

2016年1月19日

上午10時01分恢復聆訊

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

梁陳彭律師行周錫綸律師，代表雋景建材有限公司

陳黃葉律師事務所林顯昭律師，代表和興製品廠

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

楊明悌大律師及李健宏大律師，由趙、司徒、鄭律師事務所延聘，代表何標記建築工程有限公司

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

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

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

許卓倫大律師，由柯伍陳律師事務所延聘，代表林麗瓊

黃佩琪大律師及李頌然大律師，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

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

證人：林德深（何標記前僱員（持牌水喉匠）（啟晴邨和葵聯邨第二期））
宣誓繼續作供

主席：等一陣吓，Mr Wong。

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林先生，我嘅理解就係你好似唔係好舒服啫，係咪？

答：嘅。

主席：你係咪唔係好舒服？

答：...（聽不清）

主席：聽唔聽到我講咩嘢呀？

答：哦，聽到，而家。

主席：你係咪唔係好舒？

答：係，有啲嘔呀。

主席：有啲嘔？

答：嘅。

主席：咁你可唔可以今...

答：先講我先喇，而家我早上。如果我唔得，我就要去醫院。

主席：你唔得...

答：如果唔得嘅，我要即刻去醫院呀。

主席：如果係咁，你想選擇繼續喺度作供，抑或想返屋企啲下，抑或點樣樣呢？

答：盡我能力坐低喇。

主席：係喇，因為...

答：嚟都嚟咗嘞。

主席：係呀，都嚟咗。如果你途中任何時間你覺得唔舒服嘅，咁你就話聲畀我知；明白吖嘛？

答：明白。

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主席：咁我都唔知道啲律師要問幾耐㗎。咁你有咩嘢問--總之你就隨時舉手出聲就得㗎嘞。

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答：唔。

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主席：好。係，王大律師。

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王先生：好。

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王先生繼續盤問

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問：好。

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答：好，唔該晒你。

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問：林先生，我哋琴日就問到，你話你第一次見到嗰卷綠色嘅“FRY”無鉛嗰卷焊線，錫線，就係嗰地盤開工時候第一次見。咁我今日就想繼續嗰個題目。咁我想就問你，你所謂地盤開工嘅時間係指乜嘢呢咁？

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答：即係佢哋即係裝喉嗰陣。

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問：裝喉都係嗰嗰個地盤，整個地盤開工之後一段時間先至裝喉㗎喇，係咪？

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答：即係嗰嗰有一、兩間房裝嗰陣。

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問：好。嗰嗰有一、兩間房裝嘅時候你就到有呢卷綠色嘅“FRY”無鉛嘅錫線嘞？

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答：嘅。

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問：咁請問你嗰咩嘢情況之下見到呢？你係咪巡呢一、兩間房嘅時候見到呢？

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答：即係話有工友裝緊喉，行去睇下啫。

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問：即係你巡，睇下，睇下嘅時候就見有呢一卷無鉛錫線嗰嗰個房入面嘞？

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答：係呀。

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問：咁你淨係嗰一次見到啫？

答：係呀。

問：之後就有再見到嘞？

答：冇喇，冇喇。

問：好嘞，咁你見到嘅時候，你見到嘅時候，會唔會喺你嘅腦海之中就知道嘞，呢卷就係你公司畀房委會批准咗可以用嗰卷錫料嘞，啱唔啱？

答：呢個我都唔係好記得嘞，知道係有嗰個焊料嘅。

問：Okay。好嘞，咁呢一個地盤，可唔可以講一講，以你嘅記憶，係邊一個地盤呢，係啟晴吖，葵聯吖，定邊個地盤呢？

答：啟晴。

問：啟晴。好嘞，咁葵聯嘞。葵聯嘅時候，你有冇見過呢個錫線呢？

答：冇嘞。

問：好嘞，咁你仲有做過十幾個地盤個嘢，其他嘢嘢，咁你又有冇見過呢一個錫線呢？

答：就即係以我印象中我就唔記得係...（聽不清）見到有人燒焊，我就冇特登攞嚟睇嘅。

問：林先生，或者我直接咁同你指出喇。琴日你都同意咗你就知道嗰啲焊料要無鉛嘅，九零年代你知㗎嘞。你又知道有嘢係批准咗嘅，有物料係批准咗嘅。咁如果你巡呢啲地盤嘅時候，你唔應該你有責任去睇一睇佢哋用嘅物料是否係被批准嘅物料咩？

答：我哋唔係帶住張 form 嘅，...（聽不清）行過，咁望到嘅。係，問，唔該。

問：林生，你琴日都知道你有個木板房喇。咁木板房有相，其中一樣嘢就係嗰啲審批咗嘅物料就包括呢個錫線，你知喇，係咪？

答：唔係，我哋去到只係望咋，唔係由我監察嘅。

問：咁你望木板房嘅時候，你有冇望到有個審批嘅材料就係呢個錫線呢？

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答：因為我哋去睇，佢唔係淨係得銅喉嘅，有 PVC 去水喉，又有盛，好多嘢喺度嘅，唔係淨係我嗰行呀。

問：係，我知道。咁如果淨係你嗰行嘅，有個木板房度，有個作用㗎，即係話你要根據木板房入面嗰啲嘢嚟裝嵌㗎嘛，係咪？

答：咁佢係講個位置，開窿開盛嗰啲嘢嘅。

問：咁仲有物料㗎嘛，係咪，喺木板房上面？

答：物料就當然有喇。

問：係喇。咁個木板房有個作用㗎嘛，就係畀你睇，睇下工人係咪用番嗰啲物料㗎嘛；咁樣講公唔公平呀？

答：就呢啲唔係我去對呀，因為我公司有另外一個人管嘅。

問：Okay。

主席：木板房定樣辦房呀？

王先生：木板，木板。

主席：木板房，我嘅理解上，純粹就係搭咗嚟就睇下究竟留窿點留㗎咋嘛。

答：係呀。

主席：好多嘢都唔使駁嘅，連啲喉都未必一定要駁，咁當然睇下你問邊一個證人喇。

王先生：Okay，唔該。

問：林先生，既然你知道焊料係有上報嘅，咁原則上你都同意，你應該都知道除咗焊料之外，其他水喉工程嘅物料其實都要上報，得到房委會嘅批准嘅，呢個你知唔知呢？

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答：哦，呢個肯定係。

問：你知㗎嘛？

答：係。

問：好嘞，咁如果你知道其他物料都要得批准嘅，咁你作為水喉匠，你都應該去睇一睇究竟房委會批咗啲咩嘢物料㗎嘛，㗎唔啱？

答：但係嗰陣時未正式批晒嘅。

問：未咩嘢話？

答：未正式批晒材料嘅。

問：係。咁如果批晒之後，你都知道佢梗係有一個時間佢會正式批晒㗎嘛，㗎唔啱？

答：批晒嘅情況，即係話我係--就公司批咗，我只係得到啲 catalogue。

問：係喇，咁你就應該有齊啲 catalogue，即係話房委會係批咗啲乜嘢物料㗎嘛，㗎唔啱？

答：咪就我上 Part I、II 嘅嗰個附表囉。

問：係嘞，即係其實你都好緊張㗎嘛，係咪？我琴日講咗喇，你上 Part I、II 嘅時候，你好緊張嗰個附件入面啲啲物料是否係同實際用啲啲物料一致㗎嘛，㗎唔啱？因為如果唔係，你扣分個啲。

答：咁樣講，即係批咗嘅料，就係房署畀我畀水務署再簽嘅啫。但係現場嘅，揸住佢，唔係一次過嚟咗好多嘅。有成百幾種，佢唔係一次過畀到我一次過望到晒嘅。

問：我即係想同你咁指出啫，即係你應該係情理之內係會關心實際上房委會批咗啲咩嘢物料出嚟，㗎唔啱？

主席：呢啲你留番陳詞講喇。

王先生：好，可以。

主席：係喇。

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問：咁我想問你另外一個題目。我想麻煩你搬去 Q, 17。Q, 17。呢個係你呢個水務署個會面紀錄嚟嘅。第 3 段，「林先生確認有關的水務表格 WWO046 及相關嘅材料申報表係由他簽署及遞交，但根據他記憶所及，他未能確定實際安裝在啟晴及葵聯的水喉配件是否有依足該份申請表所申報的內容而安裝。」你見到嘛？

答：唔。

問：好嘞，咁我想問下你嘞，第一件事，就係點解你未能確定呢，同埋你係咪有責任去確定，嗰啲用料係根據 WWO046 安裝嘅呢？

答：因為我哋有好多時候唔係揸住啲表格一齊行樓嘅。即係我哋係去巡視佢嘅，只不過睇下佢啲嘢係咪依法例去裝。

問：好，我再請你睇 Q, 25 頁吖。Q, 25 頁，咁第 3) 個段，第 3) 個段。呢個係你嘅補充證人口供嚟嘅，第 3) 個段，你話「潔具、水龍頭建築公司負責採購，水制、什制何標記公司負責採購，冇按 wwO 046 part1、part2 材料附表採購和安裝。」見到嘛？

答：唔。

問：我想問你幾時知道呢樣嘢嘍？

答：係開完會，同埋你哋出咗個報告，咁先知道有呢啲出咗問題嘅嘢喇。

問：哦，即係你喺同水務署開會之前，你唔知道嘅？

答：因為安到呢啲嘢嘅時候得--地盤得幾個月時間，尤其是水龍頭啲啲，得一個月時間都唔夠要裝晒。

問：係。即係你裝晒之後，你都唔知道佢係咪有跟--即係何標畀你啲物料係咪有跟你簽個張 WWO046 嘅，啱唔啱，你唔知嘅？

答：因為--睇唔到嘅，水龍頭冇打啲 number 落去，又冇，乜都冇，淨係得個掣裝咗喺個潔具度，我點證明到佢有乜嘢呢？咁我有啲嘢唔記得咗嘞，太耐嘞。

問：Okay, 你唔記得咗，okay。咁我再請你睇 Q, 15 吖，同埋 Q, 16。

答：係。

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問：Q，15 同埋 Q，16 就係喺 7 月 11 號，2015 年，你有封信寫畀水務署嘅。見到嘛？認得，係咪？

答：唔。

問：好嘞，你呢封係寫畀 T.S. Lam 嘅。咁許律師琴日幫你睇過第 15 頁。我想你睇 16 頁，16 頁。你嗰度就向水務署咁講嘅，“So, please be reported that all our completed works are according to the Hong Kong Waterworks Standard requirements and being accepted by all the involved parties.” 見到嘛？

答：...（聽不清）

問：我想問你嘞，如果你都唔知道嗰啲水喉管或者物料是否根據你自己填寫嗰張 WWO046 填嘅，你咩嘢基礎講呢句說話呢？

答：因為佢就係--嗰啲唔係我哋公司出嘍，係另外一個公司，我只係去到，都已經完嘞，但係個龍頭上面係有牌子嘅，睇唔到嘅，我。

問：咁其實即係你有基礎同水務署咁講個囉嗎？

答：我--呢個嘢我--即係我唔--我解釋唔到畀你，因為我係打係咁打啫。

問：Okay。林先生，我想問你另外一個題目。琴日就有講過點解你辭職嘍嘛，係咪？

答：係。

問：你辭職，就係話喺你新提交嘅材料入面，你就畀咗 (A) to (H) 咁多個 project，包括天水圍、屯門警察宿舍咁樣。你就話何標記嗰啲材料不符，同你填嗰張 WWO046 不符，咁所以你話畀咗好多次警告，e-mail 畀佢。咁你又擔心自己扣分，所以你辭職嘞，啱唔啱？

答：呢個都係一個理由嚟嘅。

問：好嘞，咁我想問你嘞，琴日許大律師都帶你睇過，你之後就變咗斷工計，但係你又簽咗係十幾份嘅 WWO046 嘞。

答：唔係，唔係咁樣。而係個問題就係咁樣，因為有啲係合格嘅，但係實際上佢哋入紙之前，嗰個日子有啲佢攞印嘅啫，但係即係個地盤唔係一開地盤落石屎就批畀佢嘅，因為都要等你哋水務署有 approval letter 出咗，證明到個 site 有幾多嘢批咗，我先可以填得附表嘅。

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即係之前已經係仲係上班時間。

問：係呀，我知你之前上班時間喇。譬如你呢度講話「以上(A) to H 何標記沒按照則師要求及水務署已批出嘅 wwo 46 part1 & part2 採購物料，導致出現以上材料不符問題。」你咁講㗎嘛。

答：咁我就問佢，「你用咩嘢理由去改嘢？」佢答我唔到嘞。

問：好嘞，咁我又想問啫，咁既然你咁緊張個材料係咪符答，咁你辭咗職之後，你做件工，咁你係咪更加應該緊張？

答：啊，唔係喇，嗰陣時。去咗--完工知道嗰陣時係要搵則師喇，嗰則師改表格喇。

問：林先生，我好簡單啫，我個問題就係話根據你嘅講法，辭咗職之後，你簽咗十幾份呢啲 WWO46，咁其實你都應該好緊張究竟啲材料符唔符合你 WWO46 你先簽名㗎嘛？

答：就咁樣講，最初係建築同我哋公司係做好晒交界我。但係完工嗰陣時候已經係去到差唔多 last day 兩個禮內嘅時候啲啲嘢。

問：呢個就係你嘅答案？

答：係呀，咁就變咗就唔對，我要搵建築，嗰則師，「幫幫手喇，如果唔係，搞唔掂呀。」

問：Okay。咁我到另外一個問題嘞。我想你睇睇 Q, 11, 你第一份證人口供。

主席：得唔得，林先生？

答：盡量。

主席：唔好盡量呀。如果唔舒服嘅話，唔好再繼續落去嘞。我哋等你舒服啲嘅時候先至再聽你講嘅嘢。

今日唔好再畀證供嘞。

咁今日林先生嘅證供就去到呢一度。返屋企抖下先喇。遲啲我哋要再出信話畀林先生聽，等佢好啲嘅時候先至再嚟。咁就我哋而家休

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庭，咁遲啲我哋會同林先生講。咁有冇下一個證人，就遲啲一件事。

答：...（聽不清）

主席：林先生，我睇你今日都--我唔覺得你應該繼續畀證供落去嘞。咁遲啲我哋會再通知你幾時上嚟畀證供，到時我哋會聯絡你。

咁我哋暫時休庭先。唔該。

上午 10 時 20 分聆訊押後

上午 10 時 37 分恢復聆訊

出席人士如前。

周先生：主席先生，我本人，周錫綸，事務律師，係代表雋景建材有限公司嘅法律代表。

主席：係。

周先生：主席先生，如果得到你嘅批准，現在邀請周家平先生係進入呢個庭，以作為呢個證人，係。

主席：好呀。叫周先生入嚟。

周先生：周家平先生。

雋景建材有限公司（“雋景”）的證人：周家平（焊接物料供應商（雋景董事））以本地話宣誓作供

主席：請坐。

答：唔該。

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周先生：多謝，主席先生。

周先生主問

問：周家平先生，你聽到我講嘢？

答：可以，可以。好，唔該你。

問：當一陣間回答問題嗰陣時，你對住個 mic，...

答：好。

問：...大聲少少。周家平先生，你係雋景建材有限公司嘅董事？

答：係。

問：請你答出聲。

答：係。

問：英文就係 Prosperity Building Materials Company Limited。

答：係。

問：你今天願意作為證人，會喺呢個議會嗰度會作供嘅，係咪？

答：係，係。

問：你就向呢個委員會就係呈遞咗一份證人口供嘅。

答：係。

問：就係喺 2015 年 11 月 26 號。

答：係。

問：大聲啲。

答：係。

問：你有反對我而家向委員會讀出你個證人口供嘛？

答：冇。

周先生：主席先生，係。

主席：好呀。

**COMMISSION OF INQUIRY INTO EXCESS LEAD
FOUND IN DRINKING WATER**

WITNESS STATEMENT OF CHOW KA PING (周家平)

Introduction

1. I am a director of Prosperity Building Materials Company Limited (the "**Company**").
2. I make this witness statement in response to a letter dated 2nd November 2015 issued by Messrs. Lo & Lo acting for the Commission of Inquiry into Excess Lead Found in Drinking Water (the "**Commission**") to the Company (the "**Letter**").
3. I am duly authorized by the Company to make this Witness Statement, and I do so pursuant to and under the auspices of sections 7 and 12 of the Commission of Inquiry Ordinance (Cap. 86).
4. I hereby provide information required by the Commission, in particular, in relation to the areas identified in the Letter. The information I provide in this Witness Statement either comes from my personal knowledge or is derived from gleaning of the Company's documents and records.

5. For ease of reference:

(a) I adopt the terms and definitions as defined in the Letter; and

(b) I refer below to each specific area as identified by the Letter, then provide my comments immediately after.

Caveat

6. First and foremost, it is incumbent on me to point out that the Company is engaging in the business of, *inter alia*, sourcing, importing and supplying various kinds of materials for different engineering systems for Hong Kong customers. The Company is a distributing agent of some soldering materials manufacturing or exporting companies but the Company is not the sole agent in Hong Kong. Soldering materials are some very common products which a customer is able to purchase from any company or hardware store all over Hong Kong without any difficulty or records.

7. In practice, as to the Company, customers would not usually specify for what particular purposes the soldering materials would be used when they placed the orders. Therefore, they could use the soldering materials for fresh water plumbing system for human consumption as well as for some other systems, such as, cleansing, plant watering, air-conditioning or fire services but the Company would not know. Further, the Company could have no means either to monitor the use of the soldering materials after their delivery or to ascertain whether products from other suppliers were also used for the same system.

8. In the premises, the Company is only able to provide information about the supply of soldering materials to the Involved Estates generally. The Company is not in a position to state with certainty that the soldering materials had actually been used for which

fresh water plumbing system of any of the Involved Estates. This blanketing qualification applies to **all** my answers and information provided in this Witness Statement.

Area 1: confirm whether your Company has supplied soldering materials for the fresh water plumbing system to any of the 11 Affected Estates other than the 8 Affected Estates, and if so, identify the relevant Affected Estates (the 8 Affected Estates and such other relevant estates as identified by your Company shall collectively be referred to as "**the Involved Estates**");

9. According to the Company's records, the Company has supplied soldering materials to following Involved Estates:

- (1) Un Chau Estate;
- (2) Ching Ho Estate;
- (3) Choi Fook Estate;
- (7) Hung Hom Estate;
- (8) Kai Ching Estate;
- (9) Tung Wui Estate;
- (10) Wing Cheong Estate; and
- (11) Kwai Luen Estate.

10. The Company has no record of supplying soldering materials to the following Affected Estates:-

- (4) Yan On Estate;
- (5) Lower Ngau Tau Kok Estate; and
- (6) Shek Kip Mei Estate.

Area 2: identify generally the different types of soldering materials which your Company has supplied between 2006 and 2014 (the period during which the Affected Estates were being constructed) to either the Main Contractors, Sub-Contractors, Sub-Sub-Constructors or other person(s) for the purpose of jointing the pipes in the fresh water plumbing system (either in respect of the Involved Estates or otherwise), stating the brand names,

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11. The Company supplied 3 different types of soldering materials to the Involved Estates in the relevant period, viz.:

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- (a) Lead Free Solder Wire (無鉛錫線) ;
- (b) 50% Lead Flat Solder Sticks (50力扁錫條) ; and
- (c) Silver Brazing Sticks (銀焊支).

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12. I confirm that the Company has supplied the above types of soldering/brazing materials to the Involved Estates as follows:-

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Estates	Lead Free Solder Wire	50% Lead Flat Solder Sticks	Silver Brazing Sticks
(1)Un Chau Estate		*	
(2)Ching Ho Estate	*		
(3)Choi Fook Estate		*	
(7)Hung Hom Estate	*	*	*
(8)Kai Ching Estate	*	*	*
(9)Tung Wui Estate		*	*
(10)Wing Cheong Estate		*	*
(11)Kwai Luen Estate	*	*	*

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13. In relation to the brand names, countries of origin, specifications of the soldering materials:

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- (a) Lead Free Solder Wire is usually called "Fry 99C Lead-free Wire" and manufactured under the brand name "FernoX". The country of origin is the Netherlands;

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(b) 50% Lead Flat Solder Sticks are manufactured under the brand name of "DKL". The country of origin is the United Kingdom; and

(c) Silver Brazing Sticks are manufactured under the brand name of "Thessco". The country of origin is the United Kingdom.

14. I attach hereto the specifications provided by the manufacturers of the abovementioned soldering materials for the reference of the Commission marked as **Attachments A, B and C respectively**.

15. The prices of the Soldering Materials fluctuated during the relevant period from 2006 to 2014. I shall draw the Commission's attention to the purchase documents below on which the prices for each particular transaction are set out.

Area 3: *identify the contact person(s) in each of the Main Contractors, Sub-Contractors, Sub-Sub-Contractors who contacted and placed orders with your Company for soldering materials in respect of the Involved Estates ("such contact persons");*

16. The contact persons in respect of the Involved Estates are as follows:-

Involved Estates	Contact Persons
(1)Un Chau Estate	Ming Hop -Purchasing Department
(2)Ching Ho Estate	Mr. Lee (Sum Kee), Mr. Mok (Wing Hing)
(3)Choi Fook Estate	Ming Hop -Purchasing Department/ Mr. Siu (Hang Lee)
(7)Hung Hom Estate	Golden Day -Purchasing Department
(8)Kai Ching Estate	Ho Biu Kee -Purchasing Department
(9)Tung Wui Estate	Golden Day -Purchasing Department
(10)Wing Cheong Estate	Golden Day -Purchasing Department
(11)Kwai Luen Estate	Ho Biu Kee -Purchasing Department

Area 4: explain and describe the means by which orders were placed by such contact persons and the steps and procedures by which the soldering materials were supplied by your Company and delivered to the purchaser after an order was placed;

17. Orders were placed by such contact persons either by sending written Purchase Orders or verbally.

18. The usual method for placing orders is by sending written Purchase Orders. The steps and procedures for supply and delivery of orders placed by sending written Purchase Orders are as follows:

(a) such contact persons placed orders by sending written Purchase Orders to the Company specifying:

- (i) the products they wanted;
- (ii) the quantities;
- (iii) the prices; and
- (iv) the places and dates of deliveries;

(b) the Company would deliver the ordered products to the places as directed by the customers on the designated dates with the relevant Delivery Notes;

(c) the representatives of the customers on the sites would sign the Delivery Notes in triplicate confirming the receipt of the ordered products;

(d) the customers would retain a copy of the Delivery Notes for their record; and

(e) the Company then prepared the Invoices according to the copies of Delivery Notes it retained and send the Invoices together with a copy of the Delivery Notes to the customers monthly for payment.

19. In some cases, however, such contact persons would place orders verbally. The steps and procedures for supply and delivery of orders placed verbally are as follows:

(a) Such contact persons made telephone calls to the Company asking for supply of products with particulars set out in paragraph 18(a) above;

(b) the particulars of the products they ordered would be set out in the Company's Delivery Notes and Invoices;

(c) we prepared the Invoices together with Delivery Notes for verbal orders and followed the steps 18(b), (c) and (d) above; and

(d) the customers were usually requested to make payment upon delivery.

Involved Estates	Contact Persons	Means of Placing Orders
(1) Un Chau Estate	Ming Hop - Purchasing Department	Purchase Orders
(2) Ching Ho Estate	Mr. Lee (Sum Kee), Mr. Mok (Wing Hing)	Verbally
(3) Choi Fook Estate	Ming Hop - Purchasing Department/ Mr. Siu (Hang Lee)	Purchase Orders and Verbally
(7) Hung Hom Estate	Golden Day - Purchasing Department	Purchase Orders
(8) Kai Ching Estate	Ho Biu Kee - Purchasing Department	Purchase Orders
(9) Tung Wui Estate	Golden Day - Purchasing Department	Purchase Orders
(10) Wing Cheong Estate	Golden Day - Purchasing Department	Purchase Orders

(11) Kwai Luen Estate	Ho Biu Kee - Purchasing Department	Purchase Orders
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Area 5: *identify and adduce all purchase orders, invoices, receipts, delivery notes, certificates of quality or origin and other information showing the brand names, country of origin, types and specifications of the soldering materials acquired by the Main Contractors, Sub-Contractors, Sub-Sub-Contractors and any other person(s) who contacted and placed orders with your Company for soldering materials for use in the Involved Estates or otherwise during the period between 2006 and 2014. Identify and confirm (a) which of the soldering materials supplied under the purchase orders, invoices, receipts, delivery notes and information as adduced were lead-free soldering materials and (b) which ones contained lead;*

20. Despite the best effort of our staff to retrieve as many documents relating to the Inquiry into Excess Lead Found in Drinking Water as possible, due to the long lapse of time and removal of storage places, we are unable to produce all documents relating to the supply of soldering materials to the Involved Estates.

21. According to the documents our staff was able to retrieve and the records kept by the Company, we have prepared **Attachment D**, which consists of 8 appendices in which we have set out the relevant information in tables and attached copies of documents we could find as follows:

Involved Estates	Appendix
(1) Un Chau Estate	A
(2) Ching Ho Estate	B
(3) Choi Fook Estate	C
(7) Hung Hom Estate	D
(8) Kai Ching Estate	E

(9) Tung Wui Estate	F
(10) Wing Cheong Estate	G
(11) Kwai Luen Estate	H

Area 6: according to information available to the Commission, some of the Main Contractors contracted to use "Fry" 99C Lead free solder wire ("**Fry Solder Wire**"). Identify the transactions in which Fry Solder Wire was supplied by your Company for use in the Involved Estates and confirm the country of origin of such materials. Please also confirm (a) whether Fry Solder Wire is produced by countries other than the Holland and (b) whether your Company has acquired Fry Solder Wire from countries other than Holland and if so, identify such countries.

22. I refer to paragraphs 11 to 15 hereinabove.

23. The Company has supplied Fry Solder Wire to 4 Involved Estates, namely, Ching Ho Estate, Hung Hom Estate, Kai Ching Estate and Kwai Luen Estate. The country of origin of Fry Solder Wire was the Netherlands (i.e. Holland).

24. I cannot confirm that there are countries other than the Netherlands which also produced Fry Solder Wire.

25. I confirm that the Company has acquired Fry Solder Wire only from the Netherlands during the relevant period from 2006 to 2014.

26. I hereby produce one sample of each type of soldering materials mentioned above marked **Attachment E**. Owing to the bulkiness of the products, it is impossible to produce the wrappers intact.

27. I confirm that the contents of this statement are true to the best of my knowledge and belief.

Signed by:-

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CHOW Ka Ping

Dated the 26th day of November 2015

周先生：There is a statement of truth:

STATEMENT OF TRUTH

I believe that the facts stated in this witness statement are true and the opinion expressed in it is honestly held.



CHOW Ka Ping

Dated the 26th day of November 2015

問：周家平先生。

答：係。

問：係。剛剛所讀出嚟嘅--你嘅供人口供，你記得嗎？

答：唔，記得。

問：出聲，請出聲。

答：記得。

問：你願意將你呢份嘅證人口供呈堂作為你一個主問嘅證供，...

B

B

C

答：可以。

C

D

問：...你願意嘛？

D

E

答：願意。

E

F

周先生：法官閣下，我方冇其他主問。

F

G

主席：唔該，請坐。

G

H

周先生：周家平先生可以接受其他嘅律師嘅盤問。

H

I

主席：唔該。

I

J

周先生：係，多謝主席。

J

K

K

許偉強先生盤問

L

L

問：周生，我係代表...

M

M

答：我使唔使企喺度？

N

N

問：唔需要。

O

O

答：哦，唔好意思。我人生第一次，唔好意思。

P

P

問：周生，我就代表委員會嘅。

Q

Q

答：係，係。

R

R

問：就有啲問題即係想同你討論一下。

S

S

問：首先就住嗰個背景，一啲背景資料都想搞清楚先。

T

T

答：唔，好。

U

U

問：我想問一問你，就係呢一個雋景建材公司喇，就係你自己成立嘅公司

V

V

B

B

C

嚟㗎，係咪呀？

C

D

答：係。

D

E

問：我想知道係幾時成立？

E

F

答：1998年。

F

G

問：1998。

G

H

答：係。

H

I

問：唔。之前你係做咩嘢工作㗎？

I

J

答：之前呀？

J

K

問：係，即係成立雋景建材之前？

K

L

答：我之前都做咗好多份工作。

L

M

問：係。有冇從事過水喉行業嘅工作？

M

N

答：水喉行業，即係你落地盤嗰啲？

N

O

問：係。

O

P

答：冇。

P

Q

問：冇。

Q

R

答：完全冇。

R

S

問：有冇接觸過係水喉行業嘅工作呀，之前？

S

T

答：都冇。

T

U

問：都冇，唔。之前有冇喺即係建築業做過？

U

V

答：都冇。

V

問：都冇，唔。你之前係做咩嘢㗎，成立雋景之前？

答：即係做 sales。

B

B

C

問：唔。

C

D

答：唔，或者做執貨。

D

E

問：邊方面嘅 sales? 吓?

E

F

答：執貨，之前做執貨。

F

G

問：執貨。

G

H

答：係。

H

問：唔。Sales 係邊方面 sales 呀?

I

答：賣啲啲去水膠喉啲啲。

I

J

問：去水膠喉?

J

K

答：係，係，係。

K

L

問：好。我哋知道就係呢個--另外問一問你先，就係雋景除咗你係老闆之外，仲有冇其他人?

L

M

答：仲有我太太，我太太。

M

N

問：你太太。

N

O

答：唔。

O

P

問：即係你兩位都係公司董事，係咪呀?

P

Q

答：係。

Q

問：股東都係你哋兩位?

R

答：係。

R

S

問：唔，好。公司有幾多人呀?

S

T

答：十幾個。

T

U

問：十幾個。

U

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答：唔知十四定十五，我都唔--好似十--咁上下。

問：唔。

答：應該十六，係咪呀？我唔記得咗。

問：有幾多員工係即係負責幫你手？例如當採...

答：基本上啲員工都幫緊我手。

問：唔係，即係你聽埋我講先。

答：係，吓？

問：即係我話幾多員工係幫你手呢，係負責例如如果啲你嘅客戶要採購啲
啲貨物嘅。

答：我諗基本上起碼都有--我諗起碼六至八個，最少都。

問：六至八個，係咪呀？

答：係呀，唔。

問：即係負責落 order 啲啲，唔。

答：落 order，你計唔計埋執貨呢？

問：執貨啲啲佢唔幫手落 order，係咪呀？

答：唔計，咁得，可以，可以，可以。

問：即係執貨啲啲就唔會幫手落 order 㗎嘛？

答：我唔知嘞，我唔會理解，以為執貨。

問：我知，但係你嘅意思係咪即係執貨啲啲同事，就唔會幫手落 order
嘅，係咪呀？

答：唔會，絕對唔會，呢個。

問：得，明白。落 order 就六至八個嘍？

答：係，係。

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問：好。我哋知道，即係雋景建材都係就住一啲即係五金材料呢就供應嘅，係咪？

答：唔，係。

問：我哋知道就有造食水喉嘅五金材料，就造水喉嘅五金材料喇，呢個你哋有供應嘅？

答：我真係唔係好清楚，呢樣嘢。

問：唔係好清楚咩嘢話？

答：唔係好清楚係--譬如--你講多一次，我唔理解你講乜，唔好意思。

問：唔，好，你供應嘅材料呢，有包括做水喉嘅材料㗎嘛？即係包括做水喉嘅五金材料，呢樣好...

答：我諗有嘅應該，概括應該有嘅，正常都係。

問：係。即係你一定--即係你做咗--做咗廿幾、三十年你一定知你自己公司賣咩嘢。

答：係，咁你用喺邊度，我都唔知佢用--有機會你話咁我哋--事關我係好廣泛嘅嘢，我唔係淨係單一項目。

問：我哋一步一步嚟，周生。

答：嘎，嘎，嘎。唔好意思。

問：我而家唔係講緊啲啲材料最後擺嚟作咩嘢用途，唔好去諗呢樣嘢先。

答：我知道，明白，唔好意思，唔好意思。

問：唔好去諗呢樣嘢先。

答：明白，唔好意思。

問：你嘅材料，供應嘅材料賣出街嘅，...

答：係。

問：...包括做水喉嘅材料，啱吖？

B

B

C

答：係，啱。

C

D

問：唔，好。我想問下呢，即係例如我哋講緊做水喉材料，我哋都見到你哋啲單入面，都有介紹過有啲咩嘢材料。

D

E

答：係。

E

F

問：類似呢啲咁嘅五金材料，我哋所講，如果我哋講香港、九龍、新界，會有幾多間公司會賣類似咁嘅材料呀？

F

G

答：我話你聽，每一間五金舖都會賣。

G

H

問：每一間五金舖？

H

I

答：以我所知。

I

J

問：唔。

J

K

答：個比例應該起碼超過 80 個 per cent 以上。

K

L

問：超過 80...

L

M

答：即係賣五金。

M

N

問：即係賣五金嘅舖頭，...

N

O

問：...有 80 per cent 以上...

O

P

答：都會賣。

P

Q

問：...都會賣你哋啲啲材料？

Q

R

答：係，而家賣，係，係，係。

R

S

問：係咪咁嘅意思呀？

S

T

答：係，係。

T

U

問：唔。你做咗--由 1998 年開始喇，...

U

V

答：98，係，係，係。

V

B

B

C

問：...即係做咗都...

C

D

答：十七年、十八年。

D

E

問：...即係十七--十七、十八年喇。

E

F

答：係。

F

G

問：你都做過好多房署嘅工程，係咪呀？即係有關房署嗰個工程？

G

H

答：係有。

H

I

問：係咪呀？

I

J

答：有。

J

K

問：唔。記唔記得，即係有涉及嘅房署工程呢，大概有幾多個項目，你接觸過嘅，咁多年？

K

L

答：我真係--你叫我而家講呀講唔到，唔記得到咁多。

L

M

問：唔係好記得？

M

N

答：嘎，嘎。

N

O

問：但係都好多，你記得就？

O

P

答：我諗都有嘅。

P

Q

問：唔。

Q

R

答：你話好多就唔知，事關唔係我哋--唔係一定幫我哋。

R

S

問：係。

S

T

答：嘎，唔。

T

U

問：超過十個喇？

U

V

答：我--應該有--呢度都--應該有。

V

問：超過二十個？

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答：二十個，我唔知，真係返去睇下先知。

問：唔知，好，唔緊要。我想問一問你，我哋都知道你同幾間即係做水喉個供應商，...

答：係，唔。

問：...咁就都有生意來往。

答：唔，係。

問：咁我哋知道--我而家喻幾個名畀你聽，我就逐個逐個會問下你。好唔好？

答：好呀，好。

問：首先何標記喇，係咪呀？有喇，有同佢哋有來往喇。

答：係，有，唔。

問：金日？

答：係。

問：有喇，係咪？

答：有。

問：咁就呢個恆利？

答：有。

問：有喇。永興？

答：有。

問：有喇。問一問你先，同何標記做生意做咗幾耐？

答：我1998年...

問：大概。

答：...成立，我諗大概係十--我諗十幾年喇。

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問：十幾年喇吓？

答：嘎，嘎。

問：何文標就話即係好早期已經識你，係咪呀？

答：係，係。

問：即係你未做雋景之前...

答：我做執貨已經識我。

問：即係以前曾經做過同事，係咪呀？

答：冇。

問：冇。

答：絕對冇。

問：哦，喺咩嘢情況下識㗎？

答：都話我本身一間五金塑膠廠地下執貨，佢啤嘅產品係水喉配件。

問：係。

答：佢係擺貨，擺膠配件，我認識佢。但係唔係深交，嗰陣時。

問：明白，明白。

答：一個--我只係一個執貨仔。

問：明白。即係話何標記同你哋雋景有生意來往都有超過十年？

答：絕對有。

問：係咪呀？

答：唔。

問：好。咁問一問你，例如何標記嚟講，即係有十年以上嘅生意來往喇。

答：係，唔，唔。

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問：一般來講何標記同你哋訂貨嘅，都會同你本人訂貨嘛？

答：經我又冇，或者畀同事亦都有。

問：唔。

答：事關有啲產品，事關我哋好多種產品，有啲唔需要去 follow。

問：係。

答：有啲畀小姐 fax 過去--急嘅，就小姐去打單。

問：明白。

答：事關我哋有個 price list 喺度，知道產品名稱，佢就可以 follow 到，去做到嘢。

問：明白。

答：我每日工作都好繁忙。

問：明白，好。

答：唔，希望你明白。

問：有時就係你，有時就係你同事，可以咁講？

答：機會唔係多喇，譬如有啲--睇咩嘢產品。

問：唔，好。何標記例如同你哋訂貨嗰陣時，你記唔記得大概何標記係邊幾位職員會負責同你哋訂貨？

答：即係點解呢，嗰段時間佢亦都有個--流動性都幾大嘅，採購有段時間。

問：唔。

答：我直情唔係好記得。

問：你而家完全冇印象，邊幾位？

答：我真係唔記得，時關我太多嘢。你話好似而家呢刻梗係知--記得梗係趙小姐嗰啲喇。

B

B

C

問：趙小姐？

C

D

答：嘎，嘎，啲啲。

D

E

問：係。

E

答：你話之前啲啲我都--有時真係唔記得咗都唔定。

F

問：趙小姐就記得，係咪呀？

F

G

答：係。

G

H

問：唔。

H

I

答：而家呢個係趙小姐，我梗係記得。

I

J

問：好。陳小華記唔記得呀？

J

答：陳小華，我記得--印象好似係--嗰個係咪啟晴邨嗰個...

K

K

問：唔。

L

L

答：...管工呀？

M

M

問：係呀。

N

N

答：應該係。

O

O

問：佢都有同你哋接觸過，係咪呀？

P

P

答：有接觸。

Q

Q

問：唔，訂貨？

答：我哋接觸係咩原因呢，我本身間公司成立係主要做喉碼嘅。

R

R

問：係。

S

S

答：喉碼就不同 size，所以要接觸。點解呢，可能有啲設計唔同咗，我要同佢要探討，討論呢個問題。

T

T

問：唔，明白。

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答：有接觸，呢個就。

問：即係你同阿陳小華嘅接觸呢就係講緊啲喉...

答：係主要關於工作上嘅嘢，係。

問：就係講緊一啲喉碼 size，可能會討論嘅？

答：係嘞，我哋嗰個公司成立之前呢，係主要做喉碼。

問：唔。至於陳小華，佢有冇話同你哋公司訂貨，呢樣嘢嘅？

答：冇，冇，絕對。

問：就冇嘅，係咪呀？好。

答：一定要經過採購部。

問：好。金日呢，金日做咗幾耐？

答：金日，我都同何先生差唔多。

問：吓？都係差唔多？

答：都係十幾年。

問：都係十幾年嘞，嘎。

答：係，都十幾年。

問：好。金日嘅職員同你哋訂貨嘅，...

答：係。

問：...記唔記得係邊幾位？

答：林小姐又有、莫小姐又有。

問：林小姐、莫小姐，係咪？

答：係嘞，嘎，唔。

問：最主要呢兩位？

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答：嘅。

C

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問：好。咁恆利蕭健煌先生你識唔識呀？

D

E

答：識嘅。

E

F

問：唔。

F

G

答：唔係太深囉呢個。

G

H

問：唔，係。生意來往咗幾耐呀同佢？

H

I

答：唔係多。

I

J

問：係咪呀？

J

K

答：唔係太耐。

K

L

問：幾年？

L

M

答：咁絕對有。

M

N

問：有，係咪呀？

N

O

答：唔，唔，唔。

O

P

問：超過五年時間？

P

Q

答：我諗都係咁上下，未必足喇。

Q

R

問：好。

R

S

答：你問得咁詳細，我都要睇番紀錄。

S

T

問：好呀。佢都會親自同你哋公司訂貨？

T

U

答：係。

U

V

問：係咪呀？

V

答：係。永興莫海光先生呢，都認識喇？

問：認識。

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答：係咪呀？

問：唔。

答：咁有冇都係超過五年生意來往？

問：有嘅，有嘅。

答：都有？

問：唔，係。

答：佢都有親自同你哋訂貨？

問：係。

答：係咪呀？

問：唔。

答：好，唔該晒。

問：唔使。我想問一問就係--即係你都知道我啱啱講嗰幾間公司喇。

答：唔，唔，唔，唔。

問：佢哋都係做呢個水喉分判商，呢樣嘢你好清楚嘅，係咪？

答：應該清楚，係。

問：你係清楚嘅？

答：清楚。

問：唔。我想問一問你，我哋縮窄下個討論範圍先。

答：好。

問：我哋而家知道，最主要我哋討論嘅嘢，係講緊一啲錫料，或者焊料。

答：係。

問：我想先問一問你，就係你幾時第一次接觸無鉛焊料呢樣嘢？幾時知

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道？

答：其實呢，無鉛，我真係唔記得咗，我諗零幾年囉。

問：零...

答：唔知零幾--到幾多嘞，我真係唔清楚。

問：零幾年。如果我咁籠統啲講，知道咗大概都有十年，可唔可以咁講？

答：我諗有喇，而家都 16 年，應該有喇，嘎。

問：唔，好呀，唔該。當時係喺咩嘢情況之下知悉呢一個無鉛焊料呢樣嘢？

答：首先我希望你明白我公司成立個原因係乜嘢。係客人要求我哋用咩嘢產品，我哋先去同佢搵。即係有客要求我哋要擺呢隻嘢產品，我哋去搜集或者搵。即係唔係我哋去擺呢件產品賣畀你，而係好多客人要求，問我哋擺呢啲，有冇呢啲產品，我哋先去搵。

問：周生呀。

答：唔。

問：我而家唔係講緊--都係--即係你將你嘅集中力呢，...

答：我可能我理解唔係好清楚。

問：...集中喺我個問題先。

答：好。

問：唔係話你畀，定係人哋問，定係點。好簡單嘅問題，喺咩嘢情況之下，第一次認識無鉛焊料，就咁簡單啫。

答：就係個客人要求我哋選擇呢樣，咪認識佢囉。

問：客人要求你哋用呢隻？

答：係，係。

問：記唔記得係邊個客？

答：我諗出面--點解我哋都好多啲判頭，我哋--有時真係唔記得咗，你

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話邊個我真係唔記得咗而家。

問：唔緊要，唔緊要，唔緊要。客人要求你，話畀無鉛錫線佢，咁呀？

答：唔係，佢要求話卷裝嘅啫。

問：哦。

答：係。

問：佢直情畀咗卷裝你睇呀？

答：或者搵下呢隻有冇囉，係，係。

問：咪住先，咪住先。

答：係，係。

問：客人話「我要求卷裝嘅錫線」？

答：係，或者畀個辦我哋，有權，係，有。

問：唔。佢有冇畀過呢隻嘢你睇，嗰陣時？

答：有機會有，但係我唔記得咗。

問：唔，好。咁嗰個客人，即係問你哋擺呢個辦又好，或者叫你哋去搵又好，係做緊咩嘢工程㗎嗰陣時？

答：有時我哋亦都唔會去問佢咁仔細，問得佢咁清楚。

問：唔。

答：只係我角度係，我開呢間公司，客人搵乜，我就去同佢搵咗，嗰刻就去同佢搵嘅啫。

問：好呀，唔。客人搵又好，你自己搵又好。咁你都會即係要透過供應商介紹一隻物料畀你㗎，係咪呀？

答：係，係，係。

問：唔。當時即係你話去搵呢隻物料嘅時候，都會有同供應商嗰啲 agent，或者啲 sales，都有接觸過，去傾下呢隻物料㗎嘛？

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答：都唔會深入去傾，我只係...

問：唔好講深唔深入先。

答：係，會傾。

問：有冇傾過？

答：有傾過。

問：係。傾過嘅時候，我想問下，例如嗰個 sales 同你「喂，周生，討論下呢隻焊料」咁樣。佢會擺呢一隻上嚟畀你睇，係咪呀？

答：正常我--冇。

問：冇嘅，冇嘅。乜嘢冇擺上嚟嘅？

答：冇。

問：冇嘅。好，我又問下你，你第一次見到呢隻綠色一卷卷，我哋而家知道係“FRY”呢個無鉛錫線，...

答：嘎，嘎，係，係，係。

問：...大概係幾時嘅？

答：我諗超過十年以上。

問：超過十年以上？

答：係。我可唔可以咁講，係咪都係話--你啱啱講畀我聽話，有客人就要求你去話「喂，用呢隻」，咁你去搵，係咪呀？

問：去搜集，係，係。

答：一定係有個途徑...

問：有。

答：...搵到返嚟，你第一次睇到㗎？

問：係。

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答：係咪呀？

問：唔。

答：我想問下你第一次睇到呢隻嘅時候，係咪嗰啲供應商嘅 sales 畀你睇？

問：唔係，我哋自己走去問佢，邊度有得賣，去嗰度問。

答：自己走去問佢話--等等先吓。

問：即係搜--問下啲行家或者之類。

答：咪住先，自己走去問佢，「佢」係邊個呀？

問：即係呢個產品嘅供應商。

答：產品供應商，即係你知道佢係呢隻產品嘅供應商，係咪呀？

問：係，係。

答：你問佢話「啊，點樣可以攞到返嚟呀？」咁呀，係咪呀？

問：係，係，係。

答：咁佢攞嚟畀你睇？

問：我要買呢隻就係咁，佢好簡單咋嘛，係。

答：咁佢攞嚟畀你睇喇跟住，係咪呀？

問：咪落單。

答：我嘅意思係話，你問佢邊度可以搵到呢啲。

問：係。

答：咁佢有畀你睇過嚟嘛，呢隻，係咪？

問：基本上你當--有冇睇過呢，我都唔記得。

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C

主席：周生，你可唔可以坐番過少少個邊？

C

D

答：唔好意思，對唔住。

D

E

主席：係，因為我要...

E

F

答：哦，唔好意思。

F

G

主席：唔。

G

H

答：我慣咗。

H

I

主席：係，坐過...

I

J

答：Sorry, sorry。

J

K

主席：坐過啲。

K

L

答：好，得。

L

M

主席：再坐過啲，係。

M

N

答：好。

N

O

主席：得，唔該。

O

P

答：唔好意思。

P

Q

主席：唔。

Q

問：其實我好想知道，就係話當你第一次有機會睇到呢一隻綠色一卷卷，我哋知道係無鉛焊料，係邊個畀你睇嘅？

R

答：我唔記得咗吖嘛，答咗。

R

S

問：唔，但係你剛才就話係你問供應商，...

S

T

答：唔。

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問：...係咪呀？擺番黎？

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答：我跟住搵供應商囉。

問：係嘞。咁會唔會係供應商畀你睇嘅呢？

答：係個客人擺畀我睇，我跟住去搵供應商。

問：好。

主席：就同佢訂貨？

答：係嘞。

問：即係你而家記得就應該係個客人嗰度畀你睇嘞？

答：係，係。

問：因為你之前話唔記得咗客人擺嚟嗰陣時有冇畀你睇過？

答：係客人擺畀我睇，我先去搵供應商。

問：唔，好。

答：唔。

問：等等。

答：以我記得就係。

問：好。

答：事關太耐我真係唔係好記得。

問：冇問題。

答：見諒。

問：唔，咁你就擺去畀供應商？

答：唔係，搵供應商。

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問：搵供應商？

答：搵供應商。

問：唔。好嘞，咁你搵供應商嗰陣時，你點同佢形容你要啲咩嘢物料呀？

答：事關呢隻產品喺香港市場已經有供應商存在，咪搵到佢個電話咪同佢落 order 囉。

問：我再問多你一次。

答：係。

問：搵供應商嘅時候，點樣同佢講，形容呢一隻物料，你要啲乜？

答：咪話英國嘅“FRY”嘅無鉛錫線，就咁樣問佢囉。

問：好呀。

答：唔。

問：邊個供應商呀？

答：好似叫做德堅呀，冇記錯。

問：唔。

主席：叫做咩嘢話？

答：德堅呀。

主席：點寫呀？

答：哦，寫就--我唔識英文，唔好意思，我執貨仔出身，我讀書係讀到小學㗎咋。

主席：德咩嘢話？

許偉強先生：德堅呀？

答：嘎，嘎。

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許偉強先生：中文，你都知道佢中文名嘍，有中文名嘅？

答：我淨係識中文名，你叫我譯英文，我真係唔識。

主席：哦，德...

許偉強先生：我唔係問你英文，即係中文名你知道係叫德堅？

答：係呀，好--係。

許偉強先生：即係德就係...

答：我印象中係。

許偉強先生：哦。

問：即係「德」就德高望重個「德」？

答：係啱，係。

問：「堅」就堅強個「堅」咁樣？

答：係，係，係。

問：係咪？好。你當時同佢講話要呢一隻嘅時候呢，即係你話呢隻焊料嘅時候呢，有冇特別同佢指明係無鉛咁話？

答：我已經同佢講咗呢隻嘢。

問：你有冇講牌子呀？

答：“FRY”咁嘛。

主席：“FRY”，嘎。

問：有講牌子呀？

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答：嘅。

問：好，唔該。咁我想問一問你嘞，就係你初初接觸呢一隻誼物料喇，跟住就之後喇，我想問下你有冇機會呢，即係睇過啲說明呀？即係啲冊--啲個...

答：首先...

問：...材料嘅說明呀？

答：首先我唔識英文喇，第一，第二我亦都喺我嚟講，我都唔係好認真去睇囉。

問：明白。

答：唔。

問：你接觸--第一次接觸呢個“FRY”呢個綠色一卷卷嘅時候呢，有冇同時間接觸呢一隻黃色一畧畧嘅松香膏呀？

答：係，有嘅。

問：係咪呀？唔，一齊知道嘅，係咪呀？

答：係。

問：係咪呀？你當時呢，你嘅認知呢，係咪呢兩隻嘢呢，一齊用㗎？

答：係。

問：唔，邊個話畀你聽㗎？

答：係啲水喉師傅講嘅。

問：水喉師傅？

答：係。

問：喺咩嘢情況之下同你討論話，呢兩隻嘢一齊用咁呀？

答：咩嘢...

問：喺咩嘢情況之下呢？啲水喉師傅呢，同你話，呢兩隻嘢要一齊用嘅。

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答：佢當時訂貨同我講亦都會一齊用囉。

問：唔，即係呢個都係講緊十幾年前嘅事喇，係咪呀？

答：係，係，係呀，即係問番我回帶，我真係未必記到。

問：好呀，冇問題，冇問題。我都係問你大約嗰個情況嘅啫。

答：係，係，係，真係，真係。

問：唔，好。我想問一問你呢，你知唔知“FRY”呢隻牌子呀，呢隻牌子呀，...

答：係。

問：...有供應無鉛同埋有鉛嘅焊料㗎，你知唔知呀？

答：知。

問：唔，你知唔知道“FRY”呢隻牌子呢，無鉛就係綠色嘅，你知道--我哋知道呢...

答：係。

問：...“FRY”係咪有一隻有鉛嘅錫料呢，係黃色㗎？

答：係而家知。

問：而家至知？

答：係。

問：幾時嘅知道呀？

答：正常就已經有生產，但係我係至呢個委員--即係發生事故之後，我再認真睇係已經係有呢隻黃，係有嘅。

問：好呀，唔，得。

答：之前應該有生產嘅，我哋冇去訂購。

問：好呀，明白。或者即係呢--當時個紀錄呢，雖然我知道你唔係好睇得懂英文喇。

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答：係，絕對係。

問：我就想你睇一睇有一張係講個“FRY”產品嗰啲說明嘅啫。

答：唔。

問：就係喺 15--B15.2。

答：邊度呀？

問：B15.2，38811。

答：哦，唔該。係，係，係，好，點呀？

問：38811 呢，就我解畀你聽喇。

答：好呀。

問：唔緊要，周生。

答：唔好意思。

問：咁就有個 solder wire 嘅，即係都係講緊錫線喇。

答：係。

問：咁佢呢度嘅解釋呢就係有鉛同埋無鉛嘅 solder wire，呢個文件首先呢，佢係講緊“FRY”呢隻牌子，就即係一啲做水喉嘅產品嘅。

答：係。

問：咁就你見到“FRY”嗰個字喇，呢度都有個“FRY”個字喺度。

答：係，我最識呢個嘍咋。

問：係嘞，得，唔緊要，咁有啲圖喺度，我哋都唔需要考究住嘅。

答：唔。

問：咁呀喺個 solder wire 嗰啲錫線嗰度呢，就咁嘅，佢就話呢，就可以即係簡單地咁樣分喇，就係話如果綠色一卷卷呢，就係呢叫做無鉛，lead free。

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答：唔。

問：如果黃色嘅話呢，就係有鉛嘅，我剛才問你就係呢個問題嘞，就係話，你話呢最近先至知道，原來“FRY”都係有有鉛嘅呢一隻錫線嘅咁。

答：係。

問：我想問下最近你係大概係幾時嘅呀？

答：啱啱鉛水事件之後先知囉。

問：哦，之後咁嘛？

答：答咗你喇，係囉，係囉。

問：唔，喺咩嘢情況下知道，原來有兩隻個嗰，咁呀？

答：唔係，我再--我哋公司再仔細去--去--自己都要去檢討下。

問：唔。

答：知--點--即係我都要了解下多啲嘢囉自己都要，所以咪清楚啲囉。

問：要了解多啲呀？

答：唔，所以我完全冇睇過個黃嗰個卷裝架，我係--我有睇過。

主席：未見過？

答：未見過。

許偉強先生：未見過，好。

答：我未見過。

問：好呀，咁你係諗即係點樣...

答：即係我睇番個 detail 先睇到啲嘢，係。

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問：係，我想知道係邊個話畀你知，原來“FRY”都有隻係有鉛嘅呢樣嘢呀？

答：諗認真啲再睇多次，或者 catalogue 又好，又去--或者再問多其他啲人咪清楚。

問：睇 catalogue 就--catalogue 英文㗎。

答：唔。

問：係咪？

答：嘎。

問：咁係你自己睇定係你叫啲職員幫你睇呀？

答：我哋有少同事都識英文嘅，咁呀睇下啫。

問：唔，咁係咪同事睇完啲英文 catalogue，同你講番話，「老闆呀，原來有“FRY”，有鉛嘅焊料個啲」？

答：我唔記得咗有冇咁樣，但係我照我資訊係有嘅。

問：唔。

答：唔。

問：咁你話知道呢件事係邊個話畀你聽，記唔記得呀？

答：我都唔係好記得。

問：唔係好記得，好，冇問題。你一直以嚟，如果我哋講“FRY”嘅焊料呢，鉛水事件之前，...

答：唔。

問：...就知道係淨係得呢隻嘅啫。

答：係。

問：係咪呀？綠色一卷卷。

答：係。

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問：咁你亦都知道係無鉛嘅？

答：係。

問：係咪呀？咁我咁樣講啱唔啱呢，就係你亦都知道做食水喉工程呢，就要需要用呢一隻諗物料嘅。

答：唔知。

問：唔知？

答：唔知。

問：咁即係譬如你有咁多客戶係食水喉分判商，佢同你訂貨呀。

答：唔。

問：咁你唔會去估計話，呢隻物料你訂貨，就係做食水喉工程嘅，咁你呢樣嘢應該知，係咪呀？

答：唔，我唔知呀。

問：完全唔知？

答：唔知。

主席：再問多次個問題。

石先生：好呀。

問：你有咁多客戶，係做食水喉嘅分判商。

答：唔。

問：佢又問你，例如如果要訂呢一隻綠色一卷卷嘅。

答：唔。

問：咁你唔會去諗到話訂呢一隻嘅原因係攞嚟做食水喉嘅工作咩？

B

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答：唔知呀。

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問：完全唔知呀？

D

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答：唔知。

E

F

問：唔。

F

G

主席：唔係，我想問一問，你當然你有好多唔同嘅客喇，係咪？

G

H

答：係，唔。

H

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主席：咁有啲客，當然你亦都未必真係知道佢個業務嘅性質。

I

J

答：唔。

J

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主席：係咪？

K

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答：係。

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主席：即係我明白。

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答：唔。

N

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主席：譬如好簡單，有一間何標記咁樣樣講喇，係咪？

O

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答：係，唔。

P

Q

主席：咁佢做好多政府嘅工程。

Q

R

答：係。

R

S

主席：又做好多房屋署嘅工程。

S

T

答：係。

T

U

主席：即係我想問嘅問題就係話，當然你譬如何標記突然之間打個電話
嚟，話譬如咁講，...

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答：唔。

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主席：...我要無鉛，咁當然你唔知道佢實際上愛嚟做咩嘢嘢喇，係咪？

答：係。

主席：不過個問題就係咁，如果佢話要無鉛嘅，咁你賣咗咁多年呢啲無鉛嘅錫線，咁我諗你都會推論，或者聯想到，呢啲無鉛嘅錫線，係有機會係愛嚟做食水喉嘅。

答：唔。係囉，份嘢都有講咗，係有機會，係喇。

主席：係喇，因為嗰份嘢係講到明係愛嚟做食水吖嘛。

答：有機會食水，或者有機會係畀淋花系統，我唔知。

主席：Exactly。

答：唔。

主席：咁即係換句話嚟講，當嗰個人買無鉛錫線，咁你啲啲--因為我哋知道佢何標記其實係交過好多啲 brochure 或者啲 literature 呢係經何標記交上去畀房署審批喇嘛。

答：唔，唔。

主席：係咪？咁你哋啲啲咁嘅 brochure，literature，開宗明義就係話，呢啲就係愛嚟做食水嘅，因為可以...

答：即係我唔係好理解正話嗰個英文係點解，唔好意思。

主席：吓？

答：你正話講咩嘢咩嘢，嗰個...

許偉強先生：單張。

主席：啲啲--啲啲傳單呀，啲啲文--啲啲...

答：文件？

主席：文件喇，係咪？

答：係。

B

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主席：啱唔啱呀？

C

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答：係。

D

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主席：你做 3M 分銷商㗎嘛，係咪呀？

E

F

答：係，係。

F

G

主席：你賣好多 3M 嘢㗎喇。

G

H

答：我哋都係賣一、兩種產品嘅。

H

I

主席：係咩？

I

J

答：唔係所有產品，係一隻、兩隻產品。

J

K

主席：係，繼續，唔好理嘞。

K

L

許偉強先生：好。

L

主席：咁繼續我就想問你，咁你如果何標記嚟問你擺焊料，咁當然你唔會估佢究竟愛嚟做咩嘢㗎，係咪先？不過如果佢 order 綠色嘅無鉛焊料，咁相信某程度上，好大程度上就係愛嚟做食水喇。

M

M

答：你可以咁諗法，係。

N

主席：係咪？

N

O

答：係。

O

P

主席：咁如果佢話 order 一隻唔係無鉛嘅焊料，咁當然你唔會估佢做咩嘢喇，佢可能做停車場，可能愛嚟淋花。

P

Q

答：唔，唔。

Q

R

主席：係咪咁嘅意思呀？

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答：係。

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主席：係囉，咁你直接答就得㗎喇。

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答：係囉。

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主席：係。

答：唔該晒。

問：你就話，如果你話好細節啲咁去講呢，即係你買--例如供應一隻畀某一個供應商。

答：唔，唔。

問：唔係，畀某一個客戶。

答：唔。

問：咁你就唔會去問，去特別話你要呢隻嘢擺嚟做乜嘅，係咪？

答：係，係，係。

問：但係籠統啲嚟講，呢一隻物料，你知咗十幾年嘞。

答：唔。

問：係咪？你嘅知道佢係可以擺嚟做食水喉嘅用途，呢樣嘢你有爭議㗎？

答：我--我都重申講多次，我唔知佢--我唔知係唔係可--咩嘢--死嘞，唔識講添。

主席：佢如果擺嚟淋花嘅，你亦都耐佢唔何，啱唔啱？不過...

答：係呀，我都唔可以阻止佢㗎嘛。

主席：不過...

答：即係我唔可以 control 佢，去控制用嘅邊度。

主席：係，我知，不過，不過呀。

答：唔好意思，我人生大事。

主席：不過佢用嚟做食水喉嘅機會係咪遠遠超過愛嚟做淋花呢？

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答：我哋好...

主席：你唔--你唔覺--你唔好諗到我哋咁高深先得㗎，唉。

許偉強先生：我哋而家唔係...

主席：你又唔好諗到我哋畀隻香蕉皮你踩先得㗎。你...

答：Sorry, sorry。

主席：係。

許偉強先生：周生，即係而家唔好去探討話你控唔控制到你啲客戶擺呢啲材料擺嚟做乜。

答：係，係，唔好意思。

許偉強先生：呢樣嘢我都明白，你控制唔到嘅。

答：係。

主席：你明唔明呀？

答：明。

主席：你自己喺你嘅證人口供嗰度講，話講埋畀我哋聽，我哋個委員會呢又唔可以民事上高，又唔可以刑事上高，咁你咁驚做乜嘢啫，係咪？

答：壓力好大呀呢輪。

主席：係，我都知壓力大，係咪，咁你壓力大，咁你咪講畀我哋聽囉，講咗之後，你嗰啲 counsellor 會話，即係嗰啲專家會話畀你聽，講咗出嚟就會減壓㗎喇嘛。

答：多謝，多謝。

主席：係咪呀？

問：再問番你。

答：係，係。

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問：你控制唔到你啲客戶點樣去做嗰啲物料。

答：係。

問：認識咗呢隻物料十幾年，綠色一卷卷嘅。

答：係。

問：“FRY”無鉛焊料。

答：係。

問：我問題好簡單，就係你知道呢一隻材料，呢隻物料係可以用嚟做食水喉嘅工作嘅，呢樣你知喇，肯定？

答：知。

問：知道喇，好。咁我想問下你就係，例如如果你睇一睇，你公司一啲嘅即係介紹嘅單張喇。

答：唔，唔。

問：喺 B15.2。

答：係咪喺呢度？講多次...

問：38828。

答：唔該晒。

問：呢個單張呢，就係即係你哋雋景公司嘅單張嚟嘅。

答：唔。

問：就寫住就係話一啲其實介紹咗你哋其實參與過一啲咩嘢工程嘅項目嘅。

答：唔，唔，唔，唔，唔。

問：見到嗎？

答：係，見到，見到。

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問：嘎，嘎，咁呢個你都有爭議就係，即係呢個係你哋公司出嚟喇？

答：有--唔係我哋公司出，係提供，提供。

主席：係吖，你公司提供吖，嘎，繼續吖，係。

答：提供。

石先生：提供，係，好。

主席：係。

問：咁就你公司提供嘅，咁呢度就好白咁樣呢，就好清楚咁樣講呢就介紹呢一個“FRY”松香膏及無鉛錫線，見到嗎？

答：見到。

問：係嘞，咁入面呢，亦都有講出話，特別指出呢一啲房署及建築署項目，咁諗寫住 HKHA 同埋 ASD 嘅 project 咁喇。

答：唔。

問：咁嗰啲項目，下面呢就列咗出嚟。

答：唔。

問：大概有啲咩嘢例子呀，邊啲項目呀。

答：嘎。

問：周生你睇住 38828 先喇。

答：38828，係，見到。

問：係嘞，咁有啲項目喇，我想問下你，呢啲咁樣嘅單張介紹呢個“FRY”松香膏及無鉛錫條，亦都係有提及房署嘅工程嘅項目，咁我想問下你嘞，你本人呢，應該都知道“FRY”松香膏同埋無鉛錫線呢，如果做房署個項目呢，係適用嘅，係咪？

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答：係。

C

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問：係咪呀？

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E

答：唔。

E

問：即係你知道房署係會批呢隻物料嘅？

F

答：係。

F

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問：係咪？

G

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答：唔。

H

I

問：嘎，我就想問一問你嘞，你幾時開始知道呢，係房署呢係會批呢啲物料㗎？

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J

答：我唔記得㗎。

J

K

問：唔，係咪好耐喇都？知道咗呢件事？

K

L

答：我諗係大概零幾年，我真係唔知道零幾年囉。

L

M

問：哦，即係如果粗略啲講，就大概 10 年前嘅？

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答：我諗係咁上下喇。

N

問：係咁上下？

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答：係。

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問：好，唔該。

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黎先生：我諗有睇呢一份--呢一張紙呢，係 2006 年係做嘅，即係事實上你 2006 年呢已經做過呢啲嘅工程，已經好清楚知道呢啲嘅物料呢，係用㗎喇，係咪？

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答：係。

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黎先生：嗰陣嚟落下面睇個日期，2006 年 12 月。

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答：唔。

黎先生：係咪？

答：係。

黎先生：即係實際上 2006 年你已經好清晰知道...

答：我--唔好意思，你講晒先。

黎先生：...“FRY”呢啲嘅物料，同埋做過呢啲工程嘞，起碼即係十幾--10 年前有多。

答：我諗超過 10 年喇，十一、二年嘅喇。

黎先生：嘎。

問：唔。即係如果我咁問你呢，就係話如果你第一次就住房署嘅工程，佢係批呢個“FRY”嘅無鉛焊料，呢個情況嘅，都會有超過 10 年嘅時候嘞？

答：如果睇呢個，係。

問：好。我咁問你呢，就係譬如房署嘅工程呢，如果我哋講緊焊料嘅，即係焊料。

答：唔。

問：你--我哋講緊呢 10 年嚟講，你係咪淨係知道呢一隻綠色一卷卷，係房署係適用㗎咋？

答：唔知。

主席：再問一次你嘅問題。

問：你係咪知道淨係得呢一隻綠色一卷卷嘅焊料係適用喺房署嘅項目呀？

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答：我估計可能仲有其他焊料會適合用㗎。

問：好呀，咁我想問一問你嘞，除咗呢一隻“FRY”，綠色一卷卷嘅，就住房署項目㗎講，仲有邊啲牌子呢，你覺得係適用房署個項目㗎？

答：喺我印象中我就唔知，但係我喺--我估計有機會有其他牌子可以用。

問：唔，但係以你㗎講，即係你會覺得例如就住你公司提供嘅呢啲單張呀咁喇，你哋啲單張呢，就唔會去就住焊料呢，房署嘅項目用嘅焊料呢，去提其他牌子㗎，係咪呀？

答：唔會。

問：唔。淨係 sell 呢隻嘅啫？“FRY”無鉛錫--係咪呀？

答：我係賣呢隻，就 sell 呢隻。

問：好。

答：房署我就唔知。

問：好呀。英國 50 力扁錫條幾時第一次知道呀？

答：其實 50 力係一個名稱。

問：係。

答：係喺市場好多年已經存在喺度。

問：喺咩嘢話？

主席：好多年呀？

答：好多年。

主席：唔。

許偉強先生：唔。

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問：咁你都--好多年，即係超過 10 年㗎嘞？

答：超過。

問：唔。

主席：幾多--幾多？

答：我諗起碼超過--以我知道，應該超過可能 30 年。

主席：超過 30 年。

許偉強先生：唔。

問：喺咩嘢情況之下第一次接觸到呢一隻 50 力條？

答：亦都係客人...

問：都係客人要求？

答：...要求我哋去賣，我哋先去擺番嚟。

問：唔。

主席：係你打工嘅時候，抑或...

答：不是，我係開呢間公司，先去做呢樣嘢，同埋嗰陣時係訂唔係英國，係香港製造，或者甚至乎大陸生產嘅，呢一個 50 力扁錫呢，意思就係唔係牌子，而係一個名稱嚟嘅啫。

主席：50 力我明吖。

答：係。

主席：咁英國有冇...

答：英國我意思話我哋英國生產咁解啫。

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主席：哦，哦，唔。

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問：即係你就話你有接觸過啲英國生產，亦都接觸過啲唔係英國生產嘅 50 力錫條？

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答：係，當時係喺香港採購，用香港生產嘅。

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問：香港嘅。

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主席：呢個係你成立雋景之前已經知道㗎嘞？

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答：有，係。

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主席：唔。

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黎先生：但係你賣啲啲喺邊度生產呀？你賣啲啲。

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答：吓？

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主席：你而家賣啲隻呀。

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黎先生：你賣啲啲，你而家賣啲啲係邊度生產？

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答：英國。

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黎先生：英國，即係你所有咁多年賣嘅都係英國生產？

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答：唔係，我創業嗰陣時係有啲係香港生產，之後喺英國生產。

R

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黎先生：哦。

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答：唔。

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問：咁你一開始即係賣呢一隻 50 力喇我哋講，即係唔好講...

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答：50 力，我可能個力我唔識英文，以前就知道啲文法係用中文去代替英文㗎嘛。

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問：係，冇問題。

答：嘎，嘎。

問：即係你第一次去供應呢個 50 力，香港生產又好，外國生產又好喇。

答：唔。

問：50 力，當時呢，你嘅客戶係做啲乜嘢工程嘅客戶嚟㗎？

答：唔，我有去理解佢做咩嘢工程。

問：哦，好。

答：總之佢要攞十嘢我就畀佢。

問：唔。如果我哋講番房署嘅工程項目喇。

答：唔。

問：你有冇聽過房署嘅工程項目呢，50 力呢一隻錫條呢，係一隻即係房署會批嘅錫條呀？

答：唔知。

問：唔知？冇聽過？

答：冇聽過。

問：唔。好，我想啲啲名稱呢，想同你探討一下，睇一睇你證人口供 S1 第 15 頁。

答：哦，呢個。

問：15 頁，第 11 段。

答：哦，唔好意思。

問：11 段呢，你就話你哋公司呢就有供應三種唔同種類嘅焊料。

答：唔。

問：就畀啲即係涉事啲屋邨嘅。

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答：唔，係。

問：我想問一問呢就係，首先有 lead free solder wire，即係英文嗰度係咁寫，lead free solder wire 呢，咁就係寫住--中文寫住無鉛錫線嘅，咁就另外英文有個 50 per cent lead flat solder sticks，咁你就寫咗 50 力扁錫條嘅咁樣。咁就另外就係有 silver brazing sticks 呀，寫住銀焊支喇，銀焊支我暫時唔同你討論住，淨係講無鉛錫線同埋 50 力扁錫條呢兩樣嘢先。無鉛錫線，我想問下你，就係呢一個係咪呢一隻“FRY”嘅牌子，佢呢一個--有一個正式既稱呼嚟㗎？無鉛錫線。

主席：正式嘅稱呼？行頭係咁樣樣嘅稱呼，係咪咁樣樣呀？

答：係嘞。

許偉強先生：即係佢嗰個供應商係咪咁樣稱呼呢隻牌子㗎？

答：供應商又好，地盤啲工人亦好，都係用呢個叫法，我就因應嗰個叫法咁寫落去。

問：唔，所以佢哋都會係直情講到明無鉛錫線嘅？

答：都未必係，佢有啲可以寫高溫錫又唔定嘅。

問：係，有高溫錫嘅。

答：係嘞。

問：係咪呀？

答：即係好--你知道地盤好多叫法㗎嘛。

問：好。

答：唔。

問：如果咁講呢，就係話，高溫錫呢，如果一般嚟講，以你嘅認識，關於呢啲材料呢...

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答：係，我都係靠出面聽番嚟嘅。

問：係，即係同人哋溝通呀，返嚟知道係點啖喇，係咪？

答：嘎，嘎。

問：一般嚟講呢，我咁講你睇下同唔同意喇，如果講緊錫線嘅話呢，即係唔好理佢高溫低溫嘞。

答：係，係，係。

問：錫線呢就係講緊無鉛嘅，咁樣同唔同意呀？

答：我理解，係。

問：唔。錫條呢就係講緊有鉛嘅。

答：條裝。

問：條狀嘅，係咪？

答：係。

問：即係如果我而家畀你睇呢啲一條條銀色嘅。

答：係，係，條裝。

問：呢個就係--如果我哋講緊錫條就係講呢啲。

答：係。

問：係咪？如果我哋講緊錫條嘅，就會講緊係有鉛嘅你知道？

答：係條狀。

問：係嘞。

答：係。

問：唔，即係錫條，條裝嘅，就通常你哋個認知呢，就有鉛嘅？

答：係。

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問：線呢就係無鉛嘅，係咪呀？

答：係。

問：唔，好。咁如果你作為供應商呢，如果人哋同你講，籠統啲稱錫條嘅，即係條狀嘅，咁你都會係去供應 50 力嘅隻，係咪？

答：係。

問：嘎，如果講到明係錫線嘅，嘎，講到錫線嘅。

答：係。

問：咁你就會畀呢隻綠色一卷卷...

答：係，正--係。

問：...無鉛嘅錫線畀佢嘞，係咪？

答：係。

問：唔，好。我想你睇一睇呢啲單呢。你可以睇下 98，S1。

答：98 呀？98，得，唔該。

問：係嘞。

答：唔好意思。

問：唔。

答：97，98，冇咗 98 嘅請問？97，哦，sorry，呢度 98，係，見到。

問：唔，好嘞，你如果睇下 98 呢，呢一張就係金日工程喇，咁同你哋即係落嘅啲訂貨單嚟嘅。

答：唔。

問：嘎。

答：唔。

問：咁佢呢度都有寫住第一就係啲膠片喇。

B

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C

答：係吓，冇錯。

C

D

問：係咪呀？咁呀 200 件咁樣。

D

E

答：唔，唔。

E

F

問：咁呢啲都係即係你哋公司供應喇？

F

G

答：係，係，係。

G

H

問：第二就係寫住高溫錫條嘅，係咪？

H

I

答：首先你講--我亦都--係，你講晒先。

I

J

問：我未問完，所以你慢慢...

J

K

答：唔好意思，唔好意思。

K

L

問：...聽完個問題先。

L

M

答：心急咗呀。

M

N

問：唔緊要，因為我剛才問你喇，係咪呀？就係如果講緊錫條嘅話呢，一般嚟講，你就知道係講緊 50 力，一條條銀色啲啲嘅，...

N

O

答：係，係，冇錯。

O

P

問：...係咪？

P

Q

答：唔，唔。

Q

R

問：係嘞，咁呢度呢，就就咁寫高溫錫條。

R

S

答：係。

S

T

問：首先搞清楚先，呢度就唔係講緊錫線嘅。

T

U

答：明白。

U

V

問：係咪呀？咁但係你嘅認知，呢個高溫錫條又係點解呢？

V

答：我亦都講番之前，有啲行家，即係地盤工人，高溫係卷裝，已經講咗，亦都我哋覺得，或者我哋甚至乎可能打個電話問番對方採購，係咪用

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番呢個卷裝，我先去落番呢張 order，你亦都睇番之前，佢都有寫高溫
嘍嘛，係惟獨呢張單寫高溫咁嘛。

問：唔。

答：所以我哋會問番對方，係唔係用呢隻呀，咁囉，通常地盤工人有時叫
高溫係卷裝，照我所知就。

問：好，即係你嘅意思就係話，如果每一次有人寫高溫錫條，你就會產生
個疑問，就係唔係好肯定係用邊隻嘅。

答：會--我哋會覺得係正常係用卷裝。

問：搞清楚先，你話你覺得如果寫高溫錫條，就係應該係講緊卷...

答：我亦都會問番對方採購。

問：係，一步一步嚟。

答：哦，慢慢，係。

問：未問對方採購部澄清之前，...

答：唔。

問：...你就咁睇到高溫錫條嘅。

答：唔，唔。

問：剛才我問你喇，...

答：唔，係咁。

問：...錫條同埋錫線有個好大分別咁嘛？

答：係，啱咁，係，係，啱。

問：我哋就咁睇如果錫條嘅，呢度寫住高溫錫條嘅。

答：係。

問：你唔會第一時間係認為係講緊 50 力咩？

B

B

C

答：我唔會，我亦都會首先問番對方，究竟你要乜嘢，之前佢冇寫高溫呢兩個字。

C

D

問：好。

D

E

答：咁我亦都要問番對方究竟你要乜嘢囉。

E

F

問：唔，所以我剛才問你嘅問題呢，就係話如果你見到高溫錫條呀。

F

G

答：唔。

G

H

問：即係每一次如果你見到高溫錫條嘅話呢，你都會有個疑問嘅。

H

I

答：係。

I

J

問：究竟你係想訂邊一隻？

J

K

答：係。

K

L

問：係咪呀？

L

M

答：係。

M

N

問：唔。然後先至會確實咗係邊隻，先至畀人嘅？

N

O

答：係。

O

P

問：係咪呀？

P

Q

答：係。

Q

R

問：即係唔會話，睇到高溫錫條呢，我就畀你“FRY”呢隻嘞咁樣？

R

S

答：唔會。

S

T

問：你係唔會咁嘅？

T

U

答：唔會，問清楚佢。

U

V

問：好，問清楚嘅。

V

V

答：會問囉。

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問：好。好嘞，如果我哋睇番 97 頁嗰個送貨單呢，...

答：唔。

問：...送貨單呢，呢度呢就送咗英國“FRY”無鉛錫線嘅。

答：係吖，係吖，唔。

問：咁即係以你嘅講法呢，就係話，你都係問咗之後...

答：唔。

問：...先至確認咗，先至送呢啲物料嘅？

答：係。

問：係咪呀？

答：係。

問：唔，邊個去問呀？你問定係你公司同事去問呀？

答：公司同事。

問：唔。咁你畀你嘅公司同事嘅指示，就係話每次如果你見到高溫錫條呢，你都要問下，究竟佢哋要咩嘢貨，係咪咁呀？

答：我諗唔需要，因為之前張單冇寫，佢哋都會自覺，自發性去問佢。事關佢之前都寫嗰啲錫線咋嘛，之前佢啲 PO, Golden, 金日工程嗰啲都係。

問：唔。

答：冇--唔係註明高溫呀，所以小姐會自動去問佢嘍，呢個。

問：唔。

答：唔。因為名稱已經唔同咗吖嘛比之前。

問：係。我哋咁睇吖，即係如果你講番就住金日工程嘅單喇。

答：唔。

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V

問：如果我哋睇番之前嘅，如果你講緊--假設...

答：唔，第幾頁呀？

問：...我哋睇下啲其他單據吖。

答：好呀，好呀。

問：94 頁吖。

答：好呀。

問：94 頁呢講緊英國 50 力扁錫條嘅咁。

答：係，係，係。

問：咁如果你講番之前嘅訂貨單呢，就 84 頁。

答：係。

問：84 頁呢就唔係寫錫線嘅，係寫錫條嘅。

答：係。

問：84，唔。86 呢，亦都係有一張呢寫住錫條嘅。

答：唔，係。

問：唔，你嘅意思就係話如果唔係淨係寫錫條兩個字...

答：唔。

問：...一寫咗高溫錫條呢...

答：咪有 question 囉。

問：...你個同事就會自動波要問佢啲啲嘍？

答：係。

問：係咪？

答：唔。

B

B

C

問：呢個做法呢，即係你話見到高溫錫條呢，就要問呢，幾時開始嚟呢樣嘢？

C

D

答：當一發現咪開始囉。

D

E

問：唔係，即係我講緊呀，你供應咗咁多年喇。

E

F

答：嘎，嘎。

F

G

問：你幾時開始第一次見到，有人訂高溫錫條呢樣嘢，引致你啲同事需要問呀？

G

H

答：我諗都好耐喇。

H

I

問：好耐？

I

J

答：係。

J

K

問：唔。咁你自己有冇考究過呢個高溫錫條呢，其實係究竟指邊一隻物料呀？

K

L

答：我同你講係無鉛錫線。

L

M

M

N

主席：我睇過你哋公司交嚟畀我哋啲啲...

N

O

答：唔。

O

P

主席：...資料呀，即係啲啲包裝呀，同埋啲啲技術規格啲啲 technical data 呢。

P

Q

答：唔。

Q

R

主席：咁我知道無鉛錫線就係二百七十幾度就係溶點...

R

S

答：係，係，無鉛，係。

S

T

主席：啊，二百四十幾度...

T

U

答：我唔知呀，我諗...

U

V

主席：咁上下喇。

V

B

B

C

答：嘎，嘎。

C

D

主席：但是另外嗰隻英國 50 力呢，我睇過佢嗰啲技術規格上高冇溶點寫
喺度嘅。

D

E

答：基本上係低溫啲嘅。

E

F

主席：就你所知，低幾多呀？

F

G

答：佢能夠--我唔知，即係大家討論傾偈咁。

G

H

主席：係呀。

H

I

答：我照我所知，佢用嗰啲--譬如用嗰啲叫做--死，唔識講，即係嗰啲
gas 呀。

I

J

主席：係。

J

K

答：Gas 用嗰把槍都可以溶到佢嘅。

K

L

主席：兩隻都溶到嘅？

L

M

答：未必得啲有隻。

M

N

主席：吓？

N

答：佢個高溫嗰隻可能溶得辛苦啲，會溶到，可能時間耐啱。

O

主席：時間耐啱喇，係喇。

O

P

答：耐啱，但係如果你--佢嗰隻應該我諗--我諗百零度嘍就可以。

P

Q

主席：百零度就得嘞？

Q

R

答：嘎，我--我估計喇，即係我--即係你話要認真睇，我就冇認真睇，百
零度嘍。

R

S

主席：琴日我認真睇過，不過冇寫。嘎。即係冇--即係你唔知，唔。

S

T

答：唔。

T

U

許偉強先生：好。

U

V

V

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C

答：係，佢哋--佢啲行--即係佢哋嘅術語就叫做「低溫錫」或者叫「水錫」囉佢哋。

C

D

主席：就係因為佢太容易溶嘞，...

D

E

答：係嘞。

E

F

主席：...所以叫水錫，係咪咁嘅意思呀？

F

G

答：係嘞，係嘞，你--你真係好清楚。唔好意思。

G

H

問：好，我哋睇一睇，你剛才...

H

I

I

J

主席：我都想問埋你。

J

K

答：係。

K

L

主席：邊隻好賺啲呀？

L

M

答：你覺得呢？

M

N

主席：我覺得 50 力好賺啲。

N

O

答：哦，唔係。

O

P

主席：吓？

P

Q

主席：絕對唔係呀？

Q

R

答：即係睇番啲個銀碼，我亦都--我喺呢段時間亦都睇番啲資料。

R

S

主席：係。

S

T

答：啱啱我睇番--畀同事畀番啲資料我睇，我 11 年去到 14 年個比例上，係無鉛錫線係多過有鉛嘅。

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主席：唔係，得，呢個係--即係你講賣出嘅數量，就係無鉛錫線就遠超過50力？

答：同埋個--如果格--好蝕--賺，正常係無鉛。

主席：唔係，我講個 profit margin。

答：Profit margin 差--我諗係有鉛係好--總之我唔識英文，總之...

主席：係呀。

答：...我覺得係有鉛係利潤好啲。

主席：有鉛好...

答：唔係，無鉛，噏錯。

主席：無鉛？

答：無鉛。

主席：無鉛嘅利潤好啲？

答：係，事關佢銀碼 190，一個就我記憶中應該係 95 釐嘍。

主席：係咁上下喇，係喇。

答：係呀，斷磅計佢就。

主席：唔係，我想問就係，你呢隻無鉛錫線就我哋所知，其實我睇過你 DKL 英國嗰個單張，DKL 都有無鉛錫線買㗎。

答：係，係。

主席：係咪呀？

答：係。

主席：都有 99C 買㗎。

答：係。

主席：係囉。

B

B

C

答：係。

C

D

主席：但係你就冇人？

D

E

答：點解冇人，事關市場係，"FRY"係好易接受。

E

F

主席：係。

F

G

答：即係唔需要...

G

H

主席：唔需要...

H

I

答：...多講，喺呢個市場係已經用咗好多年。

I

J

主席：係。

J

K

答：亦都水喉師傅亦都識晒。

K

L

主席：係。

L

M

答：點樣去運作，點樣做法。

M

N

主席：係。

N

O

答：我唔可以引隻新嘅牌子去做。

O

P

主席：係。

P

Q

答：嘎。

主席：咁我又想問下嘞，你就話無鉛錫線賣出個數量就遠超過呢個 50 力，大約個比例係幾多比幾多嘍呀？

Q

R

答：我啱啱睇到大概如果無鉛可能係--其實喺呢個項目嚟講，公司業績嚟講，即係個生意額嚟講，係一個好細嘅...

R

S

主席：啱吖。

S

T

答：...per cent 嚟嘅。

T

U

主席：啱吖。

U

V

答：好少嘅啫，喺項目嚟講。

V

B

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C

主席：係。

C

D

答：我記得--而家我唔知， 靠記得吓，事關我問咗。係 11 年、12 年、13 年嘅喇，估計每年大概係 8000 卷嘅，嗰隻，平均。

D

E

主席：係。

E

F

答：如果嗰隻有鉛嗰隻，平均係四二零磅嘅。

F

G

主席：唔。

G

H

答：1 年喇。

H

I

主席：即係二比一咁上下喇？

I

J

答：係嘞。

J

K

主席：唔。

K

L

問：我想問一問你呢...

L

M

答：同埋五--冇--sorry，你講。

M

N

問：係，想問一問你呢，就係就住嗰啲物料個樣辦呀，即係要呈交界總承建商呀，呈交界房署呀。

N

O

答：唔。

O

P

問：咁我哋就睇到啲外判商呢，水喉外判商呢，都講呢，佢哋會問你去擺個樣辦嘅咁樣。

P

Q

答：唔一定。

Q

R

問：唔。有問你擺過樣辦喇？

R

S

答：絕對有，但係唔一定。

S

T

問：係。如果問你擺樣辦嘅時候，我首先想搞清楚個程序啫。就係問你擺樣辦嘅時候，佢哋會唔會話即係畀一個清單你，就話即係你出咗幾多種物料，要啲乜嘢嘅材料嘅，有冇咁樣，一啲咁嘅清單畀你睇㗎？

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答：乜嘢清單呢，請問？

問：如果例如佢要問你擺例如十種有關材料嘅樣辦，咁佢哋會係逐樣、逐樣就咁口同你講吓，定係會畀個 list 你？

答：哦，有啲公司會，有啲公司係唔會。

問：好。咁如果，一般嚟講，我哋講緊啱啱嗰幾間水喉分判商喇，即係講緊和興、宏利、何標記、金日，等等喇，咁佢哋如果係問你擺一啲焊料嘅樣辦嘅，焊料嘅樣辦，咁你一定就會畀呢一隻佢嚟嘞？

答：係客人要求。

問：佢要求嘅？

答：係。

問：佢直情同你講到明「“FRY”無鉛錫線，你要畀我」？

答：佢會講。

問：係咪？

答：係。

問：同時間，咁你又會提供樣辦喇，係咪，跟番佢嘅要求？

答：佢有需要就會畀，有需要我就唔會畀。

問：係嘞。即係我嘅意思係話佢哋問你要擺樣辦，有需要嘞，咁你就會提供呢個樣辦喇？

答：佢要乜嘢，我就畀乜嘢樣辦佢。

問：好。咁如果佢要啲文件嘅，有關個材料嘅文件嘅，咁你都會提供畀佢嘞？

答：可以係上網 download 我哋資料喇，亦都經我同事 e 畀佢喇。

問：好。咁我又想問下你嘞，就住呢個樣辦個呈交喇，我知道又唔會牽涉在內嘍，你係提供個...

答：我唔係--我即係--係，係，係，係。

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問：你係提供個樣辦嘅啫？

答：係，係，係，係。

問：我想問下你，就住嗰幾間水喉分判商，你提供樣辦嘅時候，除咗呢隻，會唔會畀錫條佢哋嘍？

答：客人要求我畀乜嘢就畀乜嘢。佢冇要求畀嗰個，我就唔會畀嗰個。

問：佢哋有冇要求你畀錫條做樣辦呀？

答：冇。

問：佢哋要求，一件事喇，但係你做咁多年，亦都參與過咁多嘅房署嘅工程喇，你都會應該會有知道畀綠色呢一卷卷嘅會係咁嘍？唔好理佢嘅要求係咩嘢先，你會知道呢一隻係掂嘅，係咪？

答：係。

問：不如我睇睇你嘅證人口供有一段，第7段。你就話客戶一般嚟講就唔會話特別去講到明買嗰啲料係攞嚟做啲咩嘢用途嘅，係咪？

答：係吖。

問：好嘞。咁就當佢哋要去訂貨嘅時候，就唔會特別講到明嘍。

答：係吖。

問：咁跟住你就講嘞，嗰啲咁嘅物料，即係焊料，係可以攞嚟做食水喉嘅用途嘅。

答：係吖。

問：同時間你都話佢可以做其他用途個嘢，例如清潔，嗰啲淋...

主席：淋花。

問：...花，呢個冷氣，同埋呢一個防--應該係防火嘅設備咁樣。

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主席：消防喉。

問：消防喉咁樣。首先我想知道，例如你話嗰啲焊料都可以做冷氣嘅工程嘅，呢樣嘢吓，邊個話畀你聽㗎？

答：我哋係...

問：你點道呢啲咁嘅焊料可以做冷氣嘅工程？

答：焊料，講真，我哋都係--冷氣有機會有銅喉，咪當係有機會囉。我哋話番畀你聽啫。即係我哋亦都唔知佢地盤燒喺邊度，基本上。即係我哋只係交過去地盤，佢燒喺邊個位置，我哋都唔會去探討佢㗎嘛。

問：唔好咁複雜喇。

答：咁咪係囉。

問：我好簡單喇，呢度就係話你知道呢啲咁嘅焊料係可...

答：我係舉例之嘛。

問：你聽我問埋先，好唔好？

答：係，唔好意思吓。

問：你知道呢啲焊料係可以攞嚟做冷氣工程嘅。我而家問你，從何得知呀，做冷氣工程？你又唔會去問你啲客戶㗎嘛，咁你從何得知呢，做冷氣工程？

答：我係舉例返嚟有機會...

主席：唔係，即係你用你嘅常識吓，抑或人哋話你知吓？

答：係囉，舉例，常識，係有機會，銅喉囉。

主席：咁你答佢個問題得㗎嘞。

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答：咁我--係囉，即係你冷氣有機會銅喉㗎嘛，咁我...

問：係。你係講緊你話--即係剛才主席都有提過嘞，就係你係用你嘅常識
嚟諗話「啊，可能會做到冷氣」，...

答：係吖。

問：...定係有人話過畀你聽會擺嚟做冷氣呀？

答：常識。

主席：唔使咁勞氣，Mr Khaw。

許偉強先生：係。

主席：係，唔使咁勞氣。

許偉強先生：大聲咗啫，唔會勞氣，係。

問：咁我想問下你嘞，就係呢個消防喉。你就「啊，有機會做消防喉喇，
呢樣嘢。」咁呢樣嘢又係咪人哋話畀你聽吖，定係即係你嘅常識話畀
你知呀？

答：係常識喇。

主席：即係你嘅意思即係凡係有管裝嘅嘢要燒埋一齊...

答：係嘞，即係好多類型嘅嘢，我唔知，我唔係做工程，即係我係常識嘅
諗法，自己。

問：好嘞，咁你呢度講，嗰啲咁嘅焊料，就你嘅常識嚟講，可以擺嚟做唔
同嘅嘢，唔同嘅目的，包括冷氣、消防喉咁。

B

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答：係。

C

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問：你呢度講嘅焊料，你係講緊呢綠色一卷卷咩，定係講緊銀色一條條啲咩焊料呀？

D

E

答：係講兩隻。

E

F

問：兩隻，係咪？

F

G

答：總之係焊料喇。

G

H

問：好。

H

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主席：我想問下你，我哋見到啲咩扁錫條，上面有兩個 label 嘅，一個係中文 label，一個就係原本我相信係嚟嘅時候已經有嘅 label。

I

J

答：係，係。

J

K

主席：英文嗰個係嚟嗰陣時已經有啲喇嘛，係咪？

K

L

答：係。

L

M

主席：你知我講緊咩嘢咩？

M

N

答：我知，紅色印嗰個咩。

N

O

主席：上高紅色，寫住有含鉛喇嘛。

O

P

答：係，係，係，知。

P

Q

主席：咁嗰個中文嗰個係...

Q

R

答：我方便佢啲--你知道我文化水準同佢哋都係咁低，方便佢哋去簽收，對番嗰個名稱。事關佢全部盒係英文嚟嘛。

R

S

主席：係，方便地盤...

S

T

答：同埋方便執貨。亦都我哋同事...

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主席：方便執貨？

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答：係嘞。

主席：方便地盤嗰啲人收貨？

答：係嘞。點解呢？我哋啲同事亦都係--你知道執貨嗰啲都係文化低，亦都列清楚啲嘢，係。

問：咁我問一問你，就係如果當嗰啲咁嘅水喉分判商，就係例如何標記、金日佢哋，即係同你去訂焊料嘅時候，我咁樣講你同唔同意呢，即係你作為即係供應商，做咗咁多年，同佢哋咁多年生意來往，都應該都清楚就係話會諗到，就係佢哋要啲焊料係擺嚟做水喉嘅用途嘅，你同唔同意？

答：唔同意。

問：吓？

答：唔清楚用係真係用水嗰度。

問：唔同意，係咪？

答：唔同意。

問：但係呢個係可能係起碼係即係其中一個主要嘅用途喇，對佢哋嚟講，你同意嘛？

答：可以咁講。

問：想問一問你嘞，就係如果我哋睇番何標記有啲證人嘅口供，K3, 2364。呢個就係何標記採購部趙小姐嘅口供嚟嘅。咁之前我有提過趙小姐喇。咁佢嚟答呢一個問題嗰陣時呢--或者我將佢嗰個供詞譯一次畀你聽。

答：好呀，好呀。

問：咁你聽咗先，...

答：唔好意思。

問：...咁然後我先會有啲問題跟進番嘅。

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答：好呀，好呀，好呀。

問：首先就係佢就話嘞，佢話當佢哋公司即係同何標記--即係何標記同你哋公司接洽，就話要去準備啲啲有關焊料嘅樣辦嘅時候，即係擺嚟畀房署去批核嘅時候，有位鄭生就會話畀你哋聽，就係啲啲咁嘅焊料係會擺嚟做接駁食水喉，就住啲啲屋邨工程，公共屋邨工程，接駁食水喉嘅用途嘅咁，咁所以何標記--對唔住，你哋公司就會建議何標記就用“FRY”呢一隻無鉛嘅同埋一隻“FRY”黃色一畧畧嘅松香膏，同埋會畀啲啲資料佢哋嘅咁樣。所以呢度就首先第一樣嘢佢講嘅就係話何標記會有同事同你哋講話「喂，擺樣辦嚟係做乜嘢用途嘅。」呢一點，你同唔同意？

答：同意。

問：嗯？

答：同意。

問：同意。第二樣嘢，佢呢度講嘅，係話你哋公司知道咗用咩嘢途徑，要擺啲咩嘢用途嘅樣辦，你哋公司係會提議，就係話「啊，用綠色一卷卷無鉛㗎喇」咁樣，就唔係話你剛才所講話「喂，佢哋叫我擺無鉛一卷卷綠色個喎」咁樣。

答：唔係，唔係，唔係，唔係，搞清楚。佢會要求我哋擺乜嘢，亦都有。事關佢問番我哋公司，我哋只係代理呢隻產品，當然我哋會提議用呢隻喇，好正常㗎，係咪呀？我有理由整個隻咩嘢 DK --唔識講呀吓，個隻牌子㗎嘛。

問：係，係。我就想搞清楚一樣嘢嘅啫，就係呢度趙小姐就話你哋公司係會建議，「喂，擺去房署批樣辦」--你等我問埋先，好唔好？

答：好，好，好，好。

問：擺去房署批樣辦嘅話，你哋公司係會建議，「喂，何標記，你哋用呢一隻綠色一卷卷㗎喇」咁樣；咁係咪咁嘅情況呢？

答：我都講咗，我呢隻牌子，佢要求呢樣嘢，我就畀番啲啲資料佢。亦都呢隻牌子係我哋本身係其中一間代理，當然我要--責任上又好，義務上都會去畀啲啲資料佢㗎喇。

問：其實我個問題好簡單嘅啫，就係話何標記問你哋擺焊料樣辦嘅時候，

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你哋會唔會主動建議佢哋用呢一隻綠色一卷卷呢？

答：我都講咗呢隻係我哋嘅產品，梗係會提議佢用呢隻嘢。即係佢亦都可能搵到第二隻，我唔可以一定要幫我㗎嘛。

主席：即係你會建議佢，因為你哋有存庫？

答：建議，係會建議，事關我哋係代理㗎嘛。

主席：係，你哋係。

問：好。咁我睇下另外莫海光嗰個口供。我哋睇一睇莫海光，M1，第 15 頁。

答：係。

問：我知道莫海光係永興間公司㗎。

答：係，係，係，係，係。

問：咁佢喺第 15 頁，第 29 段--我先同你睇一睇先，好唔好？

答：好呀。

問：咁就話「永興向雋景同埋和興購買焊料時，由本人或其他工友以電話落單。一般情況下，本人或工友會聯絡和興的劉小姐，及雋景的 Ben。」咁阿 Ben 應該係你哋公司...

答：係，其中一位同事。

問：...嘅其中一位同事喇。

「特別情況下，例如手頭上沒有和興辦公室的電話或焊料缺貨，則會直接聯絡和興的老闆呂先生，請他幫忙。永興一般會要求購買錫條，數量都是以百磅計，份量可多達數百磅。印象中供應商如果沒有錫條供應，則可能會建議提供卷裝錫線作替代。而永興會接受以卷裝錫線作替代品，以防影響工程進度。訂貨時只需在電話中說明要訂購錫條的份量及工地所在就可，並不需要指明錫條的牌子、型號及用

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途。由於落單時永興會一併購買其他水喉工程所需物料，所以供應商一般都清楚了解錫條是用於水喉焊接，故此永興不用說明，供應商亦都不會特地詢問。」

呢度就有兩個問題想同你跟進下嘅。第一個問題，就係佢呢度就話「喂，我哋落單時候，即係落呢啲焊料嘅單嘅時候，都係同嗰啲水喉工程其他所需要嘅物料都有時會一齊落單嘅」，咁同埋即係嗰間公司，永興本身就係做水喉嘍喇咁，所以佢就話你哋公司都應該係會知道如果咁樣落單買焊料，嗰啲焊料應該係擺嚟做水喉嘅用途嘅咁。咁想問下你，就住呢一點，你同唔同意呢？

答：唔同意。

問：另外一點，就係佢呢度就話嘞，如果有錫條供應，就會建議用卷裝錫線嚟到替代。首先我想問下你，有冇咁嘅情況係話，喂，佢哋訂錫條，如果唔夠錫條嘞，你哋公司會建議佢哋用卷裝嘅錫線嚟替代呢？

答：唔會。

問：唔會嘅，從來冇嘅，係咪？

答：你講從來，我唔夠膽講；但係我哋唔會，事關你涉及呢個又係兩間公司嘅嘢。

主席：點樣樣兩間公司嘅嘢？

答：佢而家和興同埋雋景咁嘛，呢度。

主席：哦，哦。唔係，唔係，即係就住你雋景嚟講，譬如如果佢訂錫條，你就話「啊，我哋冇錫條呀，唔夠貨嘞」，會唔會話「諗，畀一半錫條你喇，畀一半錫線你喇」，咁樣樣啫？

答：呢個情形應該唔會有，好少呀。

黎先生：你有冇試過話冇錫線，係要畀錫條嘍？

答：吓？

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黎先生：即係話調番轉，如果唔夠錫線，係供應錫條嘅，有冇㗎？都有？

C

D

答：冇。

D

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主席：擰頭即係唔會？

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黎先生：係你通常係...

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答：唔會，唔會。唔好意思吓。

I

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黎先生：譬如話你嗰個“FRY”無鉛錫線，有冇試過話係缺貨嘅？

K

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主席：係嘞。

L

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答：會有咁嘅情形。

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黎先生：有咁嘅情形嘅？

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答：但係我哋都唔會建議個客人轉囉。

P

Q

黎先生：但係普唔普遍㗎，缺貨嘅情況？

Q

R

答：唔會普遍。

R

S

黎先生：唔普遍？

S

T

答：唔會普遍。

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主席：唔普遍。咁如果錫條呢，調番轉頭，有冇試...

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答：我哋都有存貨喺度嘅。

主席：即係冇缺...

答：即係冇缺貨嘅情形，但係唔係好嚴重。事關呢隻產品唔係我哋...

主席：獨家。

答：...獨家嘅，出面市面上可以搵到貨源嘅。

主席：不過未必係 DKL，未必係...（聽不清）

答：亦有。

主席：都有嘅？

答：有，絕對有。

主席：即係你哋又係其中一個分銷商嚟嘅啫？

答：我哋其實嗰隻有鉛錫--有鉛嗰隻呢，唔係代理嘅，係一個--你落張 order 去英國，可以畀到貨你嘅；而家就唔知得唔得，之前就可以。事關已經有人代理咗喇嘛，而家。

主席：有人代理緊嘅？

答：嘍，嘍。之前係冇嘅。你可以 send 張 e-mail 可以落 order 過嚟嘅。

主席：得。

答：但係“FRY”就有代理，即係叫做代理，有幾個代理嘅。

主席：有幾個代理添呀？

答：係，係。

主席：即係你哋唔係其中...

答：我哋其中一個，其中一個，“FRY”就。

黎先生：唔係 sole agent。

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主席：唔係 exclusive？

答：唔。

問：你剛才提到喇，就係有試過缺貨㗎嘛，都；如果係即係嗰隻錫條，有試過缺貨，係咪？

答：係。

問：係咪？咁如果你錫條缺貨嘅時候，咁你哋點辦呢？咁點樣去...

答：...（聽不清）你講晒先，唔好意思吓。我衰呀，呢啲性格，唔好意思。

問：唔緊要，你講吓。

答：其實講真，喺呢個市場，我都講咗，不是我哋獨家代理喇，第一。第二，我哋冇貨，話畀客人聽我哋幾時到喇，佢自己去選擇佢等唔等喇，或者去出面搵喇，係咁簡單。

問：即係一係就等，一係就...

答：係，即係話番個期畀佢聽，係嘞。

問：...喺出面搵，係咪？

答：係。

問：如果你話去出面搵嘅，咁你嘅意思就係話叫佢要同第二個供應商接洽個囉嗎？

答：係

問：係咪？即係你哋就做唔到嘞，係咪，如果係咁嘅情況？

答：係，係。

問：係咪？所以你就話唔會有啲情況，係如果缺貨嘅話，你去提供另外一隻做替代嘅？

B

B

C

答：唔會。

C

D

問：好。

D

E

主席：即係你嘅意思其實佢要去出面搵第二啲 agent 去買都...

E

F

答：係。

F

G

主席：...搵到？

G

H

答：吓？

H

I

主席：因為唔係你獨家咁嘛？

I

J

答：係，冇錯。個客人攞 A，我要畀番 A 佢嘅，我有理建議佢用 B 㗎嘛。
事關喺市場已經係好多存在喺度，呢隻產品。

J

K

主席：因為我今朝早睇報紙就話呢隻英國“FRY”無鉛錫線，如果個個都要
呢隻“FRY”無鉛錫線嘅話呢，就一定會有貨。

K

L

答：咁係錯嘅。

L

M

主席：錯嘅。

M

N

答：而家“FRY”已經有個英國代表喺香港嘞，已經。

N

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P

問：咁我想問下你，就係你剛才話如果係缺貨嘅時候，咁你會同個客人講，
「喺，你等唔等咩？」

P

Q

答：絕對對係喇。

Q

R

問：...「一係你就搵第二間嘞」咁。

R

S

答：呢個我會話畀佢聽幾時，搵第二間係佢決定。

S

T

問：第二間由佢決定嘅，好。

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答：係，唔係我決定。

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問：咁我想問下你，就係話如果有缺貨嘅情況喇，有冇試過啲客戶會問下你，或者叫你建議下，或者佢哋自己建議下，「喂，第二隻咗，睇下得唔得咗」咁？

答：我冇。

問：都有嘅？

答：我係冇囉。

主席：我見你哋個價目單冇第二隻個囉喎。

答：冇乜嘢？

主席：我睇緊你 K3，2354。

答：係，第幾頁？

主席：K3，2354。

答：係，點呀？

主席：呢個就係你哋公司賣畀啲水喉分判商嘅有關燒焊用品，...

答：...（聽不清）

主席：...你哋就係得咁多隻㗎咋嘛，係咪？

答：係，你講邊度，你講？係，我見到。

主席：頭個三個，我哋大家都好清楚喇，係咪？

答：係，係，係。

主席：跟住嗰四個就係銀焊枝...

答：係。

主席：...或者銅焊枝，咁我哋...

答：係，係。

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主席：...都唔使理喇。不鏽鋼焊枝，我哋都唔使理喇，係咪？

答：係。

主席：嗰啲你諗係駁不鏽鋼嘅啫。

答：係。

主席：跟住呢個電焊枝係乜嘢嚟㗎？

答：呢個，第幾頁呀，請問？

問：2354。

答：五四，哦，sorry吓，五四。

主席：係呀，「之久牌10號電焊枝」。

答：哦，五四呀？

主席：2354。

答：哦，五四。嗰個焊枝係燒鐵焊。燒鐵嗰啲，譬如你見到地盤，笛笛聲，發啲火花，...

主席：哦，我明白。

答：...（聽不清）嗰啲燒鐵嘅，愛嚟燒鐵嘅。

主席：得。即係換句話嚟講，如果你冇50力扁錫條，就一係就係無鉛錫線，如果唔係就有㗎嘞？

答：係。

主席：得。

問：我想你睇一睇就係文件夾S1。

答：係。

問：S1。

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答：S1 呀。

問：57 頁。

答：係，請講。

問：57 頁，你見到都有張你哋公司嘅發票畀明合嘅。

答：係。

問：係咪？呢度喺嗰啲供應嗰啲貨物入面，嗰啲材料，第二項有個寫住「英國 FRY 50 力扁錫條」㗎，呢度。

答：係。

問：同樣地，如果我哋睇番 75 頁。

答：係，75 頁，係，點樣？

問：係嘞，75 頁，又係一張發票畀明合嘅，係就住彩福邨嘅，第二項吓，又係寫住「英國 FRY 50 力扁錫條」㗎。

答：係，係，係。

問：咁我想問一問你，呢度嗰個「英國 FRY 50 力扁錫條」又係何意義呢？因為我哋啱啱討論過...

答：首先我講番嗰個歷程先喇。第一，點解我要寫番「FRY 50 力」呢？首先我哋開始，盤古初開，我自己創業，就喺香港訂購。跟住之後我哋接觸到“FRY”，跟住問佢，佢有生產呢隻。咁我哋之後有同佢訂呢個 50 力扁錫。

主席：即係同“FRY”訂 50 力？

答：係嘞。之後“FRY”唔做，同我哋講話唔做，唔好意思吓，就轉左呢間。

主席：就 DKL 嘞？

答：係嘞，係咁簡單。如果你需要搵到啲--我唔知搵唔搵到啲購貨表畀你，可以；我唔知畀唔畀到你，就未必得嘞。

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主席：所以你嗰個--譬如我而家睇番，即係你哋個編號都係用“MFRY-WL50D”。

答：點解呢？我哋唔想再--我哋一--我唔怕同你講，我哋公司到而家成立咗咁多年，超過一萬種產品，我唔想再...

主席：整過個 code。

答：已經唔夠容量呀，變咗用，好慢嘞，已經，所以我哋唔想--盡量唔好改嗰個 code 囉。係，係咁簡單。

問：唔好意思，可能我未理解清楚你剛才嗰一點喇，就係話你就話因為盤古初開嘅時候，咁你又知道“FRY”係有供應 50 力...

答：唔係，我話咗我當時同“FRY”擺係無鉛錫線。跟住我再問佢話有做呢隻產品，50 力扁錫，我哋就同佢擺 50 力扁錫。之後佢就唔做嘞，就跟住轉咗呢個唔知 D 乜嘢喇，唔記得咗嘞，就係呢間公司。

問：明白。咁所以你呢度講嗰個「英國 FRY 50 力扁錫條」就唔係寫錯嘅，...

答：冇寫錯。

問：...就係真係有呢隻「英國 FRY 50 力」，你係訂呢隻嘅？

答：係，即係同呢間廠訂嘅。

問：好。講番啱啱嗰個問題喇，就係話如果你錫條係冇貨嘅，咁你就話你哋唔會去...

答：係吖。

問：...--即係你自己亦都唔會去話提議個客人用第二隻喇咁。

答：唔，唔，唔。

問：咁你知唔知道你哋啲員工，即係你哋啲職員、伙記，會唔會提議畀客戶用第二隻嘍？

答：你話冇錫條？

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問：冇錫條，咁又會唔會提議佢哋用第一--即係你自己唔會喇。但係你知唔知道例如你啲伙記會唔會去提議呢樣嘢呀？

答：呢樣嘢應該機會唔係好大囉，事關我哋知道市場係有呢隻產品存在。我哋都唔想令到客人--畀唔到客人嘅嘢喇，轉--冇意思，亦都貴咗，啲嘢。你叫佢轉無鉛錫線，已經貴咗喇。

問：你就呢樣嘢，你有冇同你同事了解過個情況呀？

答：佢應該會知嘅，我啲同事應該都會。

主席：你嘅意思如果...

答：佢--啊，係，你講。唔好意思。

主席：你嘅意思即係如果佢話要錫條，...

答：條，係。

主席：...你就唔會主動...

答：唔會。

主席：因為貴咗？

答：係呀，即係令佢要負擔咗，多咗。

主席：咁如果佢要錫線，你又唔會畀啲平嘅嘢佢喇，係咪？

答：係呀，係喇，我哋冇可能再--我有理由再同佢搵貨返嚟嘅。

主席：我明。

問：好。咁我初頭嗰陣時間你，就係話你認識呢一隻綠色一卷卷無鉛錫線喇，就同時間都會認識呢隻“FRY”黃色一罌罌嘅松香膏嘅，係咪？

答：嘎，嘎。

問：咁你都知道係一齊用㗎喇，係咪？

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答：係，係。

問：係咪？

答：係，係，啲水喉師傅同我講，係，係。

問：係嘞。我問一問你喇，就係你亦都知道就係呢一隻黃色呢隻“FRY”嘅松香膏，咁都係可以擺嚟做即係食水喉接駁嘅用途喇，係咪？

答：一齊配套用囉。

問：一齊配套用喇，係咪？

答：唔，唔，唔。

問：好嘞，咁我問一問你喇，就係如果你睇番啲單嚟講，如果我哋睇一睇 S1，S1，135 頁。

答：一百幾多話？

問：135。

答：係，135。

問：係。呢個我哋睇到你畀何標記嘅發票，就係即係同時間供應咗「FRY 大黃罐松香膏」同埋「英國 50 力扁錫條」嘅咁。

答：唔。

問：咁如果我哋睇下 139 喇。139，又係「FRY 大黃罐松香膏」、「英國 50 力扁錫條」，睇到嘛？

答：唔。

問：睇到呵？

答：唔。

問：咁跟住 140，又係“FRY”，又係「大黃罐松香膏」、「英國 50 力扁錫條」咁。

答：唔，唔。

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問：同樣，你如果再睇多一張，113 喇。

答：唔。

問：又係咁嘅情況喇，都係呢兩隻，「英國 50 力扁錫條」，又有「大黃罐松香膏」嘅。

答：唔，唔，唔。

問：144 喇、145 喇，都係咁樣訂嘅，即係兩隻一齊訂。

答：唔，唔，唔。

問：即係我想問一問你，就係話即係你都知道呢兩隻係一齊訂㗎？

答：唔，唔。

問：即係當啲客戶去訂松香膏嘅時候，但係同時間又唔係訂呢一隻綠色一卷卷㗎，又...

答：唔會質疑佢...

問：你聽我問埋先吓。

答：好，你講先，你講。

問：又係訂緊另外一隻錫條㗎。你知道呢兩隻...

主席：松香膏，其實我嘅理解，Mr Khaw，你 lead 同埋 non-lead 都要用嘅。

問：係。或者我咁問一問你喇，就係如果兩隻咁樣一齊訂嘅時候，即係你會唔會問下，「喂，點解唔係用嗰隻嚟到用松香膏呢」咁呀？

答：唔會。

問：唔會，好。另外就住另外一個問題想問一問你嘅，就係呢一個--睇一睇何標記嘅口供，喺呢個--都係睇番趙小姐嘅口供，喺呢一個 K3，2373 頁。

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答：唔該。

問：呢個都係趙小姐嘅口供。如果我哋睇下最頂個部分，我解畀你聽喇，咁佢就話呢個英國 50 力扁錫條，即係點解會用咗呢隻物料呢，佢就話因為係雋景，即係佢哋有介紹，即係推薦呢一隻錫條嘅咁。因為佢哋個--你聽問埋先吓。佢哋嘅購貨單，即係你都清楚喇，就有特別講牌子嘅，亦都有講型號嘅咁。咁呢度就係趙小姐就話點解會用咗呢一隻，特別係呢一隻牌子嘅呢，就係你哋公司推薦嘅咁。咁我想問下，即係你同唔同意呢個講法啫？

答：我同意佢嘅講法，但係我係佢寫錫條，我就畀錫條；錫線，畀錫線。事關我公司淨係呢兩種產品。

問：係。即係如果你到「錫條」嗰兩個字嘅，咁你就毫不猶豫地就會畀咗英國 50 力嗰隻嘞，係咪？

答：唔係，總之條條條喇，如果錫條錫喇，係。

問：例如你會唔會同你哋啲客戶去介紹下，喂，呢個英國 50 力呀，呢隻有啲咩嘢好處呀？

答：係唔會。

問：唔會嘅。好。另外我哋睇一睇有兩條邨。啊，問番你剛才嗰個問題喇，就係當啲客戶同你訂錫條嘅時候，即係在你公司嚟講，就會係即係畀 50 力佢喇，係咪？

答：唔，唔。

問：你自己本人呀，我而家問你，就係會唔會如果見到「錫條」嘅，會去諗嗰啲錫條擺嚟做咩嘢用途㗎？

答：係唔會。

問：唔會嘅，好。我哋睇一睇有幾條邨嗰個情況，跟住同你睇一睇啲單喇。首先我哋睇一睇呢一個榮昌邨喇。榮昌邨嘅單就喺呢個 S1 嘅 218 頁開始嘅。

答：幾多話？118？

問：217 開始。

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答：217，217 係。係。

問：係嘞。我哋見到例如榮昌邨，你搵到嗰啲單據，就係全部都係講緊供應 50 力扁錫條嘅。

答：係，係。

問：係咪？咁如果我哋而家睇下呢一個東匯邨喇，喺呢個 205 頁。

答：係。

問：205 頁。

答：係。

問：咁就全部都係訂晒 50 力扁錫條嘅咁。

答：係，係，係。

問：咁就我哋睇多一個例子，呢個就係彩福邨。彩福邨，喺 74 頁。睇到嘛？

答：74 頁，係。

問：74，係嘞。

答：係。係，睇到。

問：就住嗰幾條邨，咁你都知道當時擺去畀房署即係做呢一個樣辦遞交同埋即係批核嘅，就係擺咗呢一個“FRY”無鉛錫線㗎；呢樣嘢你清楚㗎？

答：唔清楚。

問：唔知嘅？

答：唔知。

問：即係如果我而家問番你，東匯邨嗰陣時，東匯邨，即係金日工程，佢哋當時上辦呀，即係擺啲樣辦上去，畀批核嘅時候，你而家係話完全唔知道當時擺咗邊隻料去做批核？

答：事關我哋公司都講咗，佢可以上網 download 我哋啲資料。佢擺完之後可能會話番畀我哋聽，亦都可能佢亦都有話番畀我哋聽。

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問：有冇提供樣辦畀佢哋，你而家係記得吖，定係話唔知道？

答：有可能有。可能佢哋地盤自己擺一卷去做 submission。

問：好。榮昌邨呢？

答：我都唔知。

問：唔知？

答：係。

主席：唔知定唔記得呀？唔記得？

答：好多時佢哋上網 download 咗之後先同我哋講㗎。

主席：上網 download 乜嘢呀？

答：係啲資料。

主席：上網 download 資料。你擺...

答：我哋本身公司有個網址嘅，而家就停咗佢。點解呢？之前我哋好多譬如啲證書，其他嘢，都係上網可以 download 到嘅。

主席：係呀。

答：係。

主席：你要會員 number 先至入到去，可以？

答：冇喎，我哋冇。我即係覺得冇所--即係方便人之嘛，個心態。

主席：即係以前就個個都入到嘅？

答：係，入到嘅。即係你 download，就可以擺到啲資料㗎嘞。

問：Download 啲啲資料，係講話...

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答：即係證書同埋嗰啲資料，係。

問：Okay。證書嗰啲可以 download 喇。

答：係，絕對可以。

問：但係我之前都問過你，就係話如果嗰啲水喉分判商，咁佢哋係需要交嗰啲樣辦，即係焊料嘅樣辦，畀總承建商，等房署去批嘅。呢個過程你知道喇。咁我就想問下你，而家就住例如東匯邨咁講喇，當時你有冇向佢哋提供過焊料嘅樣辦呀？

答：我唔記得咗嘞。

問：唔記得咗？

答：唔。

問：但係就住房署嘅工程，你都今日較早時候都講得好清楚喇，而你哋公司嗰啲章程亦都寫得好清楚，就住房署嘅工程，你都會知道要用焊料個話，批嘅就係“FRY”無鉛錫線呢隻嘞，同意嘛？

答：唔。

問：同意嘛？

答：唔，同意。

問：係嘞。好嘞，咁你如果東匯邨咁講呢，全部佢哋落嘅 order，即係而家講緊係水喉分判商，同你哋公司落嘅 order，全部都係講緊 50 力扁錫條，完全冇一個 order 係講緊你認識係符合房署批准嘅綠色一卷卷“FRY”嗰咁，咁你唔覺得好奇怪咩？

答：唔覺得。

主席：應該咁講，應該咁講，因為我哋而家就事後睇番轉頭，就有晒所有嘅資料嘞，咁所以個 perception 就可以會唔同，即係個印象可能會唔同。即係應該問就係當時人哋咁樣樣落單。

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問：係嘞，當時佢落單，即係每一次都係講緊錫條嘅咁。咁你會唔會覺得，
咦，喂，全部落嘅單都唔係講緊符合房署即係批核嘅呢一隻材料呢？

答：我都講咗呢啲 order 亦都唔係經我，亦都經我啲小姐去出單，第一。
第二，呢隻產品不是我哋獨家代理，佢有權嚟出面買啲無鉛錫線。

主席：即係你嘅意思佢同第二間買無鉛錫線，就同...

答：係呀，呢個自由社會嚟嘅，我唔可以去質疑佢點解唔同我擺。

問：有冇邊個水喉分判商嘅人士，即係我哋講緊呢幾間喇，曾經同你講過，
佢哋喺第二間公司買呢個無鉛嘅錫線呀？

答：有嘅。

問：吓？

答：有。

問：邊個呀？

答：唔記得咗。

問：邊一間都唔記得嘞？

答：印象唔記得咗嘞。

主席：但係譬如好似榮昌邨咁樣樣，即係佢一落就落--金日咁樣樣，佢一
落，落 275 磅。

答：係。

主席：275 磅其實都好多㗎嘛，係咪？

答：唔。但係我哋即係唔會理解佢用幾多嘢。我哋唔識去計呢啲數。即係
佢唔知點燒，我哋唔清楚㗎嘛。我唔理解。

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黎先生：我見有啲情況，就係咩嘢呢？個樣辦提供嗰陣時係你哋提供畀嗰個...

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答：係呀，唔一定。佢有時喺地盤抽去嘅。

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黎先生：因為我見到有啲係直情係你哋係免費嘅，冇收錢嘅。

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主席：係，有啲你哋免費，唔使收錢嘅。

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黎先生：你哋免費嘅。

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答：我冇嘅，我哋。

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主席：有。

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黎先生：有。

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答：唔係，免費，冇收錢㗎嘛？

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主席：係呀。

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答：有㗎，有㗎。

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黎先生：係囉。

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主席：係吖。

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答：係吖，係。

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黎先生：你免費提供個樣辦畀佢交上去畀係房屋署，...

答：係，係，係，係，係。

黎先生：...但係之後幫襯你買嗰陣時就買啲錫條個喎。

答：係，係。

黎先生：交個辦嗰陣時係你免費供應埋嗰個錫線喎，但係以後幫襯你買嗰陣時係買錫條喎。

答：我唔理解佢燒喺邊個位置㗎嘛。佢...

黎先生：咁但係你供應嗰陣時，個辦畀人哋係交上去畀房署嗰陣時係你交畀佢個喎。

答：但係佢有權去第二間擺貨㗎嘛。我嘅理解呀，自己；佢有權去第二度擺...

黎先生：咁佢幫襯你嗰陣時唔係已經有少少有啲嘅大家係--「我又」--你又提供嗰個--「免費供應咗個錫線畀你交上去就擺個批文」，...

答：我--唔，你講晒先。

黎先生：...批准咗之後就唔幫襯你呢？

答：我完全冇諗呢個心態。我只係覺得「你要幫我就幫我，唔幫我，亦都冇所謂。」事關我都講咗，呢隻產品喺我公司係好細個項目㗎嘅啫。即係佢客人覺得我嚟講可能價錢貴喇，我心態係咁諗法吓。我貴咗喇，佢唔幫我，我亦都唔去強迫佢，事關我同佢識--我哋知道，我哋識咗咁多年。大家公司都合作咗咁多年，我都唔會去諗呢樣嘢囉。

黎先生：Okay。

問：你剛才提番你話有水喉分判商同你講話，喂，佢哋去第二間嗰度買呢啲咁樣嘅無鉛錫線喇。即係你嘅意思係咪即係話喺嗰啲情況，雖然同你擺咗辦，但係佢哋都係同第二間供應商大批咁樣購入呀？

答：我自己嘅諗法佢覺得--呢個係自由社會㗎㗎嘛，佢覺得我哋價錢貴，佢唔幫我都好--我理解到㗎嘛。

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問：我想問清楚你，你呢一個講法話同你擺咗辦之後，有水喉分判商會大批咁樣從其他嘅供應商--即係水喉分判商會從其他供應商，即係唔你呀，去大批購入呢樣嘢呀，係你嘅假設吖，定係真係你有聽過人咁咁同你講呀？

答：你當我假設喇，亦都有事實係，事實係，咁有啲，事實嚟㗎嘛，有啲係。

問：唔好意思吓，我真係唔...

答：即係會覺得我哋價錢會貴，佢唔會幫我哋擺，係事實，有啲嘢係。

問：唔好意思呀，我想問清楚，你話係假設，但係又係事實，可唔可以講清楚...

主席：可以係假設，又可以係事實。

答：係，係吖。

主席：唔係，我而家有興趣嘅--假設嘅我哋唔好講嘞。

答：係。

主席：事實嘅，你有冇...

答：事實係有㗎嘛。

問：有，係咪？

答：咁你好似明合咁囉，都唔係我哋交去多，佢擺我哋啲資料做 submission 都唔定，因為；有啲有會機。我而家舉例，係咪先？

主席：我明，我明。

問：你第一次聽到話，喂，有啲水喉分判商雖然同你哋擺咗樣辦，焊料樣

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辦，不過係訂嗰陣時，喂，唔同你哋做嘢，...

答：冇問題。

問：...同第二間做嘢咁。

答：係。

問：係咪？

答：係，冇問題。

問：我唔係講有冇問題。我係講緊話大概幾時第一次聽到呢個情況呀？

答：我不撈做生意都係咁諗法。

問：咩嘢話？

答：我不撈都係咁諗法。

主席：唔係，佢--即係你不撈就唔係好緊張，係咪？

答：係呀，係。

主席：即係你就去...

答：方便別人做，係。

主席：即係你嘅意思就唔係次次都一定回頭嘅，不過你都要做，係咪？

答：係，係嘞，盡咗自己所能。

主席：不過佢個問題就係幾時你第一次有聽到咁樣情況？

答：嘩，咁呀真係--真係，你叫我咁樣答你，我真係答你喇，即係我諗都好多年都係。應該存在嘅問題，喺呢行都存在有一個咁嘅問題喺度㗎嘞，已經。

問：喺呢行都存在一個咁嘅問題？

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答：即係你生意嗰度係會有呢個問題存在㗎嘛。

問：對你嚟講，呢個唔係一個問題㗎㗎？

答：唔係。

問：係咪？

答：係。

問：人哋去最後問邊個採購嘅...

主席：呢個...

許偉強先生：好。

主席：呢個唔好問嘞，係喇，係。

問：我想問一問你，就係你公司嗰個文件，即係嗰啲檔案嗰啲紀錄，我想問一問你。你喺個證人口供就係咁講嘅，喺 S1 嘅第 19 頁，第 20 段，你哋就話即係雖然你哋盡咗最大努力嘞，你啲同事，去想搵番嗰啲有關嘅文件出嚟，咁奈何就因為隔咗時間都幾長下嘞咁，咁同埋即係你嗰個存放嗰啲地方亦都係即係冇咗，係咪？

答：唔，唔。

問：咁所以就搵唔番嗰個有關嘅紀錄喇咁。我想問一問就係你哋公司嗰個做法，一般嚟講，文件紀錄，我哋講緊即係唔係所有文件喇，我哋如果講緊係發票、送貨單嗰啲，一般嚟講你哋會保存幾耐㗎？

答：老實講，我哋公司一日開單都好多，亦都好--真係都幾多客，我哋只係 keep --即係如果講會計做法，我哋通常就 keep 七年嘅發票喇。譬如送貨單，譬如過咗幾年，兩至三年或者，會可能會攞咗佢喇；同埋嗰啲客人嘅 PO 亦都攞；佢已經係找咗數，係完咗一件事喇嘛，我哋會。事關你如果再 keep 落去，我哋真係冇地方擺。

問：好。我想問一問你，就係話你話一般嚟講都會 keep 七年。

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答：唔係，發票。

問：發票會 keep 七年，係咪？

答：發票。

問：送貨單就可能會短啲時間？

答：係。

問：點解會有咁嘅情況呢，即係發票又 keep 七年，送貨單又唔會呢？

答：係會--係，sorry。係會計嘅，佢係做稅--稅局要求嘅，呢個係。

問：你認識即係稅局要求係咩嘢呀？

答：係，係。

問：要求咩嘢呀，稅局要求咩嘢？

答：Keep 七年嘅發票喺度。

問：發票？

答：係。

問：你嘅認識就話稅局嘅要求只係發票要 keep 七年嘅啫？

答：係。

問：送貨單就唔需要嘅？

答：係。

問：係咪？好嘞，咁送貨單如果 keep 咗兩、三年，你會點處理呀？

答：毀咗佢囉。

問：咁我想問下你嘞，你呢度提到嗰個存放嘅地方，係儲存啲咩嘢呀？即係儲存以前啲舊文件呀？

答：譬如做完，佢用番紙箱 pack 好晒，咪擺喺一個地方囉，公司嘅地方，某個角落囉。

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問：即係儲存啲舊文件，係咪？

答：係。

問：儲存啲舊文件都會包括送貨單嘅，係咪？

答：係。

問：咁呢個送貨單，如果係講緊兩、三年嘅，我想搞清楚嘅，就係你一方面就話會掉喇，另外又會係儲存喇，應該係點做呢，送貨單？

答：都話係 keep 兩、三年，over 兩、三年會掉咗囉，係送貨單吓。

問：Keep 嗰兩、三年呢，keep 喺邊度呀？

答：都話公司嘅某箇地方，角落。

問：喺你寫字樓嗰度嘅？

答：有機會喺寫字樓，亦都可能擺去我哋有個倉庫，喺新界。

問：新界邊度呀？

答：唐人新村。

問：咁而家嗰個倉庫點呀？

答：倉庫咪倉庫擺貨囉。

問：係。我即係話你當時儲存文件嗰啲倉庫呀。

答：唔係，我哋擺番自己貨倉之嘛。

問：咩嘢話？

答：我唔係擺喺另外一個貨倉，倉庫，我哋擺喺一間公--我哋公司嘅地方嘅。

問：文件就係擺喺你哋公司寫字樓嘅其中一個地方，係咪？

答：係嘞，係嘞，或者甚至無佢元朗倉嘅某一個角落。

問：新界嘅倉庫就唔關儲存文件事嘅？

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答：有。

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問：都有？

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答：有部分。

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問：有冇特定去分邊啲文件你儲存喺公司嘅一個角落吖，邊啲文件儲存喺倉庫㗎？

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答：冇呀。

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問：吓？

H

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答：冇呀。

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問：嗰個倉庫而家都仲用緊嘅，係咪？

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答：係。

K

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問：有冇搵同事去嗰度搵過啲有關嘅單呀？

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答：有。

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問：幾時搵㗎，嗰啲？

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答：你通知我啲咪去做囉。

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問：我想問下你，呢個鉛水事件即係曝光之後，即係舊年 2015 年 7 月之後喇，有冇啲你嘅客戶，即係啲水喉分判商，去問你哋公司，叫你哋查番啲單據呀？

P

Q

答：有。

Q

R

主席：邊間呀？

R

S

答：佢要求嘅，我畀番啲資料佢吖嘛。

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主席：係吖。

T

U

答：好似何標記、Golden Day 嗰啲都要畀番啲資料佢，畀番你委員會吖嘛，咪同佢做囉。

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問：即係有幾間都問過你嘞，係咪？

答：何標記同埋金日工程。

許偉強先生：我跟住會去下面另外一個課題。

主席：哦，好呀。食飯先。食飯先，咁我哋晏晝兩點半再繼續，唔該。

答：兩點半呀？

主席：係呀，兩點半。

答：哦，唔該晒。

下午 12 時 56 分聆訊押後

下午 2 時 28 分恢復聆訊

出席人士如前。

雋景建材有限公司（“雋景”）的證人：周家平（焊接物料供應商（雋景董事））宣誓繼續作供
許偉強先生繼續盤問

問：周生，我哋食晏之前，我就問過你關於有啲你哋公司啲文件點樣存檔
嗰啲題目嚟嘅。

答：係，係，係。

問：首先我想問一問你，就係...

答：唔好意思，我對番個咪先。

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問：Okay 嘛？

答：可以，可以。

問：得，首先我想問一問你，就係一般嚟講公司嘅做法係咪就係話送完貨之後，你哋公司會將有關嘅送貨單同埋個發票都會係發番畀嗰個客戶嘅，係咪呀？

答：係，係。

問：即係會有一套嘢就係連埋送貨單同埋佢有關嘅發票都會送晒畀佢哋嘅？

答：係。

問：送去嘅時候，就唔會再加埋嗰個購貨嗰個 order 嘅，即係個 purchase order 就唔會特別...

答：有機會有。

問：有時有機會？

答：有部分公司要求，都會。

問：好，但係就肯定嘅就係送貨單同埋發票就一齊會寄畀個客，係咪呀？

答：係，呢個係必然嘅，呢個就。

問：好嘅，好嘅。如果你哋公司嗰個講緊存檔嗰個情況，你知唔知道你哋嗰啲發票係咪會同送貨單會一齊擺喺一個 file 度？

答：未必會。

問：未必會？

答：唔。

問：你認知嘅情況就係發票同埋啲送貨單會點樣存檔㗎？

答：應該係有個 file，我唔識嗰啲，咪即係好似諸如此類...

問：係喇，好似呢啲 file。

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答：呢隻，係喇，係。

問：即係會有一個 file 就係送貨單？

答：係。

問：一個 file 就係發票咁樣嘅，係咪呀？

答：係，係，係。

問：分開咁樣嘅，係咪呀？

答：係，應該係。

問：應該係咁？

答：其實我都唔係好清楚，呢啲嘢。

問：唔係好清楚。

答：事關唔係我做嘅。

問：好。你剛才講就係話啲發票--因為你都知道可能稅局嘅需要，就會通常都會 keep 七年，係咪呀？

答：係。

問：如果送貨單，你都有提過可能兩年嘅？

答：或兩至三年嘅。

問：兩至三年嘅？

答：係喇，係喇，係喇。

問：咁就會掉㗎喇，係咪呀？

答：係，係喇。

問：呢個係咪一個既定嘅程序嚟嘅，...

答：唔係。

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問：...即係兩至三年就會掉？

答：Sorry，搶答咗，唔好意思。

問：兩至三年會掉呢一個係咪一個既定程序，即係你公司會有職員自動會去做呢樣嘢？

答：唔會。

問：唔會嘅？

答：係。

問：你所講話兩至三年會掉，你係憑咩嘢咁樣講？

答：即係有時見到佢太多嘢，清除啲啲文件。

問：如果例如啲 PO，即係例如啲啲購貨單，係咪都會同送貨單都差唔多個同樣啲個形式去處理？

答：差不多。

問：好。如果我哋見到你遞交界我哋委員會啲啲單據，我哋或者可以睇一睇，如果我哋睇下送貨單先，送貨單，如果我哋睇下 63 頁，睇到 63 頁嘛？

答：係，見到。

問：呢個就係講緊--呢個都係講緊呢個英國“FRY”無鉛錫線嘅送貨單嚟嘅，就係畀緊粉嶺啲個工程嘅，呢度我哋睇到呢個送貨單就有 2008 年 6 月嘅送貨單嚟嘅，睇到嘛？

答：唔。

問：如果我哋再揭多一、兩個例子，67 頁，2008 年 8 月嘅送貨單，見到嘛？

答：唔。

問：睇到嘛？

答：唔。

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問：就亦都係講緊無鉛錫線。

答：唔。

問：睇多張，71，都係2008年嘅送貨單，無鉛錫線。

答：唔，唔，唔。

問：73都係同樣都係差唔多2008年嗰陣時。

答：唔，唔，唔。

問：我就想問一問你，呢幾張送貨單例如係你交出嚟，你都搵到交出嚟，呢個都係幾耐之前嘅送貨單嚟喇，都有成...

答：我知，係。

問：...--即係如果我哋而家計番都有七年，起碼有七年，係咪呀？

答：係，係，係。

問：我又想問一問你，就係點解呢啲又會keep咁耐嘅，又搵到呢？

答：首先我講多一次，我哋喺15年搬過倉，亦都即係呢段時間就有啲嘢清咗，有啲可能清唔到，事關我哋啲好多箱文件，可能數以幾百箱，變咗又搬--諗住搬個倉，變咗就一次性咁樣點樣清咗，有啲可能清咗，有啲未清，唔出奇，有咁嘅可能性。

問：幾時搬倉話？

答：我記得好似唔知今年定--我唔記得咗，應該係呢一、兩年。

問：呢一、兩年嘅事？

答：係，我嗰嗰當時-- sorry，係請咗個暑期工，我哋人手已經不足，嗰段時間就叫佢盡量有咩嘢就盡量清咗啲佢，可能有啲清咗，有啲未清。

問：明白。呢個你話要清同埋要搬倉，你就話個時間係一、兩年嘅，應該係講緊鉛水事件爆發之前你哋做嘅，呢樣嘢，係咪呀？

答：絕對係。

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問：好，我想問一問你，如果我哋睇呢啲剛才畀你睇過嘅送貨單，呢啲你都應該知道就係你哋公司會有同事係用電腦打出嚟嘅？

答：你講發票？

問：送貨單。

答：係。

問：係咪呀？送貨單。

答：送貨單？

問：唔。

答：冇簽名啲係 print 出嚟。

問：係，冇錯，即係如果我哋呢度寫咗例如客戶名稱、貨品個種類、名稱啲，啲就係打入個電腦度 print 出嚟，係咪呀？

答：係，係，係。

問：可能你啲文件，啲 hard copy，我哋所謂，即係呢啲文件，你可能入咗倉或者冇咗，你哋公司會唔會喺個電腦度會有一套 backup 嘅文件存檔咗喺個電腦度，應該會有留番㗎？

答：你講送貨單？

問：係喇。

答：送貨單，我要 check 下，事關我都唔係好理呢啲嘢，我要問番同事，正常就應該可以嘅，如果送貨單。

問：因為你個口供就話你盡咗最大努力就想搵番出嚟，我而家其實想同你搞清楚...

答：係，明白。

問：...就係你用最大努力嘅時候有冇話問過啲同事，叫佢哋搵番電腦啲紀錄出嚟？

答：首先一樣嘢，我就搵番有簽收個送貨單先係有效，如果 print 咗張送貨單，冇人簽名，我覺得好似係有效。

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問：如果你搵唔到晒所有有簽名嘅送貨單，你唔覺得如果你喺電腦度都有個存檔嘅送貨單嘅，都係值得擺出嚟畀委員會睇一睇咩？

答：我有呢個諗法，我諗住係已經簽收咗，已經係一個盡咗自己所能，亦都搵同事去做，事關係喺嗰度成好多箱，亦都嗰啲同事係女仔，佢都幾有--又污糟，個環境又唔係好好，變咗係已經盡咗自己所能已經，我都好感激佢哋。

問：好，想問一問你，就係我食飯之前都問過你呢個範圍嘅，就係話鉛水事件爆發之後，都有水喉分判商嚟問過你，即係關於叫你查一查啲單，即係佢哋都想有番個紀錄，呢樣嘢你今朝同我講都係知道㗎嘛，係咪呀？

答：係，係，係，要求，係，唔。

問：何標記亦都有問過你，係咪？

答：係，係，唔。

問：金日都有問過你，係咪呀？

答：係，係。

問：就當時你有冇話去搵過嗰啲單出嚟同佢哋討論下個情況？

答：冇，我只係盡咗自己公司嘅資源，搵到幾多就幾多嘅心態去做嘢。

問：咁我想問下，一步一步嚟。

答：好。

問：當時每一間分判商嚟搵你周生，你係老闆，佢哋搵你就話「鉛水事件，我哋想查下有關嘅單據，當時究竟送咗啲咩嘢貨？」等等嘅，你有冇提供過啲單據畀佢哋嗰幾個水喉分判商呢？

答：何標記同埋金日有。

問：係有嘅，係咪呀？

答：係。

問：當時提供嘅同而家你提供嘅，就住佢哋每一間公司，當時提供嘅同而

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家嘅有冇唔同？

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答：應該差唔多。

D

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問：好，但係就住例如鉛水事件除咗你同啲水喉分判商提供咗啲單據畀佢
喇，等佢哋認番、知道番當時送咗啲咩嘢貨、買咗啲咩嘢貨，有冇話
特別同何標記傾下，例如何老闆，即係何文標先生嘅，有冇同佢傾過
話落啲啲貨會唔會有問題呢啲咁嘅情況，有冇同佢傾過？

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答：係冇。

G

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問：完全冇嘅？

H

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答：冇。

I

J

問：好，金日工程呢，有冇同佢啲同事或者係佢老闆傾過有關嘅事情？

J

K

答：冇。

K

L

問：都冇嘅，係咪呀？

L

M

答：係。

M

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問：如果我哋睇番你呢一度交出嚟嘅文件裏面，我都知道你話盡咗力去
搵，但係似乎我哋就咁睇，啲啲購貨嘅啲個單，即係 purchase order
啲個 order，就得好少嘅咋，係咪呀？

N

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答：係，係。

O

P

問：即係呢啲就係你盡能力可以搵到㗎喇，係咪呀？

P

Q

答：係。

Q

R

問：我哋睇番你畀我哋所有嘅 purchase order 入面，又咁啱有一張係
講緊話訂錫線㗎啫，即係你都睇過喇？

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答：邊張呢？

S

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問：如果我哋睇下，84 頁，84 頁你睇到都係講錫條嘅，睇到嘛？

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答：係，錫...

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問：錫條。

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答：係，條。

C

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問：錫條，係咪呀？

D

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答：係囉。

E

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問：錫條嘅。

F

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答：係囉。

G

H

問：86 頁又係錫條。

H

答：係，86 呀？等我睇下先答你。係。

I

問：係咪呀？

I

J

答：係。

J

K

問：我哋停一停喺 86 頁先，86 頁寫住「錫條」，呢個就係金日就佢畀嘅
購貨單嚟嘅。

K

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答：係。

L

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問：例如「錫條」隔離就寫咗例如“55”，應該可能 55 磅喇。

M

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答：係。

N

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問：乘咁嘅。

O

P

答：係。

P

Q

問：你睇下認唔認得出呢啲字係邊個寫㗎？

Q

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答：應該我啲同事嘅。

R

問：你啲同事寫嘅，係咪呀？

S

答：係。

S

T

問：好，即係方便佢哋即係知道...

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答：執貨或者之類，或者可能趕住出貨，畀啲同事執咗貨先。

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問：好，好。另外就例如你睇一睇 95 頁，95 頁都係寫住「錫条」嘅，睇到嘛？

答：係。

問：亦都隔離可能都係你哋同事方便起見，就寫咗「50 力」咁樣嘅，係咪呀？

答：係。

問：因為我想知，就係因為嗰個--睇多一個，我哋今朝都睇過，98 頁，寫住「高溫錫條」嘅，係咪呀？

答：係，係。

問：因為就我都翻查過晒你提供嘅所有有關嘅購貨單，即係 purchase order，我意思就係話我哋睇唔到有任何 purchase order 係講緊即係寫咗上去係寫「錫線」嘅，我想問下你，即係你喺一路咁多年嘅工作入面，你記唔記得有啲 purchase order 係寫到明係錫線嘅啫？

答：呢個我真係要返--未必記到咁多。

問：好。如果我哋睇下 128 頁，128 頁就係關於啟晴邨嘅，即係關於啟晴邨，我哋都見到你都擺出咗好多文件出嚟，因為嗰個係一個大嘅工程嚟嘅。啟晴邨，我哋都見到，如果睇番你自己做嗰個表，即係喺 128 頁，即係你做嗰個表咁嘛？

答：唔。

問：入面都間歇咁樣有例如 50 力扁錫條，又有--間唔中又有無鉛錫線嘅，有時就一張呢個發票就又有無鉛錫線，又有 50 力扁錫條嘅，係咪呀？

答：係。

問：即係你嘅講法係咪都係話即係你都係跟番佢 order 乜，你哋就畀乜咁樣？

答：係。

問：好。我想問，都係問一問你，就係關於嗰個 50 力扁錫條嘅問題，你提供嘅有關 50 力扁錫條嘅資料就係咁嘅，或者我哋可以睇一睇，即係雖然係英文，但係我都會解一解畀你聽，50 力扁錫條就係嗰間--

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即係我哋知道 DKL，一路講緊呢間公司，佢哋就係個生產商嚟嘅。

答：佢係生產商。

問：係喇，佢係生產商嚟嘅。首先如果我哋睇一睇 41 頁，S1 嘅 41 頁，41 頁呢度就係講緊--介紹緊呢個 DKL 呢間公司，下面有個表嘅，見到嘛？

答：你講，我盡量--係。

問：我哋如果睇呢個表，如果你見到呢個表嘅由左邊數上嚟嘅第四行，我哋見到有啲英文字母，有“AP”、“KP”，有“RG”、“H”、“J”嗰啲，見唔見到？

答：唔，唔，唔。

問：係咪呀？

答：唔。

問：我想問一問你，你知唔知呢個 50 力扁錫條係講緊即係呢一個表入面嘅第 13 項“F”嗰度嗰個型號㗎？你知唔知？因為呢個係你提供嘅，即係你就係就住...

答：我唔知，應該唔知。

問：係咪呀？

答：唔知。

問：唔知，係咪呀？

答：唔。

問：即係你唔知邊隻，我哋可以搵到係 50 力扁錫條？

答：睇番先。

問：好。

答：唔知。

問：唔知？

B

B

C

答：唔。

C

D

問：我想問一問你，就住 50 力扁錫條嗰啲送貨，當時嗰啲包裝，你知唔知係咁樣長方形一盒盒咁樣送去？

D

E

答：知道。

E

F

問：知道嘅呵？

F

G

答：唔。

G

H

問：你亦都係咪有見過例如呢個咁嘅盒上面有啲 label，即係你哋會貼住你哋間公司--你哋送去客戶嘅時候，都會貼住有你哋間公司嘅 label 寫住「50 力扁錫條」嘅？

H

I

答：係。

I

J

問：都會嘅，係咪呀？

J

K

答：有。

K

L

問：隔離有個 label，就寫住“DKL”呢間公司？

L

M

答：唔。

M

N

問：我就就咁睇，我估，我未必啱嘅，呢度就寫咗個叫做 grade 嘅，即係啲咩嘢級別嘅？

N

O

答：係。

O

P

問：就寫住“grade F”嘅，“F solder”咁樣寫住？

P

Q

答：應該係喇，如果係就。

Q

R

問：我就估計，係咪應該係講緊呢個表入面嘅 F 呢，係咪呀？會唔會係咁樣？

R

S

答：如果根據理解，應該都係嘅。

S

T

問：應該都係咁樣，係咪呀？好。

T

U

答：即係我都理解係，我諗係嘅，應該。

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問：即係大家都係睇文件，估下估下咁估出嚟，不過即係我--因為我諗因為你接觸嗰個物料會多啲，所以我就睇下你會唔會同意我講法嘅啫。

答：係，好。

問：即係有機會都係 F 嗰隻就係呢隻，係咪呀？

答：我諗係。

問：好，如果我哋睇番啲“F”隔離嗰個 183 至 216 呢個就係係咪應該係講緊熔點，你知唔知？

答：我真係唔係好清楚。

問：好，唔緊要。因為呢份文件係你提供嘅，所以我先問你嘅啫。你提供呢份文件裏面介紹緊呢一個 DKL 嘅產品入面，其中有一頁就我有注意到，喺 46 頁嗰度嘅，46 頁有一段就講得幾清楚下，就係話呢啲產品係含有鉛嘅，對身體就會有害嘅，跟住佢又講下對啲人體嚟講有啲咩嘢害處等等嘅。首先我想問下你，就住呢一個 50 力係含鉛呢樣嘢，你今朝同我哋講過，即係你係知道㗎嘛，係咪呀？

答：唔。

問：含鉛對身體有害呢樣嘢，即係常識嚟講，你係咪都應該知嘅呢？

答：真係唔知㗎。

問：即係直情嗰個含鉛係對身體有害呢一個咁樣嘅講法，你都唔知嘅？

答：我真係唔知。

問：唔知，好。好，呢一份文件係你提供出嚟，就係話你當--即係你係就住有關呢個 DKL 嘅物料，去畀你哋公司嘅有關嗰啲章程，你就呈交界我哋委員會，係咪？

答：係之後，係。

問：你呈交呢份嘢之前，你有冇人解釋過畀你聽呢份文件係咩嘢？你有冇問過人入面啲內容？

答：冇。

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問：冇嘅。即係以你嚟講，你覺得含鉛嘅物料，即係以你嚟講，含鉛嘅物料係對身體唔會有任何影響嘅，係咪呀？

答：我就咁，我自己理解，我覺得我以前都係用鉛水喉生活嘅，我哋喺香港，我就覺得會釋放到出嚟，鉛可能喺空氣都有，汽車會排放到出嚟，亦都係人吸收咗，亦都會排泄到出嚟，即係我自己咁認知，唔知有冇個蠢--即係我自己諗法啫，唔係代表你哋，即係我自己諗法，同埋一樣嘢，我係咁諗。

問：我個問題其實係咁嘅，你啱啱答我個問題，你就話可能喺空氣，可能喺呢樣、嗰樣都會釋放鉛，係咪？

答：即係我--係，係，係。

問：我個問題就係話，以你嘅理解，鉛呢樣嘢係咪對身體唔會有任何影響嘅呢？

答：影響，死喇，我點--應該有影響嘅，但係我覺得會釋--即係我知道會釋放，會慢慢減少。

問：釋放，會慢慢減少？

答：即係會--我唔知，我睇啲報導咁樣講啫。

問：即係話一般嚟講，如果你話鉛對身體係有一定程度嘅影響，你都會--即係你係有呢個方面嘅認知㗎？

答：認同嘅，認同，認同，認同。

問：如果係咁，我想問下你，你今朝答我哋問嗰陣時都話過，就住水喉分判商問你擺材料，你知道佢哋係做水喉分判商嘅，係咪呀？

答：唔，唔。

問：亦都知道嗰個房署就係同意咗，批核咗係用無鉛嘅焊料嘅？

答：唔。

問：有冇曾經有任何念頭，你有諗過「水喉分判商問我擺啲含鉛嘅材料，會唔會有啲問題呢？」咁？

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主席：呢個問題已經搞咗一朝，唔好再...

許偉強先生：好，好。

問：我想問下你，你有冇見過啲工人用呢個綠色一卷卷“FRY”嘅焊料，係真係做緊嗰個工作？

答：冇。

問：冇。嗰個一條條嗰個焊料呢，即係嗰個錫條，冇冇見過？

答：冇，喺電視上看到。

問：電視上見到，就有啲實際情況見過，係咪呀？

答：係。

問：好。你今朝有同我哋講過，就係話你有同過陳小華，即係何標記嗰個陳小華，就有傾過啲喉碼啲尺寸等等嘅，係咪呀？

答：係。

問：我想問下你，就係你有冇同--何標記嘅證供就係咁同我哋講嘅，佢就話就你曾經同何文標就講過，就話你會有直接同啲地盤啲打理係有溝通嘅，我想問下你，有冇啲咁嘅情況啫？

答：溝通就係點樣做喉碼，...

問：就係講緊...

答：...係溝通嚟嘅，呢個係溝通。

問：就係喉碼？

答：係，或者送貨時間，或者搵同事，嗰啲先係溝通。

問：你同地盤嘅打理嘅溝通一係就係送貨嘅時候，係講緊？

答：你要約佢收貨㗎嘛。

問：係，送貨嘅時候？

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答：係。

問：你約佢收貨，係你打電話同佢哋溝通吖，定係你叫啲職員同佢哋溝通？

答：職員。

問：就唔係你自己本人？

答：如果佢搵唔到我哋，可能我亦都會，會，唔會多。

問：即係你本人都有即係嘗試過同地盤嘅打理去溝通有關喉碼...

答：但係唔會太多。

問：...--溝通有關喉碼嗰個問題嘅？

答：溝通喉碼點樣去設計或者長短啲。

問：有冇同地盤嘅打理--即係你自己本人先喇，有冇同地盤嘅打理溝通過有關焊料嘅問題？

答：係冇。

問：記唔記得龍逸邨？

答：係咩嘢--唔記得。

問：龍逸邨。

答：唔記得。

問：完全唔記得，好。陳小華佢亦都係同我哋講過，即係個證供入面，佢就話就住呢個啟晴邨，佢一路落嘅 order 就係錫條嘅啫，佢就話即係都講唔到點解到最後係會供應咗呢個錫線嘅，我想問下你，你對陳小華嘅講法，就話佢一路都淨係 order 咗呢個錫條呢個講法，你同唔同意？

答：唔同意。

問：另外就同你跟進一下嘅啫，就係有關呢個--今日食晏之前，我問過你關於東匯邨，東匯邨，如果你睇番你嘅證人口供，有關嘅文件夾 s1 第 205 頁，嗰個東匯邨，我哋知道就係講緊全部，即係你而家搵到啲啲文件都係顯示到全部都係用緊 50 力扁錫條嘅，我記得我今朝就問

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過你，就係話你記唔記得就住東匯邨你係提供過有關嘅焊料嘅樣辦，係“FRY”嘅，你就話唔知，係咪？

答：唔。

問：我都想你睇一睇嗰個有關嘅文件，就係如果東匯邨，睇下 B9.3。

答：唔，唔該晒。

問：呢個就係啲總承建商交界我哋啲文件嚟嘅，如果我哋睇下 B9.3。

答：9.3？

問：係喇，22145 頁。

答：22145 頁。

問：係喇。

答：2214 幾？

問：22145。

答：我見到。

問：呢個就係總承建商當時就住呢個遞辦呢個程序，即係交界房署，我哋聽到啲證供都係話嗰個辦就係由你提供嘅，呢度就如果我哋睇番呢一張遞辦嗰個表格，喺 22145，如果你睇下，都係英文，我會解畀你聽，係畀二個欄就寫住供應商，就 Prosperity 嘅，就係你哋公司個名，而後面有啲資料就係--例如你睇下 22206，睇下先，22151 先，22151，係喇，22151 就係有你哋公司發出嘅文件，入面...

答：22151？

問：係，22151。

答：係。

問：有你哋公司發出嘅文件，有“FRY”呢一個松香膏咁樣，另外就我哋見到喺 22148 嗰度就有幅相嘅，就有--你會見到其中一個都係--你睇到--即係可能唔係好清楚，不過你會睇到“FRY”嗰隻無鉛錫線嗰個嘅咁，你如果睇呢啲文件，你會唔會記得番起當時呢一個屋邨，東匯邨，

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係你哋提供呢一個“FRY”無鉛錫線作為個樣辦呈交界房署㗎？

答：我應該唔記得㗎，亦都我已經講㗎，佢有機會佢上網 download 我哋
啲資料。

問：即係你嘅意思就係話有機會佢 download 㗎你啲資料？

答：係喇。

問：但係就唔係你哋提供...

答：佢可以上網，都係我哋公司嘅資料㗎嘅，係睇咩嘢--喺邊度擺番嚟啫，
係。

問：即係你嘅意思就係話有機會佢得...

答：佢--係，上網擺到個資料，有好多亦都擺完資料之後先同我哋講用㗎
我哋啲嘢㗎嘛。

問：但係如果你睇完啲文件，你睇㗎當時上樣辦啲文件，入面亦都有一
啲關於呢一隻物料，有你哋公司嘅名嘅文件嘅，如果就咁睇，可唔可
以推斷到--你而家睇番，好大機會都係你哋公司提供個樣辦嘅呢？
我就想知道呢樣嘢啫。

答：我都話有兩個可能性，佢上網 download，有機會同我哋擺，亦都喺
地盤擺 sample，已經--我亦都同時提出--講㗎好幾次，呢隻產品不
是我哋唯一嘅代理，佢嚟出面市面上亦都買得到，上網 download 㗎
啲份證書，都係我哋公司，佢當然係寫番我公司。

主席：我明，我都上過你公司網，不過入唔到去啫，即係。

答：而家有㗎喇，之前就--之前諗住就大家方便啫。

許偉強先生：冇其他問題。

主席：邊位有興趣問？

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答：手下留情。講笑啫。

林國輝先生盤問

問：周生，我有少少問題問你嘅，我想知道嗰個流程啫，我係代表瑞安嘅。
如果你睇一睇 S1 102。

答：S...

問：S1 102，有冇？

答：一零呀？

問：102。

答：105，係。

問：102。

答：105，係。

問：我哋睇 103 開始，有冇？

答：103，哦，好。

問：103，我睇到嗰個發票，如果你睇埋 104，就個日子--日期嗰度就係
4 月 24 號 2013 年，就送貨，我相信送貨就係嗰個日期，同埋因為有
打埋時間，我唔知個時間係點樣打出嚟嘅，但係就簽咗名嘅，而家你
再睇番發票，就亦都係 4 月 24 號嘅，103 嗰度，係咪？

答：係。

問：即係係唔係當時--我哋知道而家有咗嗰個 purchase order 嘅，係
咪當時就送貨嘅時候，4 月 24，係咪？

答：唔。

問：我相信一定係有人做咗個 purchase order 先，24 號就送，係咪？
有個時間。

答：唔。

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問：跟住就同一日，因為你知道--已經有同事話畀你聽已經送咗貨，喺同一日有個發票，啱唔啱？

答：係。

問：同一日有個發票，我哋見到响呢個 104 個度，亦都有個 fax 嘅，就係 25 號，我相信到到最後 fax 咗去何標記嘅時候，就會係 4 月 25 號，係咪？

答：係。

問：我想問你一樣嘢就係--因為我而家有咗嗰個 purchase order，我相信係可以係譬如呢一、兩張嘅發票會係 4 月 24 號當日有同事收到嗰個 order，就有貨就送咗去...

主席：講多次，唔該。

林國輝先生：唔？我問咗佢知唔知...

答：佢應該 25 號簽收。

問：係，因為簽收嗰日當日就係 24 號。

答：唔係，25 號，我睇好似應該係 25 號。

主席：簽收 28 號，係咪呀？

問：簽收係 28 號？

答：吓？

問：哦，okay。

答：28 定 25 呀？

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問：嗰個可以係 25 又可以，因為我見到個 fax 係 25 嘅，我唔知道係究竟 fax 嘅時候係 fax 咗去地盤嘅 fax 咁，抑或簽嘅時候係呢個係 28 定係 25 個字，你見唔見到個「健」字隔離？

答：「健」字隔離，我唔知道 25 定 28，我真係唔知，我都唔識--我都睇唔到呢個。

問：或者唔緊要。即係我想知道個流程就一定係有張 PO 先，如果當日有貨，就會當日送去？

答：有時...

主席：當日送去？

答：有時...

問：有陣時未必係，係咪呀？

答：你講完先。係，有時佢哋可能亦都趕住或者第二日--有機會補 PO 都唔定嘅。

主席：係，啱。

問：係，我明。即係個流程就一定係有 PO，跟住就會有一個送貨單，送貨單之後就發票，就個發票同埋個送貨單都會一齊係佢會送去何標記度？

答：你講發票？

問：同埋送貨單，兩樣嘢要加埋，係咪呀？

答：送貨單會夾埋一齊，正常係，正常會。

問：夾埋一齊就會去何標記度？

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答：係，係，正常會寄去畀佢--發畀佢。

問：因為我哋見到，如果你睇 107，同埋 108 --唔係，107 大家都係送貨單，106 就係嗰個--亦都係 8 月 10 號嘅發票嘅，我見到嗰個「雄」，你見到--你知道--識唔識一個叫黃貴雄嘅人？

答：黃貴雄？

問：係。

答：一個判頭，我知道。

問：係，係，判頭或者係我哋有個講法，叫打埋人，係咪？

答：應該係。

問：我見到佢就 8 月 10 號就係個日子嘅。

答：幾多號秣巴？請問，唔好意思。

問：Sorry，107。

答：唔好咁講，唔該你。係，107，係，見到。

問：同埋 108，佢都係 8 月 10 號嘅。

答：108，係，係，係。

問：我見到個送貨單亦都係 8 月 10 號，應該係當日就送到貨，你亦都有同事响 106 嗰度就出咗個發票，係咪？

答：係，係。

問：可唔可以咁講，如果你有貨喺你公司度，你哋就會可以同一日送到貨嘅？

答：有貨？

問：係，即係個 order 嘅時候有貨，就可以同一日送到貨？

答：都可以做到呢樣嘢嘅。

B

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主席：咩嘢係咪有貨就唔係--你可能嗰日 print 咗張單出嚟咋喎，未必嗰日送貨過去。

C

D

答：係，你話...

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問：唔係--係，當然，但係我想問，因為見到你嗰日 print 咗張送貨單，但係我哋有人簽名嘅時候亦都係同一日簽名，因為我見到收貨嗰個簽名係嗰個日子，係咪呀？

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H

答：唔。

H

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主席：Print 嗰張單其實係改過。

J

J

答：改咗日子，佢都--本身 print 咗係...

K

K

官：送貨單改過。

L

L

答：...8月幾多號嘅，係改咗10號嘅。

M

M

主席：咪係囉，改過，所以基本上就係冇既定程序，不過送貨單好多時就同埋 invoice 一齊送去，係咪咁樣樣？

N

N

答：送去畀何標記會計部。

O

O

主席：送貨--送去會計部？

P

P

答：會計部，唔。

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林國輝先生：明白。

S

S

主席：送貨單同埋發票係畀唔同嘅人？

T

T

答：係，送貨單同發票係畀會計--工程嘅會計，等佢知道...

U

U

主席：唔係，你送--我知，你送貨去地盤嘅時候就淨係送貨單去嘅啫？

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答：係。

主席：就有發票嘅，啱唔啱呀？

答：係，絕對。

主席：送貨單加發票就後補畀何標記嘅會計部？

答：係。

問：你之前就响食晏之前就講過話“FRY”呢一個焊料或者呢個錫線係啲工人都好熟悉嘅，所以唔想換過一隻新嘅品牌，你有咁講過，係咪？

答：呢隻牌子係好通行。

問：係呢隻牌子，“FRY”呢隻牌子無鉛係好通行？

答：係，係，喺呢個市場係通行。

問：行業裏面？

答：係，係。

問：即係換句話講，首先啲工人知道“FRY”係無鉛呢一樣嘢都應該係一個共識㗎嘅？

答：好難理解點解有啲清楚，有啲未必清楚。

問：但係基本上，因為你睇嗰個，應該睇到嗰個綠色嗰個牌子就寫住「無鉛」嘅？

答：唔？

問：睇佢牌子上面係寫住「無鉛」㗎嘛？

答：但係你知道做嗰個亦都未必去識㗎嘛。

問：做嗰個未必識或者做嗰個未必睇。

答：施工者或者其他未必識。

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C

問：我明。

C

D

答：即係我係咁講。

D

E

林國輝先生：好，主席，我有其他問題。

E

F

主席：周律師，仲有冇嘢問？

F

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黃小姐：主席，我有幾條問題。

G

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黃小姐盤問

I

J

問：周生，我係代表有利建築有限公司同明合有限公司。

J

K

答：你好，好。

K

L

問：周生，我想問你由雋景 98 年成立開始，到而家差唔多都十六、七年喇？

L

M

答：係。

M

N

問：都叫做一間頗具規模嘅公司，係咪？你同唔同意？

N

O

答：唔可以咁講，係算係一個小型--以大公司嚟講，係一個小型公司嚟嘅，唔係好大。

O

P

問：我就見頭先--今朝早其實畀咗你睇一啲工作嘅參考，其中有一張，我或者畀番你睇，就喺 B15.2。

P

Q

答：E？

Q

R

問：B，boy 15.2。

R

S

答：Boy 15.2，即係係咪呢張？

S

T

問：38924。

T

U

答：吓？唔好意思，聽唔到，即係--唔係，唔係，唔係。

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問：38924。

答：38924，好，38 --搵唔到。

問：呢個就係其中一張工作參考。

答：搵唔到，38924。

問：B --你睇螢光幕都睇到。

答：唔好意思，搵緊，唔好意思。好，係，請講。

問：睇到，係咪呀？

答：係。

問：呢張紙就其實睇到你係同一啲叫做頗大嘅建築公司或者有規模嘅建築公司合作過嘅，係咪？

答：我哋呢個叫做係咪工作紀錄？

問：15.2，吓？

答：係工作紀錄嚟嘛，呢個係？

問：唔係，呢個工作參考嚟嘅。

答：係喇，係喇，工作--寫番係興盛建築就話起...

主席：唔係 15.2 呀。

黃小姐：B，B15.2，38924，major job reference。

答：係叫做--係呀，工作紀錄或者 job reference，係。

問：呢個就係其中一單，其實仲有另外一張，就 38928，都係 B15.2。

答：唔好意思，睇唔到。

B

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主席：15.3。

D

E

答：請講。

E

F

問：呢度就 38928，應該。

F

G

答：38928，係。

G

H

問：呢張，我哋睇到個日子就 2008 年嘅 7 月做㗎喇，呢張就亦都係抬頭係寫住你哋工作嘅參考，呢度就列舉咗你哋做過乜嘢地盤、承建商係乜、發展商係乜，同埋用咗呢隻“FRY”嘅「松香膏／無鉛錫線」，我就想問咗先嘅，就係你列舉呢啲地盤嘅名稱係咪全部就住水喉工程方面都係用咗無鉛錫線？

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答：唔係，而係我搵——喺我哋本身有電腦，當時喺番電腦，邊個用過地盤，就打番落個紀錄喺度，畀番個客人睇嘅啫。

K

L

問：但係呢張嘢你係知道會上去房屋署㗎嘛？

L

M

答：我唔知有啲嘢。

M

N

問：咁你做㗎做乜呢？

N

O

答：事關呢個係 download 落嚟嘅，你擺去邊度都可以嘅。

O

P

問：明白，但係你做㗎做乜呢其實？

P

Q

答：吓？

Q

R

主席：做㗎畀人做 reference，...

R

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黃小姐：做㗎...

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主席：...不過就唔係一定 Housing。

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答：Job reference 之嘛。

主席：因為你個問題就好針對性嘅，就淨係 Housing，佢就想話畀你聽「係呀，我哋番啲單出嚟」...

黃小姐：唔係一定。

主席：...「邊啲人同我攞過，我就整咗一個咁嘅嘢出嚟喇，咁就擺咗喺個網頁嗰度」...

答：係囉，你自己...

主席：...「各位鍾意要嘅就隨便，你去做咩嘢項目嘅，就鍾意就攞喇」。

答：係喇，就係咁嘅原因，我就係咁嘅方便大家去攞資料啫。

問：除咗方便大家，其實你係咪呢張紙其實都係想證明你係其實同呢啲所謂都有份量嘅承建商合作過，即係我講一講啲目的，睇下你同唔同意。

答：咩嘢承建商？你講係建築啲啲？

問：係喇，即係呢度列舉啲啲。

答：基本上公司好少同建築合作。

問：但係佢哋都同你攞過料，係咪？

答：係好少。

問：但係你又列舉咗出嚟，個目的畀人睇到呢樣嘢係有咁嘅目的㗎啫。

答：呢個係絕對要話番畀人聽呢間係咩嘢建築做呢個工程咁解啫，小姐。

問：好喇，你即係唔同意我講法，係咪？

答：吓？

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問：你即係唔同意我講法，係咪？

答：咩嘢話？

主席：唔係，唔係，唔係，你問問題喇，你問--我都唔係好清楚你想佢點樣樣答你，不如你講埋畀我聽。

黃小姐：主席，我就想講呢個工作參考其實畀無論係屋宇署睇或者出面啲人睇，佢其實係想話畀人啲聽「我哋係提供過啲咩嘢--呢隻料提供過畀呢啲頗為大概建築商。」咁...

主席：總之就提供過晒畀呢啲人，大小都有。

黃小姐：呢個目的就當然想擴闊自己嗰個客戶，咁...

主席：呢個唔使講，唔係寫出嚟做咩嘢啫。

黃小姐：除咗呢樣嘢之外，如果我哋再碌落去睇睇，有啲係有利建築，亦都睇到係有啲係房屋署嘅項目，其實亦都想標榜一樣嘢，係佢哋對房屋署嘅要求係--對產品嘅要求係有所認識。

主席：佢知道係無鉛，房屋署亦都訂過，即係做呢啲 project。

問：咁即係你都同意呢個講法，係咪呀？

答：我同唔同意講法？

主席：佢而家佢個目--佢其實應該咁樣樣問你，呢度有咁多有利建築、中國建築，又有咁多房屋署嘅項目擺晒喺度，其實你係知道房屋署嘅要求嘅，就住焊料呢一方面，你同唔同意？

答：唔同意。

主席：吓？

答：唔同意。

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主席：唔同意？

答：係。

問：好，我就畀你再睇多一份文件，你就話你本人就唔係好識英文喇？

答：唔。

問：你請啲員工就識英文，例如凌先生係會識英文，係咪？

答：唔，唔。

問：我畀你睇睇一份文件，就係有份 fax 係 B1 15.2 38833, 38833。

答：係，唔該晒，係，見呀。

問：好喇，呢張就係 2007 年，由你哋雋景公司-- 5 月 30 號-- 2007 年 5 月 30 號，由你哋嘅公司 Ben Ling 就畀咗明合嘅，我哋睇首先第一版，如果可以碌落去睇一睇，佢除咗講關於有一隻--第一段關於有一隻銀焊嘅物料之外，如果睇番中間，我哋就開始--由第三段開始，就話「另外，我們對房屋署的要求亦都作出一些註解，希望有助了解我們的產品。」然後我哋去下一頁，下一頁，如果再碌落去嘅 b 同 c 嗰度就好清楚提供話「我司」供應嘅“FRY”無鉛錫線係不含鉛，成分講到好清楚係乜，同埋就話符合房屋署乜嘢條款同埋英國嘅水準㗎喎，你有冇睇到呢度？

答：佢呢個“FRY”係符合呢個標準嘅，絕對。

問：呢樣嘢係 07 年你公司嘅員工都已經喺度講緊呢隻產品同埋喺度叫做 sell 緊呢隻產品，你同唔同意呢個講法？

答：唔係，我同意佢呢隻係無--係可以係無鉛嘅產品㗎嘛。

問：但係佢可以唔使講㗎嘛，但係佢跟住呢一封信就其實...

主席：佢知道，因為你頭先睇番佢啲啲...

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答：講咗好多次。

主席：...major job reference 都有講到係 HA 同埋 ASD 嘅 projects 吖嘛。

黃小姐：好。

主席：係咪？

黃小姐：明白。

主席：其實佢之前已經講咗呢個“FRY”嗰啲 technical data 喺度，跟住就再夾啲啲...

黃小姐：明白。

主席：...major job reference, major job reference 裏面有講到係 ASD 同埋 HKHA 嗰啲 projects。

黃小姐：明白，但係我其實想問，主席，或者我簡單啲，直接啲問。

問：其實點解要咁標榜呢隻無鉛錫線呢？

答：吓？

問：點解要咁標榜呢隻無鉛錫線呢？

答：我都重新講多次，係市場要求，Housing 要求，或者其他要求，我哋先搵--呢隻無鉛錫線係喺市場已經認可，不是雋景第一間做嘅，你搞清楚。

問：明白，呢樣嘢我明白嘅，你就話--其實今朝早你就提過有另外一隻 50 力，係咪？

答：唔。

問：呢隻 50 力其實你個了解係咩嘢嚟？

答：吓？

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問：你個了解係咩嘢嚟？

答：了解係乜嘢？咪一個錫線，係錫...

問：但係入面嘅成分，你了唔了解？

答：係有鉛嘅。

主席：唔係，我而家問清楚啫。我絕對明白人哋要乜，你就畀乜呢一個道理，係咪？

答：唔，明白。

主席：好喇，我淨係想澄清幾樣嘢啫。

答：好。

主席：第一，房屋署做食水啲啲焊料，係要無鉛嘅焊料，你知道抑或不知道？

答：唔知道。

主席：建築署，都唔知道？

答：唔知。

主席：即係你嘅意思就係話你--好喇，你自己唔知道，你而家睇咗呢啲咁樣嘅資料，你同唔同意你公司其實有人知道？

答：我要問--我諗會有機會，有機會，但係我即係--有機會有。

主席：應該係喇，係咪？

答：唔。

主席：即係你睇咗之後。

答：唔。

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主席：得。

問：好喇，今朝早個提問，你嗰啱就答咗我哋 50 力嘅料入面係包含有鉛，你今朝早仲提到一樣嘢係零幾年前，啲人行內就一路用開呢隻 50 力嘅，係咪呀？

答：吓？

問：即係話零幾年前，未用“FRY”之前，啲人係咪用開呢一隻 50 力？

答：係三十年，或者呢隻產品已經係超過三十年㗎喇，呢隻產品已經，係超過三十年嘅，喺市場，呢隻產品。

問：50 力，你講緊？

答：係有鉛嘅錫線，又可能有 40 力又唔定，50 力又唔定。

問：明白。好喇，06 年前，你哋就其實係咪都係負責緊買開呢隻料嘅呢，你公司？

答：唔好意思，我聽唔清楚。

問：05、06 年前，未賣“FRY”之前，你哋係咪不鏽都係賣緊呢隻 50 力？

答：我哋有提供。

問：吓？

答：有。

問：有。因乜嘢事幹，除咗話客戶要求，即係有一日，個客戶拎呢啲咁嘅綠色嘢上嚟，就話「我要呢一隻。」你有冇問客戶「點解無揸揸用開呢隻 50 力，要突然轉綠色嗰隻呢」？

答：我有去真係去深入去了解，總之個客人話擺無鉛，我咪走去同佢搵無鉛。

問：但係在商言商，呢隻綠色，係人都知係貴啲㗎嗎，真係，嗱，呢一卷 50 個 gram 即係等於磅幾--聽完個問題先。磅幾，一磅一，另外嗰隻一條亦都係 1 磅，咁即係對比個價錢，其實係講緊四、五倍個分別㗎嗎，你唔會話入咗隻貨係賣唔出㗎嘛，你會唔會話問「點解你會用咗隻綠色嘅呢」？

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答：我如果做呢個訂貨，我都會睇下會搜--都會知道個市場有冇需要，如果有需要，我哋都會去做。

問：即係市場有需要？

答：係。

問：乜嘢市場有需要？

答：係市場就係市場囉，即係呢個我哋做--即係叫做工程也好，我唔知咩嘢市場，總之係個市場。

問：你啲同事--即係做 sales 嗰啲喇當然，會唔會話了解下呢，即係入啲貨嗰陣時候，了解下呢兩隻嘢嘅分別，如果唔係，佢點賣出去畀人呢？

答：當然有分別咗，已經卷裝同埋條裝，有寫住無鉛同理 50 力扁錫已經係兩個名。

問：你員工會唔會了解下入面啲成分、個分別喺邊度、點解貴咁多咁樣？

答：當然睇到一樣嘢，價錢已經代表已經係有分別。

問：但係你啲員工，你知唔知...

答：我諗員工都唔會咁去理會咁多呢啲問題，我諗員工。

問：你自己知嘅，定係你而家代表緊公司講？

答：我哋知道係有鉛。

問：好喇，你畀個公司--你份口供其實都講到呢兩隻料嘅分別嘅，你啲同--你就夾咗落你份口供紙度，我帶一帶你去睇睇。

答：聽唔到你講乜，其實有時真係聽...

問：唔緊要，睇番...

答：可能你太細聲，唔好意思

問：我想同你睇一睇嗰兩隻--你賣緊嗰兩隻料，因為喺你個口供紙入面，第一隻料就當然係無鉛嗰隻，S1 24 頁，即係你份口供夾住嘅。

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答：我聽唔到，我聽耳機可能好啲，我驚大聲咗，我戴咗耳機就。

問：唔該。入面就提到 99C 綠色呢卷嘢係話--講到明係可以飲得嘅，即係話係無鉛，可以畀人飲嘅，然後你就再夾另外一款，就係 DKL 個隻，DKL 個隻就 S1 46 頁，如果我哋睇 S1 46 頁，你下面睇一睇附加資料個度，如果碌落去 15 底個度，嗰個有個“Additional Information”，即係附加資料，就講得好清楚話鉛可能會傷害你個健康，同埋亦都話有啲立例就已經唔畀用㗎喇，即係喺一啲飲用食水嘅地方係唔畀用呢隻料㗎喇，就算掂到，都要用番規洗手，好喇，你唔睇啫，你員工會唔會睇？

答：仲有問題一樣，我都話咗呢啲焊料佢有機會唔係一定燒喺食水，我都提供兩種產品佢選擇，即係佢選擇用乜嘢就由佢決定，...

問：明白。

答：...唔係我決定，掉番轉，佢知道係用喺咩嘢位置或者知道係用喺--甚至無可能唔係燒落去或者塞個窿又唔定，貪佢軟性，我自己估計，有機會當一個鉛。以前沙鐵喉攞嚟做「濶」鉛，攞嚟做駁口亦都唔出奇。

問：但係我哋今朝早都提及到好多常識嘅問題，係咪？

答：唔。

問：而你哋賣呢隻貨品其實唔係單只呢個物品，其實賣親呢隻無鉛係通常同嗰隻黃色罐一齊賣嘅，我見你哋嗰啲章程都講呢樣嘢，即係話大家要一齊賣，賣親呢隻 Powerflux 黃色個罐，就一定要竊住呢隻黃色嘢㗎喇，你哋係想咁樣做嘅，係咪呀？

答：唔係，不是，事關呢隻“FRY”個松香膏，以我所知，係一個清潔劑㗎嘅，係事關銅喉有機會有油，其他我--即係我問番水喉佬點解一齊用，佢就話番畀我聽呢隻係清潔劑㗎嘅，基本上清潔個銅嘅表面，令佢接合得好啲，係比鉛用--錫--咩嘢錫用--燒錫用嘅，即係唔好理佢 50 力扁錫又好，無鉛錫線又好，都要加呢隻嘢落去，係咁簡單，一種叫做清潔劑，當係，一齊用嘅。

問：好喇，今朝你就提到你就覺得如果有啲水喉承判商走嚟問你買嘢，你覺得正常就會賣呢隻卷狀嘅畀佢哋，如果佢哋唔係，就會首先問對方要乜，就確實問清楚，先至畀嘅，就話你啲同事就會自動波咁問嘅？

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答：你錯，你聽咗我的嘢。

問：其實你個講法係點？

答：其實個客人要卷、條，係尊重客人，佢要乜嘢，我就畀乜嘢，唔係我去話畀佢聽用乜嘢，唔好意思，我係建築材料，唔該。

問：唔係，我唔係將個責任畀你，周生，我想搞清楚究竟其實--了解下件事，因為真係而家件事發生咗，我哋想了解下究竟邊--係咪有咩嘢改進地方，唔係話想將個責任針對你。所以我淨係想了解點解你話正常係要用卷裝，即係點解你的同事會咁樣即係同嗰啲水喉分判商講正常都要用卷裝嘅，你今朝早就有講過呢樣嘢。

答：我有講過正常用卷裝，我有講過。

主席：我有聽過。

答：我有講過呢件事。

問：我其實寫就係...

答：冇，完全係冇答呢個問題，唔好意思。

問：我哋睇番謄本喇遲啲。

答：好，唔緊要。

問：好喇，個客人要乜，你就畀乜，譬如喺一啲情況，你係知道一啲分判商係上咗呢隻物料係“FRY”嗰隻無鉛嘅，而...

主席：呢啲我哋咪已經探討過，探討過嗰啲唔好重複，係咪？

黃小姐：好。

答：責無旁貸，最緊要。

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問：另外我就想問，莫海光其實同你啲關係係點嘍？

答：客人同...

問：熟唔熟㗎大家？

答：唔係好熟。

問：莫海光訂貨嗰陣時係同你直接訂咗，定係經你啲同事訂？

答：經我啲同事。

問：有冇同你直接訂過？

答：好少。

問：如果佢訂嗰陣時，佢點同你講？點樣落 order？

答：呢啲我同事同--講嘅嘢，我唔喺在場，我答你唔到。

問：你自己呢？

答：佢好少搵我。

問：好少，但係都有，係咪？

答：唔多。

問：佢同你講嗰陣時，佢講乜呢？

答：佢咪話落錫...

問：佢落咩嘢？

答：錫條。

問：錫條？

答：係。

問：譬如佢落錫條嗰陣時，你係知道佢做水喉工程嘅，係咪呀？

答：我都重新講過，我唔知佢燒喺邊度，地盤咁大，燒喺邊個位置，我哋

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唔可以理會他。

問：明白，呢樣嘢我知嘅。

答：知道，咁 okay 喇。

問：莫先生就有啲指控，我就想--今朝早就同你探討過第 29 段佢個口供所講，我就想畀你睇一睇佢另外一段嘅，就係 M1 17 頁第 33 段。

答：好，唔該。

問：好喇，佢就喺 33 段嗰度尾嗰度就提及到雋景職員 Ben 事後就問--多次打電話畀你哋雋景同埋和興，亦都追問賣畀佢哋嗰啲焊料有冇含鉛，雋景嘅職員 Ben 同埋和興嘅呂先生「初時也表示不知道，後來在本人再三追問下，雋景的職員 Ben 告知本人，雋景向其供應商查詢後，才知道涉事」嘅錫條含鉛量為 50 per cent，好喇，你同唔同意呢個講法呀？

主席：同唔同意乜嘢講法？

問：同唔同意你職員方面係曾經收過...

主席：佢知唔知先喇。

黃小姐：好。

問：你知唔知？阿 Ben 有冇同你講過？

答：我印象唔記得。

問：呢件事爆咗出嚟嗰陣時當然收到好多電話，係咪？

答：唔，唔。

問：你啲員工有冇話大家坐低傾一傾「嘩，咁大件事，係咪要 check 下究竟賣咗啲咩嘢畀人？」有冇咁嘅動作？

答：有探討過，亦都將來點樣去做嘢。

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問：探討嗰陣時候，啲員工有冇同你講話「我哋賣咗隻出去，係原來有鉛
嚟。」有冇咁同你傾過？

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答：我哋冇，即係...

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問：係咪--你所知，你啲員工係幾時先開始知道錫條係含鉛量為 50 per
cent，你知唔知？

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答：應該佢哋應該...

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問：一早知？

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答：有部分會知。

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問：阿 Ben 會唔會知？

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答：我諗會知嘅。

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問：幾時知咁佢？

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答：嘩，呢個我諗佢都幾耐嚟喇，我諗就賣--訂貨嗰陣時都應該都知嚟喇，
正常。

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問：所以呢度你就答唔到我哋究竟有冇收過一個咁嘅電話，係咪？

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答：唔。

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問：從莫海光，係咪？

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答：我諗佢亦都--你既然咁，呢個莫先生？

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答：問番阿 Ben 我同事，係問佢幾多--含鉛幾多，係咪？

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問：係。

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答：好簡單一樣嘢，我哋送貨落去畀莫海光先生，地盤有--我哋有寫住「有
鉛」嚟嘛，本身個箱，已經解答到呢個問題，第一。第二，我個同事
阿 Ben 點解咁遲覆你，希望--佢想了解清楚先畀番個答案佢，我估計。

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問：呢個唔係我哋嘅證人，係莫海光先生。

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答：即係我解釋畀你聽有咁嘅理由，即係會點解咁遲答番你。

問：明白。第二樣嘢，莫先生今朝早都其實有問過呢個 topic 㗎喇，其實，佢就話佢就同你訂係訂咗有鉛嘅，冇貨先至訂咗無鉛嘅，但係佢其實口供上面都有補充過少少嘢嘅，或者我讀畀你聽，睇下你同唔同意。

答：唔，你講。

問：佢就話不鏽都訂開呢隻嘅，佢就話到有一次就冇貨，暫時冇貨，要隔幾日先有，佢就話「而家等住用，太多工人停咗工，好犀利㗎啲人工。」於是莫海光就話睇下有啲乜嘢嘢可以代替到錫條，可以拎過嚟，跟住就話啲供應商，就包括你，咁就跟住拎過嚟，就喺電話度講。你所理解，你知唔知道有冇呢件事發生過呢？

答：我已經答咗問題，今朝已經話我哋唔會建議佢轉，點解呢？一來個價錢一個問題，二來，市面上亦都有賣呢隻產品，我已經答咗㗎喇，今朝。

問：明白。

答：好。

問：莫先生其實係知道呢隻綠色卷狀同埋錫條都有得賣嘅，係咪？

答：係。

問：你所理解，其實你識咗佢幾多年？

答：你咁樣問我，我諗超過五年至六年啫。

問：講緊唔係而家開始數，係嗰陣時 2013 年。

答：你講--咁上下喇。

問：即係 2013 年對上數？

答：我都唔記得咗，有啲嘢，太耐，係咪呀？

問：係。你所理解，就係點解你會識得佢嘅？

主席：呢啲有咩嘢問題，有咩嘢關係呢？

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答：我好奇怪。

黃小姐：我想睇下佢係咪經人介紹定係點樣。

主席：唔該，下一個 topic。

黃小姐：好。

問：我就想問埋莫先生同你訂貨時，有冇同你報價？

答：我哋本身有個價目表，佢應該知道。

問：佢有冇...

答：有問價錢，有個價目表。

問：你有畀個價目表佢？

答：我哋都係跟番個價目表個價錢報畀佢啫，正常。

問：但係你肯定有畀個價目表佢，係咪呀？

答：我唔肯定有冇，總之你話有冇--知唔知個價錢，佢應該要知，佢事關佢找錢畀我哋啲嘛，佢要貨到畀錢啲嘛。

問：明白。最後一樣嘢，莫生就提及到同你訂貨就好麻煩嘅，就話就好繁複，次次都要用現金找數。

答：係。

問：係有呢樣嘢？

答：係。

問：如果話要--我見你有啲都可以六十日賒貨嘅，嗰啲係咪適用於其他人咩，定係點？

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答：係。

問：係適用於咩嘢人？

答：適用同佢有個--譬如佢做咗一段時間，或者佢經常性有來往嘅，咪可以做到呢樣嘢囉。

問：好喇，我就想再問埋你，周生，有份關於元州嘅，你個口供第 12 段就提及到--第 12 段，P1 15 頁，有個表度就睇到元州邨就有個 lead-free solder wire 嘅，我就想問一問...

答：第幾頁？

問：第 15 頁，P1 15 頁。

答：15 頁，係，請講。

問：就睇到你係寫住呢一度係冇個星喺度嘅，我就想帶一帶你去睇你--即係呢度會唔會係因為你係睇咗一份文件係 S1 60 頁？Sorry，應該 S1 57 頁先。

答：係。

問：你係咪睇咗呢一份，所以就覺得係--即係整咗嗰個表出嚟呢？

答：唔係，你睇到佢有張 PO 㗎。

問：係，好喇，...

答：喺下面有寫住--你哋明合有張 PO 㗎嘛。

問：明白，但係我仲想畀你睇跟住有一張單係 S1 嘅 60 頁。

答：60 頁，好，請講。

問：如果睇番發票，其實係有訂過英國“FRY”無鉛㗎嘞，呢個莫海光。

答：佢有擺，就畀佢囉，我講咗好多次。

問：明白，我知道呢樣嘢，只不過你個表度，...

答：吓？聽唔到。

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問：...你個表頭先第 12 段嗰度就有個星 mark 住話係有買過無鉛，呢度想問你會唔會係搞錯咗啫？

答：哦，呢個可能同事睇漏咗都唔定嘅，你講嗰個無鉛錫線佢之前元州邨有擺過，係咪呀？

問：唔。

答：我同事有冇打落去，我睇下先，第幾--呢個可能打漏咗。

問：係呀，但係你如果睇番個送貨地址係元州，佢擺錯咗位，似乎。

答：元州？

問：係呀，你睇番 S1 60 個送貨地址係元州街嘅。

答：佢有機會...

主席：個表唔係一定啱嘅，S1 裏面啲啲。

答：唔係，即係...

主席：唔係，我哋明。

黃小姐：主席，完成覆問--唔該，完成盤問。

周先生：主席閣下，我方冇補問。

主席：唔該，周先生，畀完證供，可以走得，唔該晒。

答：麻煩晒，唔該晒你哋，唔該晒。

主席：跟住仲有冇證人？仲有冇證人？

許偉強先生：和興。

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主席：或者我哋啱十分鐘先，唔該。

下午 3 時 38 分聆訊押後

下午 3 時 56 分恢復聆訊

出席人士如前。

主席：下一位和興，係咪呀？Mr Lam？

林顯昭先生：係，主席，我代表和興嘅代表律師。

主席：好。

林顯昭先生：而家傳召和興嘅呂衍焄先生作供。

主席：好。請過嚟呢邊，呂先生。

和興製品廠（“和興”）的證人：呂衍焄（焊接物料供應商（和興合夥人））
以本地話宣誓作供

林顯昭先生：主席，早前呂先生就係做咗一份英文嘅證人口供，唔好意思，
主席，我係唔知道佢係邊一個文件夾嘅咩嘢編號。

主席：T1，T1。

林顯昭先生：同埋個頁數，我係唔清楚嘅，唔好意思。

主席：第 8 頁。

林顯昭先生：我就會喺呢度讀出。

主席：好。

林顯昭先生：用英文讀出佢個口供嘅。

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WITNESS STATEMENT OF LUI HIN LUN

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I, LUI HIN LUN (呂衍舜), of Rooms 240-241, Kwai On Industrial Building, Nos.103-113 Tai Lin Pai Road, Kwai Chung, New Territories, Hong Kong, do solemnly sincerely and truly give evidence as follows:

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1. I am one of the two partners trading under the business name of "Wo Hing Manufacturing Company" or "和興製品廠" (hereinafter referred to "Wo Hing"). The other partner Lui Man Chak Tonie (呂文澤), is a silence non-executive partner who has no knowledge of the day to day running of the business of Wo Hing. I am duly authorized to make this witness statement on behalf of Wo Hing in response to the request by the Commission of Inquiry into Excess Lead Found in Drinking Water ("the Commission") appointed by the Chief Executive in Council under section 2 of the Commission of Inquiry Ordinance (Cap.86) ("the Ordinance") on 13th August 2015 pursuant to section 4(1) of the Ordinance.

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2. Unless otherwise specifically stated, the evidence I am about to give in this witness statement are true and correct to the best of my knowledge information and belief or based on documents within my possession.

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3. In this witness statement, I shall adopt the abbreviations and terminologies used in the letter dated 2nd November 2015 issued by Messrs. Lo & Lo on behalf of the Commission.

4. Wo Hing is a trading company and part of its business is related to the trading of metal (五金). Soldering materials are also traded.

5. With regard to soldering materials Wo Hing sells the following types:

(a) stainless steel welding rods (不銹鋼焊枝);

林顯昭先生：“(b) tin soldering stripes” -- it’s a typing error, I’m sorry, it should be “strips”.，「錫條/錫絲」...

主席：High temperature, high temperature。

林顯昭先生：High -- I’m sorry, 主席，唔好意思，因為我諗我...

主席：你嗰份係咪唔同我哋嗰份？

林顯昭先生：係，我擺錯咗一份，係，係應該--唔好意思。

(b) high temperature tin soldering strips (高溫錫條/錫絲);

(c) lead free tin soldering threads (無鉛錫線);

(d) phosphorus alloy soldering stripes (銀焊枝).

6. According to the records of Wo Hing, we have not supplied any soldering materials to any of the Involved Estates except possibly NTK Estate and SKM Estate. The reason for saying the above is that according to the records of Wo Hing, various

quantities of materials (including soldering materials) were sold and delivered to constructions sites at Ngau Tau Kok and Shek Kip Mei (further explained below), but we have no knowledge of whether such materials were used for the NTK Estate or SKM Estate. Further, we have no knowledge of how the soldering materials were intended for and how they were used, thus we are unable to confirm whether the soldering materials so sold were for the purpose of jointing the pipes in the fresh water plumbing systems in NTK Estate and/or SKM Estate

7. During the period between 2011 and 2012, Wo Hing did supply various metal goods on a number of occasions to one Mr. Mok Hoi Kwong (莫海光) (hereinafter referred to as "Mr. Mok") to be delivered to two construction sites in Ngau Tau Kok and Shek Kip Mei.

8. I was informed by our clerk, Ms. Lau Lai Ha (艷麗霞) (hereinafter referred to as "our Ms. Lau") and verily believe that on each of the said occasions Mr. Mok would telephone our Ms. Lau, to place orders for goods. The unit price would be quoted and agreed and our Ms. Lau would record the particulars of the order in our Order Book contemporaneously stating the following:

- (a) date of order;
- (b) identity of the customer, and customer reference (if any);
- (c) the description of the goods so ordered and quantities;
- (d) agreed unit price;
- (e) date of delivery and place of delivery;
- (f) other relevant remarks.

9. Copies of the relevant pages of the Order Book are

- marked as "LHL-1" and attached hereto.
10. Thereafter our Ms. Lau would check whether we had the necessary goods in storage, and if not she would immediately place orders for purchase from our suppliers.
11. On the date of delivery, Wo Hing would issue an invoice to be delivered together with the ordered goods to the place of delivery to Mr. Mok. Either Mr. Mok or his representative would sign and return a copy of such invoice acknowledging receipt of the invoice and goods.
12. Copies of the relevant invoices are marked as "LHL-2" and attached hereto.
13. As seen from LHL-1 and LHL2, part of the goods sold by Wo Hing to Mr. Mok were various quantities of high temperature thin solder stripes (namely "幼錫條(高溫)" or "高溫幼錫條") and No.12 welding rods (namely "#12 號不銹鋼焊枝").
14. Wo Hing obtained the supply of the said high temperature thin solder stripes from one Tak Hing Cheung (Shing Kee) Metal Ltd. ("THC"). Copies of relevant invoices issued by THC are marked as "LHL-3" and attached hereto. The solder stripes supplied were "50% 幼錫絲" or "50% 幼錫條" The said "50%" percentage is a description of the amount of lead contained in the soldering material. It is my understanding that the higher the percentage of lead content in the soldering material, the higher would be the temperature tolerance or melting point of the soldering material.
15. Wo Hing obtained the supply of the No. 12 welding roads from one Ever United Metal Co., Ltd. ("EUM"). Copies of relevant invoices issued by EUM are marked as "LHL-4" and attached hereto.

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16. The unit price of the said materials fluctuated from time to time depend on the market.

Dated this 23rd day of November 2015.

林顯昭先生： Signed by Mr Lui and interpreted by me.
Thereafter are the attachments of the witness statement. 主席，我讀完喇。

主席：係。

林顯昭先生主問

問：請呂先生，你是否確認呢一份證人口供裏面嘅內容...

主席：採納作為你今次呢一個調查委員會嘅證供呀？

林顯昭先生：係，會否，多謝主席。

問：會否採納呢份證人口供作為你今次調查嘅證供？

答：確認。

主席：Okay。

林顯昭先生：冇其他問題，主席。

主席：冇其他問題，好呀。

林顯昭先生：Okay。

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許偉強先生盤問

問：呂生，我想問一問你，就係幾時成立和興？

答：哎吔，呢樣嘢呀？應該係 92 年。

問：92 年嘅？

答：如果我有記錯嘅話。

問：好，好，唔該。一路到而家都係供應啲有關五金嘅材料嘅？

答：係呀，建築材料。

問：好，我想問下你同莫海光認識咗幾耐？

答：超過十年㗎喇。

問：超過十年？

答：係。

問：呢十年佢都有同你訂貨嘅？

答：好濕碎，唔係話成日有，耐唔中。

問：耐唔中？

答：係。

問：想問下你，何標記有冇同你訂過貨？

答：冇。

問：冇？

答：冇。

問：金日工程呢，有冇？

答：都有。

問：都有？

B

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答：係。

C

D

問：例如莫海光同你訂貨嘅時候，你會唔會知道例如佢訂嗰啲貨係擺嚟做一啲房署有關啲公屋嘅工程？

D

E

答：都知嘅。

E

F

問：知道嘅。就住公屋嗰啲工程，你知唔知道例如房署佢例如一啲物料、用嘅材料咁，即係包括焊料，係需要要批嗰啲辦，先至確實邊啲辦可以用，呢樣嘢你知唔知？

F

G

G

H

答：唔知。

H

I

問：唔知道。我睇一睇你嘅證人口供就第 10 頁嗰度第 5 段就講出話和興就買幾種唔同嘅焊料嘅。

I

J

答：係。

J

K

問：我就第一同埋最後嗰樣暫且我哋唔使討論住，淨係講中間嗰兩樣先，好唔好呀？

K

L

答：唔，唔，唔。

L

M

問：首先就係個高溫錫條或者叫做錫絲，另外就無鉛錫線，首先我哋講一講無鉛錫線，好唔好呀？

M

N

答：唔。

N

O

問：無鉛錫線，呂生，我想問一問你，就係幾時第一次接觸到呢個無鉛錫線？

O

P

答：接觸就接觸咗好耐。

P

Q

問：好耐？

Q

R

答：係。

R

S

問：都有超過十年？

S

T

答：有，應該有。

T

U

問：有，係咪呀？

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答：係。

問：當時係喺咩嘢情況下知道有呢一隻焊料？

答：因為有啲做工程嘅，都成日接觸到嘅，呢啲嘢就。

問：做工程，成日接觸到，係啲工人同你傾咩，定係話即係有人係問你話想買呢隻定係點？

答：有人想問我--問我囉，問我咪--買邊隻，我咪搵邊隻囉。

問：即係佢哋當時就直情同你講得好清楚就係無鉛錫線咁嘅？

答：唔係，錫線，淨係無鉛--係錫線。

問：錫線，錫線，有冇講無鉛㗎？

答：都有。

問：都有嘅？

答：因為行內錫線多數係指係無鉛嘅，一卷裝，幾多卷，要幾多卷啲多數係講無鉛㗎喇，即係响行內嚟講就。

問：明白，明白，所以以你所知，如果嗰個名...

答：就知道...

問：...叫做錫線，通常個認--...

答：認知。

問：...我哋個認識都係講緊無鉛嘅，係咪呀？

答：係喇，係喇，因為佢要講話幾多卷咁咩，卷裝。

問：好，明白。所以即係你呢一隻綠色一卷卷啲，即係都見過好耐㗎喇呵？即係十幾年前都有見過第一次，係咪呀？

答：見過，見過。

問：見過㗎喇？

B

B

C

答：見過。

C

D

問：好喇，如果我哋講緊嗰隻高溫錫條...

D

E

主席：唔好，賣幾多隻，無鉛錫線，你賣幾多隻？

E

F

答：就一隻之嘛。

F

G

主席：一隻之嘛，係咪呀？

G

H

答：係，就一隻。

H

I

主席：賣幾多錢？

I

J

答：哎吔，賣幾多錢？

J

K

主席：係。

K

L

答：即係一個市價嚟嘅嗎，嗰個市價浮動嚟嘅嗎，應該百零釐一卷喇，我覺得。

L

M

主席：吓？唔記...

M

N

答：百零釐一卷喇。

N

O

主席：百零釐，唔記得幾多喇？

O

P

答：呢個唔記得喇。

P

Q

答：因為我哋係唔係話做好多呢啲，我哋做好少嘅咋其實。

Q

R

R

S

問：高溫錫條同埋錫絲有幾多隻牌子，你賣嘅？

S

T

答：我哋只係賣一款嘢嘅咋嗎，我唔知有幾多，我淨係...

T

U

問：淨係一款嘅啫？

U

V

V

B

B

C

答：淨係賣一款嘢。

C

D

問：因為你呈交界委員會就有呈交過呢一隻扁啲嘅，呢個就係你所講嘅高溫錫條，係咪呀？

D

E

答：係，係，係。

E

F

問：你點樣知道佢係高溫？

F

G

答：因為我哋個客人就嗌我哋搵高溫，其實我都唔識嘅。

G

H

問：你唔識嘅？

H

I

答：咁話搵高溫，我咪同佢搵囉，我搵到，個供應商話呢隻係㗎喇，我咪就係話「點解會係呢？」佢話50個per cent就係叫做高溫㗎喇，佢話含鉛量越高，就個熔點就越高，所以就叫做高溫，就呢隻叫做高溫。

I

J

J

K

問：即係佢話含鉛量就越高...

K

L

答：個熔點就越高。

L

M

問：...就熔點就越高？

M

N

答：係，咁就...

N

O

問：呢個係個...

O

P

答：個供應商同我講嘅。

P

Q

問：供應商同你講嘅？

Q

R

答：係呀，佢話呢隻就係高溫喇咁囉。

R

問：哦，咁樣。咁即係話你嘅認知就係例如如果我哋將呢隻高溫錫條同呢個無鉛錫線嚟到比較，嗰個熔點，以你嚟睇，係邊個高啲？

S

答：呢個我有考究，唔知喎。

S

T

問：唔知道，係咪呀？

T

U

答：唔知喎。

U

V

V

B

B

C

問：即係冇話比較過，係咪呀？

C

D

答：冇，冇，唔。

D

E

問：但係就客人話要搵高溫錫條，你就去啲供應商嗰度問下何謂高溫咁樣，就叫佢哋搵一隻出嚟？

E

F

答：係。

F

G

問：一路就係畀呢隻你喇咁？

G

H

答：係喇，係。

H

I

問：你就知道綠色嗰隻就係無鉛喇？

I

J

問：高溫呢隻錫條、錫絲咁，知唔知佢係含鉛嘅？

J

K

答：知。

K

L

問：知道含鉛嘅？

L

M

答：知，知。

M

N

問：即係你鉛--我哋嚟講，即係我哋而家大家都知，鉛對身體有害呢樣嘢，你一路係咪都知道？

N

O

答：知。

O

P

問：知道嘅？

P

Q

答：係。

Q

R

問：就住呢兩種物料嚟講先，無鉛錫線同埋呢個高溫錫條，一般嘅用途，呢兩隻物料都會擺嚟做水喉焊接工程，呢樣嘢你知唔知？

R

S

答：咁唔係話單一嘅，好多都要用到佢嘅，唔係單一嘅。

S

T

問：我哋首先講下水喉先，其中一個主要嘅用途係做水喉嘅，呢樣嘢你同意嘛？

T

U

答：都唔係主要，佢有--即係可以做佢。

U

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問：可以做，可以做食水喉？

答：係，可以做，係。

問：你話有啲其他用途嘅，你知道有啲咩嘢用途？

答：譬如冷氣機嘅焊接等等，冷氣機盤嘅--即係盛水盤嗰啲都可以用得佢，都用到佢。

問：冷氣機，冷氣...

答：即係你冷氣機嘅接駁喉嗰啲都會用佢。

問：呢個你係點知番嚟㗎？

答：呢個係普通常識嚟嘅啫。

問：常識，好。用邊隻，冷氣機用高溫吖，定係用嗰隻無鉛呀？

答：兩隻都得啱，...

問：係咪呀？

答：...我相信。

問：呢兩隻嚟講，高溫同埋無鉛，如果講以價錢同埋個成本嚟講，邊隻嘅利潤會多啲？

答：無鉛嘅利潤會高啲。

問：無鉛嘅利潤會高啲嘅？

答：唔，唔，唔。

問：高幾多嘍，同嗰隻比較？

答：一般我哋做貿易買賣都係維持到十零、二十個 per cent 咁上下，即係咁你就--我照咁計上去，即係買賣。

問：即係你講嗰個利潤大概十幾個 per cent 嘅？

答：即係嗰個毛利，係，就毛利。

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問：唔係，我係問你話如果無鉛錫線同埋個高溫錫條喺利潤方面爭幾多個 per cent 嘅？

答：你咪照--都係一樣之嘛，你照加落去，嗰個無鉛就十零個 per cent，有鉛十零個 per cent，嗰個價錢越高，個 per cent 就越多，應該係咁計。

問：好，你呢個鉛水事件之前，有冇話聽過做水喉工程就要用無鉛呢樣嘢，有冇聽過？

答：冇聽過。

問：冇聽過。你喺你嘅證人口供都提過，就話如果你送貨嘅話，就會畀番啲發票就係個客戶簽番咁樣嘅，係咪呀？

答：係。

問：你哋公司係冇出送貨單呀呵？

答：有出送貨單。

問：有。

答：但係一般佢唔係以公司嚟計，以個人嘅身分同我哋，我係冇送貨單嘅，一定係發票。

問：唔係好，明，點樣公司、個人話？

答：即係我哋登記，因為佢莫海光先生，唔係話佢公司，我唔知佢公司叫咩嘢名，所以我都同佢私人交易嘅。

問：好，我哋睇一睇個發票，例如 32 頁咁，32 頁，例如你畀莫海光嘅發票，例如就住呢張發票，會唔會另外仲有送貨單？

答：冇，就係呢張嘅咋。

問：冇喇喇，就係呢張嘅呵？

答：係。

問：你剛才話會有發票嘅情況，有時都會有送貨單嘅，嗰啲係咩嘢情況？

答：公司對公司。

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問：公司對公司，即係你個抬頭會寫番公司嘅？

答：係，公司名對公司名，就會送貨單。

問：呢個就係你哋一向嘅做法，係咪呀？

答：係。

問：我想問下你，就係鉛水事件發生咗之後，莫海光先生有冇同你話傾過大家訂啲啲貨會唔會有問題咁樣？

答：有問過我。

問：有問過你？

答：係。

問：佢係點問你呀？

答：佢問啲「喂，你啲啲係咪有鉛㗎？」我話「係呀。」咪咁囉，因為佢要求係同我訂咁嘅嘢㗎嘛。

問：即係等陣先，佢就去問你話佢訂啲啲貨係咪有鉛嘅咁樣問你，問你知唔知？

答：唔。

問：你就答番佢，好簡單，就話「係呀，我知有鉛㗎。」跟住佢點呀？

答：就佢話「點解有鉛？」我話「你訂呢啲--係訂呢隻貨咁嘛」。

問：即係佢有冇話好似將個責任擺喺你度話「應該係要用無鉛㗎嘞，你知唔知呀？」咁呀？

答：咁又冇，咁又冇，咁又冇。

問：冇呀？

答：冇，冇，冇。

問：我哋聽番㗎，即係從其他口供度聽番㗎，就知道嗰隻無鉛嗰隻比起嗰個有鉛嗰隻就嗰個熔點係高啲嘅，即係難燒啲，難熔啲嘅，你知唔知有呢樣嘢？

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答：我唔知。

問：你唔知嘅？

答：我唔知。

問：有冇聽過 50 力呢個牌子？

答：50 力，咪而家出事咗，咪先聽過，冇出事，我...

問：之前就唔知嘅？

答：唔。

問：之前唔知嘅。你供應呢一隻，你畀我哋呢一隻嘅即係你所講嘅高溫錫條，有冇牌子㗎呢隻？

答：冇。

問：冇，知唔知喺邊度造㗎？

答：我唔知㗎。

問：吓？

答：唔知邊度造㗎。

問：賣咗幾耐呀你？

答：我哋好似係佢地盤佢同我買之--咪就係買--嗰陣時開始賣，我好少賣。

問：咪住先，呢一隻物料都係你其中一隻賣嘅焊料，係咪？

答：唔。

問：我想知道，首先就係呢一隻物料，唔好淨係講同莫海光，咁多年嚟，你做生意，賣咗幾多年嘅，呢隻物料？

答：我賣咗唔係好多年，賣咗應該七、八年嘅。

問：七、八年嘅？

答：係。

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問：除咗同莫海光供應呢隻物料之外，都有供應畀其他人嘅，係咪呀？

答：好少，有。

問：有？

答：好少。

問：都有嘅？

答：係。

問：其他啲啲好少啲啲客戶係咪都係做水喉嘍？

答：唔知喎。

問：唔知？

答：唔。

問：即係唔知佢做乜嘅，係咪呀？

答：係呀。

問：唔知。即係如果一般客戶訂呢啲咁嘅貨嘅時候，你亦都唔會特別去問話係做咩嘢用途嘅？

答：冇問嘅。

問：冇嘅，係咪呀？

答：唔。

問：但係賣咗成超過五年，都唔知呢隻喺邊度造？

答：唔知，因為大陸又有，本港又有，都唔知邊度造。

問：咪住先。

答：佢一紮紮嘍嘛。

問：你話大陸有，本地又有？

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答：係。

問：即係你都聽過有啲喺大陸生產嘅？

答：聽過。

問：係咪呀？

答：唔。

問：我睇到你嘅文件都話，就你哋唔係一盒盒送嚟嘅？

答：一紮紮嘅。

問：係一紮一紮咁樣，即係用啲咩嘢扎住呀？

答：鐵線。

問：鐵線扎住嘅，一紮紮嘅？

答：係。

問：以你嘅認識，一紮入面都應該係同一隻牌子嘅，係咪呀？即係同一個生產商嘅，會唔會話一紮入面摺埋咗幾種？

答：冇，冇，冇，同一個生產商。

問：就唔會嘅，但係你就話聽過有內地生產商，亦都有本地生產商？

答：係。

許偉強先生：我有其他問題。

黎先生：係冇牌子㗎？我想問一問。

答：冇牌子。

黎先生：你點樣去落單，同生產商攞？

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答：咪就高溫錫條囉。

黎先生：就叫做高溫錫條，佢就畀呢隻你㗎喇？

答：係。

主席：你同德興祥訂㗎嘛？

答：係，德興祥。

主席：係咪呀？

答：係，係，係。

主席：德興祥就淨係寫「幼錫絲 50」...

答：50 個 per cent 咁。

主席：50 度，50 個 per cent 幼錫絲。我想問一問你，呢度你就話你哋公司賣高溫錫條，我聽莫海光講就係佢打電話去訂嘅時候，佢淨係訂錫條嘅咋嘞，點解你畀呢一隻佢呢？

答：唔係，佢第一次訂就肯定唔係話訂錫條，係應該話高溫錫條。

主席：第一次嗰陣時？

答：高溫錫條之後，用嗰--都係呢隻喇，咁就錫條，即係都係嗌錫條，唔會話再嗌高溫錫條。

主席：得。有冇人有問題，請問？冇，走㗎囉嘞，唔好等到最後一個。

好，唔該晒，走得。

答：唔該。

主席：唔該晒。

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答：唔該你。

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林顯昭先生：主席，請容許我離庭。

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主席：好。

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林顯昭先生：感激。

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主席：得，過一個先，隨便。

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許偉強先生：主席，處理完兩個供應商嘅口供，聽日我哋會繼續就係梁偉健先生嘅口供，同埋就係仲會有黃貴雄，另外就係有位趙小姐嘅，希望聽日可以--應該可以完成到佢個...

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主席：完成晒佢哋？

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許偉強先生：係，希望係咁。

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主席：跟住呢？

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許偉強先生：跟住就星期四開始，我哋就會係處理番有關呢個房署有幾位我哋加咗嘅證人嘅。

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主席：得。

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許偉強先生：第一位就應該係有位 SC Leung 先生，Mr Leung 嘅。

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主席：呢個就係...

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許偉強先生：Assistant director。

Q

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主席：就係嗰陣時嗰個 CBSE？

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許偉強先生：就係嗰個，係喇。

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主席：係，得，好。

T

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許偉強先生：第二位就係黃比先生。

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主席：得，好。我哋聽日處理埋何標記嗰啲，先至再決定時間、進度，我哋下個星期一就係唔會有呢個聆訊嘅，下個星期一，因為黎先生有啲

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事。

許偉強先生：好。另外可能我哋亦都要考慮埋即係就住林德深先生個身體狀況，睇下幾時會再傳召佢返嚟，完成佢嗰個證供。

主席：係。

許偉強先生：不過...

主席：我想問一問在座咁多位，林德深先生，仲有幾多嘢要問呢，請問？

王先生：我大概十分鐘左右。

主席：十分鐘嘍，另外呢？

MR PENNICOTT: About ten minutes as well.

主席：十分鐘即係半個鐘頭一定完，係咪？得，好，唔該。

2016年1月19日

下午4時25分聆訊押後

Tuesday, 19 January 2016

(10.01 am)

MR LAM TAK SUM (on former oath)

CHAIRMAN: Mr Wong, please wait for a second.

Mr Lam, I understand you are not feeling well. Are you not well, Mr Lam? Can you hear me, Mr Lam? Are you not well?

WITNESS: No. I have vomited. Let's get on with it, until I have to stop and go to hospital.

CHAIRMAN: So you want to continue to give evidence, or do you want to return home to take a good rest?

WITNESS: I would like to be here as best I can, because I have already come here.

CHAIRMAN: If at any time you feel unwell, let me know; understand?

WITNESS: Yes.

CHAIRMAN: I don't know how long the questions will go. Any time, just show your hand and tell me.

Mr Wong?

Cross-examination by DR WONG (continued)

DR WONG: Mr Lam, yesterday, we were talking about the first time you saw the FRY lead-free solder wire. You said you saw it on the construction site.

I will continue with this line of questions. When you worked on the site, when was it?

A. When the pipes were being fitted.

Q. But that would only happen after the work commenced for some time?

A. The fittings started with one or two rooms.

Q. So you saw this FRY lead-free solder wire. Under what circumstances did you see it? Did you see it when you inspected the rooms?

A. I knew work was going on. I took a look.

Q. So you inspected the site, the workplace and you saw it, and then you never saw it again?

A. No.

Q. Did it occur to you that this one was the one approved by the Housing Department, the soldering material approved for use?

A. I'm not that sure. I only knew that it was the soldering material.

Q. Can you tell us which site it was: Kai Ching, Kwai Luen or what?

A. Kai Ching.

Q. Let's turn to Kwai Luen. Did you see the same solder wire again?

A. No.

Q. And you have been engaged in dozens of other sites. Did you see the same solder wire again?

A. I have no recollection, but I didn't inspect the wire at

close.

Q. Maybe I can put this to you, Mr Lam. Yesterday, you said you agreed that soldering material had to be lead-free. You knew it back in the 1990s and you also knew that some materials had been approved. So shouldn't you be responsible for checking the material on the site, to make sure that they were the approved materials?

A. I was just walking by. I could see it (coughing).

Q. Mr Lam, you said you knew there was a sample room, there were photos. The approved materials, one of them was the soldering material?

A. I only took a glance. I was not responsible for the monitoring system.

Q. Did you ascertain that it was the approved solder wire?

A. Well, there were so many things -- PVC pipes, copper pipes, valves, and so on.

Q. The sample room was there for some purpose, and that is you had to install those things approved, as shown in the room?

A. They would also indicate the locations.

Q. What about materials?

A. Yes, materials were there.

Q. The sample room was there for a purpose, to make sure you can check that workers used those materials?

A. That was not my responsibility. Another one was responsible for management.

CHAIRMAN: You are talking about the room. It was a mock-up. It was there to show the coming and going of different pipes. It's a timber mock-up. It's not just for showing the approved materials.

DR WONG: Mr Lam, you knew that a sample of soldering material was submitted for approval, and you also knew that other materials had to be submitted for approval by the Housing Department. Did you know that?

A. Yes.

Q. If you knew that other materials also had to be approved, as the plumber, shouldn't you ascertain what materials have been approved?

A. The formal approval had not been given for all.

Q. All right. After the approval was given for all, there must have been a time when you would know what had been approved?

A. I was only given the catalogues by the company.

Q. So you should have a full set of catalogues showing the materials that have been approved by the Housing Department?

A. When I submitted parts I and II of the form, yes.

Q. So you should be very concerned about this. You said that when you submitted part I and part II, you were

concerned whether the materials in the annex was
actually those used, otherwise you got points deducted?

A. They would deliver a lot of things, hundreds of
materials at a time, so I would take a look at all of
them.

Q. So it would be reasonable for you to be concerned about
the materials approved by the Housing Department?

CHAIRMAN: Why don't you reserve this for your final
address?

DR WONG: Please turn to Q/17. This is the notes of meeting
between the WSD and you.

Paragraph 3:

"Mr Lam confirmed that the relevant form, WWO46, and
the relevant material declaration form were signed and
submitted by him, but according to his recollection, he
could not confirm whether the pipes and fittings
installed at the Kai Ching Estate and Kwai Luen Estate
were installed in accordance with the contents of the
form submitted fully."

So why couldn't you be sure? Why couldn't you
confirm that? Were you not responsible for that
confirmation, for confirming that?

A. Very often, we would not have the forms with us when we
did the inspection. We would just be making sure that

it's done in accordance with the law.

Q. Let's turn to Q/25. Paragraph 3, it's your statement:

"Sanitary fittings and pipes were procured by the construction company. The valves and miscellaneous fittings were procured by Ho Biu Kee, and there was no procurement in accordance with WWO46 part I and part II, and accordingly installation was not done in accordance with that form."

When did you know that?

A. After the meeting, when they published the report, after they had published the report, I knew there were problems.

Q. So you didn't know that before you had the meeting with the WSD?

A. It was only just for a few months, but within one month we would have to install all the pipes and valves.

Q. So you didn't know whether Ho Biu Kee were doing it in accordance with the form you submitted, WWO46?

A. There was no number. How could I know what was in store? It was too long ago. I cannot remember now.

Q. All right. Please turn to Q/16. Q/15 and 16 relate to a letter dated 11 July 2015, the letter you sent to the WSD. Can you see that? Can you recognise this letter? This is addressed to TS Lam. Mr Khaw referred you to page 15. I now want you to take a look at page 16.

It's what you told WSD:

"(In English) So, please be reported that all our completed works are according to the Hong Kong Waterworks Standard requirements and being accepted by all the involved parties."

Can you see that?

If you did not know whether the pipes and materials were in conformity with the form WWO46, on what basis did you say this?

A. It was from another company. There was no brand name on the tap.

Q. So there was no basis on which you could tell the WSD this particular statement?

A. Well, that's how the letter was typed out.

Q. Mr Lam, I would like to ask you another area.

Yesterday, you talked about why you resigned. In the submission of materials, you talked about projects (A) to (H) from Tuen Mun, Tin Shui Wai to the Police Married Quarters, and you then said that the materials given by Ho Biu Kee were not in compliance with the WWO46 and a lot of warnings had been given in relation to that, and you were very worried and therefore you resigned.

A. That was one of the reasons.

Q. Yesterday, the counsel also walked you through this. Afterwards you worked at a piece rate and then you also

signed 10-odd WWO46 forms.

A. That's not the case. In fact, it was in compliance, and the site -- I mean, the approval wasn't given as soon as the concreting work began. The approval letter of the WSD had been issued first, approval had been given first, before I filled in the form. Before that, it was still the time when the sample submissions were made.

Q. And in relation to WWO46 part I and II approved, in relation to the -- in compliance or in relation to materials used, that was the reason for your resignation?

A. (Chinese spoken).

Q. My question is this: if you were so concerned about whether the materials were in compliance, after you resigned, when you worked as a piece-rate worker, wouldn't you be more concerned?

A. No. By that time, it was already known that an authorised person or architect should be asked to complete the form.

Q. My question is very simple. According to you, after you resigned, you still signed a dozen WWO46 forms, but you should also be concerned that the materials should comply with the standards before you signed the forms?

A. At first, the architects at my company completed all the work before it was passed on to me, but eventually it

was towards the last day or within just two weeks of the completion deadline.

Q. So that's your answer?

A. It was not in compliance and then we had to beg the architect to help, otherwise we wouldn't be able to do it.

Q. Okay. Moving on to another question. I would like to refer you to Q/11, your first statement.

A. (Coughing and vomiting).

CHAIRMAN: Can you carry on, Mr Lam?

A. I will try my best.

CHAIRMAN: No, don't try your best. If you don't feel well, let's not continue. Let's resume when you are well again.

Please stop giving evidence today, Mr Lam.

That's the end of Mr Lam's evidence for today.

Please go home and take a rest. We will send a letter to Mr Lam again and invite him to come again when he is better. We will adjourn now. We will contact Mr Lam later. Then whether we have another witness or not, we will decide on that later.

Mr Lam, I see that you should not continue to give your evidence, based on your condition. We will contact you to invite you to come and give evidence again, when you are well.

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B Commission of Inquiry into Excess Lead Found in Drinking Water Day 41 B

C We will adjourn now. C

(10.20 am)

D (A short adjournment) D

E (10.38 am) E

F MR CHOW: Chairman, my firm represents Prosperity. F

G Chairman, with your approval, I would like to ask G

Mr Chow Ka Ping to join us as a witness. G

H CHAIRMAN: All right. Please ask Mr Chow to come in. H

I MR CHOW KA PING (affirmed) I

J CHAIRMAN: Please take a seat. J

K Examination-in-chief by MR CHOW K

L MR CHOW: Mr Chow Ka Ping, can you hear me? In a moment, L

when you answer questions, please speak to the mic and

please speak louder. L

M Mr Chow Ka Ping, you are a director of Prosperity M

Building Materials Co Ltd? M

N A. Yes. N

O Q. Louder, please. O

P A. Yes. P

Q Q. In English, it is Prosperity Building Materials Co Ltd? P

R A. Yes. Q

S Q. You are now here as a witness, and you are now giving R

evidence to the Commission. R

T You have submitted a witness statement to the S

Commission. S

U

V

A. Yes.

Q. The date is 26 November 2015.

A. Yes.

Q. Do you have any objection if I read out your witness statement to the Commission?

A. No.

MR CHOW: May I, Chairman?

CHAIRMAN: Yes.

MR CHOW: (In English) "Witness statement of Chow Ka Ping".

Paragraph 1, "Introduction":

(Paragraphs 1 to 12 were read in English)

The table is as follows.

Estates:

(1) Un Chau Estate: there was a 50 per cent lead flat solder sticks.

(2) Ching Ho Estate: there was lead-free solder wire.

(3) Choi Fook Estate: there was 50 per cent lead flat solder sticks.

(7) Hung Hom Estate: there were lead-free solder wire, 50 per cent lead flat solder sticks and silver brazing sticks.

(8) Kai Ching Estate: there were lead-free solder wire, 50 per cent lead flat solder sticks and silver brazing sticks.

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B	Commission of Inquiry into Excess Lead Found in Drinking Water	B
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C	(9) Tung Wui Estate: there were 50 per cent lead flat solder sticks and silver brazing sticks.	C
D	(10) Wing Cheong Estate: there were 50 per cent lead flat solder sticks and silver brazing sticks.	D
E	(11) Kwai Luen Estate: there were lead-free solder wire, 50 per cent lead flat solder sticks and silver brazing sticks.	E
F	(Paragrapahs 13 to 16 were read in English)	F
G	(1) Un Chau Estate: the contact person was Ming Hop -- purchasing department.	G
H	(2) Ching Ho Estate: the contact persons were Mr Lee (Sum Kee) and Mr Mok (Wing Hing).	H
I	(3) Choi Fook Estate: the contact persons were Ming Hop -- purchasing department or Mr Siu (Hang Lee).	I
J	(7) Hung Hom Estate: the contact person was Golden Day -- purchasing department.	J
K	(8) Kai Ching Estate: the contact person was Ho Biu Kee -- purchasing department.	K
L	(9) Tung Wui Estate: the contact person was Golden Day -- purchasing department.	L
M	(10) Wing Cheong Estate: the contact person was Golden Day -- purchasing department.	M
N	(11) Kwai Luen Estate: the contact person was Ho Biu Kee -- purchasing department.	N
O	(Paragrapahs 16 to 19 were read in English)	O
P		P
Q		Q
R		R
S		S
T		T
U		U
V		V

Involved estates:

(1) Un Chau Estate: the contact persons was Ming Hop -- purchasing department; and the means of placing orders was by purchase orders.

(2) Ching Ho Estate: the contact persons were Mr Lee (Sum Kee) and Mr Mok (Wing Hing); the means of placing orders was verbally.

(3) Choi Fook Estate: the contact persons was Ming Hop -- purchasing department, and also Mr Siu (Hang Lee); the means of placing orders were purchase orders and verbally.

(7) Hung Hom Estate: the contact person was Golden Day -- purchasing department; and the means of placing orders was purchase orders.

(8) Kai Ching Estate: the contact person was Ho Biu Kee -- purchasing department; the means of placing orders was purchase orders.

(9) Tung Wui Estate: the contact person was Golden Day -- purchasing department; and the means of placing orders was purchase orders.

(10) Wing Cheong Estate: the contact person was Golden Day -- purchasing department; and the means of placing orders was purchase orders.

(11) Kwai Luen Estate: the contact person was Ho Biu Kee -- purchasing department; and the means of

C placing orders was purchase orders. C

(Paragraphs 19 to 21 were read in English)

D Involved estates: D

E (1) Un Chau Estate: appendix A. E

F (2) Ching Ho Estate: appendix B. F

(3) Choi Fook Estate: appendix C.

G (7) Hung Hom Estate: appendix D. G

H (8) Kai Ching Estate: appendix E. H

(9) Tung Wui Estate: appendix F.

I (10) Wing Cheong Estate: appendix G. I

J (11) Kwai Luen Estate: appendix H. J

(Paragraphs 21 to 27 were read in English)

K There is a statement of truth: K

L "I believe that the facts stated in this witness
statement are true and the opinion expressed in it is
M honestly held." M

N Signed by Mr Chow Ka Ping, dated the 26th day of
November 2015. N

O Mr Chow Ka Ping, I just read out your witness
statement. Can you remember it? O

Q A. Yes. Q

Q. Please speak up.

R A. Yes. R

S Q. Are you willing to submit this witness statement of
yours as your evidence-in-chief? Are you willing to do
T

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

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Excess Lead Found in Drinking Water Day 41 B

C that? C

D A. Yes. D

E MR CHOW: Chairman, I have nothing else for the E
examination-in-chief. The witness is now ready for
F other questions. F

G Cross-examination by MR KHAW G

H MR KHAW: (Chinese spoken). H

I A. This is the first time. I

J Q. Mr Chow, I represent the Commission. I have some J
I questions for you. First, I would like to ascertain I
J some background information. First, with regard to J
K Prosperity Building Materials Co Ltd, did you set this K
L up yourself? L

M A. Yes. M

N Q. When? N

O A. 1998. O

P Q. What was your work before then? P

Q A. Before then? Q

R Q. Before you set up Prosperity. R

S A. I have had a number of jobs. S

T Q. Were you involved in plumbing works? T

U A. You mean working on the site? No, no, not at all. U

V Q. Were you involved in plumbing works in any way? V

A. No. A

Q. Did you work in the construction industry? Q

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

B Commission of Inquiry into Excess Lead Found in Drinking Water Day 41 **B**

C A. No. **C**

D Q. What did you do? **D**

E A. I'm a salesperson. **E**

F Q. In what field? **F**

G A. I was responsible for sorting goods, warehouse work. **G**

H Q. What did you sell? **H**

I A. Plastic pipes for drainage works. **I**

J Q. Apart from you, you are the boss, who is also involved? **J**

K A. My wife. **K**

L Q. So both of you are directors? **L**

M A. Yes. **M**

N Q. And both of you are shareholders? **N**

O A. Yes. **O**

P Q. How many people are there in your company? **P**

Q A. More than 10. I can't remember whether it's 14 or 15. **Q**

R 10-plus. Or 16. **R**

S Q. How many employees -- let me finish -- how many **S**

T employees of yours are responsible for dealing with your **T**

U clients or with purchase orders? **U**

V A. I think it would be at least six to eight employees **V**

dealing with orders.

Q Q. What about sorting the goods? **Q**

R A. No. They were not involved in dealing with orders. **R**

S Q. Are you saying that those sorting materials are not **S**

responsible for orders?

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A. No, they wouldn't be involved.

Q. Prosperity is in the business of supplying hardware items?

A. Yes.

Q. There are hardware items for fresh water systems and other systems --

A. I'm not sure.

Q. What do you mean?

A. Please repeat your question.

Q. The materials you supply would be those used for water pipes, drinking water pipes?

A. Yes, I believe so.

Q. You have been in this business for more than 20 years?

A. We are general supplier.

Q. I'm not saying what ultimate use the materials are put to. Don't think about that part first. I'm talking about the materials that you sell, that you supply, would include materials for use in drinking water plumbing systems?

A. Yes.

Q. We can see some information on the materials that you supplied. How many companies in Hong Kong, Kowloon and NT would sell such materials?

A. Well, you can find these materials in each and every hardware shop. I would say more than 80 per cent of the

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 41	
C	shops selling hardware would sell these.	C
D	Q. So 80 per cent of the hardware stores in Hong Kong would be selling the materials that you supply?	D
E	A. Yes.	E
F	Q. You started in 1998, 17 years?	F
G	A. 18 years.	G
H	Q. And you have been involved in many Housing Department projects?	H
I	A. Yes.	I
J	Q. Can you remember that in respect of Housing Department, how many projects have you been involved in?	J
K	A. I can't tell you the figure. I can't remember.	K
L	Q. But quite many?	L
M	A. Yes, I would say so. I don't know whether you would call that "many" because we are not the only one supplying the materials.	M
N	Q. More than 20?	N
O	A. I don't know. I have to check.	O
P	Q. We know that you have business dealings with some of the plumbing companies. I can now tell you the names.	P
Q	First of all, Ho Biu Kee; "yes" or "no"?	Q
R	A. Yes.	R
S	Q. Golden Day?	S
T	A. Yes.	T
U	Q. Hang Lee?	U
V		V

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

B Commission of Inquiry into Excess Lead Found in Drinking Water Day 41 B

C A. Yes. C

D Q. Wing Hing? D

E A. Yes. E

F Q. So here's my question: how long have you been dealing F
G with Ho Biu Kee? G

H A. I set up my company in 1998. It would be more than ten H
I years. I

J Q. Mr Ho Man Piu said he knew you a long time ago, before J
K you set up Prosperity. You were colleagues, former K
L colleagues? L

M A. No, no, not at all. M

N Q. How did you come to know him? N

O A. I was working on a warehouse, plastic factory. I was O
P a worker responsible for sorting materials. P

Q Q. So Ho Biu Kee has been dealing with you for more than Q
R ten years? R

S A. Certainly. S

T Q. So you have a record of more than ten years dealing with T
U Ho Biu Kee. Would they be placing orders with you U
V personally? V

Q A. Yes, maybe, but sometimes they would send the order to Q
R my colleagues. We have many different products. If it R
S is an urgent factor, we have a list of parts, a price S
T list, so we can entertain urgent orders. T

U Q. Sometimes it will be you, sometimes it will be your U
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employees?

A. Usually not me.

Q. When Ho Biu Kee placed an order with you, who from

Ho Biu Kee would be doing that?

A. They had a high turnover rate for some period. I cannot remember who was involved.

Q. So you have no recollection at all?

A. So many things happened. I cannot possibly remember -- Ms Chiu, but for those before her, I cannot remember.

Q. You can remember Ms Chiu?

A. Yes.

Q. Chan Siu Wah?

A. I think he was the one dealing with Kai Ching Estate.

Q. The foreman; right?

A. Yes.

Q. So did he place orders with you?

A. There were contacts. We are basically supplying brackets. There are different sizes. Sometimes the design changed and I had to talk to him over the consequential changes.

Q. So you have to talk about the brackets?

A. Well, mainly we were in the business of providing brackets.

Q. As for Chan Siu Wah, did he place orders with your company?

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B	Commission of Inquiry into Excess Lead Found in Drinking Water	B
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C	A. No, he must have definitely gone through the purchasing department.	C
D	Q. What about Golden Day?	D
E	A. Roughly the same time as Mr Ho, ten-odd years.	E
F	Q. So for Golden Day, the staff would place orders with you. Do you remember what staff; Ms Lam, Ms Mok?	F
G	A. Yes, basically these two.	G
H	Q. What about Mr Siu Kin Wong from Hang Lee?	H
I	A. Yes, I know him, not very well.	I
J	Q. Business dealings for how long?	J
K	A. Not very long.	K
L	Q. Several years?	L
M	A. Definitely.	M
N	Q. Over five years?	N
O	A. More or less. May not be as long as five years.	O
P	Q. So he would also personally place orders with your company?	P
Q	A. Yes.	Q
R	Q. Wing Hing, Mr Mok Hoi Kwong, you knew him as well?	R
S	A. Yes.	S
T	Q. Also more than five years of business dealings?	T
U	A. Yes.	U
V	Q. And he also personally placed orders with you?	V
	A. Yes.	
	Q. Thank you.	

A. You are welcome.

Q. I mentioned a number of companies, which are subcontractors of plumbing installation; you are clear about that, right?

A. Yes.

Q. So my question is this. Let's narrow down the scope of discussion. What we are discussing is solder materials. So my question is this: when was the first time you came across lead-free solder? When did you first become aware of it?

A. I really cannot recall. I believe 2000 and something. I don't remember when.

Q. Let's say in general you have learned about this for ten years?

A. I believe so.

Q. We are now in 2016.

A. Yes.

Q. Under what circumstances were you aware of lead-free solder?

A. First of all, you must understand the reason why my company was incorporated. The client requested some materials, so we looked for the materials, we sourced some materials on request of clients. We don't have stock ready for sale. We source materials on the request of clients.

Q. Mr Chow, please focus your attention to my question. My question is very simple: under what circumstances did you first come across lead-free solder?

A. That is on the request of clients, that we look for this type of solder.

Q. Do you remember which client?

A. There are lots of subcontractors out there. I really cannot recall.

Q. So, on the customer's request, you were to provide lead-free solder wire?

A. No. The request was that it must come in reels.

Q. This one? (Indicating). Wait a minute. The customer said they request solder in reels like this? Were you shown this one?

A. Possibly, but I cannot remember.

Q. So, when the customer requested for a sample to be provided or for you to source the solder, what work were they engaged in?

A. We would not ask specifically what works. We would only source the materials based on the customer's request.

Q. Whether you did the sourcing on your own or on a customer's request, you would rely on the supplier's recommendation, as far as materials were concerned?

A. Right.

Q. So you did contact sales of the suppliers of materials,

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right, and discuss the materials?

A. Yes, discuss, but not in detail.

Q. All right. So at least some discussions?

A. Right.

Q. So my question is this. Let's say if a salesperson said this, "Mr Chow, let's discuss this solder", would the salesperson show you this? (Indicating).

A. No.

Q. No?

A. No.

Q. So nothing would be shown? So the first time when you saw this green reel, which we now understand to be FRY lead-free solder wire, when was it?

A. I believe more than ten years ago.

Q. So can I put it this way: you just told me that a client requested you to say, "Hey, look for this one", and then you did the sourcing, so there must be a way for you to source the material and saw it for the first time. So was it supplied by the salesperson on the first occasion?

A. No. We went out to ask about where this was available. We asked around in the trade.

Q. Sorry, wait a minute. You said you would go out and ask yourselves -- ask who?

A. Suppliers of the product.

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Q. So you knew the supplier of this product?

A. Yes.

Q. And you asked how you could source it?

A. Yes, a simple question.

Q. And then the supplier showed you?

A. No, by placing orders.

Q. My question is this. You asked where you could get
this, and he showed you; right?

A. Basically -- well, I don't recall whether I have seen it
or not.

CHAIRMAN: Mr Chow, can you sit a bit to that side. Lean
closer to that side (indicating Mr Chow's right),
please. Thank you.

MR KHAW: What we really want to know is this: when you
first saw the lead-free solder material in green reels,
we would like to know when, the first time you saw it,
who showed you?

A. I don't remember.

Q. You said that you asked suppliers?

A. Yes, I approached the suppliers.

Q. Could it be suppliers who showed you this?

A. Well, the customer showed me, and then I approached the
suppliers.

CHAIRMAN: And then you placed orders with the supplier.

MR KHAW: So you now recall that it was the customer who

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C showed you? Because earlier you said you didn't remember. C

D A. Yes, it was the client who showed me and then D

E I approached the supplier, in my recollection, but I'm E

F not quite sure because of lapse of time. Apologies. F

G Q. So you took this to the supplier? G

H A. No, I approached the supplier. H

I Q. So when you approached the supplier, what was your I

J description of the materials you were looking for? J

K A. Because the materials were already available in the K

L market, and when I could find the telephone number of L

M a supplier, I would place the orders with the supplier. M

N Q. My question, once again, is this: when you approached N

O the supplier, what did you tell the supplier? What O

P materials did you want? P

Q A. The UK lead-free solder wire. Yes. Q

R Q. Which supplier was that? R

S A. If I remember correctly, it was Tak Kin. S

T CHAIRMAN: How to write it? T

U A. I'm sorry, I couldn't write it. I have limited U

V education, as a warehouse worker. V

MR KHAW: I'm not asking for the English name but in Chinese

you know it's Tak Kin?

A. Yes, that's in my recollection.

Q. So Tak, T-A-K, and Kin, K-I-N, that's the

transliteration.

So at the time you told Tak Kin that you wanted this solder, did you specify that it should be lead-free?

A. I already told the supplier that it should be this one.

Q. The brand FRY?

A. Yes.

Q. And when you first came across the material, subsequently, did you have the chance to read the specification of the material?

A. First of all, I don't understand English. Second of all, I did not read it seriously.

Q. So, when you first came across this green reel of FRY solder (indicating), did you at the same time come across this Powerflux, this yellow can of Powerflux? (Indicating).

A. Yes, together.

Q. So, to your knowledge, were the two to be used at the same time?

A. Yes. The plumbing workers told me.

Q. Under what circumstances would you discuss with the workers that the two were to be used together? Under what circumstances did the plumbing workers tell you that the two should be used together?

A. At the time of placing orders, I was told that the two should be used together.

Q. It happened more than ten years ago; right?

A. I really cannot remember now.

Q. We just want to understand the general picture.

So do you know, in relation to this brand, FRY
(indicating), there are two types of solder materials,
leaded and lead-free, and we understand that for this
one in green (indicating), it's lead-free.

Is there another kind in yellow which is leaded?

A. Yes, I know now.

Q. When did you know?

A. Well, normally, the product is available in the market,
but after the incident happened, I came to know that the
product is indeed available in the market, but we hadn't
ordered it before.

Q. For the record, although I understand that you can't
read English, I would still like to refer you to
a product specification. That's B15.2, page 38811.

A. Yes.

Q. Let me explain this to you. There are two words,
"solder wire", and here, the description is this:

"Both lead-free and leaded wire ..."

So first of all, this is in relation to the brand
FRY, the relevant plumbing products, and you can see the
word "FRY" here.

A. Yes, I only know this one.

Q. Never mind. We also have pictures in the paper.

But let's focus on solder wire. It says here that for easy identification, green reel equals lead-free, yellow equals leaded.

So my question just now was on this. You said you only knew recently that in fact FRY also produced leaded solder wire. So how recently did you have this knowledge?

A. Just after the lead in water incident happened.

Q. Under what circumstances did you realise that?

A. When our company reviewed in greater detail the situation -- I mean, I had to get a better understanding, so then I knew about that. I had never seen the yellow reels before, never. So I checked the details and I discovered that.

Q. So who told you that in fact FRY also produced leaded solder?

A. I mean, when I checked more carefully once again, be it the catalogue or something else, when I asked someone, I learned more about it.

Q. But the catalogue is in English, so did you read it yourself or did you ask your staff to read it for you?

A. I have some colleagues who understand English, so I asked them to read.

Q. So, after reading the catalogue, your colleagues then

told you, "Hey, boss, in fact FRY also produces leaded solder"; right?

A. I don't recall but I believe it's contained in the information.

Q. So who told you?

A. I cannot recall clearly. I cannot remember.

Q. So, when people said "FRY", before the incident, that is, you would have said that this is the only one, and you knew it was lead-free.

Is this correct, if I say that in plumbing works, this one (indicating green reel) should be used?

A. No, I didn't know.

Q. You had so many clients who are plumbing contractors who have been placing orders with you.

Did you know that they were ordering the materials for the drinking water plumbing works?

A. I didn't know.

Q. You didn't know.

CHAIRMAN: Please repeat your question.

MR KHAW: You had so many clients who were in the business of contracting work of plumbing works, and they place orders with you for these green reels of product.

Didn't it occur to you that the materials would be used for drinking water plumbing works?

A. I didn't know.

CHAIRMAN: I have a question. Of course, you have many different clients. Some clients, you may not know the nature of business of those clients of yours. I can understand that. Let's say Ho Biu Kee, which is carrying out a lot of government projects and Housing Department projects, if suddenly you receive a call from Ho Biu Kee, let's say the caller says, "I want something lead-free", you will not know exactly what use it is. But if he asks for something lead-free, you have been selling lead-free solder wire for years, so you may infer or you might imagine or believe that the lead-free solder wire would be used for drinking water plumbing?

A. It could be for watering plants, it could be for a drinking water system.

CHAIRMAN: Yes, of course. There are all kinds of possibilities. You did submit brochures and the material to Ho Biu Kee for onward submission to the Housing Department, and the description would start by saying, "This is for the drinking water system".

A. Well, it's in English. I don't really understand what it is.

CHAIRMAN: I am talking about the literature, the brochure, the documents; right? You are a distributor for 3M, you sell a lot of 3M products, I suppose?

A. I sell only one or two products of theirs, one or two,

not all.

CHAIRMAN: Okay. Never mind. Let's continue. If

Ho Biu Kee asked you for soldering material, you would not guess the actual purpose or actual use. But if they order soldering material in green reel, chances are it's for drinking water plumbing system.

A. (Nodded head).

CHAIRMAN: Or it can be a order for non-lead-free soldering material, it will be for watering plants, for the car park or whatever. So please just be direct in your answer.

MR KHAW: If we look at things in more detail, when you supplied materials to a client, you would not ask the purpose for which it is used. But generally speaking, you have known for more than ten years that this one can be for drinking water plumbing?

A. Let me repeat -- how should I put it?

CHAIRMAN: If it's for watering plants, there is nothing you can do about it; is that not the case?

A. There is no way I can control the use to which it is put. Sorry, this is my first time doing this.

CHAIRMAN: But would you be saying that it's more likely that it's used for drinking water plumbing than for watering plants? Don't think that we are only interested in very sophisticated ideas or that we are

laying traps for you.

MR KHAW: Let's not talk about whether you have any control or say over how the client used the material you gave them.

CHAIRMAN: Well, it's in your witness statement. You have told us, you have told the Commission, you have been informed that there is nothing -- civil proceedings or criminal proceedings, and so on and so forth.

A. Well, there's a lot of pressure.

CHAIRMAN: Yes, but be that as it may, tell us what you know. If you tell us what you know, it will take a lot of the pressure away.

A. Thank you.

MR KHAW: You cannot control how your client used the material. You have known this material's nature or use for more than ten years. It's lead-free solder wire. So I have a simple question.

You know that this solder material, solder wire, can be used in drinking water plumbing works; you do know that?

A. Yes.

Q. If you look at some of the brochures of your company -- B15.2, page 38828. This is a brochure of your company, Prosperity's brochure. It's a list of projects your company was involved in.

A. Yes.

Q. There's no dispute about that; right?

A. Well, we were the supplier.

Q. Yes, yes.

CHAIRMAN: Your company supplied the materials in these projects.

MR KHAW: It's entitled, "FRY Powerflux and lead-free solder wire".

A. Yes.

Q. And it's pointed out that for the HKHA and ASD projects are relevant, and there are some examples. Please take a look at page 38828 and the list of projects.

So this is a brochure serving as an introduction to the FRY Powerflux and lead-free solder wire, and also, in that brochure, you mention the HA projects.

So you did know that the flux and the lead-free solder wire can be used in HA projects and that the Housing Department would approve the use of such materials?

A. Yes.

Q. When did you know for the first time that approval from the Housing Department for this material would be given?

A. I cannot remember. It's sometime after 2000, 2000-something.

Q. So, roughly speaking, ten years ago?

A. Roughly speaking, yes.

COMMISSIONER LAI: If you look at this brochure, it was produced in 2006. So you, back in 2006, knew this material. It's dated December 2006. So in 2006 you knew this, that FRY and related materials had been used in those projects?

A. Yes, more than ten years, if you ask me.

MR KHAW: So the first time you knew that the Housing Department would approve FRY and other materials, it will be more than ten years ago?

A. Yes, if you refer to this brochure.

Q. For Housing Department projects, when it comes to soldering material, for the last ten years, you knew that this green reel would be suitable for HA projects? (Indicating).

A. I don't know.

CHAIRMAN: Please repeat your question.

MR KHAW: Do you know that this was the only soldering material, the green one (indicating), which would be suitable for HA projects?

A. I guess there were other products suitable for their projects.

Q. For this green reel solder wire (indicating), apart from this one, what others would be suitable for HA projects?

A. I cannot remember, but I would say that I knew there

C were alternatives; there were other products. C

D Q. So, for the brochures produced by your company, you D
E would not recommend or mention other soldering materials E
F for HA projects? F

G A. No. I was only interested in selling this particular G
H soldering material. H

I Q. UK 50 per cent lead solder wire, when did you start to I
J sell it? J

K A. It was just a name by which the material was called. It K
L has been around for many years. L

M Q. So more than ten years? M

N A. More than ten years. N

O CHAIRMAN: How many years? O

P A. I would say more than 30 years. P

Q CHAIRMAN: It has been around for more than 30 years. Q

R MR KHAW: When did you come across this 50 per cent lead R
S material for the first time? S

T A. A client wanted to purchase it. T

U CHAIRMAN: When you were an employee? U

V A. No, after I have set up my company, and it was produced V
in Hong Kong and sometimes on the mainland. It is not
a brand name. It's just a product name.

CHAIRMAN: I didn't understand.

A. We were just talking about the product being
manufactured in the UK.

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

B Commission of Inquiry into Excess Lead Found in Drinking Water Day 41 B

C MR KHAW: So there were UK-produced ones and there were C
non-UK produced ones?

D A. Some were produced in Hong Kong. D

E CHAIRMAN: Before you set up Prosperity, you already knew E
that?

F A. Yes. F

G COMMISSIONER LAI: What's the country of origin of the G
product that you are selling?

H A. UK. H

I COMMISSIONER LAI: Over the years, all along? I

J A. When I set up with my business, some were produced in J
Hong Kong, but after that they were produced in the UK.

K MR KHAW: When you started to sell this 50 per cent lead -- K

L A. You know, it was a way of trying to describe something L
in English by calling it "50 lik" or 50 per cent lead.

M Q. What were your clients doing? What projects were they M
doing?

N A. I didn't try to ascertain. I only supplied what they N
asked me to supply.

O Q. So, coming back to the Housing Department's projects, O
have you ever heard of 50D solder strips being approved

P by the Housing Department in its projects? P

Q A. No, I didn't. Q

R Q. So you have never heard of that? R

S A. No. S

T

U

V

Q. I would like to explore further the names with you.

Please read page 15 of your witness statement, in S1.

Page 15, paragraph 11.

In paragraph 11, you said that your company supplied three different types of soldering materials to the involved estates.

My question is this. First of all, you have lead-free solder wire in English, and then in Chinese the equivalent, lead-free solder wire. Then the next one, "50 per cent lead flat solder sticks", and in Chinese, "'50 lik' flat solder strips"; and then (c), silver brazing sticks.

So we are only going to talk about lead-free solder wire and 50 per cent lead strips or sticks at the moment.

Lead-free solder wire first. For this brand, FRY (indicating), is that the proper brand name, lead-free solder wire?

CHAIRMAN: What is meant by "the proper brand name"? Is it what the trade calls it?

A. Yes.

MR KHAW: That's the supplier calls it by this name?

A. Yes, the supplier as well as workers, they usually referred to the materials as that, so I just put it down accordingly.

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

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C Q. So they would say "lead-free solder wire"? C

D A. Not necessarily. Sometimes "high-temperature solder D
wire". You know the site workers call the materials by
E different names. E

F Q. So for high-temperature solder, to your knowledge -- F

G A. I learned that through discussing with others. G

H Q. Right. So do you agree that when we talk about solder H
wire, be it high-temperature and low-temperature ones,
I when we talk about solder wire, it's actually lead-free? I

J A. Yes, that's my understanding. J

K Q. When we talk about solder strips or solder sticks, it's K
leaded? K

L A. Right. L

M Q. So if I may show you this, strips or sticks in silver M
colour (indicating). M

N A. Yes. It comes in strips. N

O Q. So if we say solder wire, it's lead-free; if it's solder O
strip or sticks like this, usually it's lead-free. O

P A. Yes. P

Q Q. So that's your common knowledge, that usually, if it P
comes in strips, usually it's lead-free, whereas for solder
R wire, it's lead-free. R

S A. Yes. S

T Q. So you as a supplier, if somebody told you that they T
wanted solder sticks or solder strips, you would supply T

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A. Yes.

Q. Unless the customer specified solder wire, you would then provide this solder wire in a reel?

A. Yes.

Q. Let's look at page 98.

A. Yes. Sorry. 97, 98 -- I don't have 98, just 97.

Oh, sorry, yes, 98. Found it.

Q. If you look at page 98, this is Golden Day Engineering, a purchase order, relating to your company. Here, it says some plastic materials, plastic sheets --

A. Yes.

Q. -- 200, and then high-temperature solder strips.

A. (Chinese spoken).

Q. Let me finish my question first.

A. Sorry. I jumped the gun.

Q. Just now, I asked you about this. When we referred to solder strips or solder sticks, then your understanding is that it is 50 per cent leaded ones, and here it says "high-temperature solder sticks or strips", so first of all it's not solder wire. So what's your understanding of this description, high-temperature solder strips or stick?

A. I learned from workers in the trade that there was high-temperature solder wire in reels, and I would call

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to confirm the product required in the order. Then I would also check whether previous orders also stated high-temperature, or was it just this purchase order. Then we would ask the client whether this was the type required.

As I understand, usually at the site they would ask for the one in reels.

Q. So you mean to say that every time when somebody put down the high-temperature solder sticks, you would then wonder which type it was referring to?

A. We would believe that, normally, soldering materials in reels were requested.

Q. So let's make it clear. (Chinese spoken).

A. I would also ask the purchasing department of the other side.

Q. Let's take this step by step. Before you ask the purchasing department of the client to clarify, on reading the words "high-temperature solder sticks", I was asking you about the big differences between the solder wire and solder strip, on reading "high-temperature solder strips", wouldn't you think that it's referring to UK 50 per cent lead?

A. No, I would first check whether in previous purchase orders the words "high-temperature" were included, and I would also ask the other party what it meant.

Q. So every time when you saw "high-temperature solder strips", you would have this question mark which type was being ordered?

A. Right.

Q. Then you would ascertain the type before you supply the products to your customer?

A. Right.

Q. So you wouldn't just assume that high-temperature means FRY, this one? (Indicating).

A. No, I would ask, I would clarify it first.

Q. If we look at the delivery note on page 97, here UK FRY lead-free solder wire was delivered, according to the delivery note. So, according to you, you would have asked and ascertained the type required before you delivered the products; right?

A. Right.

Q. Who asked? Did you ask or your colleagues ask?

A. My colleagues.

Q. So your instructions to your colleagues in the company was that every time when you saw the description "high-temperature solder strips" you would have to ask the client again?

A. I didn't necessarily give this instruction every time, because every time, when the words "high-temperature" were stated, then the female staff would just take the

C initiative to ask, because the descriptions were
different from previous purchase orders.

D Q. So, in relation to this delivery note in relation to
E Golden Day -- and let's look at other delivery notes.
F The document at page 94, for example. Page 94, UK
G 50 per cent leaded flat solder strips. The relevant
purchase order is on page 84.

H A. Yes.

I Q. On page 84, instead of solder wire, solder strips are
put down.

J Page 86, again, solder strips.

K So do you mean to say that if "high-temperature" is
L also added to the description "solder strips", your
colleagues would automatically ask the customers?

M A. Yes.

N Q. So this practice of clarifying whenever the words
O "high-temperature" appeared, when did it start? When
was the first time you saw the description
"high-temperature solder sticks" in the purchase order?

P A. Well, a long time ago.

Q Q. So did you think about it, what "high-temperature solder
sticks" referred to?

R A. My understanding is lead-free solder wire.

S CHAIRMAN: I have gone through the information provided by
T your company, in relation to the packaging and technical

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C data of the materials. I understand that for solder C

D wire it's 240 degrees Celsius or so, that's the melting D

E point. For the UK 50 per cent lead, on the technical E

F data as I read it; no information on melting point. F

G A. Basically it has a lower melting point. G

H CHAIRMAN: Lower by how much, according to your H

I understanding? I

J A. I don't know for sure, but basically, if you use a gas J

K torch, you could use an LPG torch on that. K

L CHAIRMAN: On both, you mean? L

M A. Not necessarily. For the one with the higher melting M

N point, it will take longer for it to melt. For the N

O other type, however, I think it's just slightly over O

P 100 degrees Celsius. I haven't checked carefully. P

Q I just guessed. Q

R CHAIRMAN: Well, "I checked that carefully yesterday, but it R

S isn't written there"? So you don't know? S

T A. In their jargon it's called liquid solder or T

U low-temperature solder. It's called liquid solder U

V because it melts easily. V

CHAIRMAN: Right.

A. You are really in the know.

CHAIRMAN: I have another question, by the way. Which one

is more profitable?

A. What do you think?

CHAIRMAN: I think UK 50 per cent lead is more profitable.

A. No, definitely not. If you check the price -- and I did check the information in the relevant period, I just checked the information provided by my colleagues -- in 2011 and 2014, lead-free was more profitable than non-lead-free.

CHAIRMAN: You mean in terms of the volume sold? (Chinese spoken).

A. (Chinese spoken).

CHAIRMAN: I'm talking about the profit margin.

A. I don't know, but I think the leaded one. Sorry, it should be the non-leaded one.

CHAIRMAN: The lead-free one should be more profitable?

A. Because as I recall, it's \$190 versus \$95.

CHAIRMAN: So, for lead-free solder wire, our understanding is this. We read the DKL brochure. DKL also has lead-free solder wire, 99C. But you didn't import that. Why?

A. Well, FRY was readily accepted in the market. It had been in the market for many years and it was well known to plumbing workers. I did not want to introduce a new brand.

CHAIRMAN: You said, in terms of volume, you sold more lead-free than 50 per cent lead soldering material. What's the ratio?

C A. For my company, in respect of this product, it accounts
D for only a small percentage of our business turnover.

E From 2011, 2012, 2013, we sold around 8,000 reels

F a year, on average. For the leaded one, 4,000 pounds
G a year, roughly.

H CHAIRMAN: So it's roughly 2:1?

I A. Yes.

J MR KHAW: When it comes to submission of samples to be
K submitted to the main contractor for onward submission
L to the Housing Department, the contractors and
M subcontractors said they would ask you to give them
N samples.

L A. Not necessarily true.

M Q. Did they ask you for samples?

N A. Yes, but it's not as a matter of course.

O Q. When they did ask you for samples -- let me clarify the
P procedure. When they asked you for samples, would they
Q give you a list containing a number of materials, and
R then would they be tell you what kind of materials they
S would require? Would they be giving you a list of this
T kind?

R A. What list?

S Q. Let's say they would like to get ten materials or
T samples of ten materials from you. Would they be
U telling you orally one by one or would they be giving
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you a list?

A. Some companies would give us a list, some others would not.

Q. For those plumbing subcontractors that we have been talking about -- Hang Lee, Ho Biu Kee, Golden Day, Wing Hing -- when they ask you for samples of soldering material, you would give them this one? (Indicating green reel).

A. It would be done on the request of the client. They would require this.

Q. They would tell you specifically, "It's FRY lead-free solder wire, give me one"?

A. Yes, they would tell us, yes.

Q. And you also provide the samples required?

A. Yes, when required, not when they are not asked for.

Q. When they ask you for samples, they need samples, you provide samples?

A. Well, we provide samples as requested.

Q. There would be documents; if there are documents, they can provide you the documents?

A. We might be able to download the information online or it may be given to my colleagues.

Q. I know you were not involved in the submission of samples.

A. No.

Q. You were only responsible for providing the samples.

So, in respect of these plumbing contractors, when you provided the samples, would you be providing solder strips to them?

A. If requested by the client, yes.

Q. Did they ask you to provide solder strips for sample submission?

A. No.

Q. So their request, their order notwithstanding, you have been involved in HD, Housing Department, projects for years. You knew it would be correct -- let's not talk about what your clients asked for -- you knew that this one (indicating green reel) would be okay?

A. Yes.

Q. Let's turn to a paragraph of your witness statement, paragraph 7. You state that customers would not usually specify for what particular purposes the soldering materials would be used when they placed the orders.

So they won't tell you the purpose when they place the orders.

Then you continue: the soldering materials could be used for fresh water plumbing system, for human consumption or for other purposes, such as cleansing, plant watering, air-conditioning or fire services.

So the soldering materials can be used for

air-conditioning works. Who told you that? How did you know?

A. Well, copper pipes can be used in air-conditioning, so it's possible. Basically, we did not know how the soldering materials were used. We never enquired into that.

Q. Don't complicate things. You said that you knew.

A. Well, these are examples.

Q. Please let me finish my question.

A. Sorry.

Q. You knew that the soldering materials could be used for air-conditioning works. My question for you is how did you know that it could be used for air-conditioning?

You wouldn't ask your client, so how did you know that it could be used for air-conditioning?

A. It is just an example.

CHAIRMAN: It's just applying your common sense, so just answer the question.

A. Because copper pipes can be used in air-conditioning.

MR KHAW: As the chairman has said, so it's just your common sense, it can be used for air-conditioning, not that you were told that the soldering materials could be used for air-conditioning?

A. Common sense.

CHAIRMAN: There's no need to be emotional, Mr Khaw.

MR KHAW: It's also stated that the soldering materials could be used for fire services. Did someone tell you or did you just apply your common sense?

A. My common sense.

CHAIRMAN: You mean whenever there are pipes, when soldering might be required?

A. I am not in the business of engineering, so that's just my idea.

MR KHAW: So, according to your common sense, the soldering materials can be used for different purposes, including air-conditioning, fire services systems.

A. Yes.

Q. Here, are you talking about the solder wire or the solder strip, the green one or the yellow one?

A. Both.

Q. Both.

A. All soldering materials, in other words.

CHAIRMAN: Mr Chow, the flat solder stick comes with two labels, one in Chinese and I believe the other one is the original label. Is the English label already there when they are sent to you?

A. Yes.

CHAIRMAN: It states "lead-free".

A. Yes.

CHAIRMAN: What about the Chinese label?

A. You know that I'm just as literate as those workers. If it's there --

CHAIRMAN: It's stuck there to facilitate delivery and sorting. So you want to make it convenient for the workers on the site to accept your delivery?

A. Yes, also for the sorting, the worker responsible for sorting materials, because they are not well educated.

MR KHAW: Plumbing contractors such as Ho Biu Kee or Golden Day place their orders, but do you agree with what I am going to say: as a supplier, and you have been dealing with them for so many years, so you should know or you could imagine that soldering materials that they purchase would be for drinking water or fresh water plumbing works?

A. No, I cannot agree. I didn't really know that they would be used for drinking water plumbing.

Q. But at least that would be one of the main purposes; do you agree, it would be one of the main purposes?

A. You can put it like that.

Q. Let's look at some witness statements of Ho Biu Kee.

K3, page 2364. This is the witness statement of Ms Chiu from Ho Biu Kee. In answering one of the questions, let me first show you her statement. Then I have some questions for you arising from her statement.

She states, when her company -- when Ho Biu Kee told your company that they would like to get some samples ready for submission to the Housing Department for approval, Mr Kwong would tell you that the soldering material would be used for jointing the drinking water pipes in public housing estates, and that's why your company would recommend that Ho Biu Kee should use FRY lead-free solder wire, and the yellow one, the Powerflow Flux, you give them the information.

So, according to her, someone from Ho Biu Kee would ask you for samples and they would tell you the purpose of doing that. Do you agree?

A. Agree. Agree.

Q. Secondly, according to her statement, your company, upon knowing the purpose for the samples, your company would recommend you should use the green reels, lead-free reel, and not that you would only supply the samples as required?

A. We only distribute this product, so normally we recommend this one and nothing else. I won't recommend the other brand D-something, no.

Q. So according to Ms Chiu, your company would recommend that for samples to be submitted to the Housing Department -- let me finish my question. For samples to be submitted to the Housing Department, your company

would recommend to Ho Biu Kee, "Use this green one"?

Did it happen? Is it true?

A. As I have said, I would provide information on this product if they requested for it. We are one of the distributors. So we have the duty to give the information they want.

Q. My question is this. Ho Biu Kee asked you for samples. At that time, would you recommend Ho Biu Kee to use the soldering materials in reels?

A. As I said, I would suggest that this be used.

Of course, the customer might want it otherwise.

CHAIRMAN: So you would make a suggestion because you have that in stock?

A. (Chinese spoken). Yes.

MR KHAW: Let's now turn to Mr Mok Hoi Kwong's statement.

Page 15, Mr Mok Hoi Kwong's statement.

Now, Mr Mok Hoi Kwong is from Wing Hing, this company. Then paragraph 29, let me just go through this with you.

"Wing Hing, when purchasing soldering materials from Prosperity and Wo Hing, I or other colleagues would place order by phone. Under normal circumstances myself or my colleague would contact Ms Lau from Wo Hing or Ben from Prosperity."

That's one of your colleagues?

A. Right.

Q. "Under special circumstances, for example when we did not have the telephone number of Wo Hing's office or when the soldering materials were out of stock, we would contact the boss of Wo Hing, Mr Lui, directly for help. Usually, the solder strips required by Wing Hing would be 100 pounds in quantity. If the supplier did not have solder strips in stock, the supplier would suggest using the solder wire in reels as an alternative, and Wing Hing would accept that as an alternative, to prevent delay in progress. In placing orders, all that was required was to state the quantity of solder strips required and the site location over the phone. There was no need to specify the brand of solder strips, model or purpose. As Wing Hing would also place orders at the same time for other materials needed for plumbing works, suppliers usually would understand that the solder strips would be used for jointing pipes. Therefore, Wing Hing did not need to specify that, and the supplier would not ask specifically."

I would like to ask two follow-up questions on that. First of all, it says here that when placing an order for soldering materials, sometimes other materials needed for plumbing works would be ordered. So your company should know that if an order for soldering

materials was placed this way, your company should know that it would be used for jointing pipes. Do you agree?

A. No.

Q. Also, it says here that if no solder strips were available, a suggestion would be made to replace it by solder wire in reels.

First of all, my question is, did it ever happen that there was an order placed for solder strips, and if there was insufficient stock for solder strips, you would suggest substituting that with solder wire in reels?

A. No.

Q. No, never?

A. Well, I dare not say whether it never happened at all, because you are talking about two companies.

CHAIRMAN: What about two companies?

A. Wo Hing and Prosperity.

CHAIRMAN: No, we are just asking in relation to Prosperity.

Let's say if somebody places an order for solder strips and there was insufficient stock, would you say, "I will give you half solder strips and half solder wire"?

A. No, I don't suppose so. It rarely happened.

COMMISSIONER LAI: So did it ever happen at all, that is the other way around, for example, insufficient solder wire, and you supplied solder strips instead?

A. (Shook head).

CHAIRMAN: You shook your head; that means no?

A. No.

COMMISSIONER LAI: Let's say for FRY lead-free solder wire, had it ever happened before that there was insufficient stock for FRY lead-free?

A. Yes, but we would not recommend the client to use an alternative.

COMMISSIONER LAI: Did it occur frequently?

A. No.

CHAIRMAN: What about solder strips?

A. We had that in stock. Yes, there were times when there was insufficient stock, but the situation was not serious. Because that product wasn't exclusive, you could source that brand --

CHAIRMAN: Including FRY and DKL --

A. From elsewhere in the market.

CHAIRMAN: So you were just one of the distributors?

A. For the leaded one, we are not the distributor. You place an order and I could get the stock from the UK, but that was the situation before. Now, I don't know. Now, they have a sole distributor or the agent. But previously, I suppose there wasn't and you could just place an order by email. And for FRY, there are have several agents.

CHAIRMAN: So you were just one of them; not exclusive?

A. Right.

MR KHAW: You mentioned that at times there was insufficient
stock for solder strips.

A. Yes.

Q. In that case, what would happen?

A. I will let you finish.

Q. It's all right, please go on.

A. Honestly, I first of all already said we were not the
exclusive agent in the market. We would tell the client
we didn't know when the stock would be replenished and
they would decide whether to wait, or we would just tell
them when the stock would arrive, or to ask them to look
elsewhere.

Q. To ask them to look elsewhere, that means you are
suggesting that the client contact another supplier
because you did not have sufficient stock?

A. Right.

Q. So there wouldn't be a case in which there was
insufficient stock and you suggest an alternative?

A. Right.

CHAIRMAN: So you are suggesting that in fact the client
could purchase the materials from another agent, because
you were not the exclusive agent?

A. Right, because the customer wanted A, there was no

reason for me to suggest B, because the product was available currently in the market.

CHAIRMAN: Because this morning I read from the newspaper that for the UK FRY lead-free solder wire, it would definitely go out of stock if everybody wanted this type.

A. That is not true. Well, in fact FRY already had a representative in Hong Kong.

MR KHAW: Just now, you mentioned that if it was out of stock, you would tell the customer either to wait or to look elsewhere.

A. I wouldn't tell the client that. It's not for me to decide whether -- I mean it's up to the client to decide whether to look for another supplier.

Q. So was there any occasion on which the customer would invite you to suggest an alternative?

A. No.

CHAIRMAN: I see on your price list, there isn't another type.

A. No what?

CHAIRMAN: Let's look at K3, page 2354.

A. Yes.

CHAIRMAN: This is the price list of your company, containing materials related to soldering sold to plumbing subcontractors. This list is exhaustive; is

that right?

A. Where?

CHAIRMAN: For the first three, we are all clear about

these, and then silver brazing sticks or copper brazing sticks -- well, never mind about that. Stainless steel soldering sticks -- never mind about that. I think that's for jointing stainless steel pipes.

What about this electro-soldering sticks, the next two?

A. At page 2354, this is for iron soldering. This is for soldering iron.

CHAIRMAN: So, in other words, if you ran out of 50 per cent lead flat solder strips, either it's solder wire or nothing; right?

A. Right.

MR KHAW: Let's turn to bundle S1, page 57.

A. Yes.

Q. Page 57, it's your company's invoice to Ming Hop.

A. Yes.

Q. Here, in relation to the supply of items, the second entry, "UK FRY 50 per cent lead flat solder strips". Then, on page 75, similarly, another invoice to Ming Hop, in relation to Choi Fook Estate. It says here, the second entry, "UK FRY 50 per cent lead flat solder strips".

So UK FRY 50 per cent lead flat solder strips, what does it mean here? Because we just discussed it.

A. Let me go through the steps with you. We put down "UK FRY 50 per cent lead". First of all, we would place an order from Hong Kong and then we would contact FRY, and we would understand that, yes, the product was available.

CHAIRMAN: So you would order 50 per cent lead from FRY in the UK?

A. Well, yes, but eventually FRY ceased to produce that and we then turned to DKL. I don't know whether any purchase order is available, but if you want I can look for it.

CHAIRMAN: So, for item reference number, it's MFRY-WL50?

A. I can be frank with you. My company has been incorporated for so long, we deal with over 10,000 items, I don't want to use another code. We don't want to change the code. It's as simple as that.

MR KHAW: Sorry, I didn't catch you just now. You said that at the outset you understood that FRY supplied 50 per cent lead.

A. No, I said when I first purchased from FRY, it was lead-free solder wire, and then I learned that they also produced 50 per cent lead flat solder strips, so we also purchased that from FRY and then eventually FRY ceased

production of that and then we switched to another company, DKL.

Q. So for FRY 50 per cent lead solder strip, it's not an error, there was indeed this product from the same manufacturer?

A. Yes. (Chinese spoken).

Q. Let's turn to a previous point. If you run out of solder sticks or strips, you would not recommend the client to use something else. What about your employees? Would they be recommending to your client to use an alternative?

A. You say if solder strips are not available?

Q. If solder strips are not available, would your employees be recommending something?

A. Not likely, because we would know there are suppliers in the market who could provide the material, and it's more expensive to use an alternative. It's not very meaningful. If they have to use lead-free solder wire, it's more expensive.

Q. Have you ascertained this from your employees?

A. They should know.

CHAIRMAN: So you mean that if they want solder strips, you would not take the initiative to recommend something else, because it would be more expensive?

A. Right.

Q. If they want solder wire, you would not recommend something cheaper?

A. No. (Chinese spoken).

CHAIRMAN: Okay. I get that.

MR KHAW: I did ask you, when you first came across this green one (indicating), lead-free solder wire, you also came across this yellow one (indicating), the Powerflux, and you knew this flux, FRY flux, could be used for jointing drinking water pipes.

A. To be used in conjunction with the solder wire.

Q. Yes. All right. Let's look at some of the orders. S1, page 135. This is an invoice you issued to Ho Biu Kee. You supplied FRY, a big can of flux, and UK 50 per cent lead flat solder sticks.

Then let's go to page 139. Again, a big can of FRY flux and then UK 50 per cent lead flat solder sticks.

At page 140, again, a big can of flux, UK 50 per cent lead flat solder sticks.

At page 113, again, the two materials, flux, the flat solder sticks.

Pages 144, 145, again you supplied both products. So you knew that the two were to be used together.

So when a client ordered for flux product, and if they --

A. Wouldn't --

Q. Please let me finish -- and then they order for solder sticks.

CHAIRMAN: Mr Khaw, leaded and non-leaded solder material would both require the use of flux.

MR KHAW: So, if they ordered the two together, would you ask, "Why not use that one instead of this one"?

A. No.

Q. Let's turn to the next question. It's about a witness statement from Ho Bui Kee. Let's turn to another page. Page 2373. It's the statement of Ms Chiu. She stated in this statement why UK 50 per cent flat solder strips were used. It's the result of recommendation by Prosperity, she stated.

Let me finish with my question first. You know that they placed orders. Through their orders -- according to Ms Chiu, why this particular brand was used, it was because your company recommended it. Do you agree with her statement?

A. Well, I agree. If they ask for solder sticks, we provide solder sticks. If they ask for solder wire, we provide solder wire. We only provide these two relevant products.

Q. So if you see solder stick or solder strip, you would provide UK 50 per cent lead flat solder sticks to them?

A. Yes.

Q. Would you recommend to your client that for this UK 50 per cent lead flat solder sticks, there are certain advantages or merits to it? Would you be doing that?

A. No.

Q. About a previous question I put to you. When your client ordered for solder stick or solder strip, you would provide the 50 per cent lead one, and you -- I am talking about you yourself -- if you see the words solder stick or solder strip, would you be trying to find out the purpose of using it?

A. No.

Q. Let's look at the situation with certain housing estates. First, Wing Cheong Estate. It's S1, page 218, starting from page 217.

A. Yes, I can see it.

Q. For the invoices relating to Wing Cheong Estate, they are all about UK 50 per cent flat solder sticks. For Tung Wui Estate, page 205, all the orders were for 50 per cent lead flat solder sticks.

Let's look at another one. Choi Fook Estate, page 74. Can you see it?

A. 74. Yes.

Q. At that time, for these estates, you knew that when samples were submitted to the Housing Department for approval, the samples submitted were FRY lead-free

solder wire; were you aware of that?

A. No. I was not sure.

Q. For Tung Wui Estate, at the time, Golden Day Engineering were required to submit samples for approval. So you are now saying that you did not know what samples were submitted?

A. We told them that they could download the information from our website. They might or might not tell us after downloading the information.

Q. Did you provide samples to them; can you remember?

A. Might be, but they could also get a reel from the construction site for submission.

Q. What about Wing Cheong Estate? The same question.

A. I don't know.

CHAIRMAN: You cannot recall?

A. Usually, they would download the information from my company's website. The website is no longer available. Previously, the certificates and all sorts of information were available.

CHAIRMAN: But do you need to log in with a member's number?

A. No.

CHAIRMAN: So it was accessible by all?

A. They could download all the information they needed.

MR KHAW: Okay. They could download the information.

A. The certificates, as well as the information.

Q. I did ask you if the plumbing contractors were required to submit samples to the main contractor for the approval of the Housing Department, you knew that. So I think my question is, in respect of Tung Wui Estate, did you provide samples of soldering material to the contractor?

A. I cannot remember now.

Q. But for Housing Department projects, earlier you said it very clearly, your company's documents state very clearly that for Housing Department projects, what would be approved would be the one, that is FRY lead-free solder wire; agree?

A. Agree.

Q. For Tung Wui Estate -- we are talking about plumbing subcontractors, and they placed the orders with you -- all the orders were for US 50 per cent flat solder sticks. There was none for this one, this green reel, which would have been approved by the Housing Department. Were you not surprised?

A. No.

CHAIRMAN: Let's look at it this way. With hindsight, we have all the information now before us. The perception might be very different. You should ask, at that time, when these orders were placed, what happened?

Q. All right, when they placed the orders every time, it

was for 50 per cent lead flat solder sticks. None of the orders was for the materials approved by the Housing Department. Were you not curious?

A. Well, the orders were not handled by me or -- sometimes by my staff, and they could place orders for lead-free wires from another supplier.

CHAIRMAN: You mean that they could have purchased lead-free solder wire from another supplier?

A. Certainly, I could not ask them why not place similar orders with me.

MR KHAW: Did these plumbing subcontractors ever tell you that they had purchased lead-free solder wire from another supplier?

A. Yes.

Q. One which did tell you that?

A. I cannot remember now.

Q. You can't even recall which one?

A. No, I can't.

CHAIRMAN: But say for Wing Cheong Estate, for Golden Day, the order was for 275 pounds, which was a lot.

A. Right, but we really wouldn't get into how or how much they would use. We don't know how to calculate the quantities required.

COMMISSIONER LAI: However, for sample submission, it was you who provided the samples?

C A. No, not necessarily. C

D COMMISSIONER LAI: You would provide the samples for free on
D some occasions. D

E A. No. E

F CHAIRMAN: Yes. F

G A. Sample provision for free? G

H CHAIRMAN: Yes. H

I A. Yes. I

J COMMISSIONER LAI: So you would provide free samples to them
I for sample submission to the HD? I

K A. Right. K

L COMMISSIONER LAI: Then, when purchase was made, the
K purchase was for solder strips, so you provided solder
L wire for sample submission, and the customer came back
M to you and the customer bought solder strips, but it was
M you who provided samples to them for HA submission?

N A. But, as I understand, the customer could get solder wire
N from someone else. N

O COMMISSIONER LAI: So was there some sort of an agreement,
O
P to say, "I give you solder wire for sample submission
P
Q for free, and after your approval is sought, is it
Q
R possible that you would not come back to buy more from
R
me"?

S A. Well, it was okay for me whether the customer came back
S
T for more, because for this item, it was really in small
T

quantities. Even if the customer didn't come back to buy more from me -- well, we had known each other for so many years, our companies had worked together for so many years -- I wouldn't really consider that.

MR KHAW: Just now you mentioned that some plumbing subcontractor had told you that they purchased lead-free solder wire from another company. So was it the case that you gave them samples for submission and they later on purchased solder wire from another supplier in large quantities?

A. But it's a free society. I cannot control pricing matters.

Q. So, after getting samples from you, some plumbing subcontractors would purchase large quantities of the materials from another supplier, another supplier other than you. Is it just your assumption or did you hear it from others?

A. You could say that. It's partly my assumption. Some might think that our price was high and they would go for an alternative.

Q. (Chinese spoken).

CHAIRMAN: He was saying that it could be an assumption, it could be fact. Let's not talk about assumption. Did it in fact happen?

A. Yes. For Ming Hop, maybe Ming Hop used our information

for submission. It was possible.

MR KHAW: So some plumbing subcontractors might have obtained samples from you, but when actual orders were placed the subcontractor then turned to another supplier instead of you?

A. There was no problem with that.

Q. I'm not suggesting that there was a problem. I was asking roughly when was the first time you heard about that?

A. That's all along what I believe in doing business.

CHAIRMAN: That means you wouldn't care about these matters normally, you didn't mind. So are you suggesting that the clients may not return and yet you would do it anyway? But his question was when you became first aware of this situation.

A. Well, that's a tricky question and I cannot answer.

I think this is a longstanding situation in the trade. That means, when you run a business, this would happen.

MR KHAW: But this is not a problem for you?

A. No.

Q. That is --

CHAIRMAN: I think you shouldn't ask this line further.

MR KHAW: About your company's records, documents, I would like to ask the following question.

According to your witness statement, page 19 of S1,

paragraph 20, you said:

"Despite the best effort of our staff to retrieve as many documents relating to the Inquiry ..., due to the long lapse of time and removal of storage places, [the relevant records could no longer be retrieved]."

So my question is this. About the normal practice of your company in relation to documentation, such as invoices and delivery notes, how long would these documents be kept?

A. Honestly, we issue a lot of invoices every day. We have quite a lot of customers. So, as far as bookkeeping is concerned, we usually would only keep invoices up to seven years; delivery notes, just for two or three years. After two or three years, delivery notes may be discarded. For customers' records of bills or payments, they would be discarded after some time, because we don't have enough storage space.

Q. So you said that delivery notes would be kept for seven years?

A. No, only invoices.

Q. Delivery notes would be kept for a shorter period of time?

A. Yes.

Q. Why? Why did you keep invoices for seven years and not delivery notes?

A. That's for bookkeeping. That's the IRD's requirement.

Q. That's your understanding, IRD's requirement? What is the IRD's requirement?

A. To keep invoices for seven years.

Q. So that's your understanding of IRD's requirement, that only invoices should be kept for seven years but not delivery notes. So what happens after keeping delivery notes for two or three years?

A. Destroy them.

Q. Storage places, as you mention in this paragraph, what are the storage places for? For all documents?

A. They would be placed in a certain corner in the company, in boxes.

Q. That's for storing old documents?

A. Right.

Q. Old documents would include delivery notes?

A. Yes.

Q. So, for delivery notes two or three years ago, on the one hand you said that they would be destroyed, and they would also be kept?

A. As I said, they would be destroyed or discarded after two or three years. I am referring to delivery notes.

Q. And when they were kept, where would they be kept?

A. A corner in the company somewhere.

Q. In your office?

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 41	
C	A. It's possible. Also, we have a storage in the New Territories, a warehouse.	C
D	Q. Where?	D
E	A. Tong Yan Sun Village.	E
F	Q. So what happens to the warehouse now?	F
G	A. For storage.	G
H	Q. Yes, but at the time, the warehouse for keeping documents?	H
I	A. No, not in another warehouse. It's a place belonging to the company.	I
J	Q. So documents were kept in the office of your company?	J
K	A. Right, or a corner in the Yuen Long warehouse.	K
L	Q. And for the warehouse in the New Territories, nothing to do with keeping documents?	L
M	A. Not exactly. Partially.	M
N	Q. Any distinction, which documents were to be placed in the corner of the office or in the warehouse?	N
O	A. No.	O
P	Q. The warehouse is still in use?	P
Q	A. Yes.	Q
R	Q. Did you ask any colleagues to go there to look for the relevant documents?	R
S	A. Yes.	S
T	Q. When?	T
U	A. After you informed us, we proceeded with it.	U
V		V

Q. For the lead in water incident, after it was exposed in July 2015, last year, did any plumbing subcontractors, that is clients of yours, ask you to retrieve documents?

A. Yes.

CHAIRMAN: Which one?

A. I was requested to give some information. Ho Biu Kee, Golden Day -- I was requested to give information for passing on to the Commission. So I acceded to the request.

MR KHAW: So several subcontractors asked you?

A. Ho Biu Kee and Golden Day Engineering.

MR KHAW: I will move on to another area.

CHAIRMAN: So let's break for lunch and come back at 2.30, please.

WITNESS: 2.30?

CHAIRMAN: Yes.

(12.57 pm)

(The luncheon adjournment)

(2.29 am)

MR KHAW: Mr Chow, before the lunch break, I asked you about storage of your company's documents.

A. Yes.

Sorry, let me speak to the mic.

Q. Generally speaking, is it your company's practice that after the goods are delivered, you would send the

delivery notes and the relevant invoices to the buyer?

A. Yes.

Q. But you would not attach the purchase order?

A. Sometimes, yes. Some companies did require this.

Q. So you would send your invoice together with the
delivery note?

A. Yes, certainly.

Q. On the question of filing your documents, will the
invoices be placed together with the delivery notes?

A. Not necessarily.

Q. How would they be filed?

A. There would be a file holder, like this one.

Q. There's a file for invoice and there would be another
one for delivery notes; right?

A. It should be the case. Actually, I don't know the
details. I am not responsible for filing.

Q. You said the Inland Revenue Department would require
that invoices be kept for seven years, but for delivery
notes, they would be disposed of in two to three years.

Is that an established system?

A. No.

Q. Is the disposal of delivery notes in two or three years
something that your staff would do automatically?

A. No.

Q. So on what basis did you say that they would be disposed

of in two to three years?

A. If there are too many of them, too many documents, some would be disposed of.

Q. What about delivery notes? Would they be subject to a similar kind of treatment?

A. Yes.

Q. Let's look at the documents that you have sent to the Commission. Delivery notes first. Let's go to page 63.

A. Yes.

Q. UK FRY lead-free solder wire for the Fanling project.

It is dated 28 June 2008; do you see that? Let's also take a look at page 67. August 2008, a delivery note, lead-free solder wire again.

And one more, page 71, a delivery note in 2008 for lead-free solder wire.

Page 73, again, 2008, you retrieved these -- they were many, many years ago, they were about deliveries made seven years ago. Why did you keep these notes for so long?

A. There was a removal exercise in 2008. Some were destroyed, some were not. There were hundreds of boxes. So some were disposed of and some remained during the removal.

Q. When did you move?

A. In the last one or two years. I hired a summer worker

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

B Commission of Inquiry into Excess Lead Found in Drinking Water Day 41 B

C and then we disposed of some records. C

D Q. So there was the removal, there was the clearing D

E exercise one or two years ago. So it was before the E

F lead in water incident? F

G A. Yes. G

H Q. We were looking at some delivery notes. They were typed H

I by some computer program; right? With some computer I

J program. J

K A. You mean the delivery notes, those with no signature? K

L Q. Yes, name of client, items. They were computer L

M print-outs? M

N A. Yes. N

O Q. For these hard copies, or it may be stored in O

P a warehouse, they may be disposed of. Do you have P

Q a backup in your computer? Q

R A. You mean delivery notes? I have to check. I seldom pay R

S attention to these matters. Yes, if delivery notes, S

T maybe we can retrieve them. T

U Q. According to your statement, you have done your level U

V best to retrieve them. So my question is, while you did V

your best, did you ask your colleagues to try to dig out

some past records from your computer?

A. First of all, we need the signature for the delivery

note to be valid. If there's no signature, then in my

mind the delivery note is not valid.

Q. If you cannot find delivery notes with the signatures that you expect, didn't you think it would be worthwhile to find some information from your computer records?

A. It didn't occur to me. We managed to find thousands, and the warehouse was not a very good environment. The colleague did try very hard.

Q. Before the lunch break I asked this question. After the lead in water incident, some plumbing contractors asked you to give them some delivery notes and other documents, including Ho Biu Kee, Golden Day, they did ask you for past records, documents. Did you try to find the documents and have a discussion with them?

A. No. Well, I just did this on best-endeavours basis.

Q. Also, let's take it one step at time, when a plumbing contractor asked you, Mr Chow -- you are the boss -- when they asked to do something for them, now there's the Inquiry of the lead in water incident, they would like to know what products were delivered -- did you talk over with them about the matter? Did you talk to the contractors?

A. Yes, Ho Biu Kee and Golden Day, yes.

Q. At that time, did you provide something different from what you have provided to us?

A. It should be similar.

Q. So you gave some documents to the plumbing contractors,

after identifying the relevant notes for the delivery of certain products. Did you talk to Mr Ho Man Piu, proprietor of Ho Biu Kee, on whether there was something wrong with the products delivered?

A. No, not at all.

Q. What about Golden Day? Did you talk to their staff or the boss over their purchases?

A. No.

Q. Here, there are documents that you have given to the Commission. You said you have done the best. But there are only a few purchase orders. That's what you could retrieve on a best-endeavours basis. And none of the purchase orders was for the purchase of solder wire.

Let's take a look. Page 84, for example. It says "solder strip" or "solder stick".

A. Yes.

Q. Page 86, again, "solder strip" or "solder stick".

A. Yes.

Q. Let's focus on page 86. This is from Golden Day, a purchase order of Golden Day. Next to the words "solder strip" it says 55 pounds and then multiplication. Who wrote these words?

A. My colleagues. It was to facilitate sorting of materials to be delivered.

Q. Page 95. "Solder strip", and the words may be written

by your colleague, "50 per cent lead".

Let's take a look at another one. Page 98,
"high-temperature solder sticks".

I have gone over all the purchase orders that you
have provided to the Commission. What I am saying is we
do not have any purchase order with the words "solder
wire" written on them. Did you receive any order over
the years that the order was for solder wire?

A. No. There were so many orders. I cannot remember.

Q. Let's go to page 128. This is in respect of Kai Ching
Estate project. You produced a lot of documents in
respect of Kai Ching Estate. It was a big project.

If we look at this table of yours, on page 128 -- so
you have 50 per cent lead, thin solder sticks, from time
to time lead-free solder wire. Sometimes there is
an order for lead-free solder wire and 50 per cent lead
flat solder sticks. So you provided what they asked
for?

A. Correct.

Q. Let me ask you a question about 50 per cent flat solder
sticks. Let's take a look at "50 per cent flat solder
sticks", the company is DKL, the manufacturer.

Page 41 of S1. This is an introduction of DKL, and
there's a table done.

A. Yes.

Q. On the left-hand side, the fourth one from the left-hand side, you can some letters, AP, KP, R, G, H, J, and so on and so forth. Do you know, for 50 per cent lead flat solder sticks, they are actually related to number 13, F; do you know?

A. No.

Q. So you don't know where we can find the code or the number for 50 per cent lead flat solder sticks in this table?

A. No idea.

Q. All right. So, in relation to the delivery of UK 50 per cent lead strips, it came in a rectangular box like this? (Indicating).

A. Yes.

Q. So you also had seen on these boxes a label bearing your company's words, "50 per cent lead flat solder sticks", and next to it there would be another label, "DKL", another company.

I stand to be corrected, but here, there is this word "grade", and then "grade F", "grade F solder"?

A. I suppose so, if that is the case.

Q. So I reckon that it actually refers to F in this table.

A. My understanding is the same. I think so.

Q. So we just base our guesswork on these documents; right? Because I reckon that you would be more familiar with

these materials, so I am asking you to see if you agree.

So it was possible that the grade F actually referred to this one?

A. I think so.

Q. If we look at "183 to 216", next to F, is that the melting point, do you know?

A. I'm not sure.

Q. Because this document was provided by you, so I have asked you some questions. This document is about the DKL products, and I noticed that on page 46, there is a paragraph explaining clearly that the product contains lead, which is harmful to health.

Then there is an explanation on the harmful effects on humans.

So, on 50 per cent solder sticks containing lead, this morning you told us that you knew about it, so you would also have the common sense that lead would be bad for health; right?

A. No, no idea.

Q. So you don't even know that lead is harmful to health?

A. No.

Q. You have provided this document, which is a brochure given to your company by DKL about these products. You have submitted this to the Commission. But before that, did anyone explain to you what this document is about?

A. No.

Q. So, according to you, as far as leaded materials are concerned, there wouldn't be any harmful effects to human health?

A. Well, my understanding is this. We live in an era in Hong Kong where leaded pipes were used, and lead may be present in car emissions, in the atmosphere. We might have been exposed to lead and we might have excreted lead. So that's just my thought.

Q. My question is this. You just said that perhaps in air and other things, there might be presence of lead, but my question is this. According to your understanding, lead is not harmful to health at all?

A. I think there is some impact. I understand that it would gradually be discharged; it would be diluted.

Q. The lead would drop?

A. I don't know, I just read it from the reports.

Q. So generally, if there is a suggestion that lead has an impact on health, then you would agree?

A. Yes.

Q. This morning, when you answered my questions, you said that you knew the clients were plumbing subcontractors, when they approached you to order materials, and you also knew that the HD had approved the use of lead-free soldering materials. So did it ever occur to you that

there might be a problem with the subcontractor ordering
leaded soldering materials?

CHAIRMAN: I think we have been asking the same question for
the whole morning. Let's not dwell any further.

MR KHAW: Have you ever seen workers using green reels of
solder wire in actual soldering?

A. No.

Q. What about strips, solder strips; have you seen it?

A. No. I saw that on TV.

Q. But not in actual life, actual reality?

A. No.

Q. This morning, you told us that you discussed with Chan
Siu Wah of Ho Biu Kee in relation to the dimension of
brackets, because Ho Biu Kee's evidence was this. You
told Ho Man Piu that you would directly talk to site
agents. So I just want to confirm this with you.

A. To talk about the use of brackets.

Q. Pipe brackets?

A. Or time of delivery. I would talk to the site agents.

Q. So your communication with the site agents would only be
about the date and time of delivery?

A. Yes, because we need to make an appointment for the
receipt of goods.

Q. So would you call them or would you ask your colleagues
to call them?

A. My colleagues.

Q. (Chinese spoken).

A. Well, if they couldn't approach us, if they couldn't contact us, then I might call myself, but not often.

Q. So you often would call them and talk about what pipe brackets --

A. On the design of brackets, dimension, et cetera.

Q. So did you personally discuss with the site agents anything about soldering materials?

A. No.

Q. Do you remember Lung Yat Estate?

A. No, not at all.

Q. All right.

Chan Siu Wah also told us in his testimony that in relation to Kai Ching Estate, the orders he had been placing were solder strips, and he couldn't explain why eventually solder wire was supplied to him.

I now put this question to you. Chan Siu Wah said he had been ordering solder strips only. Do you agree?

A. Disagree.

Q. Another follow-up question. Before the lunch break, I asked you about Tung Wui Estate. If you look at page 205 in S1, your witness statement.

For Tung Wui Estate, all documents that you were able to retrieve showed UK 50 per cent lead flat solder

sticks. This morning I asked you, in relation to Tung Wui Estate, you supplied samples of the relevant soldering materials, with the brand FRY, whether you knew about that. Your answer was that you didn't know.

So I would refer you to the relevant document. If we look at B9.3.

A. Thank you.

Q. This is a document submitted to us by the main contractor. If we look at B9.3, page 22145.

A. Yes.

Q. This is the form prepared by the main contractor, submitted to the HD in relation to sample submission. We heard from evidence that you provided the samples.

If we look at page 22145 -- I'm going to explain the English to you in a minute, but at the bottom, "Supplier: Prosperity", that's the name of your company. Then some information following that. For example, page 22151, actually. It's a document issued by your company.

A. Yes.

Q. Your company's document, which is about FRY Powerflow Flux. Then 22148. There is a picture, as you can see, perhaps not very clearly, a picture of FRY lead-free solder wire.

Can you recall, from reading the documents, that in

relation to Tung Wui Estate, it was you who provided the FRY lead-free solder wire as a sample for submission to the HD?

A. I suppose I don't remember. As I said before, it was possible that they downloaded the information from the website.

Q. So it was possible that they downloaded the information from the website and not provided by you?

A. Well, that was also information from our company's website.

Q. So you mean to say --

A. Yes, yes, yes, information downloaded from online, sometimes we would only be told afterwards that our materials had been used.

Q. But after reading the documents in relation to sample submission, the form contained information in relation to this material supplied by your company. So, after reading the document, would you agree that it was very likely that your company provided the sample?

A. There are two possibilities. As I said, they could download the information online, they could also get the sample from the site. As I said, we are not the sole agent of this product. It's available in the market. On the internet, there is a certificate, and of course the name would be written there.

CHAIRMAN: I understand. I have accessed your company's website as well, in vain.

A. In the past, we thought we should make it convenient for everyone.

CHAIRMAN: Who is interested in asking further questions?

Cross-examination by MR O LAM

MR O LAM: I represent Shui On. I want to know more about the flow of work. Please take a look at S1, page 102. Let's start with page 103, and also page 104. If you look, we have some dates. 24 April 2013, that's the delivery date. There's also a time, and also there's a signature.

If you look at the invoice, it is also dated 24 April 2013. We don't have the purchase order.

So, when you deliver on 24 April, I believe there was the purchase order first, and then you deliver on 24 April. You also stated the time, and you would be informed by a colleague that the products were delivered, so the invoice was dated the same.

A. Right.

Q. Then, on page 104, there's a fax. I believe it was faxed to Ho Biu Kee on 25 April. Of course, we don't have the purchase order.

So, on 24 April, your colleagues received the order and then the products were delivered. It was signed on

the 24th.

CHAIRMAN: The 28th, rather, I think.

MR O LAM: 25th or 28th? Well, it was faxed on the 25th.

Did you fax the document to the site? I don't know whether the date with the signature is 25th or 28th.

A. I don't know whether it's 25th or 28th.

Q. So this, the arrangement, that's the order, and then you would deliver on the same day?

A. Sometimes, yes. Sometimes, it was urgent, and the PO would be given to us afterwards.

Q. So there would be the PO and the delivery note and then the invoice. The invoice and the delivery note would be sent to Ho Biu Kee at the same time.

A. Are you talking about just the invoice?

Q. No, delivery note.

A. We stapled the delivery note to the invoice.

Q. Let's look at page 107, a delivery note. Page 106 is an invoice dated 10 August. Do you know a person by the name of Wong Kwai Hung?

A. He's a contractor or someone in charge.

Q. He would be called the person in charge?

A. Yes.

Q. 107 and 108, both dated 10 August. So the delivery note is dated 10 August, so delivery was made on the same day. The invoice can be found on page 108.

C So can I put it like this: if you had stock for
delivery, it would be delivered on the same day?

C

D A. Yes, that could be done. D

E CHAIRMAN: You mean you just printed the document on the
F same day, not necessarily making the deliveries on the
same day? F

G MR O LAM: But you can see the signature for accepting the
H delivery, and the date. H

H A. There was an amendment.

I CHAIRMAN: There was an amendment, so there's no established
J system to speak of. But very often the delivery note
would be sent with the invoice; right? J

K A. To the accounts department of Ho Biu Kee. K

L CHAIRMAN: The delivery note and the invoice would be
addressed to different people? L

M A. They would be sent to the accountant. M

N CHAIRMAN: When you deliver products to the site, you only
attach the delivery note, no invoice? N

O A. Correct. O

P CHAIRMAN: Then you would send Ho Biu Kee's accounts
Q department a set of documents, that is the invoice plus
the delivery note? Q

R A. Yes. R

S MR O LAM: You said FRY solder wire was something that
T workers were very familiar with, so you don't want to T

T

U

V

make any changes to the code?

A. Well, it was a popular brand. It was a very common and popular brand in the market.

Q. So perhaps workers should know that FRY product is lead-free?

A. For some, yes. Some may not.

Q. You can see from the photo, the green product has a label, it's lead-free.

A. You know the one who uses it may not know. That's what I think.

MR O LAM: I don't have any further questions.

CHAIRMAN: What about Mr Chow?

Cross-examination by MS WONG

MS WONG: I have a few questions.

I represent Yau Lee Construction Co.

Mr Chow, you started Prosperity in 1998, so that was 16 to 17 years ago. Is it a well-established firm?

A. I won't say that. To big corporations, it's a small company.

Q. This morning, something was shown to you. I would like you to look at it again. B15.2, page 38924. This is one of the reference materials.

A. Please continue.

Q. Here, we can see that you were in co-operation with big construction companies. It is a work record, it is

a work reference.

A. It's not 15.2. B15.3, "Major work reference".

Q. It's called "job reference".

A. Yes.

Q. There's another one, B15.3, page 38928.

A. I see it. Yes.

Q. This is dated July 2008, and you can see the title, "Major job reference", and a list of projects that you have been involved in can be found there, and also the names of the developer, and the FRY Powerflow Flux and lead-free solder wire were used.

Is this list solely related to plumbing works?

A. No. We searched the computer. This is for the reference of our clients.

Q. But you knew this would be presented to the Housing Department?

A. No. It can be downloaded. You could present this to anyone.

Q. What did you use it for?

CHAIRMAN: It's for reference. Because your question is very focused. You compiled the list, stating who had ordered this from us, and these are the projects. You can use it for whatever purpose you see fit.

A. It's about the information that we have.

MS WONG: So, from this document, you would like to tell us,

tell people, that you have co-operated --

A. Collaborated with major construction companies?

Q. Yes.

A. (Chinese spoken).

Q. They have a purchased materials of you.

A. A small amount only.

Q. This will be the purpose of your document.

A. We just want to tell people who the major contractors
were.

Q. (Chinese spoken).

CHAIRMAN: Please ask questions. I'm not sure I know what
answers you are expecting from him.

MS WONG: This is a major job reference. It's for the
Buildings Department or for any parties. It's for the
purpose of telling people that we have provided
materials to these big developers -- well, big and
small. Of course, they just want to impress their
clients.

CHAIRMAN: That goes without saying.

MS WONG: You can see Yau Lee, and some are Housing
Department projects. They just want to highlight that
they do know something about the Housing Department's
requirement. They knew that it should be lead-free and
there were purchases made for Housing Department
projects.

C CHAIRMAN: So do you agree? C

A. Do I agree?

D CHAIRMAN: I think the question should go like this. You D

E have a list, Yau Lee, China State and the Housing E
F Department projects all listed here, so you now knew the F
G requirements of the Housing Department concerning be the G
use of soldering material. Do you agree?

A. No, no.

H CHAIRMAN: You don't agree? H

I MS WONG: Let's see another document. You said you don't I
J understand English. But you said your staff would J
understand English. Mr Ling, for example.

K Now I will invite you to read another document. K

L Page 38833. L

M This is dated 30 May 2007 from Ben Ling of your M
company to Ming Hop.

N Page 1, let's scroll down and have a look. N
O Paragraph 1 relates to a silver bracket materials. O
P Then, down there we've also put footnotes to the general P
requirements in the HKHA general descriptions, to help
Q better understand the requirements. Q

R Then the following page, if we look at (b) and (c), R
S very clearly the lead-free soldering wire provided by my S
T company does not contain lead. Then it states the T
ingredient and then it complies with which requirement U

of HA and the BS standard?

A. Yes, definitely, the FRY lead-free solder wire complies with the standards.

Q. So back in 2007, your staff was already selling or promoting this product; do you agree?

A. I agree that this is a lead-free product.

CHAIRMAN: He knows because even if the major job reference, it talks about the projects with the HA and ASD. Previously, it already stated the technical data of FRY and then the major job reference was also attached, which talks about ASD and HD projects.

MS WONG: But my question, Mr Chairman, is this. Perhaps let me put it this way.

Why did you have to emphasise that it's lead-free?

A. I reiterate that it was on the request of the market, the HD, the client -- this product was already acknowledged in the market, and it wasn't Prosperity which was the first supplier of this product.

Q. And what's your understanding of this 50 per cent lead?

A. It's a kind of solder wire.

Q. What about the ingredient?

A. It contains lead.

CHAIRMAN: Let me clarify. I absolutely understand the idea of providing items on the customer's request, but a number of clarifications are needed.

For soldering materials to be supplied in HD project for fresh water plumbing installation, you understood that it should be lead-free; right?

A. No, no idea.

CHAIRMAN: For ASD project, no idea either?

A. No.

CHAIRMAN: So you mean you personally didn't know, but now, upon reading these documents, do you agree that in fact somebody in your company knew?

A. I think probably, or possibly, but I need to -- well, possibly.

CHAIRMAN: That should be the case, right, after reading the documents?

MS WONG: This morning, you -- I mean, your previous answer was that you understood that for the UK 50 per cent lead solder strips, it contained lead. This morning, you also said that decades ago -- I mean before FRY was used back in 2000-something, the trade used to use --

A. Yes, more than 30 years. It has existed in the market for over 30 years.

Q. You are talking about 50 per cent lead?

A. Yes, but could be 40 per cent, 50 per cent, 30 per cent;

I don't know.

Q. So, in the past, did your company --

A. Sorry, I didn't catch your question.

Q. Before 2005-6, before your company sold FRY, you used to sell this 50 per cent lead?

A. Yes.

Q. So, apart from customer's request, why -- perhaps one day a customer came with this green reel in hand, stating that he would like this one -- did you ask up why all of a sudden the client would prefer this over the 50 per cent lead?

A. I didn't dwell into the reason? When a customer requested lead-free, I went for lead-free.

Q. But we're doing a business here. Say 50 per cent lead, 50 grams, that's slightly more than a pound in weight. For a solder strip, 1 pound each, it's four or five times. So why wouldn't you ask the customer why he would opt for the green reel?

A. If I were in the procurement department, I would gauge the demand in the market.

Q. Demand in the market? What does that mean?

A. Well, anyway, it's just a market. Maybe construction projects.

Q. So, about your colleagues, would they also try to understand the difference between the two, in order to sell to others?

A. Of course, these two are different. One says 50 per cent lead, the other says lead-free, the name is

different, and then the packaging is also different?

Q. But did you try to understand the difference in
ingredient and pricing?

A. The pricing difference already explained the difference.

Q. What about your staff?

A. I don't think my staff would pay so much attention into
his matters.

Q. So you personally knew?

A. I knew that one was leaded.

Q. About your witness statement, you also talked about the
difference between the two. Let me refer you to the
witness statement.

A. Really, sometimes I don't understand what you are
talking about. Perhaps your voice is just too soft.

Q. About the two materials your company sells, the first
one in your witness statement -- and I'm referring to
S1, page 24. This is attached to your statement.

Here, it says "99C lead-free solder wire", and it
says it's used for potable water supplies. It's
lead-free.

Then you also attach another type, DKL, S1, page 46.
At the bottom, "Additional information". Under
paragraph 15, "Additional information", it says clearly:

"Contains lead which may harm your health ...
Regulations forbid the use of lead solder in ...

drinking water supply system."

And one must wash hands with soap after touching the solder.

A. As I said, for the soldering materials, it's possible that the materials are not used for potable water supplies and it's up to the customer to decide which or what soldering materials to use. It's not up to me to decide. Only the customer would know where the soldering materials would be applied. Perhaps it would be used to, say, plug some holes, maybe because it has a low melting point; maybe it's used for jointing pipes.

Q. This morning, we talked about lot about common sense, and your company sold other products as well, and I could see from your brochure that whenever the solder wire is sold, you would sell the Powerflow Flux in yellow, together; that's your practice?

A. No, because for the Powerflow Flux, as I understand, it's sort of a cleansing agent. Now, I asked some plumbers, and my understanding is that it's kind of a cleaning agent, basically to clean the surface of copper for better jointing.

When using the tin solders, be it 50 per cent lead solder strips or solder wire, this kind of flux will have to be applied as a kind of cleaning agent.

Q. This morning, you said that when some plumbing

subcontractors place orders with you, you would think that they were placing orders for reels of soldering materials?

A. I think you misunderstood my answer. We respect the customer on whether they chose strips or reels.

Q. I'm not putting the blame on you, Mr Chow. I just want to make it clear, to understand this incident, after it happened, to see if there is any room for improvement. I'm not putting the blame on you.

You said normally solder wire in reels would be used. This morning, you said that your colleagues said that normally, solder wire in reels would be used.

A. I never said that. I didn't say that this morning.

I didn't say this at all. I didn't answer this question at all, I'm sorry.

Q. We can check the transcript later.

So you gave the customer whatever the customer requested?

A. Under some circumstances.

Q. You knew --

CHAIRMAN: Well, didn't we explore these questions already?

Don't repeat, please.

A. I am clear of the responsibility. That's the most important thing.

MS WONG: Another question about your relationship with

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C Mr Mok Hoi Kwong, relationship as client; are you familiar with him? C

D A. No. D

E Q. So when Mok Hoi Kwong placed order with you, did he do so directly or through your colleagues? E

F A. Through my colleagues. F

G Q. Did he order directly with you? G

H A. Rarely. H

I Q. But when he did so, what would he say? I

J A. I wasn't present when he talked to my colleagues. I can't answer you. J

K Q. What about those orders involving you? K

L A. Rarely. L

M Q. But he did approach you? M

N A. Yes, but not often. N

O Q. So what did he say to you when he placed the orders directly with you? O

P A. An order for solder strips. P

Q Q. So you knew that those were about plumbing works? Q

R A. Well, I reiterate that I have no idea where the soldering materials should be applied. It's such a big site. R

S Q. So Mr Mok had some allegations. I want to explore paragraph -- I mean, this morning, we explored paragraph 29 of your statement, and I now would like to S

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V V

turn to M1, page 17, paragraph 33.

In paragraph 33, he mentioned:

"Ben, the staff of Prosperity, rang Wo Hing to ask whether the soldering material sold to Wing Hing contained lead or not. The staff member of Prosperity, Ben, and Mr Lui of Wo Hing initially said they didn't know. However, I pursued the question, and Ben from Prosperity later informed me that after enquiring with the supplier, he knew that the solder strips contained 50 per cent lead."

So do you agree with me? Did Ben tell you?

A. I can say I don't remember.

Q. So, when this incident was exposed, of course you received a lot of phone calls and you talked to your colleagues about this incident, and what had been sold to the clients?

A. Yes, we did look into this, and also we discussed how things should be done in the future.

Q. Did your staff tell you, "We sold something that contained lead"? Did they tell you this?

A. No.

Q. But as far as you know, when did your staff know that solder strips did contain lead?

A. Some of them should know.

Q. What about Ben?

A. I think he knew.

Q. When?

A. I think a long, long time. When he was dealing with the orders, I think he knew.

Q. But you cannot ascertain whether the phone calls from Mok Hoi Kwong were received?

A. This is from Mr Mok. Mr Mok asked Ben whether lead was contained, but we delivered the products to Mok Hoi Kwong. On the box, it is marked that it contains lead. Ben wanted to ascertain things before giving an answer.

So that's the reason why the reply was given so late.

Q. You said that orders would be placed for leaded products; only if there is no stock would a lead-free product be ordered. You said that all along you placed the same order, but on one occasion there was no stock and he would have to wait for a few days, and then the workers would have nothing to do -- you know, their wages were high -- so he asked whether there was any substitute for solder strip, and then the supplier or suppliers delivered the products that he needed.

A. I answered this morning the question, whether we would make any suggestion or recommendation to switch to another product. Because the same product will be

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C available in the market. C

D Q. So Mr Mok should know that this green product, and the D

E one in reels, would be available. How long have you E

F been on familiar terms with Mr Mok? F

G A. Five or six years. G

H Q. Starting from 2003. H

I A. More or less like that. It was so long ago. I

J Q. How did you know him? J

K CHAIRMAN: What's the relevance? K

L MS WONG: Was there someone introducing him to you? L

M Did Mr Mok give you any price quotation when he M

N placed an order? N

O A. We have a price list. O

P Q. Did you give him a price list? P

Q A. Well, we gave the quotation in accordance with the one Q

R on the price list. R

S Q. Are you sure that you did give him a price list? S

T A. Well, if you ask me whether he knew, he should know. He T

U will have to settle the payment. U

V Q. And Mr Mok said that it's really troublesome, it's V

really cumbersome to buy from you, because payments will

have to be made in cash.

A. Yes.

Q. For some, you give them a 60-day credit, so it's for

other people?

A. Yes.

Q. What kinds of people?

A. Those with which we have regular dealings or we have been doing business for quite some time.

Q. I have a document for Un Chau Estate, your statement in paragraph 12. P1, page 15. There is nothing about lead-free solder wire for Un Chau Estate.

A. Which page?

Q. P1, page 15. No asterisk for Un Chau Estate here, in respect of lead-free solder wire. Is it because you have read S1, page 57? Did you read this document first and then you compiled the list?

A. That's a PO. That's a PO from Ming Hop.

Q. Yes. There's another order: S1, page 60. There is an invoice. There was an order for "UK FRY lead-free solder wire".

A. I have said this again and again; if we have stock, it will be provided.

Q. I understand. But in paragraph 12 there's no asterisk for lead-free solder wire. So you said you did not supply this.

A. Maybe there's an omission. So you are saying that there was an order for Un Chau Estate for lead-free solder wire? There may be a typo or omission.

Q. You can see the delivery address, Un Chau Street. See

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C S1, page 60. C

D CHAIRMAN: But the invoice is not 100 per cent correct. D

E MS WONG: I understand. E

F MR CHOW: Chairman, there is no re-examination. F

G CHAIRMAN: All right, Mr Chow, you may go now. G

H WITNESS: Thank you. H

I (The witness withdrew) I

J CHAIRMAN: Other witness or witnesses? Let's take J

K a ten-minute break first. K

L (3.39 pm) L

M (A short adjournment) M

N (3.56 pm) N

O CHAIRMAN: The next witness -- from Wo Hing, is it? O

P MR D LAM: Chairman, I am the counsel representing Wo Hing. P

Q I now call Mr Lui Hin Lun from Wo Hing to the stand. Q

R CHAIRMAN: Please come over here, Mr Lui. R

S MR LUI HIN LUN (affirmed) S

T CHAIRMAN: Please be seated, Mr Lui. T

U Examination-in-chief by MR D LAM U

V MR D LAM: Chairman, Mr Lui earlier prepared a witness V

statement in English. I am sorry, Chairman, I don't

know which bundle this witness statement is in.

CHAIRMAN: T1, page 8.

MR D LAM: Thank you. I am going to read out his statement

in English.

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C (Paragraphs 1 to 5 were read in English) C

D This is a typing error, I'm sorry, it should be
"strips". D

E (Chinese spoken). E

F CHAIRMAN: High-temperature. F

G MR D LAM: I'm sorry, Chairman. G

H CHAIRMAN: Is your copy different from ours? H

I MR D LAM: Sorry, I've got the wrong copy. I

J (Paragraphs 5 to 16 were read in English) J

K (In English) Signed by Mr Lui and interpreted by me. K

L Thereafter are the attachments of the witness statement. L

M (Via interpreter) Chairman, I read out the witness
statement. M

N Mr Lui, can you confirm this statement? N

O CHAIRMAN: "Adopt this as your evidence to the Commission". O

P MR D LAM: Thank you. Do you adopt this written statement
as your evidence to this hearing? P

Q A. Okay. Q

R MR D LAM: I have no other questions. R

S Cross-examination by MR KHAW S

T MR KHAW: Mr Lui, when did you start to work in Wo Hing? T

U A. In 1992, if I remember correctly. U

V Q. So you have been dealing with metal hardware. How long
have you known Mr Mok Hoi Kwong? V

A. More than ten years.

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Q. So, in the past ten years, you have been placing orders?

A. Well, from time to time. Not always.

Q. Has Ho Biu Kee placed any orders with you?

A. No.

Q. What about Golden Day?

A. No.

Q. When Mok Hoi Kwong placed an order, did you know that the material would be used for Housing Department projects?

A. Yes, I knew.

Q. For public rental housing estate projects or for HD, did you know that the materials to be used, including soldering material, would be required to go through a process of sample approval? Did you know that?

A. No.

Q. Let's look at paragraph 5 on page 10 of your statement. You said Wo Hing sells several types of soldering material. We don't need to look at the first and the last. Let's look at the two in the middle: high-temperature tin soldering strips, and lead-free tin soldering threads.

Mr Lui, when did you first come across lead-free tin soldering threads?

A. Well, a long, long time ago.

Q. More than ten years?

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A. Yes, should be.

Q. Under what circumstances did you come across this?

A. Some people doing engineering work use it frequently.

Q. Did some workers tell you or did someone want to place an order?

A. Yes, someone wanted to place an order, and they said it should be soldering threads or wire.

Q. Did they mention lead-free?

A. Yes. For people in the industry, soldering threads means it's lead-free, and it comes in reels.

Q. So if people say soldering threads or soldering wire, then you understand that is lead-free?

A. Yes, because they would be ordering in terms of number of reels.

Q. So you saw this more than ten years ago? (Indicating).

A. Yes.

CHAIRMAN: How many? How many lead-free tin soldering threads do you sell?

A. Only one type.

CHAIRMAN: And the price?

A. It's market price. More than \$100 a reel, \$100-odd a reel. We don't sell large quantities of these threads.

MR KHAW: How many brands of high-temperature tin soldering strips do you sell?

A. Just only one brand.

Q. You submitted this to the Commission. Can you see it?

(Indicating). This is the so-called high-temperature

tin soldering strips.

How do you know it's high-temperature?

A. The customer wanted something for high-temperature. I

didn't know what it was so I sourced it. The supplier

said it was, and he said 50 per cent meant it's

high-temperature. With more lead, the melting point

would be higher, so they said it was high-temperature.

Q. So you were told that the higher the content of lead,

the higher the melting point? The supplier told you

this?

A. Yes, the supplier said that this one was

high-temperature soldering strip.

Q. If we compare high-temperature tin soldering strips and

lead-free tin soldering threads, which one has the

higher melting point?

A. I don't know.

Q. So you did not make any comparison, but when your client

wanted high-temperature soldering strip, you would ask

your supplier for high-temperature soldering strip, so

you have been providing this? (Indicating).

A. Yes.

Q. So you know the green one is lead-free. Do you know

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C	that high-temperature tin soldering strips contain lead?	C
	A. Yes.	
D	Q. Lead is harmful to health. Have you been aware of that?	D
	A. Yes.	
E	Q. So, for the two materials, high-temperature tin	E
F	soldering strips and lead-free tin soldering thread,	F
G	both can be used for jointing the pipes; do you know	G
	that?	
H	A. Yes. Well, it can be used for other purposes.	H
I	Q. Let's look at plumbing first. One of the main purposes	I
J	would be for plumbing works?	J
	A. Yes, it can be used that way.	
K	Q. There are other uses. What other uses do you know?	K
L	A. For example, the welding for air-conditioning of the	L
M	pipe, the tray for holding water. So air-conditioners	M
	and the pipes used in air-conditioners.	
N	Q. How do you know?	N
	A. It's just common sense.	
O	Q. (Chinese spoken)?	O
P	A. (Chinese spoken).	P
Q	Q. For the high-temperature one and the lead-free one, in	Q
R	terms of price or cost, which one will give you a higher	R
	profit margin?	
S	A. The lead-free one.	S
T	Q. The lead-free?	T
U		U
V		V

A. Yes.

Q. By how much? Higher by how much?

A. Usually, we get a margin of 10 to 20 per cent in the trading.

Q. So you are referring to the profit margin, some 10 per cent. So for lead-free solder threads and high-temperature solder strips, what's the difference in the profit margins?

A. You just do the same calculation, just top up the cost by 10 per cent or so. That's the higher the cost, the higher the profit margin.

Q. Before the lead in water incident, have you ever heard that lead-free soldering material should be used?

A. No.

Q. In your witness statement, you mentioned that invoices would be given to customers for delivery of goods for signature. Doesn't your company have delivery notes?

A. Yes, but for customers who ordered with us in the capacity of an individual, we wouldn't issue delivery notes, such as Mok Hoi Kwong.

Q. Let's take a look at delivery notes. Page 32, an invoice to Mok Hoi Kwong. Would there be a delivery note separate from this invoice?

A. No.

Q. Just now you mentioned that sometimes you had the

invoice as well as a delivery note. In what
circumstances? When it's business-to-business?

A. Yes, there would be the business, the company's name.

Q. And that's your usual practice?

A. Yes.

Q. After the lead in water incident, did Mr Mok Hoi Kwong
discuss with you whether there were problems with the
goods ordered?

A. Yes, he did ask me. He asked whether it contained lead
and I said yes, because that was his request and his
order.

Q. Wait a minute. He asked you whether the goods he
ordered contained lead, he asked whether you knew, and
you answered simply that, "Yes, I know it contained
lead". And then what?

A. And he asked why, and then I said that was the goods he
ordered.

Q. So was he putting the blame on you, that lead-free
material should be used?

A. No, he didn't do that.

Q. According to other witnesses, we understand that for the
lead-free one, comparing to the leaded one, the melting
point is higher, so it's harder to melt. Do you know
about that?

A. No.

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Q. Have you heard of the brand "50 per cent lead"?

A. That's the questionable soldering material. But before that, I hadn't heard about it.

Q. So about these high-temperature solder strips, what's the brand?

A. No brand.

Q. So what's the country of origin?

A. No idea.

Q. How long have you bought it?

A. I didn't buy this often. It was when there was an order from a customer that I began to buy it.

Q. Let's not talk about Mr Mok Hoi Kwong. You have been in the business for many years. For how many years had you been selling this material?

A. Not very long. Seven or eight years.

Q. Apart from supplying the material to Mr Mok Hoi Kwong, did you supply to others?

A. Yes, but rarely.

Q. For other customers, were they also in the plumbing business?

A. No idea.

Q. So usually, when customers place orders for such materials, you wouldn't specifically ask about the purpose?

A. I wouldn't.

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

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C Q. So, after selling the products for over five years, you still had no idea the country of origin? C

D A. Right, because they came in bundles or reels, and some D

E may be manufactured in the mainland or in China. E

F Q. So you heard about those manufactured in China? F

F A. Yes. F

G Q. According to your statement, the goods would come in, G

H not in boxes but in bundles, tied with an iron strip. H

H As you understand, the same bundle should belong to the H

I same manufacturer. I

J A. Right. J

K Q. But you heard that it could be manufactured in the K

K mainland as well as in Hong Kong? K

L A. Yes. L

L MR KHAW: I have no other questions. L

M COMMISSIONER LAI: I have a question. No brand? M

N A. No brand. N

N COMMISSIONER LAI: So how did you place order with the N

O manufacturer? O

P A. Just simply "high-temperature soldering strips". P

Q COMMISSIONER LAI: And this would be given to you? Q

Q A. Yes. Q

R CHAIRMAN: You ordered from Tak Hing Cheung, THC, and only R

S 50 per cent thin tin threads or tin strips would be S

T written. T

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C Here, you mentioned in your statement that your C
D company sells high-temperature tin soldering strips, but D
E according to Mr Mok Hoi Kwong, when he placed the order E
over the phone, he only ordered soldering strips.

F A. But no, on the first occasion, he ordered F
G high-temperature soldering strips, so we gave him the G
H same, and after that, although the words H
"high-temperature" were mentioned, "soldering strips",
I were given.

I CHAIRMAN: Any questions? I

J No? Then we will adjourn. J

K Thank you. You may be excused. K

(The witness withdrew)

L MR D LAM: Chairman, may I be excused? L

M CHAIRMAN: All right. M

N MR KHAW: Chairman, we have dealt with the testimony of the N
O two suppliers, and tomorrow we will deal with Mr Leung O
P Wai Kin's statement and Mr Wong Kwai Hung and Ms Chiu. P
Hopefully, we will be able to complete their testimonies
tomorrow.

Q CHAIRMAN: All right. So what happens after that? Q

R MR KHAW: Then, starting from Thursday, we would deal with R
S a number of witnesses from the Housing Department, one S
SC Leung.

T CHAIRMAN: He was the CBSE then? T

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MR KHAW: Yes.

The second is Mr Wong Bay.

CHAIRMAN: So let's finish Ho Biu Kee's witnesses first,
tomorrow, before we decide, depending on the progress.
There won't be a hearing next Monday, because Mr Lai is
otherwise engaged.

MR KHAW: We also need consider Mr Lam Tak Sum's physical
condition and see when he can come back to finish his
testimony.

CHAIRMAN: I would like to ask everyone here, how many more
questions do you want to put to Mr Lam Tak Sum?

DR WONG: Ten minutes.

CHAIRMAN: Any others?

MR PENNICOTT: About ten minutes as well.

CHAIRMAN: So definitely we can finish within 30 minutes.

All right.

(4.25 pm)

(The hearing adjourned until 10.00 am the following day)