companies for plumbing and drainage works and I returned to Ho Biu Kee in 2009 and took up the role of person in charge for the entire Kai Ching Estate project. I was dismissed by Ho Biu Kee in April 2013 and I now work in another plumbing and drainage installation company.

6. For HA public estate projects I have been involved in the past, a few of them used soldering to connect fresh water pipes. For instance, the Un Chau Estate project by Yau Lee Construction in 2005, I was among the fresh water plumbing workers, and at that time

the workers used solder strips to connect fresh water pipes. For the Kai Ching Estate and Lung Yat Estate projects in 2009, I was the person in charge at Ho Bui Kee and I made orders to the procurement department on the required quantities and types of materials and I followed up with the deliveries.

Ho Bui Kee was responsible for choosing the supplier and brands and they applied to the Housing Authority to approve the plumbing materials. For Kai Ching Estate, most of the works were soldered with solder strips, and for the Lung Yat Estate project, rolls of soldering wire were used. In a moment, I will explain why two similar projects would use different solder. For the Yau Lai Estate shopping arcade next to the Eastern Harbour Crossing built in 2010, I was the person in charge for that shopping arcade. That arcade used lead-containing tin elbows to connect fresh water pipes but sometimes, outside of the tin elbows, solder strips would be used as supplement.

7. China State Construction is the main contractor of Kai Ching Estate project and Ho Bui Kee was the plumbing subcontractor for the main block and underground pipes. In this project, I know that Ho Bui Kee needed to provide its own materials as well as workmanship including the procurement of pipes and

solder, and there was only a person in charge, in other words myself, and there were a few subcontractors and it was the first time I took up the role of person in charge.

8. Kai Ching Estate has a total of six blocks and each sub-subcontractor would be responsible for two blocks, and for blocks 1 and 2 it was Wong Kwai Hung and Leung Wai Kin; for blocks 3 and 4 it's Chan Sze Nam; and for blocks 5 and 6 it's Fan Sau Peng.

9. As the overall person in charge at the site, I was responsible for monitoring the fresh water pipeworks at the six blocks and arrange for construction materials to be ordered, in order to monitor the progress at the site. I was not involved in the connection of the soldering of fresh water pipes. My direct supervisor was Ho Biu Kee's boss, Mr Ho Man Piu, and if needed I would report to him my work.

10. Before the lead in water incident, I didn't know lead was harmful to health and I didn't know the Housing Authority has contractual requirements on lead-free solder for fresh water pipes. Ho Biu Kee, China Construction, nor the Housing Authority mentioned to me about the requirement of using lead-free solder to connect fresh water pipes. When I took the exam for the full trade test certificate, I didn't have to attend

lessons, and the exam did not mention anything about the use of lead-free solder to connect fresh water pipes.

11. For the materials used in the plumbing installation for Kai Ching Estate, it depends on the type. They were supplied by different suppliers.

I remember there was a company called Bun Kee to supply copper pipes, and another company, Prosperity, supplied pipe brackets and small metal fittings including solder.

12. The small fittings used in the Kai Ching Estate project, including solder, were all ordered by myself to the procurement department of Ho Biu Kee in the initial stage and thereafter, in turn, Ho Biu Kee's procurement department would order them from Prosperity. In the latter stages of the construction, around September to October 2013, since the plumbing works were fully underway, there were a lot of materials to be ordered and delivered, so Wong Kwai Hung, Leung Wai Kin and Fan Sau Peng made orders directly to Ho Biu Kee's procurement department without notifying myself. Since Wong Kwai Hung, Leung Wai Kin and Fan Sau Peng have worked for Ho Biu Kee for many years and they were very close to Ho Man Piu, so the boss, Mr Ho, at the time knew and allowed them to order from the procurement department directly. As for Chan Sze Nam, he had not work in Ho Biu Kee for a long time and he wasn't very

close to Ho Man Piu, so even in the latter stages of the construction he still made orders to Ho Biu Kee's procurement department through myself.

13. Before becoming the person in charge of Kai Ching Estate, I have not heard of this company, Prosperity. When Prosperity first delivered the materials to the Kai Ching Estate site, I was responsible for receiving the deliveries and I first heard about this company. Over the course of ordering, I did it through Ho Biu Kee's procurement department and I had no direct contact with Prosperity.

14. Before making the orders, I would first discuss with the foremen on the work progress and the construction materials required, and I would calculate the required quantities and types before making orders to Ho Biu Kee's procurement department.

15. Every time I make an order to Ho Biu Kee's procurement department, I fax them a handwritten order form, and that order form was provided by Ho Biu Kee. It was a set of forms with three copies. It was an A4 form with three sheets; white, yellow and red. I would write by hand the required quantities and types of materials, the site name, my name, date and signature and so on, and the white sheet would be faxed to Ho Biu Kee's procurement department.

16. Ho Biu Kee's procurement department did not have a fixed co-ordinator and when I made orders I would only fax the form to the office. After faxing the form I would retain the whole set of forms, which contains three sheets, at the site. I am not sure why three copies needed to be kept and I didn't think about it.

17. On that form, I would write down the required types and quantities of the materials, including -- but all materials ordered, including solder, would not have the brand specified, and since I wasn't told by Ho Biu Kee, I wouldn't know the materials to be ordered, including solder, and whether -- as I know, in the trade, the brands of materials would usually be not specified.

18. In connecting fresh water copper pipes, copper strips are usually used, so I would only write down the number of solder strips required. I would not specify the brand and content. As I will explain in a moment, for Lung Yat Estate, Ho Biu Kee's procurement department asked me to write solder wire but not solder strip, and the procurement department never explained the difference between the two, and since the effect and methodology of applying solder wire and solder strips are the same, I followed the procurement department's request and I wrote 'solder wire'.

19. Since I wasn't involved in the operation of Ho Biu Kee's procurement department, I didn't know the inner workings of their operation and I don't know when Ho Biu Kee's procurement department began ordering from Prosperity or why they chose Prosperity. I don't know how Ho Biu Kee's procurement department contacted Prosperity and what documents they needed to provide and whether there was a fixed co-ordinator. Generally speaking, around one week after ordering from Ho Biu Kee's procurement department, Prosperity would contact me to arrange for site delivery.

20. As for whether site workers might procure and bring their own solder to the sites, I don't think it's possible because workers would not be willing to use their own money to buy construction materials and Ho Biu Kee has no system in place for workers to claim the material costs they pay for.

21. One or two days before delivery, Prosperity, usually a female staff of Prosperity, would call me and inform me when the materials would be delivered. As for the small fittings delivered by Prosperity to the site, I wouldn't need to inform other people, and in other cases, if there are large quantities or if the space required is large, then we need to arrange space for storage. For instance, for the copper pipes and copper

parts delivered by Bun Kee I would first have to inform the site person in charge from China State, Mr Chan, to make arrangements. I don't know Mr Chan's name and his exact post. But the workers would usually call him 'boss'. For the Kai Ching Estate project, there are a total of three so-called site bosses and they are Mr Chan, Mr Ko and Lam Man Kwong.

22. When the trucks arrived at the sites, I would fill in a gate pass for the delivering party, so that the truck can enter the site to unload the goods. It's a simple form with the name of the driver, phone number, licence number and so on, and the delivery materials would be described, for example copper pipes. But for sundry items such as small fittings, they don't need to be specified. I would sign on this form and hand it over to one of those bosses before handing over to security staff on the site. Then the truck can enter the site for unloading, and the unloaded materials would be placed in the workshop. At the beginning those workshops are just containers, and eventually they were set up in block 5 and were moved to block 2. In the latter stages each block has their own workshop, and as I know, the materials delivered were always unloaded by trucks, they wouldn't be delivered personally by the workers or by carts.



23. During unloading, I would generally check the delivered quantities from Prosperity to see whether they match that on the delivery form and I would sign it off. I wouldn't check them against the order form I sent to Ho Biu Kee's procurement department because the procurement department might not always make orders according to the quantities on the form. This is very common but I know the reason behind.

24. Ho Biu Kee's procurement required that if I sign for receipt, I must report the name of the person signing for receipt on my part for record. According to my recollection, for Kai Ching Estate, at least four persons' names were reported. They were Ching Tak Shing, Ng Kam Chi, Yeung Wai Keung and Tam Kwok Ho. I recall that Yuen Sai Wah seemed to be one of the persons assigned for receipt of goods but I do not remember whether I reported his name to Ho Biu Kee.

25. Whether or not I or another person on my behalf signed for the goods, all the originals of delivery notes signed would be kept by me. When the driver of Ho Biu Kee arrived at the site every one or two days, on the request of the driver I would pass the original of the signed delivery notes to the driver for bringing back to Ho Biu Kee.

26. Before passing to the driver the original,

I would also make copies of the signed delivery notes to China State, and I would personally take these copies of delivery notes to the site office of China State and put them in the tray. This practice was required of me by a female staff of the accounting or procurement of Ho Bui Kee soon after the Kai Ching Estate project commenced, and the requests made over the phone, she did not explain why and I do not remember the name or position of this female staff.

27. As far as operation is concerned, the practice of photocopying delivery notes applied to the materials delivered to the site regardless of the size or type. Of course, it also includes minor hardware items such as solder materials.

28. A day or two after I gave the copies of the delivery notes to China State, two or three staff would be sent by China State to the site to check the materials. Usually, an HA staff would accompany them. I would also be there when they inspected the materials. In my recollection, they would pay more attention to the brand of copper pipes, but other materials would also be inspected, such as solder strips.

29. As mentioned before, in the Kai Ching Estate I usually would state on the purchase form how many boxes of solder strips were required. For the solder

material sent by Prosperity to Kai Ching for jointing copper pipes, most of them were solder strips. Over 90 per cent of the solder materials delivered were solder strips, but a small part would be solder wire in a reel.

30. As for the procedure, because the method and the outcome of using solder strips and solder wire would be the same, I did not discuss with the procurement of Ho Biu Kee why Prosperity would despatch solder wire in reels to the site.

31. For solder strips, it's flat in shape, about 400 to 500 millimetres long. When it arrived at the site, they were contained in carton box, rectangular carton boxes. I did not notice what was written on the carton boxes or whether there were marks. As for solder wire, they came in reels of green. When they arrived they were contained in rectangular carton boxes. I did not notice the brand or ingredients of solder wire or strips.

32. Before becoming the person in charge of Kai Ching Estate, I was a plumbing worker. I had used solder strips and solder wire to joint fresh water pipes. The materials were provided by the plumbing companies. It never occurred to me that the difference of the ingredients of solder wire and solder strips, or

whether they contained lead or not. I just understand that there was a difference between the melting point, high melting point or low melting point of solder materials. For solder strips the melting point was lower, because it melts faster. As for solder wire in reels, they melt slower and it should be high-temperature solder. I think in terms of the actual usage and outcome, the difficulty in using them, I think both are similar.

33. In my experience, when using solder wire in reels for soldering, I would not cut the solder wire into sections. I would use it by holding the whole reel in hand. As for Kai Ching Estate, most of the materials used were solder strips. Solder wire seldom appeared at the site. In my recollection, at Kai Ching Estate and Lung Yat Estate, when other workers used solder wire, they soldered with the whole reel in hand.

34. I now understand that Prosperity has provided some invoices and delivery notes concerning solder materials sent to Kai Ching Estate to the Commission. On some of the invoices and delivery notes, the two materials, UK 50D solder strips and FRY lead-free solder wire, appeared at the same time. As far as delivery notes are concerned, I did not notice the situation. I did not discuss with the procurement of Ho Biu Kee.

After giving the delivery notes to Ho Biu Kee and China State, they did not raise any questions. I did not know whether there was any pricing difference between the two, because the delivery notes of Prosperity did not state the price of materials. As for invoices, Prosperity would only send them to Ho Biu Kee's office instead of the site, so I have never seen them before.

35. I did not notice on the brand or the name of solder materials shown on the delivery notes of Prosperity. Before the lead in water incident, I did not know this name UK 50D tin solder strips, I did not know the meaning of 50D, and before the incident I did not know that UK 50D solder strips contained lead. As for FRY lead-free solder wire, on the delivery notes, the name illustrates that it should be lead-free, but at that time I did not notice that.

36. As for how the workers call the solder materials, nobody would call it "solder materials". Most of us, including myself, Wong Kwai Hung, Leung Wai Kin, Chan Sze Nam, Fan Sau Peng and other workers, regardless of whether the solder materials came in strips or reels, they would just regard them as solder strips. As for solder wire, this name, I did not have much recollection, until Lung Yat Estate, when the

procurement of Ho Biu Kee requested me to state on the purchase form that it should be solder wire instead of solder strips.

37. About three months after I became the person in charge of Kai Ching Estate, at the same time I became the person in charge of the whole Lung Yat Estate project. There were two blocks in the Lung Yat Estate project and fresh water copper pipes were jointed by soldering.

38. As I recall, when I started to order materials for the Lung Yat Estate project, I requested solder strips from procurement of Ho Biu Kee. I remember, when the materials were delivered in Lung Yat Estate, solder wire came in reels, not in strips.

39. As for soldering materials delivered, I did not consider further, because the outcome of both solder strips and solder wire weren't the same. After I placed several orders for solder strips with the procurement of Ho Biu Kee in the Lung Yat Estate project, the procurement of Ho Biu Kee phoned me, saying that it should be solder strips instead of solder wire. I do not recall now who that staff was, and at that time I also saw that on the delivery notes from Prosperity to Lung Yat Estate, the words 'solder wire' instead of 'solder strips' were written. So, in the subsequent

material request form at Lung Yat Estate, when I ordered materials from Ho Biu Kee, I wrote 'solder wire' instead of 'solder strips', and the solder wire in reels were delivered to the site. This change was only confined to Lung Yat Estate. Procurement of Ho Biu Kee did not request me to change the practice of ordering solder strips in Kai Ching Estate, and Ho Biu Kee's procurement and I did not discuss whether the solder wire or solder strips contained lead or not.

40. I noticed that in the witness statement of Ho Man Piu, in paragraph 6(e), K1/30, he claimed that I requested the use of solder strips to the procurement of Ho Biu Kee for jointing copper pipes with diameters 50 millimetres or below, and solder wire in reels for jointing copper pipes with diameters 50 to 75 millimetres. This is not true.

41. All along, in the materials request form for Kai Ching Estate, I all along requested solder strips in boxes. When solder materials were required at the site, as the person in charge I could place orders with the company, but I did not have the right to request the company to procure a certain brand of materials or to change the materials. In fact, in the Lung Yat Estate, Ho Biu Kee requested me to put down solder wire on the form, and before that I all along had put down solder

strips. I did not discuss with the Ho Biu Kee staff as to what solder material should be used.

42. According to Ho Biu Kee's instruction, for copper pipes with a diameter less than 54 millimetres, usually ordinary LPG torch would be used for jointing the pipes, and solder wire or solder strips could be used. For copper pipes with diameter larger than 67 millimetres, the oxyacetylene torch should be used for silver brazing. In my recollection, there was no copper pipe with a diameter between 54 and 67 millimetres. Mr Kevin Kwong of Ho Biu Kee, before each project commenced, would give the relevant instructions to the subcontractor, to the foreman and to the person in charge, and there was also the same in Kai Ching Estate.

43. As to Ho Biu Kee's suggestion that I said that tin strips could be used along with the LPG torch, it would be more convenient for workers, whereas an oxyacetylene torch would have to be used for solder wire, this is wrong. Regardless of whether it is solder wire or solder strip, we can use LPG torch for melting the materials.

44. As to Mr Ho Man Piu's suggestion that I said using solder strips could expedite the works in progress, this is untrue and unreasonable, because the



pace of work would only affect the foremen and workers.  
It did not affect me as the person in charge, and in my  
previous experience, whether solder wire or solder  
strips were used, the effect was the same and the level  
of difficulty was also the same. So I did not and would  
not suggest to Ho Biu Kee to use solder strips to  
expedite the works progress.

45. Mr Ho Man Piu also said that I said that the  
melting point for solder strips would be lower than for  
solder wire. I did not say that, because I understand  
that solder strips melt faster than solder wire, but  
I did not know their respective melting points.

46. As for Mr Kwong Ka Fu's statement,  
paragraph 9(c), he claimed that Ho Biu Kee, before the  
Kai Ching Estate and Kwai Luen Estate Phase 2, never  
used 50D flat tin strips for soldering. I cannot be  
sure. To my knowledge, most of the workers regard  
solder materials as solder strips. So I believe that if  
Ho Biu Kee in other works projects used tin strips for  
soldering, it would not be a surprise. As I mentioned,  
in 2010, in Yau Lai Estate, the shopping mall had used  
lead-containing elbows for connecting fresh water copper  
pipes, but when supplementary soldering was required,  
tin strips were used.

47. (Chinese spoken).

48. I understand that in relation to materials, HA would request the main contractor to submit samples for approval, including solder materials. To my knowledge, Mr Kwong of Ho Biu Kee was responsible for this and I did not take part in it.

49. I never knew whether China State or Ho Biu Kee submitted what kind of solder materials to HA for approval. Neither was I informed what was finally approved by the HA. In fact, other than solder materials, for other waterworks materials or fittings, no one would tell me the brands submitted for approval and the final approved brands. This didn't only happen in the Kai Ching Estate project; it also happened in other projects that I took part in under Ho Biu Kee.

50. All site staff of Kai Ching Estate (including myself) would have to take part in a safety talk organised by China State before we entered the site, but the talk only explained general site safety knowledge; it did not mention what brands or what specifications of materials or fittings were to be used.

51. As to what brand should be used, I believe that when procuring materials, Ho Biu Kee would naturally be responsible for choosing the brand. As to whether Mr Kwong reported to the procurement of Ho Biu Kee the brands approved, I had no idea. The procurement of

Ho Biu Kee, however, never asked me about the materials.

52. I believe China State should know that in Kai Ching Estate, solder strips were used for jointing fresh water copper pipes because (as mentioned above) when I photocopied all the delivery notes and handed them to China State, China State regularly sent staff to the site to inspect the materials delivered. For the plumbing workers in Kai Ching Estate, they just stored and used the solder strips. Normally, they did not hide the materials. China State did not ever mention to me that solder wire instead of solder strips should be used for jointing pipes.

53. For the fresh water plumbing installation work at the six blocks of Kai Ching Estate, I remember workers have always been carrying out the installation work, but for the facade of the buildings, more manpower was needed for the installation, and there were around six months to complete required procedures, so it wasn't a big rush. At its peak, there were more than 100 plumbing installation works to carry out the installation works in the six blocks at Kai Ching Estate.

54. I first knew that Ho Biu Kee needed to install prefabricated units for Kai Ching Estate in the mainland. I first knew about it from Ho Man Piu or

Mr Kwong. At that time, around four to five storeys of the main block had been completed and the Kai Ching Estate project was the first time I knew that the plumbing parts had to be prefabricated in the mainland.

55. The installation of fresh water pipes for prefabricated units, including bathrooms and kitchens, were done, and lead and soldering was required for the connection of copper pipes. The majority of the fresh water pipe installation was carried out in the Yau Lee Wah factory in Shenzhen. I remember, for the lower blocks of the main building, the plumbing prefab units were installed in Hong Kong. That's because, at the beginning, the concrete shells of the prefabricated parts in Shenzhen had to be delivered to Kai Ching Estate for delivery. At that time, there wasn't enough time to pre-install those parts in Shenzhen, and as such the plumbing parts for the lower floors were installed in Kai Ching Estate. As for the middle and higher-floor parts, for the main building, they were all installed in Shenzhen, before being delivered to Hong Kong.

56. The prefab parts installed in China requiring certain materials, including solder, they were all delivered to Shenzhen from Hong Kong, and according to Ho Biu Kee, for clearance purposes, those delivered to Shenzhen, including pipe brackets and small fittings and

solder, would be ordered according to the procedure and delivered to Kai Ching Estate site for delivery, before being taken to Shenzhen in one go.

57. Materials used in Shenzhen, including solder, before they were delivered to the Kai Ching Estate site, they had to undergo site entry procedures to be stored at the workshop, and when these were delivered to Shenzhen they had to undergo strict exit procedures, and that includes a form signed by myself to the security staff as well verbal notice to Mr Lam from China State's building services department, and Mr Lam will notify the relevant HA staff.

58. Materials that leave the site must be listed in the exit pass, and details must be given. For solder strips, I would write down the amount or quantities of solder strips in pounds or number of boxes, and I would sign on the exit pass before passing it on to one of the bosses, before being further passed on to the security staff, and the BS staff of China State would take a photo before they were loaded to the trucks, for record.

59. In the Yau Lee Wah factory in mainland China, I saw solder strips, and I have seen reels of solder wire as well. The reason is probably the same as the existence of two types of solder for the Kai Ching

Estate project. I ordered solder strips but sometimes the sort delivered by Prosperity would be rolls of solder wire.

60. As for the staff involved in the installation of prefab plumbing parts in Shenzhen, I remember that Ho Biu Kee decided to use a subcontractor in the mainland and he hired mainland workers for the installation, and no Hong Kong workers travelled to Shenzhen for the installation. I remember that Ho Man Piu asked me to arrange a Ho Biu Kee master to travel to Shenzhen, to train the mainland workers on how to install the prefab plumbing parts, including the connection of water pipes, and as such I secured Yeung Wai Keung from Ho Biu Kee to take up this role. My involvement in the installation of prefab parts included the inspection of prefab fresh water pipes to see if they align with the plan, whether there are mistakes or seepage and so on.

61. In order to monitor the workmanship of the installation of pipes, I would visit the Shenzhen factory every two weeks, and at the beginning the workmanship was rather poor so I had to do a lot of inspection and checking. Over the course of inspection in Shenzhen, I usually travelled with Mr Siu. Sometimes I would travel with Mr Leung and Mr Lam (Jason). As

I understand, they are all staff of the building services department of China State, and Mr Leung had the highest seniority among them. In those visits, we never discussed anything about the solder. As for the licensed plumber, Lam Tak Sum from Ho Biu Kee, I know him but I have never visited Shenzhen with him."

That's your signature; right?

A. Yes.

Q. When you look at paragraph 12 on page 2392, on the third line, you said:

"In the latter stages of the Kai Ching Estate project, in around September to October 2013 ..."

Should it read 2012? Was it a typo? The latter stages of Kai Ching Estate project should be 2012, not 2013?

A. Yes, it should be 2012.

Q. It should be the end of 2012. Now, just a minor correction, it should read 2012, not 2013.

Apart from this amendment in the year, for the statement I have just read out, which is the statement in front of you, can you confirm it as your witness statement?

A. Yes.

Q. Now we have some questions for you on your witness statement, for the different estates.

A *Annex: Realtime English Transcription based on floor / Simultaneous Interpretation* A

B Commission of Inquiry into Excess Lead Found in Drinking Water Day 38 B

C The background first. C

D CHAIRMAN: Can we take a morning break first? Let's take D

E a 20-minute break. E

F (11.22 am) F

G (A short adjournment) G

H (11.47 am) H

I MR SHIEH: Mr Chan, I have some questions for you. I

J You were educated in the mainland to junior J

K secondary level so you were born in the mainland? K

L A. Yes. L

M Q. When did you come to Hong Kong? M

N A. 1979. N

O Q. So you came to Hong Kong in 1979? O

P A. Yes. P

Q Q. After arriving in Hong Kong you became an apprentice in Q

R 1983 so before you became an apprentice, what did you R

S do? S

T A. I worked in a restaurant kitchen. T

U Q. After the apprenticeship, you joined Ho Biu Kee in 1998, U

V so between 1983 and 1988, you worked in plumbing and V

drainage works; right?

A. Yes.

Q. Were you a casual worker?

A. Yes.

Q. You joined Ho Biu Kee in 1988 and you secured a full



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Commission of Inquiry into  
Excess Lead Found in Drinking Water

Day 38

trade test certificate in 1998. When you took the test  
did you have to take a written test?

A. Yes. I didn't have to write anything. I just -- it was  
a multiple-choice test.

Q. So there was a craftsmanship test; right?

A. Yes.

Q. Would soldering be tested?

A. Yes.

Q. In the test for soldering pipes, what soldering material  
was provided by the exam authority?

A. They were solder strips, folded -- straight solder  
strips were provided and they were folded.

Q. Were they reels?

A. No. They were folded or bent.

Q. But they weren't reels of solder; right?

A. Yes.

Q. When you took the classes, did you have to take any  
courses at schools or institutes, or did you just learn  
it on the fly?

A. I didn't attend any classes.

Q. So you took the test after accumulating experience;  
right?

A. Right.

Q. Did you take any courses or anything like that?

A. No.

Q. You left Ho Biu Kee in the year 2000 and returned in 2009. In the meantime you also worked in plumbing and drainage for another company?

A. Yes.

Q. You were dismissed in April 2013 by Ho Biu Kee. What was the reason for the dismissal?

A. I was accused of stealing.

Q. You were dismissed. Now you are still in the trade but you work for another company?

A. Yes.

Q. Now I want to explore some issues with you. You know that for HA projects, some materials have to be submitted to the HA for approval, on the brands and types of materials used. Did you know these procedures before you started the project?

A. Yes.

Q. So various materials had to be submitted; right?

A. Yes.

Q. Did you know that solder used for jointing copper pipes were among the list of items to be submitted?

A. Yes, I knew that.

CHAIRMAN: Please go on.

MR SHIEH: Well, let's not just look at Kai Ching Estate.

Over the years, in your experience with public rental estates, apart from Kai Ching Estate, were you involved

in any other estates?

A. No.

Q. So Kai Ching Estate was the first project in which you were the person in charge. Before Kai Ching Estate, for other estates, even if you weren't the person in charge, you have involved; right?

A. Yes.

Q. Since you became the person in charge, you didn't have to be personally involved in the work?

A. Yes.

Q. Before you became the person in charge, were you involved in other housing estates, in that you would be informed of the materials approved?

A. No. When I was a worker, no.

Q. For Kai Ching Estate, it was the first time you became the person in charge. Did anyone from Ho Biu Kee tell you about the plumbing-related materials by Ho Biu Kee?

A. No.

CHAIRMAN: You returned to Ho Biu Kee in 2000 and became person in charge in 2009. Why were you promoted to person in charge?

A. When I joined Ho Biu Kee, I was assigned to Tin Shing Estate in Tin Shui Wai. I stayed there for two or three weeks. They said they needed someone from Yau Lai Estate.

MR SHIEH: In other words the estate next to the harbour crossing; right?

A. Yes. They needed someone there to take care of the boring works, and myself and two other staff were assigned there.

CHAIRMAN: So, as you know -- what I meant was you said --

MR SHIEH: You returned to Ho Biu Kee, which means you left it and returned, so why did Mr Ho assign you as the person in charge?

A. When I was in Ho Biu Kee, I was in charge of subcontracting.

COMMISSIONER LAI: So before 2009?

A. Before the year 2000.

MR SHIEH: So, when you first joined Ho Biu Kee, you would be subcontracted certain works, for instance part of the plumbing works; is that correct?

A. No. At the beginning, myself and a few people worked with Ho Biu Kee, to take up some subcontracted works, and afterwards we set up separate companies, to take up works from Ho Biu Kee.

CHAIRMAN: Are you referring to the period between 1988 and the year 2000; you were in Ho Biu Kee and you were a worker of Ho Biu Kee, but you took up subcontracted works?

A. Yes.

CHAIRMAN: Do you mean that the works you took up would be paid by a piece rate?

A. Yes.

CHAIRMAN: So just like when we were small, sometimes our mothers would be paid by pieces in plastic factories, so you wouldn't be paid by the day; right?

A. In the later stages, it would be paid by project.

CHAIRMAN: What do you mean when you say "by project"?

A. The entire site.

CHAIRMAN: So Ho Biu Kee would subcontract the works to you, and if Ho Biu Kee is a sub-subcontractor, you would be the sub-sub-subcontractor.

A. Yes.

COMMISSIONER LAI: When was it? Was it before the year 2000? When was it?

MR SHIEH: When were you the sub-sub-subcontractor?

A. It was 1998 to the year 2000.

MR SHIEH: You were the sub-sub-subcontractor. So, in the year 2009 you returned to Ho Biu Kee, and you were first assigned to Yau Lai Estate for certain boring works, and the chairman asked you, eventually, why were you assigned the person in charge of Kai Ching Estate?

A. For the shopping arcade, there was another person in charge, and there were some complications at the shopping arcade, and that person wasn't very familiar so

I helped him out, and in the later stages Mr Ho trusted me.

Q. So the Yau Lai Estate shopping arcade, you were very helpful and Mr Ho appreciated it, and he asked you to become person in charge of Kai Ching Estate; was that the case?

A. Yes.

Q. For approved samples, no one at Ho Biu Kee told you which materials were approved. Did anyone from China State inform you of the materials approved?

A. No.

Q. Now, let's pause here. I would like to know about the management of manpower at different sites. According to your witness statement, blocks 3 and 4 of Kai Ching Estate were taken up by Mr Chan Sze Nam.

A. Yes.

Q. According to Mr Ho Man Piu yesterday, for blocks 3 and 4, the foreman or the person in charge was yourself, not Chan Sze Nam. Chan Sze Nam was merely responsible for subcontracting certain parts of the works at blocks 3 and 4. He wasn't in charge of the entire blocks 3 and 4, that was what Mr Ho said. What do you have to say in response? He said you were responsible, not Chan Sze Nam.

A. Chan Sze Nam took up all the pipes inside and outside

the building at blocks 3 and 4. He had some company workers, and they installed pipes and some sanitarywares.

Q. Chan Sze Nam was responsible for which pipes?

A. The upstream and downstream pipes, and those pipes outside of the facade. He wasn't in charge of those at the rooftop.

CHAIRMAN: What does it mean by surface?

A. At the upper floors.

CHAIRMAN: At the rooftop?

A. Correct.

MR SHIEH: So Chan Sze Nam only took up part of the work.

He wasn't the overall foreman or subcontractor for blocks 3 and 4?

A. And he wasn't responsible for the internal works, because some of them were done in the mainland.

Q. So his role was not the overall foreman for blocks 3 and 4; he only took up some of the work, right?

A. Yes.

Q. Now, for blocks 3 and 4, if someone needs to reach a person in charge, were you responsible?

A. All company workers reported to me.

Q. When you were the site staff as the person in charge --

A. Between the office and the site.

Q. So part of your time will be in the office?

A. No, at that time I was the person in charge of two estates.

Q. Kai Ching and Lung Yat?

A. Correct.

Q. So you mean you allocated your time between Kai Ching and Lung Yat Estates?

A. Right.

Q. Would you go back to the office often?

A. Rarely, just three or four times.

Q. Just three or four times during that time? That is, as far as Ho Biu Kee's work in Kai Ching is concerned, you only went back to the office three or four times? For what reason?

A. Only when something happened. For other times, I remained at the site.

Q. For calls to the site, from the female staff in the office, from procurement, did you know their identities?

A. I originally didn't know. I knew subsequently.

Q. There was one called Wong Wai Ping?

A. I didn't know the full name. I just address her by her surname.

Q. So there was a Ms Wong, who was the personal assistant or secretary of Ho Man Piu.

A. Yes.

Q. There was also a Ms Chiu, Jess Chiu, who was responsible



for placing orders for procurement?

A. Yes.

CHAIRMAN: At the Kai Ching Estate, for Ho Biu Kee, you were  
the top person in charge?

A. Yes.

MR SHIEH: Let's move on to the key issues in this incident.

In the Kai Ching Estate, you placed orders for solder  
materials. That means you contacted the office staff,  
you faxed the material request forms to the office,  
stating the materials you needed.

Let me invite you to identify some documents.

Page 2378 of the bundle in front of you.

This form -- it's not in Kai Ching but this is just  
a sample -- do you see that?

A. Yes.

Q. A materials request form?

A. Yes.

Q. You faxed these kinds of materials request forms to the  
office of Ho Biu Kee?

A. Right.

Q. And it's in triplicate, white, red and yellow. After  
faxing the form, you would place the copy in your  
office.

A. Yes.

Q. Would anyone come and collect the forms from the site or

would you on a regular basis take the form in triplicate to the truck driver?

A. No.

Q. So who was in charge of the site office, who would clear the documents on a regular basis? Not you?

A. Well, the delivery notes, and so on and so forth, when drivers from the office arrived at the site, I would give the documents to them.

Q. So, for delivery notes, you would give them to the driver of Ho Biu Kee, for bringing back to the office, but not the materials request forms?

A. No, never. Nobody requested.

Q. So it would be kept at the site. What happens afterwards?

A. After the materials were delivered, even when we move the workshop.

Q. These forms in triplicate will not be moved?

A. No.

Q. Please look at paragraph 18, page 2393.

"All along, when jointing fresh water copper pipes, solder strips would be used, so I would usually put on the form 'solder strips' and its quantity."

So you would put down "solder strips" because for you, as the person in charge for Ho Biu Kee in Kai Ching Estate, it was the first time you were the person in

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Commission of Inquiry into  
Excess Lead Found in Drinking Water

Day 38

charge.

A. Yes.

Q. Before that you had no actual experience in placing orders for materials. It was the first occasion in Kai Ching Estate when you had to fill in the materials request forms?

A. Right.

Q. You told us that because all along your understanding was that nobody would use the words "soldering materials", instead, they would call them "solder strips", and therefore you put down the word "solder strips". You did not know the brand?

A. Correct.

Q. When the materials were delivered, if they were delivered in reels, because to your knowledge, according to you, when you were an apprentice, when you went through the test, you used a straight solder strip -- it might be bent or folded but it came in the form of a strip -- and when you were a worker at the construction site, most of the time you used straight flat strips.

A. Most of the time, yes.

Q. But on some occasions it would be in the form of a reel?

A. Yes.

Q. But not often?

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Commission of Inquiry into  
Excess Lead Found in Drinking Water

Day 38

A. Not often.

Q. And would you know the difference between the two?

A. No. Even for materials in reel, we would just call them solder strips.

Q. So for reels of solder wire, you called it high-temperature solder wire?

A. Yes.

Q. And for strips, you called it low-temperature tin?

A. Yes.

Q. So you understand that there is a difference in terms of the melting point, the temperature, and the difference lies in the melting point.

A. Yes.

Q. For lower temperature ones, it has a lower melting point. For higher temperature ones, in reels, it has a higher melting point.

A. Yes.

Q. So when you put down the words "solder strips", what did you have in mind would be delivered?

A. I didn't have anything particular in mind.

Q. I know that this may be a hypothetical question.

I understand that Ho Biu Kee never informed you of the approved materials, but had somebody from Ho Biu Kee told you about this, be it Mr Ho or Ms Chiu from procurement, had there been anyone from Ho Biu Kee

informing you of the approved materials, that is only the high-temperature tin could be used? Then, after learning this, would you still put down "solder strips", or would you put down "high-temperature tin" instead?

A. If somebody had told me that it was the high-temperature tin, I would put it down accordingly.

Q. But wouldn't you argue with that person, "Let me recommend solder strips to you because it's easier to use, it's cheaper"; would you do that?

A. No.

Q. If the boss asked you to place an order for high-temperature tin, you would do so accordingly, because to you there wasn't much difference?

A. Correct.

Q. In paragraph 12 of your witness statement, you mentioned that towards the end of the construction for Kai Ching Estate, it wasn't just you who filled in the materials request forms. For convenience, other personnel, Wong Kwok Hung, Leung Wai Kin and Fan Sau Peng would sometimes fill in the forms by themselves. Did you know about that? Because the problem is we no longer have the materials request forms available, so we are relying on you. Did you know how or what they put down in the form in relation to solder materials? Did they put down "high-temperature soldering materials" or not?

A. No idea.

Q. You talk about your old practice. Did you discuss with anybody at the site or from Ho Biu Kee? And I'm not talking about the labourers; I'm talking about those at a certain rank, Wong Kwai Hung, Leung Wai Kin, et cetera, those who would fill in forms and place orders, did you discuss with them what solder materials they used?

A. No, because I had no idea what solder materials should be used either.

Q. You said your practice is that you would put down "solder strips", and when the materials were delivered to the site, you would receive the goods?

A. Yes, at first, but subsequently the respective foremen would receive the goods.

Q. Anyway, you knew about the materials delivered at the site, and when you put down the words "solder strips", that's the case, but however, for solder materials delivered at the site by Prosperity, it came in the form of solder strips as well as solder wire in reels, and you knew about that at the time?

A. Yes.

Q. We now understand that this (indicating) is lead-free solder materials with the brand FRY, approved by HA. Back then you did not know that HA had approved these

green reels of solder wire?

A. No idea.

Q. But did you know, at the time, Prosperity had delivered these reels of materials to the site?

A. Yes.

Q. On the other hand, there was another kind of material in boxes, in strips (indicating). You saw that as well?

A. Yes.

Q. This is solder strips, to your knowledge?

A. Yes.

Q. You said you knew that both kinds of material were delivered by Prosperity to the site, but most of the materials delivered were in the form of strips, in boxes, only a small portion was in reels, and you did not know about the chemical ingredients of the two, but on the face of it you knew the appearance of the two kinds of materials are different.

So did you try to understand why just by putting the words "solder strips" the solder wire in reels would be delivered?

A. No.

Q. Before you acted as the person in charge at Kai Ching, you already had seen this type of material. So now you are telling us that at that time you did not consider why Prosperity would deliver both types of materials to

the site. But if I were to ask you again now, what would be your conjecture?

A. I would say that it would be because of material shortage.

Q. So you believe that because Prosperity did not have sufficient solder strips, they delivered solder wire instead. But the price may be different.

A. I don't know about the price.

Q. Nor did you know, when Prosperity delivered the alternative to the site, whether Prosperity had told your office staff that they would be delivering solder wire to the site?

A. No idea.

Q. So is it true to say that at the time of placing orders, in fact in the materials request forms you have already stated clearly separate orders for solder strips and solder wire?

A. No, not true.

Q. There was another version, and you also mentioned in your statement as follows. For this green reel of materials, it's more suitable for jointing pipes with a larger diameter, from 50 to 75 millimetres. For pipes with diameter less than 50 millimetres, solder strips would be more suitable.

Would it be the case that because you knew the



difference in this regard, when you fill in the form, you deliberately put down "solder strips" in the larger quantity to accommodate your need for a small quantity of solder wire? Was it because of that that you already ordered separately these two kinds of materials?

A. No.

Q. May I refer you to Ms Wong Wai Ping's statement, page 2336. She is the personal assistant of Mr Ho. It's in English, but let me tell you this. Ms Wong Wai Ping's statement -- and she will be coming to the witness stand in a moment -- she said you required solder strips in addition to solder wire. So the concept of ordering solder strips as well as solder wire originated from you; do you agree?

A. No.

Q. When you returned to Ho Biu Kee in 2009, did you know that other Ho Biu Kee project sites were using reels of solder wire?

A. No, I don't know.

Q. Do you know the types of solder used in other Ho Biu Kee sites?

A. For the Yau Lai Estate shopping arcade, strips were used.

Q. Well, for that shopping arcade, strips were not used, embedded solder was used.

A. Correct, embedded solder.

Q. And the approach was entirely different, and additional soldering had to be done?

A. Correct. For additional soldering --

Q. For additional soldering, were strips used?

A. Yes.

Q. For other projects -- well, when you returned, you were involved in Yau Lai Estate shopping arcade. Before you were assigned to Yau Lai Estate, you were at another estate in Tin Shui Wai. That site had nothing to do with Ho Biu Kee; right?

A. No. It belongs to Ho Biu Kee as well.

Q. So what kind of material was used?

A. Solder strips.

Q. So, from your experience, other Ho Biu Kee sites also used solder strips?

A. Yes.

Q. So do you mean that it is not that Ho Biu Kee had been using reels of solder and you proposed a new type of solder for Kai Ching estate?

A. Right, that's not the case. The temperature of embedded parts are similar. For parts with lead embedded -- or with tin embedded --

Q. I don't really understand what you mean by "embedded parts".

A. For tin elbows, for example.

Q. So the melting point is different from the reels of solder. So if tin elbows with embedded tin is used, and if you need to conduct additional soldering, it would be more natural to use solder strips because the melting points are comparable?

A. Yes.

Q. So do you maintain that two types of material were delivered, not because you wrote two different types of material, and it had nothing to do with the diameter?

A. These were two different things.

Q. Let's look at the differences between these two. Silver brazing is something else altogether. The melting point for silver brazing is very high.

A. Acetylene cylinders are required.

Q. In other words silver brazing requires high temperature.

A. Right.

Q. You said if tin elbow is used and tin is embedded or soldering material is embedded, the temperature required or the melting temperature is more compatible with solder strips?

A. Well, that's from experience, I have personally done it before.

Q. In paragraphs 29 to 30 of your witness statement -- please look at paragraph 30:

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"For soldering strips, the usage and effects of solder strips and wires are similar, so I did not discuss with the procurement department of Ho Biu Kee why reels of solder were delivered to the site."

Do you see that?

A. Yes.

Q. According to your witness statement, for solder strips, as you said, in your knowledge, solder strips are also known as low-melting tin, and solder wires are high-melting tin, so their melting points are different. You might not know the exact melting points. But generally speaking, one type doesn't require such a high temperature or length of time, and those would be low-melting tin.

You said the usage of both would be similar. So if one type requires a lower temperature and a shorter time, then there should be a difference; right?

A. Well, it just takes a little bit longer.

Q. So there's already a difference in time; right?

A. Mm.

Q. If you require a longer time to solder -- if the time required is shorter, then does it mean your work can be done quicker?

A. Not really. As long as there's no seepage, there's no difference.

Q. But everyone wants to get the work done as soon as possible; right? You said you weren't the boss so you wouldn't care about the time required. But it is not about whether you are the boss. If you can get the work done soon, then it's better for everyone. Would it be the reason why you suggested using tin strips?

A. No.

Q. We heard that the unit cost of solder strips is lower. Are you aware of that?

A. Normally speaking ... (Chinese spoken).

Q. What was that?

A. I'm not sure about the price list.

Q. In your witness statement, you had no direct contact with Prosperity, so do you know who the boss of Prosperity is?

A. I knew afterwards.

Q. When was it? When did you know about it?

A. It was in the later stages.

Q. And when you tried to --

A. When the company asked Prosperity for the materials, or to follow up on the materials, some women called and told me the delivery dates.

Q. Are you referring to the staff of Prosperity, they called you at the site talked to you directly on the materials you needed, and after that you talked directly

with Prosperity?

A. It couldn't be considered communication. They asked me what to do with the pipe brackets and so on.

Q. So you did not make direct orders to them?

A. No.

Q. So did you talk to their boss or the female staff?

A. I talked to a person called Chow from Prosperity, usually on pipe brackets.

Q. Did you discuss anything about the solder?

A. Never.

COMMISSIONER LAI: You have been a sub-subcontractor between 1997 to the year 2000. When you were

a sub-subcontractor, did you have to purchase your own materials?

A. No, they were all supplied by Ho Biu Kee.

COMMISSIONER LAI: So you didn't have to buy anything; right?

A. No.

MR SHIEH: On the difference in usage of these two types of solder, other witnesses told us that if you use straight soldering strips, they would be cut in specific lengths. So, when you solder these strips, as you solder the tin, the final unused part might be discarded? Are you aware of such practice or issue?

A. At the end, we would discard them, we would discard the

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Commission of Inquiry into  
Excess Lead Found in Drinking Water

Day 38

last part.

Q. So, for straight solder strips, for the final parts left over, you would discard them; right?

A. Yes.

Q. Even before you finished the soldering, but since solder conducts heat, at the end, the final part would be discarded?

A. Yes.

Q. It's just the same as smoking, you would not use the last bit. Sometimes tin strips melt very quickly, and the whole lump would be stuck on the pipes. If you use reels of solder wire, since the melting point is higher, then it's easier to do fine work. Are you aware of such difference?

A. No.

Q. Do you understand the difference? If it melts easily, then the whole lump might be stuck on the pipe and there might be some wastage of material?

A. Are you referring to inside or outside? Well, for outside, we would use our hands to wipe them off.

Q. If you solder tin strips, for one lump, if you come up with a lump, then you wipe off the lump with your hands, but that lump would still be wasted; right? So are you aware of the difference in these practical steps?

A. In my opinion, there's no difference.

Q. Well, there might not be any difference in terms of seepage, but in terms of usage -- first of all, if you use reels of wire, solder wire, the wastage can be minimised. When you finish soldering a pipe, you can just cut it off; you won't have to throw away the last bit of tin strip. Do you agree?

A. The workers won't care whether materials would be wasted.

Q. In his witness statement, Wong Kwai Hung said -- let's look at 2242. His statement is also in English. I will try to describe what he said.

Wong Kwai Hung said, for Kwai Luen Estate -- well, he ordered for Kwai Luen Estate. Do you know that Wong Kwai Hung was the person in charge of Kwai Luen Estate?

A. Yes, I know.

Q. But you weren't involved in the construction of Kwai Luen Estate; right?

A. Correct.

Q. Do you know that Wong Kwai Hung said he was responsible for ordering solder for Kwai Luen Estate, he made separate orders for solder strips and solder wires; are you aware of that?

A. No.

Q. He said, in Kwai Luen Estate, he ordered solder strips for pipes of a smaller diameter and solder wires for



pipes of a larger diameter, and he merely followed the practice for Kai Ching Estate. So, in other words, for Kai Ching Estate, the practice was that for smaller pipes or pipes of smaller diameter, strips were used; for larger diameters, wires were used. That's the approach he followed.

What's your opinion on his view?

A. (Chinese spoken).

Q. You didn't teach him to do so or ask him to do so?

A. No. We wouldn't do that for Kai Ching Estate. We only had two materials.

Q. What does that mean?

A. Either soldering or brazing, soldering or silver brazing. We wouldn't have three types or three options or approaches.

Q. You just said that you know that part of -- you know that reels are sometimes used for Kai Ching Estate, so there are three types of material.

A. It's either tin or brazing.

Q. So, in your eyes, both wires or strips are considered solder?

A. There are different rules in place to govern the use of soldering or brazing.

Q. So, for thicker -- for thin -- just a minute. For thick pipes, silver brazing would be used if the diameter is

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Commission of Inquiry into  
Excess Lead Found in Drinking Water

Day 38

over 60 or so millimetres.

A. Right.

Q. For thinner pipes, with diameter under 50 millimetres, then tin would be used, and both tin strips and wires can be used for thinner pipes?

A. Right.

Q. In other words, you do not agree with Wong Kwai Hung?

A. Don't agree.

Q. I would like to ask you about Lam Tak Sum. Lam Tak Sum is a licensed plumber; you know about that?

A. Right.

Q. And you know that for licensed plumbers, they belong to the category holding a licence by the Water Supplies Department. You may not know the law but you know that as a licensed plumber they would need to sign some documents and submit them?

A. Yes.

Q. Perhaps they would need to put down the materials on the form. So in general you know what a licensed plumber does?

A. Yes.

Q. So how often would Lam Tak Sum appear at the site?

A. Not often.

Q. Was he engaged in the manual work?

A. No.

Q. So what would he do?

A. He would seldom come to the office, actually. He will just do the rounds on the site.

Q. So he would just look at how the workers did?

A. He would not go up the building.

Q. So what would he do?

A. He would check the water meters on the ground floor.

Q. Meters are important, but what about the craftsmanship of workers? Would he inspect the craftsmanship? Would you look at the materials, solder materials?

A. No.

CHAIRMAN: Let's not talk about solder materials. What about pipes, what pipes should be used. Lam Tak Sum, you said he would not look at solder materials. What about the brand of pipes? Would he look at them, what brand of pipes, what brand of valves; would he look at them?

A. No.

CHAIRMAN: So basically, he would only check the water meters?

A. Yes, just to check whether the water meters were correctly installed.

MR SHIEH: So, for the WSD's forms, because the department attaches great importance to the locations of water meters, so that's his concern more or less?

A. Yes.

Q. Prefabricated or precast materials manufactured in China. You said that Lam Tak Sum did not go to Shenzhen with you to oversee the precast materials production. Have you heard about Lam Tak Sum going to Shenzhen at all?

A. No.

Q. Let's talk about Lung Yat Estate. Paragraph 39 of your witness statement, page 2398. You said that for Lung Yat Estate, when you filled in the materials request forms, you also put down 'solder strips'. So the same approach as in Kai Ching?

A. Yes.

Q. However, Prosperity delivered reels of solder wire and never solder strips. However, you did not take the initiative to ask why, until a female staff at the office rang the site.

A. Yes.

Q. What did she tell you?

A. She rang and said, "Chan Siu Wah, you should put down 'solder wire' on the form."

Q. So she said for the Tuen Mun site --

CHAIRMAN: She told you to put down "solder wire" in the form?

A. I also checked that in relation to the delivery notes of

Prosperity, solder wire was put down.

CHAIRMAN: So originally, in the materials request form, you put down "solder strips", and solder wire was delivered, then the staff deliberately called you and said that you should use solder wire instead of solder strips from now on, in the form?

A. Right.

CHAIRMAN: But that wouldn't be necessary because they would already know solder wire would be delivered. What's the point of gilding the lily?

MR SHIEH: So you could just put whatever on the form, just solder materials would do. Why did she deliberately call you to talk about this? Did she tell you why?

A. No.

CHAIRMAN: According to you, all along you had put down "solder strips", but you didn't know why on some occasions solder wire was delivered instead and you reckon it was because of insufficient stock; right?

A. Right.

MR SHIEH: Sometimes, perhaps after you put down the words "solder strips", procurement staff might have their own judgment in deciding what order to place with Prosperity, but that was a decision made by the procurement. I don't understand this part. Do you recall in your statement who this female staff was?

Because you said in your statement you don't remember.

Let's go through the names of staff. What about

Wong Wai Ping? Would it be her?

A. No.

Q. So it would be pointless for me to cite the names to  
you. Would it be Ms Chiu?

A. I really don't remember.

Q. So you don't remember. Just a female staff?

A. Right.

Q. We will go through them one by one later. But did it  
occur to you at the time why would somebody deliberately  
call you and tell you what to put down in the form?

A. No.

Q. It seems that they are trying to put it up for show,  
because they already knew what to order. Did you think  
about that?

A. No.

Q. But when the female staff called you to talk about the  
forms, you already knew that Prosperity would deliver  
materials in reels, so the fact is that you put down  
"solder strips" and Prosperity delivered solder wires,  
and after you learned about that the staff from  
procurement called and told you to put down "solder  
wire" on the form?

A. Right.

Q. Please return to paragraph 22 of your statement. You said:

"When the delivery lorries arrived at the site, a simple form would have to be filled in for exit and entry."

This is about Kai Ching, this is the practice of Kai Ching, in paragraph 22; right?

A. Yes.

Q. A simple form with the name of the driver, the materials to be delivered in Kai Ching.

A. That also applied to Shui On.

Q. Then you said you would put down the types of materials to be delivered, such as copper pipes, but as for minor hardware items, it wasn't required to be included in the form.

We don't have the entry slip with us, but I reckon that there would be a blank form with an entry on the materials delivered. As for not putting down the minor hardware items, that's your practice?

A. Usually, we would not give the whole list; we would just put down one or two types.

Q. That's because you believed that those checking the entry slips would not check carefully whether the materials contain gloves or pipes, so you could spare the details?

A. Right. It's just part of the formality. We needed the entry slips for the security guards at the site to let us in.

Q. But you would not put down meticulous details as minor hardware items?

A. Right.

Q. About passing delivery notes to the main contractor, you said staff of Ho Bui Kee had asked you to give photocopies of delivery notes to China State. Was there a similar practice with Shui On? Did you receive any instruction from the staff of Ho Bui Kee to do the same?

A. In my recollection, it seems that no delivery note was given to Shui On.

Q. So delivery notes to China State but not to Shui On?

A. Right.

Q. You didn't have this practice?

A. Right.

Q. Please look at paragraph 42 of your statement. In paragraph 42, you talk about copper pipes with diameter less than 54 millimetres you could use LPG torch, you could use solder strips or solder wire; for larger copper pipes, 67 millimetres or above, you need to use an acetylene torch for silver brazing.

"However, before each project commenced, in my recollection, Mr Kevin Kwong from Ho Bui Kee would give



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relevant instructions to the person in charge and the foreman at the site, and that also happened in Kai Ching Estate."

Did it happen in the office or at the site?

A. Usually, over the phone. Or if he was at the site and if we met, he would tell me.

Q. So he would ring all the people one by one?

A. Depending on who picked up the phone.

Q. He would ring the site and say what?

A. For larger copper pipes, what material should be used; for smaller copper pipes, what solder material should be used.

Q. Do you know the position or the role of Mr Kwong?

A. No.

Q. Mr Kwong was the QS, quantity surveyor; do you know?

A. No. Anything to do with materials.

Q. So he was in charge of doing calculations for his boss, preparing quotations for tendering, for materials, and so on and so forth. So he would not go to the site often?

A. No, not often.

Q. He himself did not know about soldering. So, according to him, there were never any instructions from him on what materials should be used for what kind of copper pipes?

A. But usually, for submissions to the HA, you needed to state what solder materials should be used for different copper pipes.

Q. So you think that when submissions were made to the HA, you needed to make it clear that what soldering materials should be used for copper pipes of certain diameters?

A. Right.

Q. And you believe he knew?

A. Right.

Q. So he would call the workshop or the site? You believe that he would call the site?

CHAIRMAN: So even you cannot tell what materials should be used, as somebody in the trade for decades?

A. Only those approving the materials could tell.

MR SHIEH: So you are suggesting that the torch to be used would be subject to the instruction given?

A. No, I'm saying that for solder materials, it wasn't up to us to decide the solder materials used for copper pipes of less than 54 millimetre wide, and so on and so forth.

CHAIRMAN: From the evidence we have heard so far, for plumbing works in HA projects, basically, they are all the same. In particular, when we talk about jointing pipes of certain diameters, the approach would be the

same for all projects.

MR SHIEH: So are you suggesting that before each project commenced, you would wait for the office to give you instructions on the use of solder materials for thin or thick pipes, whether solder materials or silver brazing should be used?

CHAIRMAN: You are telling me this, on the width of copper pipes and the materials to be used for soldering, you would receive instructions from the office, and also, for the ordering of materials, you would not have any idea. It would depend on the office's procurement as well.

So, basically, you are suggesting that you just do the biddings of the office, and at the site you would not make any decision?

A. Right.

MR SHIEH: So did your supervisor tell you whether to use brazing or soldering based on the diameter of the pipes, they weren't based on your professional knowledge; right? You were told; right? And in some sites, even for big pipes, soldering was used, or for thin pipes, silver brazing was used? Were there ever such cases?

A. Yes.

Q. Then perhaps I will wait until the counsel of Ho Biu Kee explain that to me.

Let me see if I have further questions.

I would like to clarify something with you, on the practice by Mr Kwong of calling the site to confirm the instruction. In paragraph 42, you said Mr Kwong from Ho Biu Kee would call the -- would issue instructions to the person in charge, and it's the same for Kai Ching Estate. So, for other sites, how do you know if he called the foreman?

A. It's the same for Tuen Mun.

Q. You weren't the person in charge there.

A. I was the person in charge in Tuen Mun as well.

Q. Are you referring to Lung Yat Estate? Yes. You were the person in charge of Lung Yat Estate in Tuen Mun. So he called the site office at Lung Yat Estate and talked to you?

A. He called my mobile phone.

Q. How did he describe the materials? For silver brazing, he said "silver brazing"; right?

A. He would describe, for pipes less than a certain diameter, soldering would be used.

Q. (Chinese spoken).

A. (Chinese spoken).

Q. If the diameter exceeds a certain level then silver brazing would be used.

CHAIRMAN: Sometimes, you said, due to shortage of stock,

then soldering wires were delivered, so were you completely unaware.

MR SHIEH: My guess is that it was just guesswork from him.

CHAIRMAN: So you ordered solder strips but solder wires arrived sometimes, so you guessed that it was due to a shortage of stock.

A. Right.

CHAIRMAN: Whether it was a discretion made by Prosperity or that it was an instruction from your office to Prosperity, you don't really know; is that right? So there were two possibilities. The first, you ordered tin strips, and the female staff at your office called Prosperity. Eventually, the deliveries also contained solder wires, so one possibility is that Prosperity made the decision to deliver solder wires, and the second is that your female officers told them that if you don't have enough solder strips then you can deliver solder wires? Which one is it?

A. I don't know.

MR SHIEH: So your guess is that they ran out of solder so, as such, they delivered solder wires as well?

CHAIRMAN: Based on the invoices we saw, it doesn't appear to us that they ran out of stock.

MR SHIEH: For some documents, they contain both items.

CHAIRMAN: For S1/128, if you look more carefully, you can

see that the so-called lead-free solder wire delivered, they were delivered on 14 December 2011, 17 December, 12 and 18 April 2012, and 23 May and 12 June. So they were all delivered at the end of 2011 and the first half of 2012. In the second half of the year, it was completely all right because there were plenty of stock.

Do you know what I mean?

A. Yes.

CHAIRMAN: Since there might be a shortage of stock in the first half of the year, let's look at the first half of the year to see if that's the case. Let's look at other estates to see whether they really ran out of stock.

First, let's look at page 205. This might not be relevant.

Let's look at page 217. On this page, on 16 June 2012, you can see that 275 pounds of WL50D was ordered, and on page 128, on 12 June 2012, 200 pounds of WL50D was ordered and 100 reels of FRY were ordered. So there was plenty of stock; do you see what I mean?

A. Yes.

CHAIRMAN: Starting from -- let's look at 2011. Were there any issues? Let's look at page 205 for Tung Wui Estate. The dates were all wrong. All the dates on the table were wrong. I have mentioned the correct dates before. Starting from 2010, the end of 2010, November 2010 to

August 2011, they were all WL50D. There was no such shortage of stock, as in 2012. So shortage wasn't a problem, apparently?

A. This I don't know.

CHAIRMAN: So what other reasons could there be, if this is the case?

MR SHIEH: Unless the person who made the orders said explicitly whether he or she wanted strips or wires, there was no reason, if you ordered strips, you would be given wires.

So let me ask you once more: when you ordered, did you specify whether you wanted tin strips or wires?

A. No.

CHAIRMAN: For Shui Chuen O Estate, for page 2378, you specified the number of reels of wire required.

Of course, Mr Fan -- you were not Mr Fan -- but when the order was made for Shui Chuen O Estate, it was before the revealing of the lead in water incident. Do you see what I mean?

A. For Lung Yat Estate, we specified the number of reels, so in the latter stages of the Lung Yat Estate, we specified soldering wire.

MR SHIEH: You said the office ladies asked you to write "solder wire", so you wrote the number of reels?

A. Yes, I wrote the reels.

Q. But in March 2014, for Shui Chuen O Estate, you can look at the material requisition form before the outbreak of the lead in water incident, and the co-ordinator ordered reels of solder wire instead of solder strips. So, in other words, someone in Ho Bui Kee must be aware of the need to put down "solder wire". So it wasn't the case that you ordered tin strips and somehow, eventually, Prosperity delivered solder wires?

A. I am not really sure.

Q. I have one more question for you, which is your relationship with Mr Chan Sze Nam. Do you know Mr Chan?

A. Yes.

Q. Do you have any financial dealings between each other?

A. No.

Q. We have heard an accusation before that in the third and fourth phases of Kai Ching Estate, Chan Sze Nam took up part of the plumbing works along the corridor, and the plumbing parts you mentioned. So those works were subcontracted, so-called, to him, and he should mobilise his own staff. We heard an accusation that in blocks 3 and 4, someone used the company's staff to help Chan Sze Nam finish work that Mr Chan Sze Nam should have done himself.

Now, let me repeat that. Blocks 3 and 4 were mentioned, and the accusation was that someone at



blocks 3 and 4 were assigned to do something the foreman was supposed to do.

A. That wouldn't happen.

Q. I understand normally staff of the company should take up works of the company, and subcontracted works should be taken up by workers of the subcontractor. If someone asked the company staff to take up the work of the foreman, then they are taking advantage the company; right?

A. Yes, I agree.

Q. But there is this accusation that at blocks 3 and 4 of Kai Ching Estate, someone did something like that. So are you aware if anyone did something like that at that time?

A. I think not.

Q. Are you sure?

A. I know that it didn't happen.

Q. Would it be possible that you wanted to benefit Mr Chan Sze Nam, and as such you asked the company staff to work on work subcontracted to Chan Sze Nam? Since tin strips melt more easily and it's easier to get the work done, so the entire site used tin strips in order to save time and help Chan Sze Nam get his work done more quickly?

A. No. Chan Sze Nam was commissioned with Ho Biu.

Q. So, in other words, you have no acquaintance with him?

C A. I didn't know him at all at the beginning. C

MR SHIEH: Let's take a lunch break.

D CHAIRMAN: Let's continue at 2.30. D

(12.59 pm)

(The luncheon adjournment)

F (2.32 pm) F

G MR SHIEH: I have no further questions. G

CHAIRMAN: Thank you.

H Cross-examination by MR YEUNG H

I MR YEUNG: I am the counsel representing Ho Biu Kee. In I  
J relation to the witness statement to the Commission, J  
I have a number of questions for you.

K We know that in 1988 you joined Ho Biu Kee, until K  
L year 2000, as the plumbing and drainage installation L  
worker of Ho Biu Kee.

M A. Yes. M

N Q. At that time, you didn't install copper pipes? N

A. Yes, copper pipes.

O Q. But not using solder strips or tin soldering materials? O

P A. By that time, copper pipes were joined by mechanical P  
compression.

Q Q. Between 2009 and 2013, you returned to Ho Biu Kee, as we Q  
R know. R

S A. Yes. S

T Q. This morning, we asked you -- you left the company in T  
U

April 2013 because you were involved in a theft incident, which did not happen in Kai Ching Estate, but you stole some copper pipes and you were convicted?

A. Yes.

Q. According to Mr Ho, you were sentenced to 120 hours of community service order. Afterwards, you were fired, so to speak?

A. Yes.

Q. When you returned to Ho Biu Kee in 2009, just now you said worked in the Tin Shui Wai site and in the Tin Shui Wai site you worked for only a short period of time before you were switched to another site. For Tin Shui Wai, you were not the person in charge?

A. I was an employee, I was a worker.

Q. So you knew nothing about the ordering of materials?

A. Right.

Q. Yau Lai Estate -- you were switched to Yau Lai Estate, and you were not the person in charge there either?

A. Right.

Q. You were not involved in the ordering of materials?

A. Right.

CHAIRMAN: Please slow down.

MR YEUNG: Sorry. Thank you.

On solder materials, as to which type should be used, you had no knowledge; you just treated it as

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Commission of Inquiry into  
Excess Lead Found in Drinking Water

Day 38

solder materials in general?

A. Yes.

Q. As for solder materials, whether it came in the form of solder strips or solder wire, you had no knowledge either?

A. Correct.

Q. Between the year 2000 and 2009, when you worked outside, you then acquired some experience in soldering, jointing fresh water pipes by soldering.

A. Yes.

Q. Then in 2005, when you were involved in the Un Chau Estate project, you jointed copper pipes by solder strips. Was it the first time you came across solder strips?

A. No.

Q. So when was it?

A. Before I joined Yau Lee. Even in Ho Biu Kee, in 1988 -- before 1988 I had come across the material, involving copper pipes, in private housing projects.

MR YEUNG: Using tin solder materials.

A. Tin strips.

Q. Yes, tin strips, that's what we can see now.

A. Yes.

Q. Instead of solder wire?

A. Yes.

A	<i>Annex: Realtime English Transcription based on floor / Simultaneous Interpretation</i>	A
B	Commission of Inquiry into Excess Lead Found in Drinking Water	B
	Day 38	
C	Q. You are sure?	C
D	A. Yes.	D
E	Q. When was the first time you came across solder wire, that is green reels?	E
F	A. In 2004 -- around 2004 or 2003.	F
G	Q. Under what circumstances did you come across the material?	G
H	A. In a private development project.	H
I	Q. Not Ho Biu Kee; right?	I
J	A. No, a private project.	J
K	Q. So you came across tin strips or solder strips, and you understood that in terms of the shape, it was different from solder wire?	K
L	A. Correct.	L
M	Q. You also understood that one is high-temperature.	M
N	A. Yes.	N
O	Q. The other is low-temperature; right?	O
P	A. Yes.	P
Q	Q. And you are familiar with soldering copper pipes, because you were once a worker?	Q
R	A. Yes.	R
S	Q. So although in Kai Ching Estate you were not the labourer, you had experience and you knew how to joint pipes by soldering.	S
T	A. Yes.	T
U		U
V		V

Q. I am afraid I haven't explained very clearly so let me show you this example (indicating). This is a pipe and an elbow. We mentioned, in CITA, that you were taught about copper pipe jointing by soldering with the use of solder strips. First of all you polished the joint and then you used solder strips.

At first you need to heat up the copper pipes before you use the solder strips. When you heat up the copper pipes, it would depend on what kind of tin materials you use, because if the temperature isn't high enough, we wouldn't be able to use the solder materials. That is, if we use high-temperature solder wire, it would take longer for it to melt.

So, in the same thing, let's say this is a 90-degree bracket, if you want to join the two pipes, if one joint takes 30 seconds, for the other part, it also takes 30 seconds?

A. No, I heat it up in the middle.

Q. Let's come back to the soldering process. You need to heat all the pipes; right? So, for this one, as far as you know, how long would it take?

A. I didn't count.

Q. Around 30 seconds?

A. More or less.

Q. So that is, if I want to joint this with a bend, it

would take 30 seconds on one side and 30 seconds on the other side?

A. No, we heat it up in the middle.

Q. But you needed to put the solder materials there first?

A. No. Once the middle part was heated up, you could put the solder -- you could put tin on both sides.

Q. You need to heat up the middle before you put that part in?

CHAIRMAN: No, you put the parts together and then you heat it.

A. Yes, put the parts together --

MR YEUNG: But according to CITA, you should put some solder materials here (indicating) first before --

CHAIRMAN: Perhaps you should check YouTube.

MR YEUNG: Perhaps you did not have this.

CHAIRMAN: To check what? CITA's instruction on soldering.

MR YEUNG: Yes.

CHAIRMAN: Perhaps CITA has taught one approach, and then a video on YouTube may show you another approach. CITA may not necessarily be right.

MR YEUNG: That is why I was asking about the process.

CHAIRMAN: So now I am telling you, because most of the time you were not in this Commission of Inquiry, so you might not know what we know and what we don't know. So I am telling you that your suggested approach may not be the

only approach.

MR YEUNG: Do you agree that if you use high-temperature tin, it will take longer?

A. Yes.

Q. As for how long, you have no idea?

A. No.

Q. As the person in charge, Kai Ching Estate was the first site where you were the person in charge; right? So Mr Ho, at that time, promoted you to the person in charge and you would act diligently?

A. Yes.

Q. One of the tasks as the person in charge of the site is to monitor the progress?

A. Yes.

Q. So we understand that the main contractor for Kai Ching is China State. If China State set a works progress, you would have to follow it?

A. Right.

Q. That means you would need to arrange for manpower and materials to suit the schedule?

A. No, I wasn't in charge of manpower arrangement.

Q. So who managed it?

A. The subcontractor.

Q. The subcontractor. So not you?

A. No.



Q. But if the contractor was behind schedule, you would be concerned; right?

A. In Kai Ching Estate, that didn't happen. There wasn't a delay. China State did not press us to speed up.

Q. But obviously, in your witness statement, you said that the workers' progress had nothing to do with you, but wouldn't you be concerned if workers worked behind schedule?

A. If workers worked behind schedule, it's a problem of the subcontractor.

Q. But you would discuss with the subcontractor; right?

A. Because neither China State nor Ho Biu Kee pressed us or accused us of delays in works progress.

Q. So you weren't concerned?

A. I wasn't concerned because everybody could catch up with the progress.

Q. Back to the site, Kai Ching, where you were the person in charge. Mr Ho entrusted you as the person in charge at Kai Ching. Did you know Wong Kwai Hung?

A. No, not at first.

Q. So he subsequently joined?

A. Yes.

Q. We understand that in October 2010, Ho Biu Kee entered the site at Kai Ching. Did you enter at that time?

A. I entered before then. I'm not sure about the timing.

Q. For Wong Kwai Hung, when he entered the site, was it around April 2012?

A. I'm not sure about the time.

Q. But when he entered the site, it was because workload was heavy?

A. No, because at that time the site wasn't ready for plumbing installation.

Q. Why was it that Mr Wong would be asked to help if there was a heavy workload.

CHAIRMAN: Because each would be in charge of two blocks.

MR YEUNG: That's the question I want to put to him.

You were at first in charge of four blocks.

A. Yes.

Q. But in April 2012, when plumbing installations had to be carried out, Mr Ho then arranged for Wong Kwai Hung and the other person to take care of blocks 1 and 2.

A. Right.

Q. Whereas you were in charge of blocks 3 and 4.

A. No.

Q. What about blocks 3 and 4?

A. No. Blocks 3 and 4, under Chan Sze Nam, the other person in charge. But I managed the whole site.

Q. Let's go back and talk about Chan Sze Nam later. Fan Sau Peng was for blocks 5 and 6. Remember Fan Sau Peng? There was another subcontractor.

A. I don't know about that, because at that time, the boss only told me the blocks were undertaken by certain subcontractors and I had no idea.

CHAIRMAN: Why would you not know him? Because if you were the person in charge in the Kai Ching site, why did you not know what the subcontractors or the sub-subcontractors were?

A. Because I just knew that Ho Biu Kee had commissioned certain workers in charge of certain areas, but I didn't know the details.

CHAIRMAN: You didn't know the details of subcontracting?

A. Because Wong Kwai Hung might have further subcontracted the work to others. I had no idea. Maybe Fan Sau Peng did the same; I don't know.

CHAIRMAN: But you were the person in charge. So, if the works progress was not satisfactory, if there was poor craftsmanship, wrong materials being used, who should be responsible?

A. For major problems, they should go to Ho Biu Kee.

CHAIRMAN: But you represented Ho Biu Kee.

A. I mean to go up to my boss. For minor issues, we should look for subcontractors.

CHAIRMAN: Why should the boss be approached, because you were in charge?

A. But I wasn't the decision-maker.

CHAIRMAN: Of course, for decisions to be made, you needed to ask your boss, but your boss had to oversee eight to ten sites at a time; right? Your boss oversaw so many sites.

A. For works progress or defects, then I was in charge.

CHAIRMAN: Come on. Be frank. Kai Ching Estate is a very big project. There are six blocks with over 5,000 units; right?

A. (Nodded head).

CHAIRMAN: You are the person in charge. It seems you are telling us that if there are major matters, they belong to the boss, and if there are minor issues, you don't know about them.

A. With regard to work progress, it should be the responsibility of the subcontractors.

CHAIRMAN: Continue.

MR YEUNG: Then you had a very good position. You could defer to the boss or the subcontractors; right?

A. What?

Q. I am saying you had a good position, because if there was anything, you would ask the boss of Ho Biu Kee, and then if there were problems, the subcontractors would be responsible; is that right? Is that what you are saying?

A. If it is about progress, of course we have to take it to

the subcontractors.

Q. What you mean is, with regard to the first two blocks, you would go to Wong Kwai Hung and Leung Wai Kin; is that right?

A. Yes.

Q. And Wong Kwai Hung and Leung Wai Kin, you didn't know what they did with those two blocks?

A. No, I did not know.

Q. They could be directly employed people of Ho Biu Kee?

A. No. The boss told us that every subcontractor would be responsible for two blocks.

Q. What words with your boss say or use? Did he say "subcontract"?

A. He said "subcontracting two blocks".

Q. So he told you that Wong Kwai Hung and Leung Wai Kin had subcontracted the two blocks?

A. No, but Ho Biu Kee said something else.

Q. Ho Biu Kee said that those two persons were his employees overseeing projects for him?

A. Well, that I was not sure.

Q. Okay, you were not sure.

The same for Fan Sau Peng. Fan Sau Peng was overseeing works for Ho Biu Kee.

A. I don't know about that.

Q. Okay. Let us talk about the third and fourth blocks

that you know better about. Chan Sze Nam is the subcontractor; right?

A. Yes.

Q. The work arrangements for blocks 3 and 4 were such that with regard to plumbing works, there were a few major areas. First of all, you had plastic pipes and also copper pipes and also you have to joint the pipes; right?

A. Yes.

Q. Let us talk about Chan Sze Nam. Would you agree that blocks 3 and 4 were subcontracted to Chan Sze Nam, and it was only about PVC pipes and copper pipes, and for other works, including jointing of the pipes, they were undertaken by directly employed people of Ho Biu Kee?

A. No. Part of the work was done on the mainland.

Q. No, but they would still have to be jointed in Hong Kong. So was it done by direct employees of Ho Biu Kee?

A. Yes.

Q. So regardless of progress, these people would be paid directly by Ho Biu Kee?

A. Yes.

Q. As for subcontractors, the arrangement was that every day the workers would be paid, it's just that when you were involved, you would add to what was the extra part

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done?

A. Are you talking about subcontractors?

Q. Yes. Was that the arrangement?

A. Yes.

Q. So this is what the subcontractors do.

A. Okay.

Q. Now, let us leave this part for a while. Before lunch,

you said between 1997 and 2000, you had already been

a foreman for Ho Biu Kee. Was it the way you worked?

A. We subcontracted the entire site, the entire site.

Q. Which site?

A. It was in Shau Kei Wan. It was Aldrich Bay Estate.

Q. Was it public housing?

A. Yes, public housing.

Q. So what you are telling us is, apart from materials, you

had to supply workers with a lump sum?

A. Yes.

Q. Including copper pipes and all the joints?

A. Yes.

Q. You and a few others subcontracted the site?

A. No. For Aldrich Bay Estate, it was only myself.

Q. Ah, only yourself. In other words, from 1997 to 2000

and with Kai Ching, the subcontracting was done in

a different way?

A. That's correct.

Q. Coming back, this morning you answered counsel for the Commission, saying that you knew that the soldering materials had to be approved.

A. Yes.

Q. I would like to ask you, do you know that at Kai Ching, China State had approval to use FRY 99C?

A. No, I didn't know about that.

Q. We are talking about this FRY 99C lead-free solder. Do you know about this?

A. What?

Q. I would like to clarify with you. Before you rejoined Ho Biu Kee, did you know that this kind of green solder was called FRY 99C?

A. No.

Q. What did you call it?

A. High-temperature solder.

Q. You didn't know that it was called FRY 99C. When did you know about the naming of this solder?

A. It was after the incident erupted.

Q. From documents, we could see that in October 2010, China State informed Ho Biu Kee that the HD had already approved a FRY 99C lead-free solder. Did you know about it?

A. No.

Q. But then from the documents -- let me show you



a document. This is in F1, page 215.2, dated 3 October 2011.

Have you seen this document before?

A. No.

Q. Let us look at the content of this memo. Let us see whether you understand it. It is titled, "Approved material FRY 99C lead-free solder wire and FRY Powerflux"; yes? It says "China State informed Ho Biu Kee that the material showed here had been approved by the architect and the engineers", and this is FRY 99C lead-free solder wire and Powerflow flux, and the samples had been approved and also the forms had been filed. You mean you haven't seen this paper before?

A. No.

Q. However, in the China State records, you received that document?

A. Well, we will receive the letters, and then after looking for safety and works progress, we would file all these documents with the company.

Q. So you mean you would read the documents first, before deciding which documents should go to whom; right?

A. Yes.

Q. In other words, you have read this paper before?

A. No.

Q. But if you haven't read it before, how would you know where to take it?

A. But with regard to safety and works progress, then that would belong to me, but here it is talking about the approved materials.

Q. And you knew that you had to comply with the requirement of using approved materials.

A. That I knew.

Q. Then why do you think this document has nothing to do with you?

A. We don't look at this kind of things.

Q. Let us look at the timing of material delivery.

CHAIRMAN: So what you mean is, it is not just the solder -- maybe we have discussed this before. If China State and the HD informed Ho Biu Kee any materials were approved, you would never look at those papers; is that right?

A. No, we don't look at those papers.

CHAIRMAN: Let us not say "we". I'm talking about you. You don't read those papers? You won't read those papers because they had nothing to do with safety and progress?

A. That's correct.

MR YEUNG: Okay. Let me show you another document. S1, page 128.

CHAIRMAN: If you didn't read the documents then no one would read it at site?

A. The driver or the office workers would take it back to the office.

CHAIRMAN: So no one reads these documents at site?

A. No.

MR YEUNG: This is supplied by Prosperity. On page 128, you see an index. This shows what materials have been delivered. For Kai Ching -- well, this is an invoice supplied by Prosperity. On 15 November 2010, British 50 per cent lead strip had been delivered, and then you can see FRY lead-free wire delivered on 14 October 2011. Looking at the timing, you should know China State informed that the FRY 99C wire should be used, and then more or less a week later, you could see that this was delivered?

A. I was not sure.

Q. You were not sure, but actually, if I tell you that actually you knew that you had to use lead-free wire, therefore you were required to use that?

A. No, no.

Q. But at that time, you would decide what kind of solder to use?

A. No. All materials were decided by the company.

Q. By the company? But we know that there is a material request form; right? For Kai Ching Estate, you were the person in charge. At that time, apart from you, were

there any other people who could sign the material request form? Let me make it clear first. We know that after June 2012, other people could sign it, but before June 2012.

A. No, no other persons could sign that form.

Q. So it was just you? In other words, whatever materials were required on site, you would discuss with workers, and then you would request the materials from the company; is that right?

A. Only when the subcontractors came I would discuss with him, but if there were no subcontractors on site, I would write the form myself.

Q. But especially for the minor metal hardware, how would you know what the workers would use or need?

A. The workers would not have made a request.

Q. But how would you know you need 20 reels of lead-free wire or the 50 lead-free strips?

A. We would just write "strips", "solder strips".

Q. However, you would have to tell the weight or the quantity?

A. Yes, I would write boxes.

Q. How could you decide how many boxes should be ordered?

10 boxes, 20 or 30 boxes; how would you decide?

A. Usually two, or two or three.

CHAIRMAN: Not "usually". There is nothing that is

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Commission of Inquiry into  
Excess Lead Found in Drinking Water

Day 38

"usually".

A. Well, every time, if works had just started and we had to just tackle a minor item, then we would order very few boxes.

MR YEUNG: Let us again take a look at page 128.

According to what basis would you order 55 pounds of British 50 per cent leaded strips?

A. We would only write "solder strips".

Q. And here, 55 pounds, is it one package?

A. I don't know how many packages.

Q. But how much does one package weigh?

A. I don't know.

Q. Then how would you say 55 pounds?

A. I would say three packs or four packs or two boxes or three boxes.

Q. Sorry, Mr Chan, you don't know how much a box weighs?

A. No, I don't know.

Q. You are the person in charge. You had to make sure that workers had enough materials to do their work; you agree?

A. Yes, I agree.

Q. But you had no idea even how much should be ordered, so how could you ensure that?

A. Let's say if I ordered two boxes, when those were used up, we would order more.

Q. So you waited until the materials had been used up before you ordered more?

CHAIRMAN: Then you had no idea of the actual weight; one box maybe only be 1 pound.

A. Because of the work involved, we just ordered several boxes.

CHAIRMAN: But you said you had no idea how much one box weighed?

A. I mean I didn't know the weight. I knew about the size of the pieces. I just didn't know the weight.

CHAIRMAN: So you didn't know whether the materials delivered would arrive in what form, by weight or by reels? Sometimes in a box, the quantity, the unit used would be pounds, sometimes it would be in reels. If you didn't know, how could you place orders?

A. If this time the materials delivered were not sufficient, next time I would order more.

CHAIRMAN: But you have been in the trade for 20-30 years, for HA projects, for HD projects, for ASD projects. Even, according to you, there were just two kinds, either by weight or in reels. Now you have no idea? You say you have no idea. They came in boxes, but how much did one box contain; 20 reels or by weight? You didn't know how long the materials would last?

A. Usually, we wouldn't know.

MR YEUNG: So you submitted a form, stating the number of boxes you needed.

A. Yes.

Q. And you knew that they were supposed to -- they were solder strips, and yet, as we can see, on 14 October 2011, apart from solder strips, solder wire was also delivered.

Perhaps you didn't sign for this note but let's take a look at another document. That's at page 138. Is that your signature, Mr Chan?

A. Yes.

Q. You can see, in the delivery note, apart from solder strips, solder wire, 20 reels of it were delivered?

A. Yes.

Q. Wouldn't you be surprised? Because you ordered solder strips and yet solder wire together with solder strips were delivered.

A. I wouldn't find it strange.

Q. But one is high-temperature, the other is low-temperature, but you believed that the use of these materials would be the same so you were not surprised?

A. For solder wire, we would call it solder. We just distinguish the two by high temperature or low temperature.

Q. But you just called it solder or solder materials, not

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Commission of Inquiry into  
Excess Lead Found in Drinking Water

Day 38

specifically solder wire, so solder wire would be  
different from solder strips in shape.

A. But the usage would be the same.

Q. Mr Wong Kwai Hung explained that in relation to  
Kwai Luen Estate, he was in Kwai Luen Estate, but  
starting from April 2012 he was also involved in  
Kai Ching.

A. I don't know about the timing.

Q. You were not involved in the actual labour work, but you  
oversaw workers' procedure. Would workers usually use  
solder wire for soldering pressure-reducing pipes and  
valves?

A. Not necessarily.

Q. Do you know about that?

A. I don't think it's necessary.

Q. Have you seen workers working on pressure-reducing  
valves?

A. No, never.

CHAIRMAN: Did you ever take part in soldering  
pressure-reducing valves?

A. Yes, but not in Kai Ching.

MR YEUNG: You did not work in Kai Ching but in other  
estates?

A. Right.

CHAIRMAN: Please slow down. Please speak slowly. Please



speak slowly so he can hear you more clearly. If you slur, others may not catch what you say.

MR YEUNG: Thank you.

We know that in Kai Ching, copper pipes came in different sizes, ranging from a dozen millimetres to tens of millimetres, and we understand that solder wire and solder strips were delivered to the site. So where would workers use solder strips and solder wire; did you know about that?

A. At which locations workers would use the different solder wire or solder strips, I didn't know.

Q. Mr Wong said that there are two types of copper pipes, 54 millimetres and 67 millimetres. For these two copper pipes, solder strips were used for one and solder wire was used for the other.

A. I recall Mr Kwong said that for copper pipes below 54 millimetres, solder would be used, and for pipes over 67 millimetres, silver brazing would be used.

Q. Let's not talk about what Mr Kwong said. According to what you say on the site, what would workers use in soldering pipes of 54 or 67 millimetres?

A. For 54 millimetres, solder would be used.

Q. Yes, but both solder wire and solder strips could be used.

A. Right.

Q. And you had no idea which one the workers used?

A. No, I knew.

Q. Which one?

A. Solder strips.

Q. Where was solder wire applied?

A. Not solder strips, just solder wire. No special requirement on the use of solder wire.

Q. So if workers were allowed to choose, they would use solder strips? When they ran out of solder strips, they would use solder wire?

A. Right.

Q. Do you know why?

A. No.

Q. Would it be because, if you use solder wire, it would take longer to melt, so workers dislike solder wire, and they would prefer solder strips instead?

A. I'm not sure about that.

Q. However, for Kai Ching, and back to page 128, at different times, starting from October 2011 to 2012, solder wire had continued to be delivered to the site?

A. I'm not sure.

Q. I will repeat. If we look at page 128, this record on page 128, starting from October 2011 to June 2012, solder wire had been delivered to the site on different occasions.

A. Yes.

Q. Just now, you said that workers actually did not prefer soldering by solder wire. You saw that on different locations. Then why subsequently you didn't tell them that they should order solder strips instead of solder wire? Because the workers didn't prefer solder wire?

A. I didn't ask.

CHAIRMAN: Why didn't you ask?

A. Because as long as they had the materials used, that would be fine.

MR YEUNG: So even if the workers didn't prefer it, you still would order it? But Mr Ho Man Piu entrusted you as a person in charge.

A. Yes.

Q. Would you say you did not meet his expectation?

A. He wanted someone to be able to complete tasks.

Q. Then wouldn't you agree that you are responsible for providing suitable materials for workers?

A. But the materials were supplied by Ho Biu Kee.

Q. So you were not concerned about this?

A. Not that I wasn't concerned, but when materials were delivered to the site for us, that's it, that's that.

CHAIRMAN: You couldn't say that, because you represented Ho Biu Kee. You couldn't say that.

A. Well, they placed the order. I had no idea what would

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Commission of Inquiry into  
Excess Lead Found in Drinking Water

Day 38

be delivered. If the materials were suitable for use,  
we would use them.

CHAIRMAN: My question is this: who decided what solder  
materials would be sent to Yau Lee Wah in China?

A. I ordered the materials. I ordered the materials, on  
the instruction of Yau Lee Wah. For materials to be  
sent to Yau Lee Wah, I ordered them.

CHAIRMAN: So you decided that; right?

A. Yes.

CHAIRMAN: So what materials did you order for delivery to  
Yau Lee Wah?

A. Copper pipes.

CHAIRMAN: Let's not talk about copper pipes. I am  
referring to solder strips.

A. Solder strips.

CHAIRMAN: Which kind of solder strips?

A. The long one.

CHAIRMAN: What about solder wire? Was it ever delivered to  
Yau Lee Wah?

A. Yes.

CHAIRMAN: Why?

A. Because it came in a whole batch. For the materials  
delivered, it contained both, the materials to be  
delivered to Yau Lee Wah.

CHAIRMAN: Why did you order both types?

A. No, I just ordered one.

CHAIRMAN: You ordered one and then both types were delivered, and then you decided to deliver both to China?

A. Yes, because both came in the delivery.

CHAIRMAN: But you should only have just sent solder strips to China, not solder wire.

When the whole batch of goods arrived, theoretically you knew what items were right, what were wrong, and you should have just delivered the correct ones.

A. We didn't distinguish. We just put everything in the same area, pipes and brackets, solders.

CHAIRMAN: So that means you were not concerned that both kinds of materials arrived; you just despatched them to the mainland all together?

A. Right.

CHAIRMAN: And you had no idea which one was approved by the HD?

A. No idea.

CHAIRMAN: One of them may be wrong.

A. Right.

CHAIRMAN: And you were the person in charge and you were not concerned?

A. Because it was delivered by the company --

CHAIRMAN: But you should be the gate keeper of the company

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Commission of Inquiry into  
Excess Lead Found in Drinking Water

Day 38

because you decided which was to be sent to the  
mainland.

A. Because I wasn't clear which type was approved, which  
one not approved.

MR YEUNG: Let's take a look at some delivery notes, to  
Yau Lee Wah. On some invoices, there were clear  
descriptions of goods to Yau Lee Wah.

Let's take a look at the second one, page 131. The  
invoice is issued by China State Shenzhen Yau Lee Wah  
factory. That's the delivery address?

A. Yes.

Q. So, for the delivery note, it's on page. 132, the  
materials are ordered for use by Yau Lee Wah; is that  
right?

A. Right.

Q. Page 133, not for use by Yau Lee Wah. There we see  
"lead-free solder wire". Then page 135. On the invoice  
it says, "China State Yau Lee Wah factory"; do you see  
that?

A. Yes, I see that, page 135.

Q. Then on page 136, that's your signature?

A. Where?

Q. Page 136.

A. Yes.

Q. Page 137, lead-free solder wire, but not for use by

Yau Lee Wah; agree?

A. Right.

Q. Page 139, it's an invoice to Yau Lee Wah; right?

A. Yes.

Q. Again, no lead-free solder wire here. So, in other words, in hindsight, it seems that for materials to be sent to Yau Lee Wah, they should only contain solder strips and not solder wire?

A. Right.

Q. Then why would you arrange for solder wire to be sent?

CHAIRMAN: Solder strips or wire?

MR YEUNG: Wire.

A. Because it came in a whole batch. They were put together.

Q. But in different invoices to Yau Lee Wah, there was no description at all about solder wire.

A. I cannot remember, because of lapse of time.

Q. At the same time, three months later, as you put it, I mean three months after you took on Kai Ching, your boss told you to oversee Lung Yat Estate as well. Roughly when was that?

A. Towards the end of the year, I suppose. I don't recall the exact time, but it was at the end of that year.

Q. Was it 2010 or 2011?

A. Yes, at the end of 2010.

Q. In your witness statement, you mentioned that in Lung Yat Estate, you did request to order solder strips, but solder wire was delivered.

A. Yes.

Q. By the same token, you knew that what is preferred is strips, not wires, but then wires were delivered; it was all wires this time so did you not telephone the office that you ordered strips, not wires?

A. I didn't.

Q. Why?

A. Whatever is delivered by the company, we would accept it.

Q. But then you asked for strips.

A. We just called both "strips".

Q. But you knew the difference -- now you know the difference?

A. Yes.

Q. Then you said not long later, there was a woman from the company, she telephoned you to say that from then on you should write "solder wires".

A. Yes.

Q. And you complied with that.

A. Yes.

Q. And you said you didn't ask her why.

You knew that there was a requirement for Lung Yat



Estate, but at the same time you were still working on Kai Ching. Did you not find it strange, "Why is it that for one estate you asked me to change it to wires, but then for Kai Ching I still wrote 'strips' and I was not asked to change"?

A. I didn't ask.

Q. But that was quite strange, wasn't it? It is not just one country, two systems, but actually two systems.

A. Why would it be strange? It's still solder.

Q. Yes, but as we said, you were the person in charge, you were also the person in charge at Lung Yat?

A. Yes.

Q. By the same token, the progress of Lung Yat was your concern?

A. Yes.

Q. In other words, if workers had to use wires, then the progress would be slower; right?

A. Not really.

Q. Not really? But the wires were delivered, so were you not concerned, because your experience at Kai Ching told you that the workers didn't prefer wires because it took longer?

A. Well, it is not slow, it is just longer. The work result would be more or less the same.

Q. It took longer, but you said it was not slower?

A. That's correct. Whether they used wires or strips, they could complete the same amount of work on the same day.

CHAIRMAN: But they could get off work early?

A. No, they could not. They could go only at 5.30.

CHAIRMAN: But then if they completed their work, they could sit around and enjoy the breeze.

MR YEUNG: So workers actually preferred soldering wires, right, or soldering strips?

A. No, they didn't make the requirement. They would use whatever was available.

Q. But as the person in charge, you would hope that the materials were really suitable?

A. No, whatever the company gave us, we would use it.

Q. But the materials were requested by you?

A. No, I did not request materials. Whatever materials were approved, those materials would be used.

Q. But did you know whether strips were approved?

A. I did not know what were approved.

Q. So you assumed that the solder strips were approved?

A. Yes.

Q. Okay.

Paragraph 23 of your witness statement, on page 2395. You said that when orders were filled, you would check whether the quantity delivered by Prosperity would be the same as in the delivery note, and then you

would sign it. But then you would not take out the order form from Ho Biu Kee to check against the delivery.

Why did you not do verification?

A. Because, say, if we ordered five boxes, maybe the delivery is not for five boxes. I never checked against the order form.

Q. Mr Chan, would it be possible, say, that you ordered five boxes of solder material, and then five boxes of silver material arrived on site. The delivery is totally different from the order form, so why did you not check the delivery against your order form?

A. No, whatever the company delivers to site, we will use it.

Q. You mean even if you had ordered solder material and then if silver material was delivered, you would accept it?

A. Yes.

Q. But then if it's clear that in the materials request form, you had wanted solder material, however silver material was delivered, would that not cause concern to you?

A. No, because if not the right stuff was delivered, we would just order it again.

Q. Okay, so you had to follow up and to do another order?

A. Yes.

Q. So you should check whether the goods delivered were the same or not the same as the order form.

A. No. When we accepted delivery, we would not check the delivery against the order form. We will just check the delivery against the delivery note.

Q. No, I don't understand. You said whatever was delivered. But then if what is delivered is different from the material request form, it should cause some concern to you, because the delivery would not help with works progress on site. Do you agree?

A. I agree.

Q. Right. So why did you not check?

A. We never did.

Q. You never did.

CHAIRMAN: Yau Lee Wah manufactured the pipes on the mainland. They were prefabricated items, and pipes were manufactured. It was the first ever attempt by the HD or your company. You did not do it before. Did you know this?

A. Yes.

CHAIRMAN: If it was the first time, shouldn't you have paid more attention to the materials, that they should comply with all the specifications?

A. What did you say? We did not take a look because we did

not know what was ordered. We would just take the  
delivery and put it in a room.

CHAIRMAN: No. According to what you said, you basically  
did not check, and it was possible that the wrong goods  
were delivered, and then you would just deliver on the  
mainland and mainland workers would use the wrong  
materials and you didn't even care?

A. It's not that we didn't care. We didn't know.

CHAIRMAN: You didn't know. But then if you had wanted to  
know, you could have known?

A. I did not know what materials were approved. Whatever  
was delivered would be put into a room, and then the  
lorry or container would come and pick up the goods.

CHAIRMAN: But then we saw from Yau Lee Wah's photos, that  
we saw only lead-free solder wires. We saw a few reels  
of solder-free wires, we saw that from photos. Do you  
follow me? I would think, if it was the first time for  
your company to be doing prefab pipes, you would  
of course want a second chance having this business and  
you should have paid closer attention to what materials  
were delivered on the mainland.

But what you mean is, whatever was delivered, you  
would store it, and whether the correct or incorrect  
materials were used, you wouldn't know?

A. That's correct.

MR YEUNG: But you knew there had to be customs clearance for materials to be delivered to the mainland?

A. I know.

Q. But who would do the customs declaration form?

A. I don't know who did it.

Q. Is it Yau Lee Wah?

A. I don't know. I was not part of this.

Q. Let me talk about Yau Lai Estate. The boss trusted you and gave you that position; right? I should put it this way: Mr Ho Man Piu asked you to be the person in charge of Kai Ching because you showed yourself to be a great help at Yau Lai?

A. Yes.

Q. Let me talk about Yau Lai Estate. The materials used at Yau Lai were brackets with solder inside, so it would be heated and then the solder material would expand and then the soldering or jointing can be done, and, usually speaking, you did not have to add solder to it?

A. No. The workers would still have to hold a solder strip in their hands to add solder.

CHAIRMAN: Can you say it again?

A. The workers would still use the strips to add more solder to the joints. They wouldn't want to have water leakage, so they would add more solder to the joints.

MR YEUNG: But then you didn't know what solder materials

were used?

A. They were in strips, they were in strip form.

Q. But still, it could have been cut from the reels?

A. No. It's different when you use it. If you use dry solder, whatever is within the bracket would have been used up.

CHAIRMAN: What you mean is, the solder inside would be low-temperature solder?

A. Yes.

MR YEUNG: This is your knowledge, that the material inside the elbow would be low-temperature solder?

A. Yes.

Q. In Tin Shui Wai, the same kind of elbow was used, meaning there was solder inside?

A. Yes.

Q. What you mean is, at every joint, workers would still add solder to the joints?

A. Yes.

Q. In your witness statement, at paragraph 42, page 2399, this morning counsel for the Commission asked you, because you claimed that Kevin Kwong of Ho Biu Kee, before the project would start, he would give instructions to you and the subcontractors and Kai Ching was no exception?

A. Yes.

Q. This morning, you said that Mr Kwong's instruction to you were that for a certain diameter pipe, you should use wires, and then for other diameter pipes, you should use strips. When did Mr Kwong tell you about this?

A. It was over the phone.

Q. Yes, but when? When was that?

A. I don't remember.

Q. After you had taken over Kai Ching Estate; is that right?

A. Yes, of course.

Q. We saw that it was in 2011. Let me take a look.

In November 2010, you ordered materials for the first time, so was it before that or after that?

A. I didn't hear you clearly.

Q. On 15 November 2010, the first batch of strips was delivered to site. Was it to Kai Ching Estate?

A. Yes.

Q. Did you order that?

A. I don't remember.

Q. You don't remember. Then when did Mr Kwong phone you; you don't remember?

A. That is correct.

Q. Was it before or after you ordered the materials?

A. Please say it again.

Q. Was it before or after the first order was placed, on



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Commission of Inquiry into  
Excess Lead Found in Drinking Water

Day 38

15 November 2010?

A. I suppose after I placed the order.

Q. After you placed your order, how would you know how the solder strips would be used?

A. The solder strips would come in small boxes.

Q. So before Mr Kwong told you, you knew that for thin or smaller copper pipes, solder strips would have to be used?

A. Yes.

Q. Did Mr Kwong tell you the dimensions?

A. For Kai Ching, pipes below 54 millimetres would use solder. For 67 or above silver brazing.

Q. So even for 67 millimetre, solder would still be used?

A. Yes.

COMMISSIONER LAI: Do you remember why only a small quantity of solder strips was ordered on 15 November 2010, 5 pounds only?

A. No.

COMMISSIONER LAI: It was in such a small quantity, do you remember why? Because this could be singled out on 15 November 2010, 5 pounds of solder strips, just a very small quantity. Why would such a small order be placed, not even a box?

A. I don't remember whether it had to do with China State or what.

MR YEUNG: So 54 or below, solder; 67 or above, silver brazing. Is that the knowledge that you have in other sites as well?

A. Not necessarily.

Q. What's the difference?

A. Sometimes, it could be 70-odd millimetres before workers switched to silver brazing.

Q. So, for 67, whether silver brazing should be used or solder should be used, you mean it's different depending on the site?

A. So at this site it's 67.

Q. Silver brazing, you mean? Did you tell this to your workers? Did you tell this to Mr Wong Kwai Hung?

A. No.

Q. Why?

A. Because Mr Kwong would inform him. He was another subcontractor.

Q. So you didn't tell Mr Wong Kwai Hung?

A. No.

Q. You thought that Mr Kwong would tell Mr Wong as well?

A. I suppose so.

Q. Why? You were the person in charge, and Mr Wong Kwai Hung, according to you, was in charge of blocks 1 and it. Why didn't you tell Wong Kwai Hung?

A. Because Wong Kwai Hung had a closer relationship with

Mr Kwong.

Q. Despite that, they might not raise this issue, because that's a very specific issue, 67 -- that was a departure from the normal situation -- to use silver brazing above 67?

A. Because he was also a subcontractor, so Mr Kwong would talk to him directly. They wouldn't go through me.

Q. However, specifically, wouldn't you be concerned that the wrong solder would be used for jointing 67 mm pipes?

A. Because Ho Biu Kee had been engaged in so many sites, definitely they would know how to do it.

Q. Right. Did you tell Fan Sau Peng?

A. No.

Q. You didn't tell anyone else?

A. I told Chan Sze Nam, in charge of blocks 3 and 4.

Q. So you told Chan Sze Nam but not the persons in charge of other blocks?

A. Right.

Q. We know that you were also in charge of Lung Yat. Did Mr Kwong say the same to you for Lung Yat?

A. Yes.

Q. Now, for Lung Yat, was there the same approach: over 67 millimetre, silver brazing? Did you tell anyone?

A. Yes.

Q. Why is it that in Lung Yat you told others but not those

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Commission of Inquiry into  
Excess Lead Found in Drinking Water

Day 38

in Kai Ching?

A. Because in Lung Yat, I wasn't familiar with those  
working there.

Q. I don't understand.

A. Because the subcontractors in Lung Yat didn't know  
Mr Kwong; they were not familiar with Mr Kwong.

Q. That is why, for Lung Yat Estate, you told them?

A. Yes.

Q. And then for Kai Ching you thought that those two  
gentlemen were familiar with Mr Kwong, so you didn't  
tell them?

A. Right.

Q. This morning, you were asked, because you knew that  
Mr Kwong was a quantity surveyor, a QS, and he seldom  
came to the site.

A. Right.

Q. So as far as the site was concerned, Mr Kwong said that  
he only attended the site once in two or three months.

Was that the observation?

A. More or less. He came once in two or three months.

Q. Usually, Mr Kwong would come to survey the quantities  
required.

A. I'm not sure.

Q. Did he talk to you about works progress or difficulties?

A. No.

Q. Usually, the QS would not be familiar with this aspect of work?

A. Right, no.

Q. Do you disagree or what?

A. I have no idea. He wouldn't discuss that with me. He would only discuss the progress with me but not the quality or quantity.

Q. He would only discuss the progress with you? So Mr Kwong would discuss the progress with you?

A. Yes, because he needed to do some surveying.

Q. So that's because Mr Kwong would need to prepare for payroll information to China State, but not anything about the materials; Mr Kwong wouldn't discuss with you?

A. No.

Q. So why was it that in the beginning, Mr Kwong instructed you to use silver brazing for 67 mm pipes?

A. Because when materials were approved, he knew how the materials were to be distributed for use in pipes of different sizes. That's my understanding. That is for solder strips or silver brazing; I think there was a distinction set by the HD.

Q. So did you ask Mr Kwong whether the materials had been approved?

A. I didn't.

Q. I put it to you that Mr Kwong never told you this.

A. What?

Q. Mr Kwong never told you, for example, for pipes above 67 mm, silver brazing should be used; Mr Kwong did not tell you that.

A. He did.

MR YEUNG: So you disagree.

Chairman, I have no further questions.

CHAIRMAN: Thank you.

Any other questions? No? Thank you. Yes?

Cross-examination by MR PENNICOTT

(All questions from Mr Pennicott were in English)

MR PENNICOTT: Mr Chairman, just a few more questions.

Mr Chan, I represent China State and I just have a few questions for you.

Can we please go back to the document at F1/215.2, the memo. Mr Yeung has already asked you some questions about this document, which will require me to ask a lot less questions about it.

Do you accept, Mr Chan, that you took personal delivery of this document?

A. No, the document was not submitted by me.

Q. That wasn't the question, Mr Chan. The question was: did you receive, take delivery of, this document?

A. Because the counter received -- at the counter, documents were received, and I did not notice, as there

were so many documents.

Q. Mr Chan, can I draw your attention to the reference, towards the top of the page, just under the word "Memo" where it says "9887"; do you see those figures?

A. Yes. Yes.

Q. Could we please look at a new bundle, F3, at page 1694.

Mr Chan, you may have seen this document before, at least part of it. What this is is the China State register of documents that it dispenses, that is documents going out, to HBK. Do you understand?

A. Yes.

Q. If you would be good enough, please, to go to page 1705, and look towards the top of the page, the entry against "3/10", that's 3 October. Do you see the figures "9887"?

A. Yes.

Q. In the second column from the right, is that your initial or signature?

A. Right.

Q. Mr Chan, that's why I suggest to you that you took delivery of this document personally. You signed for it. Do you accept that?

A. Yes.

Q. If that is right, Mr Chan, could you then please tell us -- you have already told us that you didn't read the

document, apparently -- what did you do with it?

A. What did I do? I received all the documents, and then if they were not related to safety or progress, I would just give the documents back to the office.

Q. That's the point I want to pursue with you a little bit further, if I may, Mr Chan. When you say "give them back to the office", what do you mean by that? Do you mean the head office, HBK's head office, or do you mean some other office?

A. The head office of Ho Biu Kee.

Q. And how did the documents travel from the site to the head office?

A. Usually, the driver or other staff from the head office would take those documents back.

Q. Would this be done on a regular basis, weekly, monthly, or some other period?

A. No, not fixed. We would wait for the driver or wait for somebody to go to the office and take those documents with them.

Q. The documents, before they were sent back to the office, would you put them in a file or would they be loose? How would they get back? In what form would they be sent back?

A. The whole stack of documents would be taken together.

Q. Would you put the documents in a file before they were



transported back to the office, or would they just be in loose form?

A. In loose form. Not in a folder.

Q. All right. Now, Mr Chan, are you sure that you did not read this memo when you received it? It's an important document. Are you sure you didn't read it?

A. I am sure I didn't read it.

Q. Did you understand at all what it was that you were receiving? You did not even glance at it?

A. I just didn't read the documents. Usually, I will just check for any minutes of the meeting, safety-related issues, works progress, et cetera.

CHAIRMAN: Can we go back to page 215.2, please. About what's written here, you said you didn't read it then, but do you understand what is written here? You can read it now. Do you understand what it means?

A. Yes.

CHAIRMAN: You understand?

A. Yes.

CHAIRMAN: You can read the English, "Lead-free solder wire"?

A. No, not the English. No, I don't understand.

CHAIRMAN: So what did you understand?

A. I could read "Approved materials".

CHAIRMAN: But you didn't know what materials they were?

A. That's correct.

CHAIRMAN: So you didn't understand the document. If there were so many things you didn't know -- basically you could only understand the Chinese; is that right?

A. Yes.

CHAIRMAN: You didn't know what the English says, then how would you know whether this is related to safety?

A. Whatever is related to safety has a different form.

CHAIRMAN: So these must be about materials?

A. Well, anyway, this is something outside the scope of safety.

CHAIRMAN: I would like to ask a question. If some materials were sent to China State, and China State doesn't approve and then they write back, what would happen?

A. I would still send it back to the office.

CHAIRMAN: Then you wouldn't follow up?

A. No.

CHAIRMAN: Then you could still order materials that you preferred, and then whatever Ho Biu Kee procurement department would buy, they would buy it; can I put it that way?

A. Yes.

CHAIRMAN: In other words, these memos are not meaningful to the site or to the office at all?

A. Yes.

MR PENNICOTT: Can we go back very briefly to S1, page 128.

Mr Chan, can you look at the entry for 14 October 2011.

What the document shows is that one box or 20 reels of FRY lead-free solder and one box of WL50D solder strips was ordered and delivered to the site. Do you follow?

A. Yes.

Q. If you ordered this material, what did you say to the procurement officers? Just "Two boxes"? What would you have said? Do you have any recollection at all?

A. I would say, "Two boxes of strips".

Q. So, if that's what you ordered, two boxes of strips, and what turned up at site was one box of strips and one box of reels or rolls, did you not query it and say, "Hang on a minute, that's not what I ordered; I ordered two boxes of strips"?

A. I did not question.

Q. If you look at the entry for 17 December 2011, we see there one box of FRY lead-free solder rolls, and this time two boxes of the WL50D. So, this time, did you order three boxes?

A. Well, I should have.

Q. But again you didn't query what actually turned up?

A. I didn't. I didn't.

Q. Just very quickly, Mr Chan, a separate topic. You

mention in your witness statement that you gave, on numerous occasions, delivery notes to the China State site staff. Do you recall that in your witness statement?

A. No, not the staff, but into a tray of China State.

Q. Where was the tray, Mr Chan?

A. It's inside the office of China State, where some female clerks sat.

Q. Right. Did you know that China State had, as we have seen the outgoing register, an ingoing register of documentation received from its subcontractors, including HBK? Were you aware of that?

A. I didn't know about that.

Q. So you didn't make any attempt to ensure that the documents that you put in the tray were registered by the site clerks?

A. I didn't know about that.

Q. All right. Another separate and short topic. You mention in your witness statement that representatives of China State and the Housing Department inspected materials upon delivery. Do you remember that in your witness statement?

A. Yes, I did.

Q. It's right, is it not, Mr Chan, that the materials that were inspected by China State and the Housing Department

were principally either copper pipes or the important materials that are on a form known as form 6210? Are you aware of that form?

A. I didn't know about that form.

MR SHIEH: My understanding was --

INTERPRETER: Can't hear Mr Shieh.

MR SHIEH: The form should be form 6210.

MR PENNICOTT: Let's break it down, Mr Chan. Were you aware of a form, Housing Authority form, form 6210?

A. I didn't know.

Q. All right. Let's move on.

Lastly, Mr Chan, I think in your evidence to Mr Yeung a short while ago, you indicated that you personally were not involved in the production of documentation that led to materials being exported to Yau Lee Wah in Shenzhen. Is that right?

A. I was not involved in delivering documents.

Q. You weren't involved in preparing documents for exportation of materials to Shenzhen; is that right?

A. I didn't.

MR PENNICOTT: Thank you very much.

Cross-examination by MR LAM

MR LAM: Mr Chan, I represent Shui On. I would like to ask you this. You were the person in charge at Kai Ching. Mr Wong Kwai Hung was only responsible for blocks 1

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Commission of Inquiry into  
Excess Lead Found in Drinking Water

Day 38

and 2?

A. Yes.

Q. So you were the head? If he had questions, he would  
come to you?

A. Yes.

Q. I would like to ask about Mr Leung. Was Mr Leung or  
Mr Wong of a higher rank? How did Mr Wong Kwai Hung and  
Mr Leung Wai Kin divide the work between the two of  
them?

A. I didn't know.

Q. But you were the head, so you should know who was saying  
what to you?

A. I didn't know how they divided their work.

Q. Did you tell them how they should divide their work  
between the two?

A. No.

Q. So it was up to them to decide how the work was done  
between the two?

A. Yes.

Q. Mr Wong Kwai Hung said he had 20 years of experience.  
Do you know how many years of experience Mr Leung  
Wai Kin had?

A. I couldn't hear you clearly.

Q. Mr Wong Kwai Hung said in his witness statement that he  
had 20 years of experience, and you joined the trade in

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Commission of Inquiry into  
Excess Lead Found in Drinking Water

Day 38

1983, so you were more experienced than Mr Wong  
Kwai Hung.

What about Mr Leung Wai Kin, do you know how many  
years of experience he had?

A. No.

Q. Did you ask him?

A. No.

Q. So how was his work performance and his attitude?

A. I didn't know.

Q. What about Mr Wong?

A. No.

Q. So what did you do on site?

A. I was not there to look at their performance.

Q. But you knew the progress. Say, for example, Mr Wong  
said he could not perform, and then you should also see  
whether the workers he employed were up to standard,  
because you must be aware of progress.

A. Well, it's up to China State. If China State took us to  
task about progress, then we would take people to task.

CHAIRMAN: You mean if China State did not say progress was  
not satisfactory, then you would not do anything?

MR LAM: This is a chicken and egg question. The workers  
must be performing before there was progress. I would  
like to know about your management style, because  
Mr Wong said he was learning from you. I would like to

go into this scope of questioning. I would like to know how you did your management.

A. He was a subcontractor. I wouldn't really look at their progress.

Q. Did you say you would or would not?

A. I would not.

Q. So you would not mind about anything?

A. No. If China State did not take us to task about progress, then I wouldn't say anything.

Q. But you know blocks 1 and 2, Mr Wong Kwai Hung, he was performing, you should know up to which storey was built, what materials were used and whether his workers were performing; you should know.

A. I didn't, because he would report payroll information to Mr Kwong.

Q. Yes, that was about payroll information, but would you yourself go and check how soldering was done, whether the pipes were installed?

A. No, I didn't.

Q. You did not look at anything?

A. We wouldn't, because that was done by his workers.

Q. In other words, you did the same about blocks 3 and 4?

A. I wouldn't go to look at blocks 3 and 4 either.

Q. So you did not even look at blocks 1, 2, 3 and 4. Is it that you did do the patrolling; it was after the lead in



A *Annex: Realtime English Transcription based on floor / Simultaneous Interpretation* A

B Commission of Inquiry into Excess Lead Found in Drinking Water Day 38 B

C water incident that you didn't look? C

D A. No. D

E CHAIRMAN: What about blocks 5 and 6, you did not check either? E

F A. Right. F

G MR LAM: Right, you did not check anything. G

H My question to you is Mr Wong Kwai Hung said -- actually, before Kai Ching you knew Mr Wong Kwai Hung already? H

I A. No, I got to know him only at Kai Ching. I

J Q. You did not know him before that? J

K A. No. K

L Q. You did not know about his experience, whether he was a newcomer to the trade, you didn't know? L

M A. I didn't know. M

N Q. But you never asked questions and you did not check whether he was performing? N

O A. No, because he was brought into the site by the boss. O

P Q. But then the boss promoted you to a very important position and still you did not try to check whether people under you were helping you? P

Q A. No, the boss said that he had worked with Mr Wong for a long time. Q

R Q. You mean the boss said that he co-operated with Mr Wong for a long time. But still you want to know whether R

S T

U V

Mr Wong was performing?

A. We would only look at the direct labourers. I would look at the underground pipes, the shopping malls, and whatever was not brought by the mainland.

CHAIRMAN: So you mean you would not be concerned about blocks 1, 2, 3, 4, 5, 6; you would just be concerned about the ground level, shopping mall, and the parts not yet done by the mainland?

MR LAM: As for Mr Leung Wai Kin, did you know him before Kai Ching?

A. Yes, I knew Leung Wai Kin, at other sites. I knew him a long time ago in Tin Shui Wai.

Q. He had more or less the same experience as you, equal experience?

A. As far as I can remember, I'm not quite sure, but we both worked at the site. It seemed that he just joined the trade.

Q. You mean in the 1980s?

A. In Tin Shui Wai --

Q. It was in the 1990s, right?

A. The end of the 1990s, more or less.

Q. He just joined the trade?

A. Because I had the impression that he just joined the trade.

Q. So, just by looking at a person, you would see if

a person is experienced or not?

A. Not necessarily.

Q. So you knew Leung Wai Kin joined the trade in the end of 1990s, and then in Kai Ching Estate you met him again, and Mr Ho Man Piu brought him into the site as your subordinate?

A. Not as subordinate.

Q. But you were the person in charge?

A. Because Ho Biu Kee, it has a special operation model.

Q. So Leung Wai Kin -- would Leung Wai Kin follow your practice?

A. No.

Q. He had his own way?

A. Right.

Q. Can I take it that when Mr Leung worked on blocks 1 and 2, he was working under you, as you were the person in charge of the whole site where he was the second in charge, can I put it that way, of the two blocks?

A. Because for Ho Biu Kee, that is special. I might not be able to manage him.

Q. You might not be able to manage him, but on safety matters, somebody would need to handle these matters, and you would be in charge.

A. Well, for safety-related issues, I definitely would talk to be them, Wong Kwai Hung or Leung Wai Kin.

Q. So that means you -- it was under your scope of work, so if there was some problem with the works progress, you would also talk to Mr Leung?

A. Right.

Q. So if the progress was poor, you could manage him?

A. No.

Q. So what would you tell him?

A. I would say, "China State is going after us so please speed up", things like that.

MR LAM: No other questions, Chairman.

Cross-examination by MR HO

MR HO: The counsel representing China State, the main contractor, asked you about a form, the HD form, 6210 -- the HA's form. You had no knowledge of the form?

A. Right.

Q. Do you know that this is in relation to the materials to be inspected and approved by the HA, and there are 32 materials, but solders would not be included? Do you have knowledge?

A. No.

Q. Then do you know that for the 32 materials to be inspected and approved by the HA, once the materials arrived they would be subject to inspection?

A. Please speak up.

Q. Once the materials arrived at the site, HA staff would

be sent to inspect them, the 32 kinds of materials; do you know?

A. No.

Q. I suggest -- I put it to you that it is incorrect to say that the HA staff would look at things at the workshop.

CHAIRMAN: The 32 kinds of materials --

MR HO: But not including solders.

CHAIRMAN: For the 32 kinds of materials, how many of them would be related to plumbing and drainage?

MR HO: For PLU, that's F2, page 998 --

CHAIRMAN: For PLU2, it's not related to sanitaryware.

MR HO: UPVC pipe fittings, entry 32, uPVC fittings.

CHAIRMAN: Is it in PLU1?

MR HO: No, DRA1.

CHAIRMAN: That's drainage. Is it under their purview?

Drainage, you were also in charge of drainage as well; right?

A. Yes.

CHAIRMAN: So, for drainage, you used uPVC pipes; right?

A. Yes.

CHAIRMAN: So you had to receive the materials delivered to the site. It's under Ho Biu Kee as well, for materials to be delivered to the site, and then the HD staff, together with you, would have to receive the materials?

A. We received the goods for ourselves.

CHAIRMAN: You never heard of the form 6210, so theoretically, for uPVC pipes arriving at the site, when you received the goods, did you know that perhaps staff from the main contractor or the HD would be there to receive the delivery too?

A. No.

MR HO: So it's the fault of the HD?

So can I say that you seem to have no idea about the operation of the site.

A. I had no idea that the HD staff would have to be there to receive the goods.

CHAIRMAN: Have you ever seen this form?

A. No, not at all.

CHAIRMAN: So it would be very hard for you to be the person in charge.

MR HO: Let me turn to another question. May I refer you to paragraphs 57 and 58 of your statement.

Do you know if materials were to be delivered out of the site, the HD would keep a record?

A. I didn't know that the HD would keep a record.

Q. But here you talked about the taking of photos.

A. Before we left, HD staff would come and take some photos.

Q. All right. Never mind. I will show you some records from the Housing Department about materials leaving the

site.

CHAIRMAN: Wait. Before your submission, what is the  
relevance?

MR HO: I want to say that this is not related to solder.

CHAIRMAN: So what's the purpose?

MR HO: To prove the negative, that we do have records, but  
they are totally unrelated to the solders that we have  
been referring to.

CHAIRMAN: So what are you trying to prove?

MR HO: I want to prove that in relation to paragraphs 57  
and 58 of the statement, about taking of photos, it  
seems that solders would also leave the site, and my  
understanding of paragraph 58 is that the HD would take  
pictures about the solders leaving the site. I just  
want to prove that those were actually unrelated to  
solder wire, solder strips or whatever.

CHAIRMAN: So what's your next step? What are you trying to  
prove? Yes, it is unrelated; so?

MR HO: I just want to put it to him that it is entirely  
irrelevant, unrelated to any kind of soldering  
materials, solder strip, solder wire.

CHAIRMAN: It has nothing to do with what we need to rule  
on, so we don't need it.

MR HO: Thank you. I have nothing further.

CHAIRMAN: Thank you.

MS WONG: Chairman, I would like to raise a translation problem. 111.9. Just now the witness said "I ordered the materials on the instructions of Yau Lee Wah" but when I heard it there was no mention of "on the instructions of Yau Lee Wah".

CHAIRMAN: Yes, that wasn't said.

MS WONG: I want to clarify that the witness never made that statement, 111.9.

CHAIRMAN: My understanding is that was never said.

Cross-examination by MS WONG

MS WONG: I have one question.

Mr Chan, in paragraph 6, in Un Chau Estate, you mentioned that you were a plumbing installation worker, lines 2 and 3; do you see that?

A. Yes.

Q. At that time, were you hired by somebody called Mok Hoi Kwong?

A. Yes, Mok Hoi Kwong.

MS WONG: Thank you.

Thank you, Chairman.

MR SHIEH: If there are no further questions from anyone, I believe Mr Chan can be excused.

Questioning by THE COMMISSIONERS

CHAIRMAN: I want to clarify once again with you your relationship with Mr Chan Sze Nam; no relationship at



A *Annex: Realtime English Transcription based on floor / Simultaneous Interpretation* A

B Commission of Inquiry into Excess Lead Found in Drinking Water Day 38 B

C all? C

D A. No. D

E CHAIRMAN: So Ho Man Piu hired him as a subcontractor? E

F A. Yes. F

G CHAIRMAN: Not related to you? G

H A. Not related. H

I CHAIRMAN: But he was put under your charge? I

J A. Not very familiar with Ho Biu Kee. J

K CHAIRMAN: What? K

L A. He was not very familiar with Ho Biu Kee. L

M CHAIRMAN: So you oversaw his work in what way? M

N A. No, I didn't oversee his work. N

O CHAIRMAN: So in Kai Ching Estate he was under nobody? O

P A. Under his boss. P

Q CHAIRMAN: Ho Man Piu? Q

R A. Yes. R

S CHAIRMAN: So he wasn't accountable to you? S

T A. No. T

U COMMISSIONER LAI: But for blocks 3 and 4, Chan Sze Nam was U

V only responsible for the pipes in the corridor and up V

and downstream pipes and external pipes?

Q A. No. (Chinese spoken).

R COMMISSIONER LAI: (Chinese spoken).

S CHAIRMAN: For blocks 3 and 4, I remember, once a list was S

T submitted concerning the number of floors with precast T

U

V

materials used and the number of floors not using  
precast materials. Where can I find it?

MR PENNICOTT: F2, page 1526.

CHAIRMAN: Let's take a look.

Blocks 3 and 4. Precast materials were not used on  
all floors in blocks 3 and 4; right?

A. No.

CHAIRMAN: So how was it done?

A. For some, they have been delivered before they were  
completed in the mainland.

CHAIRMAN: What?

A. These were precast materials, and the mainland factory  
were unable to complete all the materials.

CHAIRMAN: So some pipes were completed, some were not?

A. Yes.

CHAIRMAN: As for blocks 3 and 4, no precast kitchen at all,  
I mean the pipes for kitchens?

MR SHIEH: My understanding is that page 1536 is a more  
updated list.

CHAIRMAN: Page 1536. So Chan Sze Nam was responsible for  
which part?

A. Corridor, water meters, exterior walls, the copper pipes  
and PVC pipes.

CHAIRMAN: What about the 2nd to the 18th floor?

A. That's under the company. Domestic or pipes in rooms,

direct labour.

CHAIRMAN: Corridor?

A. By Chan Sze Nam. Only for domestic units, those in the rooms, kitchens, et cetera, those were done by direct labour of the company.

CHAIRMAN: Please repeat.

A. For blocks 3 and 4, Chan Sze Nam was responsible for corridor, water meters and pipes on external wall.

CHAIRMAN: All right, corridor, external walls, water meters. Corridors and meters and external walls for the entire block. What about the rooms?

A. The rooms were precast in the mainland. For those that were not precast in the mainland, direct labour of the company would be responsible for those.

CHAIRMAN: If that's the case, Chan Sze Nam did not have to do a lot?

A. That's correct.

CHAIRMAN: He did very little?

A. That's correct. The same goes for blocks 5 and 6, because they would complete whatever was not done on the mainland.

CHAIRMAN: Then why, for blocks 3 and 4, there was subcontracting to Mr Chan Sze Nam and not for it to be done by direct labour?

A. Well, Chan Sze Nam said he would not do this.

CHAIRMAN: What?

A. Chan Sze Nam said he would not work on the rooms. There was a lot that was not completed for the rooms and he said he would not do it. Chan Sze Nam said he would not work on the kitchens and the toilets. It was discussed between Chan Sze Nam and Ho Biu Kee. I was not involved.

CHAIRMAN: I would like to ask you this. Chan Sze Nam was brought in. Was it related to the lack of progress at Kai Ching? So whoever could do more would be paid more?  
A. No, there was no relationship between those.

CHAIRMAN: I have nothing else at the moment.

Does anyone have a question? If not, Mr Chan, thank you very much. You are excused.

(The witness withdrew)

MR SHIEH: Chairman, the timing is quite embarrassing. It is 4.20. The next witness should be Mr Wong Kwai Hung, but we understand that originally there was another witness, a female from the office or the purchasing department, Ms Wong Wai Ping.

She cannot come on Monday because she has a family matter to attend to, and Mr Leung Wai Kin has been asked to come tomorrow. If we summon Mr Wong Kwai Hung and then Mr Leung Wai Kin, and then Ms Wong Wai Ping, then she may straddle Monday.

So I would say we do some interposing and the first one tomorrow would be Ms Wong Wai Ping, it won't be long, then she can go, and then Mr Leung Wai Kin, because we have already asked him to come tomorrow, and then we go back to Wong Kwai Hung.

Also, I have talked to Mr Yeung. Just now, Mr Chan said a lot about Mr Kwong and whether Mr Kwong said what kind of solder should be used for what kind of pipes. I asked Mr Yeung whether he would like to recall Mr Kwong to deal with this matter. He said it was all right, and he could ask Mr Kwong to come tomorrow, just to deal with this point.

CHAIRMAN: Okay. We can continue tomorrow.

(4.20 pm)

(The hearing adjourned until 10.00 am the following day)

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P  
Q  
R  
S  
T  
U  
V

INDEX

PAGE

MR KEVIN KWONG KA FU (on former affirmation) .....1  
Cross-examination by MR PENNICOTT .....1  
Cross-examination by MR LAM .....15  
Cross-examination by MR YIN .....20  
(The witness withdrew) .....21  
MR CHAN SIU WAH (affirmed) .....21  
Examination-in-chief by MR SHIEH .....21  
Cross-examination by MR YEUNG .....88  
Cross-examination by MR PENNICOTT .....132  
Cross-examination by MR LAM .....139  
Cross-examination by MR HO .....146  
Cross-examination by MS WONG .....150  
Questioning by THE COMMISSIONERS .....150  
(The witness withdrew) .....154