

2016年1月21日

上午10時03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

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

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

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

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

黃佩琪大律師及杜慧燃大律師，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

何標記建築工程有限公司（“何標記”）（中國建築（啟晴邨）及瑞安（葵聯邨第二期）的分判商）的第七證人：趙惠娟（何標記採購部主任）宣誓繼續作供
石先生盤問

問：早晨，趙女士，就我今朝有啲問題係想代表委員會係問一問你嘅。

就你知道有位鄭先生喺何標記裏面，Kevin Kwong？

答：係。

問：佢主要都係駐喺寫字樓？

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答：係。

問：係。佢負責就做 tender 嘅工作嘅，即係做投標？

答：據我所知就係。

問：其中一個工作就係負責即係去投標，攞啲工作返嚟，係準備啲文件，咁樣？

答：係。

問：係。咁佢亦都係負責我哋叫做遞辦喇？

答：係。

問：上辦，即係呈交一啲樣辦去畀主承建商，再呈交界房委；咁呢一個動作，你係知道嘅，籠統上，係咪？

答：係。

問：係。你嘅證人供詞，新嗰份，我哋唔使特登去擺出嚟睇喇。你新嗰份證人供詞裏面就講到，就係當鄭先生有一份工程成功投標咗返嚟之後，佢就會即係將嗰個 BQ 裏面一啲即係有數計嗰啲單位，嗰啲 item，就會話畀你聽，就等你向一啲嘅供應商就擺 quotation，對嘛？

答：係。

問：係。嗰陣時就個目的就係擺完 quotation 之後，就決定搵邊一個供應商就供應嗰一啲嘅 item 畀何標記，對嘛？

答：即係總之係畀相關嗰啲供應商去報。

問：係嘞，譬如話佢同你講話「我哋需要幾多個喉，幾多個閘，幾多個」--即係甚麼東西呢，...

答：係，嘎，就 send 晒出去畀...

問：...咁佢就話畀你聽，「噏，我哋而家呢一個工程就有需要以下嘅呢幾種物料嘞，水喉頭、閘」，甚麼、甚麼？

答：係。

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問：咁你就會根據--好似執藥咁樣嘞，就話「喺，根據你畀我呢啲呢，我
哋就不嬲就係搵開有幾個供應商，相熟嘅。」

答：係。

問：咁你就問佢攞個 quotation，對嘛？

答：對。

問：咁你就交界老細，老細就會去決定，就係「啊，邊一個個價好，就同
佢商討，就係不如整份啲啲供應嘅合約，話我哋要幾多件咁喇」，對
嘛？

答：係。

問：咁但係一切都係要--我哋叫做 subject to，即係一切都係要留待佢
畀你嗰件嘢個辦係要受到上面則師嗰度番批先至作實嘅？

答：係。

問：咁但係呢個係一啲好既定嘅動作嚟㗎，你搵開嗰個供應商，「你係做
慣呢一行」，咁其實佢畀個辦你，你攞上去，佢批咗落嚟，呢一個其
實大家心知就係唔會有任何嘅阻滯嘅，一般嚟講，對嘛？好少有阻滯
嘅？

答：應該可以咁講。

問：係。咁但係--係，你有嘢補充，係咪？

答：唔係，冇嘢，冇補充。

問：唔係，okay。呢一啲就係叫做 BQ 裏面有提啲啲項目喇？

答：係。

問：咁我哋大家都知道 BQ 裏面就唔會提到焊料嘅？

答：係。

問：對嘛？

答：係。

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問：你見過一份 BQ 未呀，其實？

答：見過。

問：見過 BQ，咁但係就係密密麻麻嘅字喇。

答：係。

問：咁但係即係你都知道總體嚟講，BQ 裏面就唔會提到焊料呢樣嘢嘅，係咪？

答：據我睇到啲就唔覺有囉。

問：唔覺有？

答：係。

問：即係焊料都叫做小五金喇？

答：係。

問：係咪？咁你嘅證人供詞裏面亦都提過，就係話因為呢啲係小五金，就你有頭先你所講啲個習慣，就係搵唔同嘅供應商攞 quotation 嘞，對嘛？

答：係，即係有做分析囉，...

問：有做分析？

答：...即係有特別去做嘅。

問：咁所以你嘅做法就會係唔會走去特別去攞 quotation，就係要到幾多，就直情就去搵雋景，就攞幾多嘞？

答：係吖。

問：我想有一個同你探討嘅，就係你新嘅供詞話你當時你係唔知道原來焊料係需要個則師去審批嘅？

答：係。

問：係。但係我哋唔理佢需唔需要喇。有陣時啲嘢唔需要做好，啲人都會做嘅。咁你知唔知道其實實際上啲焊料係受到審批嘅呢？

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答：我真係唔知。

問：你真係唔知嘅？

答：真係唔知嘅。

問：你又有冇見到任何嘅文件係 show 到出嚟係則師審批咗啲焊料嘅呢？

答：冇啲。

問：冇？

答：唔。

問：因為就我哋就聽見過--我未必一定要畀一份文件你睇嘅，有需要我會畀你睇。

答：唔。

問：我哋委員會見到過一啲嘅文件就係則師，房委會聘請嘅則師喇，佢就審批咗好多、好多用嘅物料，其中一樣就係焊料嚟嘅。咁呢個就係我哋都見到啲文件，證明就係其實係鄭先生將一啲嘅樣辦就畀咗中國建築呀，舉個例，主承建商。中國建築係提交咗畀房委，房委就批番落嚟，就畀咗中國建築一個批覆嘅文件。咁中國建築就畀咗何標記，喺地盤嗰度。咁何標記嘅有關嘅人士，司機，就揸咗車，車咗返嚟何標記嘅寫字樓，就畀咗黃慧萍女士。你知道黃女士喇？

答：知。

問：咁黃慧萍女士收到呢份文件之後就 show 咗畀鄭先生睇，鄭先生睇完之後係畀番黃女士，黃女士就做咗 filing。呢個就係佢哋嘅證供嚟嘅。

答：係。

問：咁但係呢一連串嘅動作，你知唔知嘅？

答：唔知。

問：唔知嘅。因為呢一啲，你覺得唔係你嘅工作嘅範圍。

答：係呀。

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問：你採購嘅範圍就係總之有人叫你買乜嘢，你就係負責做開你做開嘅嘢，就...

答：係嘞。

問：好嘞，你工作嘅範疇裏面，你有冇需要見到啲實際嘅辦嘅，貨辦？

答：好少見到囉。

問：好少見到嘅？

答：係呀。

問：有冇見過呢種一卷卷嘅物料？

答：呢個我未見過。

問：冇見過？

答：未見過。

問：咁一條條嘅直條嘅一啲焊料，呢啲一盒盒咁樣嘅，有冇見過呀？

答：冇。

問：都有見過？

答：冇。

問：好。咁即係其實你主要就係處理一啲文件，即係地盤 fax 嘢上嚟，...

答：係。

問：...你見到地盤啲工友 fax 嘢上嚟，咁你就將佢哋嘅要求就轉成為 purchase order？

答：係。

問：對嘛？焊料嘅供應商就係雋景喇，我哋知道。

答：係。

問：你哋何標記係--以你所知吓，因為你就係 2009 年加入何標記喇。

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答：係。

問：即係你加入嘅時候就已經係用緊雋景係供應小五金㗎嘞，對嘛？

答：係。

問：係你同事話畀你聽嘅，係咪呀，你加入嘅時候？

答：係呀。

問：咁就所以你要訂小五金，焊料喇，就不作他想㗎嘞，因為即係小五金可能係你覺得無需要攞 quotation，所以就咁搵雋景，...

答：係呀。

問：...咁就係㗎嘞？Okay。其實你乜嘢嘅項目要去特登去攞啲 quotation 去打價，或者係傾下啲 supply contract 啲啲嘢呢，其實都係視乎鄭先生佢交帶啲乜嘢 item 畀你嘅啫，對嘛？

答：係嘞。

問：佢交帶畀你係口講，定係有張紙畀你㗎？

答：畀份 BQ 囉。因為佢 BQ...

問：Okay。

答：譬如可能執開一套，「啊，呢個係銅喉」，咁我咪攞住銅喉呢沓 send 出去畀啲供應商。

問：即係佢會成沓 BQ 畀你睇嘅？

答：譬如銅喉啲 part，咪淨係畀銅喉啲 part 咁樣囉。

問：係，當然喇，當然喇。

答：嘎，嘎，嘎。

問：佢會畀 BQ 裏面有關何標記接咗啲 part 嘅 item 畀你睇，...

答：係嘞。

問：...咁你就見到，「啊，原來呢一拑喉管」，咁你望下，即係英文你

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識睇喇，咁你就會望見原來呢一炸嘢，咁你就照執藥咁執，係咪？

答：係嘞，即係執啲數，跟住就畀供應商報價。

問：得。咁呢個係一般畀指示嘅方法？

答：係嘞。

問：咁由於 BQ 裏面冇寫嘅嘢，咁你就唔會走去攞 quotation 咁嘞？

答：係嘞。

問：地盤工友向寫字樓落單嘅步驟--我亦都唔會畀份實際文件你睇，因為我哋見咗好多次，就有一份叫做請購表嘅文件嘅。

答：係。

問：咁地盤嘅管工，或者我哋叫做打理，咁佢就會決定需要幾多，咁佢就會喺上面寫低個要求？

答：係。

問：對嘛？

答：對。

問：有關我哋呢單案啲啲出咗事嘅嘢，我哋叫做「焊料」喇，我哋而家事後知道。

答：唔。

問：咁以你嘅記憶，地盤嘅工友佢哋係以乜嘢嘅文字或者語言去形容佢哋要嘅焊料嘅呢？

答：錫線、錫條同埋焊枝囉。

問：焊枝就係銀焊枝喇，我哋知道。

答：係嘞。

問：我哋唔好講焊枝住喇。

答：係。

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問：係嘞，錫線同埋錫條。

答：係。

問：咁佢哋寫上嚟就係叫做「錫線」或者「錫條」喇。

答：係嘞。

問：咁你有冇去深究其實佢哋大家嘅分別係乜嘢，或者乜嘢樣嘅呢？

答：冇嘍。

問：冇嘍，因為你信任地盤嘅工友，「你要乜，我咪抄乜囉」咁樣？

答：係嘞。

問：但係你就有一份何標記嘅我哋叫做「菜單」㗎？

答：唔。

問：係嘞，即係之前黃女士形容過係叫做「菜單」。咁地盤工友用某種文字形式寫上嚟話，你頭先話齋，條或者線，錫條、錫線。咁你就形容過就係你會擺出何標記嗰份--即係雋景畀何標記嗰份餐牌，菜單。你睇下 K3，你面前嘅文件夾，K3，2378.23 頁。我哋淨係睇頭三個 item，因為頭三個 item 先至係相關嘅--即係今次呢個案件有關嘅焊料。喲，松香膏，我哋唔好理喇。

答：唔。

問：咁工友如果寫上嚟係要錫條，咁你嘅做法就係咪做開就擺住呢個菜單，咁就會望番相應，咁你就會搵扁錫條嗰個型號嘞，係咪？

答：係吖，可以咁講。

問：咁即係其實你個心裏面就係其實有一個假設，或者做開嘅一種做法，就係工友所寫嘅錫條就係相應雋景嗰啲職員所理解或者佢哋呢個菜單上面所寫嘅扁錫條，對嘛？

答：對。

問：喲，唔係話你錯，咁但係其實有陣時啲人口噏嘅嘢就--尤其是呢啲咁嘅名，就除非係有好嚴格嘅定義嘅啫，否則地盤工友有陣時隨口噏，

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佢哋所噏嘅錫條未必等於就係雋景嗰張單上面所指嘅錫條個嗰，你有冇諗過呢個問題嘅呢？

答：冇呀，如果訂到落去，佢哋唔啱，佢哋應該會出聲㗎嘛，但係從來都冇出過聲。

問：得。咁即係其實你哋嗰個制度就係--即係冇寫出嚟喇，梗係；就係你係假設，「你要得嘅，我幫你訂；訂咗唔啱，你自然會開聲。咁你訂落，你有開聲，咁即係表示你話錫條，我就照訂錫條，佢就照送錫條，咁就有錯」，咁就實踐中就即係得到呢個咁樣嘅結果嘞？

答：係。

問：呢張菜單上面嘅價錢就唔係永久不變嘅，對嘛？

答：對。

問：咁所以頭先或者尋日你都講過，就話呢度雖然寫就寫“190”喇，嗰個所謂“FRY”錫線，\$190，但係實際就喺某個時空，你就知道原來係\$160 㗎嘅。

答：係。

問：咁但係你哋有冇內部一啲文件 mark 低咗幾時、幾時變咗\$160 咁嘅？定係呢個都係做得多嘅記得...

答：通常都就咁喺呢個餐牌側邊 mark 低囉，譬如話...

問：Okay。即係其實你哋手頭--呢一份就係一份我哋叫做 clean copy，但係其實你哋即係實際日常工作，你哋就會有一份工作版本，有陣時係 mark 低晒，「啊，最近同佢傾咗，改咗嘞，\$160」咁，咁你就會即係用呢一個，即係嗰個叫做 working copy，作準嘞？

答：係，係嘞。

問：得。而你係同各個地盤嗰啲打理或者管工唔相熟㗎？

答：通常都係電話聯絡囉。

問：係。因為佢哋主要就唔係駐紮喺寫字樓喇，咁你會知道大約佢哋係邊個嘅，因為都要認下個名㗎，有陣時？

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答：係。

問：即係你要確保 send 嘢上嚟個個簽名係...

答：對照到。

問：...對照到嘅？

答：係。

問：咁但係就你就有一個企圖話要去理解，究竟其實佢哋所要訂嘅嘢有啲咩嘢心水，就有嘅，因為呢啲係比較流水作業式嘅嘢，對嘛？

答：係。

問：你頭先同我哋講就係你唔知道原來焊料呢樣嘢其實係有審批過嘅。

答：唔。

問：你亦都證人供詞講過，其實你係唔知道原來係合約或者係法例都有相關嘅規定就話焊料係唔可以含鉛嘅，你係唔知㗎，係咪？

答：唔知。

問：唔知。如果吓--呢個係一個假設嘅問題喇。如果當時係其實有人同你講過--鄭生也好，或者任何人都好，同你講過，「喂，其實我哋曾經遞過一啲嘅焊料上去被審批，亦都房委會審批咗，淨係准用呢隻嘅啫，叫做“FRY”牌子」，咁先至算喇，咁你去訂焊料嘅時候會唔會採用一啲另外嘅一啲方法或者係程序去確保你訂嘅嘢就係等於上面則師 approve 咗嘅嘢呢？我明白你一路嘅做法就係「唔理嘅，你 send 咗份嘢去，咁佢就會即係送番嚟，送去地盤；地盤唔啱，咁自然會開聲喇」咁。呢個就係因為你唔知道原來有一種嘢係已經 approve 咗㗎。但係如果吓，即係--呢個係假設，我再重複一次。不過我問下你，如果係畀你去作出一個判斷，你會點做啫，就係如果鄭生有同你講過，話「喂，其實原來我哋一路嚟講，我哋上面審批咗淨係准用“FRY”呢隻焊料嘅啫」，咁你同樣你見到地盤如果有工友淨係寫啲嘢上嚟話「我要錫線或者錫條」，咁你會唔會都係用番，「我唔理呀，我照抄嘞咁，合唔合標，唔關我事呀」，定係你會作出一個判斷，就話「欸，咪住先，咁你話要錫線，叮，原來我知道原來有一種淨係某個牌子、某個 specification 嘅錫線先至係准用嘅」，咁你會唔會喺採購嘅程序裏面有任何嘅特別嘅步驟呢？

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答：如果真係咁嘅情況呢，或者我會問一問鄭生囉，我話「喂，喂，地盤可能寫啲錫條，得唔得㗎」，咁囉，即係會問下囉。

問：即係你起碼你會有一啲問問題或者...

答：有個概念囉，如果佢真係咁刻意同我講咗嘅話。

問：係，如果有刻意嘅一個程序，即係或者有個表就話「喺，從此以後，我哋各種嘢都原來審批嘅」，咁你接觸到，如果地盤就咁籠統地寫隻嘢嚟呢，你嘅意思就係話你會起碼問一問，就係話地盤淨係寫兩隻字，咁...

答：係嘞，即係等唔等如呀，或者咁樣囉，即係會問一問囉，係嘞。

問：係嘞，等唔等如，或者「我哋點樣去確保我訂雋景，佢知道係送番咁個隻嚟呢」？

答：係嘞，係嘞。

問：係咪？不過呢個就係假設喇，因為冇發生過喇。

答：係呀，係呀。

問：對嘛？我想畀你睇一睇一啲嘅--喺，我問個問題先，就係地盤嘅工友寫請購單上嚟，fax 番嚟嘅，手寫嘅。咁你就會將請購單上面嘅字眼就搬落去個 purchase order 個度，係咪？

答：係。

問：即係用電腦打嘅？

答：係。

問：咁但係啲電腦留--有冇留底嘅呢，喺個 computer 個 hard disk 裏面？

答：舊啲啲、完咗啲啲就有㗎嘞。

問：但係點解會有咗呢？即係紙，佢哋掙位，掙，我知喇。但係你電腦，save 咗喺裏面，咁唔係好掙位。

答：都唔需要咁嘛，嗰個 server 又唔係太大。咁通常舊啲啲我哋就

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delete 咗佢就算㗎嘞。

問：哦，咁你哋個做法係隔幾耐 delete 一次㗎？

答：冇話隔幾耐㗎，係個地盤完嘞，我譬如問老細，「喂，呢個地盤係咪真係完晒嘞，可以即係清咗佢㗎」咁樣。如果清 file 嗰陣時就會順便 delete 埋㗎嘞。

問：咁就即係成個有關地盤嗰啲電腦嘅底，咁就會直情成個 project 嗰啲電腦嘅就會 delete 咗㗎嘞？

答：係呀，冇㗎嘞，係呀。

問：咁即係唯一剩番嘅文件就係 hard copy 嘅文件。咁如果 hard copy 嘅文件都冇埋，咁就乜都有個囉嗎？

答：係呀，都完晒喇嘛。

問：哦。好嘞，我就想畀你睇一睇就係你嘅一啲 purchase order。你睇睇 S 嗰個文件夾，求其搵一、兩份，我哋睇下 191 咩，191，啟晴嘅。呢個下面就有 buyer 嗰個名喇，你見到右下角。

答：係。

問：呢個就係一份即係標準嘅格式嘅 purchase order。

答：係。

問：咁即係你哋個電腦就有一份空白嘅一個嗰啲叫做 template，一個即係基本嘅一個格式，咁你要到嘅時候，你就 draw 份格式個 file 出嚟，就喺上面打一啲即係個別嘅項目上去，係咪？

答：係。

問：下面個“Buyer”，右下角，寫住“wai”，跟住打斜，就“catlin”咁喇。

答：係。

問：Wai 就係黃慧萍女士，係咪？

答：係。

B

B

C

問：我哋聽佢講過。咁 Catlin 就係另外一位採購部嘅同事？

C

D

答：係。

D

E

問：咁但係我就睇過呢一拵單，即係我--好多，有啲又淨係寫“catlin”，有啲就“wai/catlin”咁樣，但係就你個名係唔出現嘅，係咪？

E

F

答：因為其實我主力都係去講價，搵 supplier 啲啲囉。

F

G

問：因為你就叫做係採購部個阿頂喇？

G

H

答：係吖，係。。

H

I

問：係。咁所以就實際上係即係去打呢啲文書嘅工作就可能係你嘅下屬，可能係 Catlin...

I

J

答：係。

J

K

問：...去做？咁就你嘅即係分工嚟講，就唔係真係負責做打文件呢一個工序嘅。你可能要去做下講價、打價。

K

L

答：唔係，都有一啲 item 係嘅。只不過可能譬如雋景呢啲係小五金類，咁就多數都係佢哋做囉。有時啲主材料嘅嘢，都係我訂喇。

L

M

問：得。咁所以即係你確認就係其實即係呢個--根據你哋內部嘅分工，呢啲 PO，下面個“Buyer”冇你個名就正常嘅？

M

N

答：有啲 PO 有囉。

N

O

問：有啲會有。

O

P

答：即係主材料就會有，或者...

P

Q

問：即係撞啱有就有喇，但係呢一度好多都有喇，就會係...

Q

R

答：係嘞，係嘞，係嘞。

R

S

問：即係主要係 Catlin 嘅，係咪，其實？

S

T

答：係嘞。

T

U

問：就黃慧萍女士有陣時就--即係有陣時急或者盛，可能佢都會幫手做？

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答：協助我哋，係嘞，係嘞。

問：係。你就比較少啲嘞？

答：係嘞。

問：我問番你，就係我哋呢個案裏面，就可能你做你嘅證人供詞嘅時候，都有你嘅律師解過畀你聽，就係何標記做兩個項目，啟晴同埋葵聯，就都有出現過訂咗一啲叫做錫條同埋錫線嘅東西；我就想問番你，就係在啟晴同埋葵聯呢兩個項目之前--因為其實你 09 年加入喇，咁嗰陣時其實何標記唔係淨係做啟晴同埋葵聯㗎嘛，係咪？

答：唔。

問：因為有第二啲項目嘅？

答：唔。

問：咁你哋嘅做法都係一樣，就係地盤嘅同事就會將佢哋嘅要求，用請購單形式就 fax 番嚟，咁你哋都會係照做番呢個 PO 咁樣喇？

答：係。

問：你嘅記憶中，地盤嘅同事喺啟晴同埋葵聯呢兩個項目之前，佢哋如果要訂焊料，佢哋喺個請購單上面會係用乜嘢嘅語言表述寫出嚟？

答：咪一向係「錫線」或者「錫條」喇。

問：即係啟晴、葵聯之前你都見過有同事係要錫線或者錫條嘅？

答：即係講譬如啫，因為我都唔肯定記得邊個地盤用啲乜，但係我記憶中應該就係錫線嘅。但係你話刻意邊一個地盤，就真係唔記得嘞。

問：你記憶中有錫線。有冇訂過錫條呢，以你嘅記憶，之前？

答：呢個真係應該係啟晴嗰陣時先開始嘅。

問：之前，之前。唔係，啟晴。我係講啟晴同葵聯以外呀。

答：應該係錫線。

問：應該係錫線？

B

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答：唔。

C

D

問：咁即係以你嘅記憶，其實就係啟晴同埋葵聯就你先至開始見到有錫條呢樣嘢？

D

E

答：可以咁講。

E

F

問：咁啟晴同埋啟聯之後嘞--即係啟晴就應該係2013度完工喇，係，大約？

F

G

答：一三...

G

H

問：噏，唔好講嘞。總之啟晴同葵聯都完咗工之後，咁其他嘅一啲項目，有冇見過有人訂錫條呢？

H

I

答：冇乜留意啲。

I

J

問：冇乜留意？

J

K

答：噏。

K

L

問：好。我哋呢個案件，我哋睇番啟晴同埋葵聯嘅一啲相關嘅送貨或者採購嘅文件，我哋就發現有一樣嘢，就係送貨單就係雋景提供㗎喇。咁雋景提供嘅送貨單就有啲就寫係送咗錫條，50力牌子嘅錫條；有啲就係送咗錫線，“FRY”牌子嘅錫線；有啲就係兩種同一次送嘅咁。呢啲就係雋景提供嘅文件，係雋景製造出嚟嘅--唔係製造，即係提供出嚟，列印出嚟嘅。但係我哋就企圖就去搵番即係相關何標記落單嘅文件，我哋就發現我哋係搵唔到一啲何標記訂，話到明係要錫線嘅文件。所以我就想你幫一幫我哋，就係以你記憶中，何標記落單去畀雋景訂焊料，如果雋景送嚟嘅係錫條，你推論番，係咪即係因為何標記落單嘅時候係要錫條呢？

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答：如果佢送錫條，就應該係落「錫條」囉。

Q

R

問：好嘞，因為--亦即係話如果有一次雋景送嚟嘅貨係二十綑錫線，一百條或者100磅錫條，假設吓，你就會推論就係「咁就梗係因為何標記落單嘅時候係寫要咁多卷錫線同埋咁多條錫條佢先會咁送喇」，你係咪會咁推論呢？

R

S

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T

答：係吖。

T

U

問：係。會唔會有啲情況係其實何標記訂嘅係全部都係錫條，只不過係雋

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景因為何標記要嘅物件，即係譬如話錫條喇，唔夠貨，所以佢就塞番幾卷錫線，差唔多嘅嘢，就畀何標記嘅地盤就替代咁呢？

答：應該唔會。應該唔會。

問：應該唔會？

答：係呀。

問：你講「應該唔會」喇。以你嘅經驗當中，有冇試過何標記向雋景落一個 PO，係要求要譬如話 100 磅嘅某種嘢，錫條先算喇，跟住雋景打個電話返嚟，就話「喂，唔夠貨，我哋得 50。不如我哋另外唔夠嘢喇，我哋用另外一種嘢替代喇」，有冇呢個事情發生過呢，經驗裏面？

答：我本人就未聽過囉。

問：你本人有見過，但係你有冇聽人哋講過有呢個事情呢？

答：冇喎。

問：冇。有冇發生過，就係當你哋後來埋單結數嘅時候，你哋落嘅 PO 係要求一百條或者 100 磅錫條，但係原來後來雋景背住你，佢話「啊，我自己自把自為喇，我唔夠貨，我送 80 磅或者八十條錫條，另外搭單整一拵錫線去湊夠數」，送咗去地盤，地盤又肯收貨嘞，簽咗啲 delivery note 嘞，咁所以就雋景開單畀你，invoice 嘅時候，就 invoice 咗何標記一啲與何標記個 PO 唔同嘅嘢；你有冇聽過呢？

答：唔會嘅。如果咁樣，我哋會同佢對單囉，要跟進番囉，同佢；即係問佢點解囉。

問：但係你嘅經驗中就冇出現過呢個事情？

答：冇喎。

問：即係你哋訂某種嘢，雋景背住你就搵啲替代品，...

答：我未聽...

問：...地盤又收咗貨，咁就跟問你開單，就你經驗中有發生過呢個事情？

答：冇嘅，冇嘅。

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問：如果有發生過嘅話，會係邊一啲人或者邊啲部門知道或者跟進嘅呢？
呢啲係會計部做嘅事，定係都會嚟搵番你哋採購部嚟到跟進嘅呢，如
果有嘅話？

答：我哋跟進番嘅，如果佢哋話發現到，譬如你講嘅係意思，送貨單同發
票唔對咁嘛，係咪？

問：係呀，係呀，係。

答：咁一定會掉番畀我哋囉，再同供應商夾，究竟發生咩嘢事囉。但係...

問：即係採購部嘅同事係會有即係牽涉在內，要去了解嘅？

答：要。

問：就唔會話「啊，會計部搞喇」，就唔會嘅？

答：唔會。

問：因為會計部有個鍾（譯音）小姐㗎嘛，係咪，應該？

答：係。

問：但係就呢啲事你就同我哋講，就話其實如果有發生咁樣嘅唔對嘅事
情，都會牽涉到採購部要去了解，「因乜解究我哋訂一百嚟，你畀咗
八十嚟我，然後就有啲替代品」，係咪？

答：係嘞。但係呢啲根本都有發生過。

問：你記憶中係冇發生過？

答：冇。

問：所以你嘅講法就係話如果送條同埋線，就你推論就係因為你哋落單嘅
時候係要條同埋線？

答：係嘞。

問：就係因為地盤寫上嚟係寫「條」同埋「線」？

答：係嘞。

問：睇下先吓。請你等一等吓。我想你睇睇水泉澳嗰個請購單。你睇睇你

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嘅證人供詞，2378.24。

答：係。

問：呢一份就係 2014 年嘅時候何標記做另外一個項目嘅一個請購表。咁你哋嘅請購表就有關啟晴同埋葵聯就已經攞晒嘞，係咪？

答：唔。

問：咁呢個係一個樣辦，即係畀我哋睇咁喇，係你擺出嚟。

答：係。

問：咁就上面係有寫「錫線」嘅，你見到第六行。

答：係。

問：呢一個，你哋嘅做法，就係你擺出嚟，就係為咗要 show 就係話有陣時你哋會睇下第二啲供應商 supply 啲乜嘢嘅 quotation 畀你哋，但係你哋用開就係雋景。

答：係。

問：咁所以就算人哋個價吸引啲都好，你哋嘅心中嘅諗法就係「雋景係小五金嘅，雋景係小金嘅」，咁你所以就即係搵雋景嘞，即係可靠啲，又熟咁，係咪？

答：係。

問：咁你哋如果係已經諗住搵雋景供應小五金嘅，你叫東華吓，嗰間供應商，畀呢個 quotation 你嘅目的係咩嘢呢？

答：嗰啲車仔同鋁梯囉。

問：得。因為我哋聽黃慧萍女士所講就話其實呢份請購表，你收到地盤工友之後，你就成份 send 畀東華嘅，係咪？

答：係。

問：其實你畀東華嘅目的就係叫佢 quote 當中幾項嘅啫？

答：係。

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問：因為你哋心中都會知道某個供應商就係負責某啲專門嘅材料嘅，咁你 fax 呢份嘢畀東華，其實就係為咗某幾個 item，其實就唔包錫線嘅，對嘛？

答：係。

問：不過佢就寫埋，咁你就照睇，咁解嘅啫？

答：係嘞。

問：係咪？咁就所以你證人供詞裏面計個條數，即係話「噏，我 160 釵」--當你 160 釵一捆，咁跟住我就對照番幾錢 1 磅；呢一個動作，其實你唔係當時做嘅？

答：係事後。

問：你係事後做呢份證人供詞嘅時候，即係想作為一個對照，畀我哋解釋，咁就做畀我哋睇嘅。即係你哋唔係當時真係有實際上計過呢條數，真係諗過，「啊，不如好唔好用東華呢」，唔係咁嘅，係咪？

答：唔係。

問：得。咁以你記憶所及，呢一張請購表，上面如果咁寫「錫線」，你哋嘅做法就會係將有關錫線個 part 嘅要求就轉化咗做一張 PO，就照 send 畀雋景，係咪？

答：係，係。

問：咁雋景就會即係執藥，就畀咗相關嘅“FRY”嘅錫線你嘞，對嘛？

答：係。

問：你有冇理啲牌子㗎？即係佢送嚟嘅係“FRY”，定係咩嘢牌子，你有特別留意嘅，係咪？

答：冇特別嘅。

問：有冇聽過「高溫錫」同埋「低溫錫」呢一啲咁樣嘅叫法，地盤工友？

答：冇。

問：冇。冇人寫番嚟係話要高溫錫或者低溫錫嘅？

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答：唔覺囉。

問：唔覺。即係要嘍呢，話要一係就錫條，一係錫線嘅啫？

答：係嘍。

問：唔同焊料之間嘅特性，你亦都唔知嘅？

答：唔知。

問：好，唔該，我有其他嘅問題嘍。

答：唔該。

主席：冇人有問題？冇人有問題。

咁唔該晒你，趙小姐。

答：唔該。

主席：唔該晒，可以離開。

何標記冇證人㗎喇嘛？冇喇嘛？

李先生：冇嘍。

主席：得。所有嘅水喉分判商都已經係畀完晒證供㗎嘍。

石先生：除咗林德深。

主席：除咗水喉匠之外。咁林先生嗰度就我哋可以睇下佢個情況點樣樣先。

不過我就想話畀兩間水喉分判商嘅律師聽，就係金日--咁就金日可能冇㗎喇，同埋呢個何標記，咁另外有兩間就係 in person 嘅，咁我哋遲啲我哋會出封信畀佢，咁就四間水喉分判商，就唔該你哋就同呢個總承建商一樣，就係做一個 summary of evidence，就住你哋嘅證人嘅證供。咁跟住一個 summary of evidence 同埋一啲

submissions, 就係你哋嘅 plumbing subcontractors, 就係關於究竟 knowledge 或者 lack of knowledge, 就住有關於個 use of non-lead-free solder 呢一方面, 即係同 main contractors 係一模一樣。咁如果你哋認為係有其他嘅人係有 knowledge 或者 lack of knowledge, 關於使用 non-lead solders 嘅, 咁亦都係講埋, 譬如--我舉例啫, 我唔係話一定係有咁嘅情況。譬如標記話「今次係陳小華特登用嘅, 佢其實知嘅」, 咁你話埋畀我哋聽, 喺你個 submission 嗰度, 點解何標記有咁嘅 allegation 話陳小華知或者唔知, 或者黃貴雄知或者唔知點解佢會用。基本上你哋...

石先生：或者總承建商都知, 或者通個地盤都知, 即係呢個係一個例子, 可能。

主席：係嘞。呢個就係...

石先生：因為係有人咁講嘅, 佢哋; ...

主席：啱, 有人咁講, 係, 啱。

石先生：...所以我就突然問起, 佢話「啊, 我話咗畀邊個聽呀」咁樣。

主席：係。明白喇呵?

李先生：主席, 委員會律師係會正式有封信就...

主席：冇信嘅, 對唔住。口講就係啱嘞。

李先生：口講就係, okay。

主席：係呀。2月5號之前遞交, 同呢一個總承建商嘅時間表一樣, 2月5號之前係遞交界我個 secretary, 交嚟我哋個秘書處嗰度。咁同樣就係我唔會喺呢個階段, 喺2月5號都唔會公開你哋交咗啲嘅, 因為正如我之前所講嘅理由一樣嘞, 咁稍後會同一時間, 我收齊晒所有嘅嘢, 睇過晒之後一次過一齊公開。明白吖嘛? 明白, 得, 好。

咁我哋就暫時休一休庭先, 因為下一位可能係房署嘅職員, 咁就可能啲位置要調一調。咁我哋休庭十分鐘先。

上午 10 時 38 分聆訊押後

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上午 10 時 53 分恢復聆訊

出席人士如前。

殷先生：主席，房委會下一位證人係梁世智先生。

主席：梁世智，好呀。

殷先生：佢就根據委員會想調查嗰啲事宜，係做咗一個書面嘅證人口供嘅。

主席：係。

殷先生：就我了解，係今朝放入去委員會嗰度嘅。

主席：係呀。

香港房屋委員會第十五證人：梁世智（房屋署助理署長（屋邨管理）（一））
以本地話宣誓作供
殷先生主問

問：梁生。

答：係。

問：你根據委員會想調查嘅事宜，係做咗一個書面嘅證供嘅，而家我讀一次先，咁你聽完咗之後，你就可以睇下你對個內容可唔可以確認或者冇冇補充，好唔好？

答：唔。

COMMISSION OF INQUIRY

WITNESS STATEMENT OF LEUNG SAI-CHI

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- C 1. I, LEUNG SAI CHI, provide this Statement in respect of matters discussed at the COI hearing with particular reference to the Hong Kong Housing Authority's (HA) use of copper piping for fresh water plumbing system.
- D
- E 2. My current position is Assistant Director of Housing in charge of the Estate Management Sub-division (1) responsible for the management of the public housing estates for the Kowloon East, Kowloon West and Hong Kong regions. I joined the Housing Department (HD) in 1979 and worked in the Development & Construction Division until I was deployed to Estate Management Division in April 2004.
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- I 3. I took up the post of Chief Building Services Engineer/2 (CBSE/2) in January 2002 and was acting CBSE/2 during various periods in 2000 and 2001 working under the then Assistant Director/Development (AD/D). I was mainly responsible for the technical standards for Building Services (BS) installations, standard block BS designs and documentation, BS related technical feedback, technical support to project teams, standard specifications and nominated sub-contract documentation, information system management, quality management system and Building Services Performance Assessment Scoring System.
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- O 4. In early 2002, a working group was set up by the then Chief Architect/Design & Standards (CA/D&S), Chief Quantity Surveyor/Central Services (CQS/CS), Chief Quantity Surveyor/Project (CQS/P) and CBSE/2 to look into the use of alternative materials in cold water supply installation with a view to enhancing their pricing competition. It was known that copper pipes were widely used in the building industry. It was also considered that there would be benefit to use copper pipe as an alternative to enhance the price competition in piping materials.
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- C 5. A team of BS professionals (the BS team) led by Mr. T.K. Ng (the then acting Senior Building Services Engineer/C7) and reporting to me were responsible for the technical development of the specification whereas the quantity surveying colleagues took responsibility for the necessary changes in tender and contract documentation allowing the choice of copper pipe or uPVC-lined galvanized steel pipe for fresh water plumbing installations by contractors.
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- H 6. The BS team drafted the specification for copper pipe and fittings to comply with the requirements of the Waterworks Ordinance, Waterworks Regulations and relevant British Standards, taking into consideration the trade practice and market availability.
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- K 7. The draft specification for copper pipe and fittings had been circulated to the then CA/D&S, CQS/CS and Chief Manager/Management (Support Service 1) (CM/M(SS1) of HD for comments (COI Bundle: B15.4/390-10/40131-40140 (memo from the then CBSE/2 to CA/D&S, CQS/CS and CM/M(SS1))). No comments were received from the then CQS/CS and CM/M(SS1). On the other hand, comments on format of the specification clauses and suggestions on minor installation requirements received from the then CA/D&S were incorporated into the specification (COI Bundle: B15.4/390-11/40141-40158 (memos between the then CBSE/2 and CA/D&S)).
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British Standards of the updated version for the copper pipe and fittings and other plumbing materials were specified.

10. A draft Paper (DCB 46/02) on "Use of Alternative Piping Material for Cold Water Supply Installations in HA Buildings" was then prepared and submitted to the then AD/D for his clearance prior to submitting it to the Development and Construction Management Board (DCMB) of HD for approval.

11. After clearance by the then AD/D on 10 July 2002, the Paper DCB 46/02 (COI Bundle: B15.4/390-4/40080-40088) was submitted to members of DCMB to seek their approval by circulation.

12. No comments or queries were raised except one from the then Assistant Director/Quality (AD/Q) concerning the timing for review of the implementation of use of alternative piping material for cold water supply installations in HA buildings (COI Bundle: B15.4/390-5/40089-40098 (memo from the secretary of DCMB to AD/D)). Clarification made was accepted by the then acting AD/Q on 19 July 2002 (COI Bundle: B15.4/390-6/40099-40101 (memo from CBSE/2 to AD/Q and email from acting AD/Q to CBSE/2)).

13. The DCMBI No. 25/02 was issued by the then AD/D on 23 July 2002 (COI Bundle: B15.4/390-7/40102-40108) for implementation.

問：梁生，我讀完你嗰個書面證供，你對個內容有冇修正或者補充？

答：冇。

問：你願唔願意採納佢作為你嗰呢個研訊入面嘅證供？

答：願意。

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段先生：我有問題。

主席：唔該。

許偉強先生盤問

問：梁生，早晨。

答：早晨。

問：咁我相信你可能都知道，就委員會就請你嚟協助我哋個調查，其中一個最主要原因，都係因為我哋 11 月嘅時候，就聽過伍達群先生，就係個 Chief Building Services Engineer 嘅。佢嘅口供入面就有提過，就係 -- 佢嘅口供裏面就有提及過，就係嗰個 specification library，喺 2000 年至到 2004 年嗰個轉變嘅，因為就 2002 年大家就有討論，即係用嗰個銅喉作為個 -- 即係多一個畀呢個總承建商嘅選擇，嗰陣時嘅做法。咁伍先生亦都係喺畀證供嘅時候，就呈交咗一張當時 2002 年，就係部門入面做咗一個 revised specification，就住因為可能會用銅喉，就再修改咗，或者係增加咗一啲嘅 specification，尤其是係關於銅喉嘅配件或者物料嘅。即係就住呢一方面，我想問番你一啲問題嘅。

首先我想問一問，就係伍先生畀證供之前，即係佢呈交界委員會，就係有關呢個 2002 年嗰個 revised specification 之前，有冇同你討論過呢個 specification 嘅問題呀，伍先生？

答：同我，係咪？

問：係嘞，冇錯。

答：有，因為佢係我 -- 02 年我哋做嗰陣時，佢係我嘅高級工程師。

問：冇錯。

答：係。

問：即係當時係你嘅上司嚟嘅？

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答：唔係，佢係我下屬。

問：即係你係佢上司。

答：我係佢上司。

問：係嘞。咁就我嘅問題就係話，佢嚟作供之前，都有同你傾過有關 2002 年，即係個 revised specification 嘅事情？

答：我唔係好記得好詳細傾過啲--即係我知道佢嚟作供喇。

問：係。

答：嘎，但係...

問：好。咁就我想問一問你，就係喺你嘅口供嗰度，都講到就係話當時 2002 年嗰陣時，即係有啲咁嘅討論。睇番--因為 Ada Fung 都做咗一份進一步嘅證人口供，入面都呈交咗都有幾多嘅文件係關於例如 1999 年開始，就有關銅喉嗰個討論嘅，咁就住嗰啲文件，我都想問番你少少問題。首先，就係你嗰個證人口供入面第 3、第 4 段，就講話有個 working group，當時就成立咗嘅，咁就由啲 Chief Architects 呀，Chief Quantity Surveyor 等等，咁就去研究嗰個即係可以用銅喉作為畀呢個 main contractor 嘅一個--多一個選擇個情況。呢度你最主要都係講，當時點解要咁樣做呢？最主要都係想話即係喺嗰個 price competition 嗰度，就可以--即係睇下可唔可以--即係搵一啲可能對於成本嚟講係即係有幫助嘅。即係成本嚟講，可能效益好啲呀咁樣嘅。嗰個成本效益，係咪當時嗰個主要嗰個考慮？就就住話，「啊，之前用嗰個鍍鋅喉管，跟住就可能考慮用銅喉呀呢個。」嗰個成本係咪主要嘅考慮嚟嘅，當時？

答：係其中一個考慮。

問：其中一個考慮。另外一個考慮，係咪都係當時嗰個即係 uPVC 嗰個 pipes，當時有--即係有出現一啲問題㗎？有冇呀？

答：當時就係保養部係有一啲 feedback 喇。

問：係。

答：就係佢哋覺得 uPVC-lined pipe 喺嗰個 workmanship，同埋佢哋係即係再維修嗰陣時，係可能有啲問題，同埋銅喉佢哋一路都有用嘅，所以就等--叫我哋就係研究下銅喉可唔可以作為另一個選擇。

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問：明白。當時係咪都有話參考下即係呢個--除咗 housing 嗰啲 project，有冇參考下私人發展商嗰啲 project，用銅喉嗰個情況係點呀？

答：應該嗰陣時我哋都有了解過嚟出面業界，係都有--其實一路都有用銅喉嘅。

問：明白。我想問一問就係除咗你剛才講嗰啲原因之外，我都想了解多少少。就係當時嗰個 uP--即係我哋講鍍鋅喉管，如果當時嗰個供應係咪都比較缺乏㗎？係咪有呢個問題㗎？

答：嗰個唔係鍍鋅喉管，嗰個係 uPVC-lined。

問：係，唔好意思，即係我講緊 uPVC pipes，當時係咪即係有嗰個即係供應上面比較缺乏呀？

答：我...

問：GI pipes.

答：...--我覺得--我唔記得有咁嘅情況。

問：Okay。或者我哋睇一睇即係呢個其中嘅一個文件，A1。A1 第 2 頁。我講番 GI pipes 先喇，就呢度呢就係講--第 2 頁第 3 段，即係嗰個 "GI pipes were used in fresh water plumbing systems"。跟住就話嚟 90 年年中嘅時候，啲 "lined GI pipes" 就 "introduced owing to its anti-rust property"，即係，咁就 "However, this material is uncommon in the retail market and difficult to purchase in small quantities." 即係呢度就咁講話，嗰個 GI pipes 就即係嚟嗰個市場上面就比較冇咁普遍，所以就如果買番嚟就比較困難啲。

答：呢度講咗係 small quantities。

問：Small quantities，嘎。但係當時係...

答：就唔係大量嘅。

問：唔。即係都--呢個係咪都係其中一個當時即係需要考慮用銅喉嘅即係其中一個，係咪？

答：應該係其中一個原因。

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問：其中一個原因，好。考慮呢個用銅喉，當時嗰個銅--銅喉當時即係話應唔應該喺業界即係多啲去採用等等，咁當時應該有個 Liaison Group 㗎，係咪？即係有一個--我哋睇到--喺文件度，或者我畀你睇一睇，就係有一個諮詢委員會嘅、如果我哋睇一睇文件上面，15.4，39997。我哋睇到一個叫“Liaison Group on Construction Quality”喇，睇到嗎？

答：睇到。

問：我想問下呢一個 Liaison Group，係咪就住即係呢個有關銅喉嘅討論而成立㗎，定係不撈都有㗎？

答：據我所知係不撈都有嘅。

問：不撈都有嘅，好。我想問下，就住呢一個諮詢嘅小組，你係唔係其中一個成員，當時？

答：我唔係。

問：你唔係。咁我哋見到，如果我哋睇一睇呢個諮詢小組嘅一啲成員嘅名單，如果喺呢啲 minutes 入面，睇到 39997，咁見到有 Development & Construction Branch，咁其中呢都會有 Building Services Engineer 嘅。如果你睇下 39997 嗰度嘅--即係邊啲人出席，咁喺 Development & Construction Branch 下面嘅最尾嗰個，有個蔡（譯音）先生嘅。

答：係。

問：就係 Senior Building Services Engineer，佢當時係咪都係即係 work under 你㗎？

答：唔係。

問：唔係嘅。你會當時--當時你嘅職位係乜嘢呀，如果就住 1999 年嚟講？

答：當時我應該係高級工程師。

問：高級工程師。屋宇裝備工程師？

答：高級屋宇裝備工程師。

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問：我想問下你，當時你知唔知道呢個小組所討論啲嘢議題，或者佢哋討論嘅內容，你知唔知㗎？

答：我唔清楚。

問：你唔清楚，好。咁就如果我哋睇番其中有一個--39997，有個 report 嘅當時。40002 頁，有個 Report，就“on Plumbing Materials for Fresh Water Supply”，睇到嗎？

答：睇到。

問：噯。咁就即係呢個應該係當時嗰個工作小組做嘅一個報告，就係講關於話即係選擇用啲乜嘢料，咁其中就係啲 lined GI pipes 同埋嗰個銅喉，即係大家嘅選擇，係有咩嘢好處、壞處等等。我想問下，你對呢一個 report，記唔記得有冇見過，或者你當時有就住呢個 report，曾經都討論過？有冇呀？

答：我唔記得，太耐嘞，十幾年前。

問：好。我想睇一睇呢個 report 入面一小部分內容嘅啫。我想你睇一睇，就係呢個 report 入面，如果你講嗰個--講銅喉嗰個表喇，見到嗎？有個表寫住“Piping Materials”，其中一個係 copper 嘅，睇到嗎？

答：睇到。

問：咁就有--佢有好處、壞處咁喇。呢度就 copper，佢呢度就話，就可以“Withstand pressure up to 25 Bar when used with soldering joint”。咁唔好處，就係“Withstand pressure up to 10 Bar only when used with compression fitting”。咁似乎呢度個講法，就係講緊--即係如果用 soldering joint，同埋用 compression fitting 個分別嘞，咁似乎呢度就係講緊話個 soldering joint 可以承受嘅壓力就比較大啲，睇到嗎？呢度？

答：唔。

問：咁我想問一問，就係即係當時有呢個討論，即係講緊 1999 年、2000 年之前有呢個討論，你記唔記得當時個討論，就住話 compression joint 嘅 fitting 呀，同埋 solder, solder joint 嘅 fitting，有冇話--即係當時你哋房委會，有冇話即係當時有個取捨，就係話係想用 soldering joint 係比較多啲咁樣㗎？

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答：我唔記得。

問：唔記得。睇一睇後面有一啲文件，就如果我哋睇番呢一個 40070，15.4。有個 Notes of Meeting 嘅，就係--應該呢個就係你所講有個 working group，咁就呢個 working group 就同之前我哋睇嗰個 Liaison Group 就兩個小組嚟嘅，係咪呀？

答：係。

問：呢個 working group 就係--即係真真正正就係就住呢一個話--等銅喉係作為多一個選擇呢樣嘢，就成立嘅呢個 working group 嚟嘅，係咪？

答：對。

問：係。如果我哋睇番呢個 working group，就呢度有個 Notes of Meeting，就係 2002 年嘅 11 月 10--對唔住，1 月 11 號，睇到嗎？

答：睇到。

問：咁就首先我想問一問，就係你本人，當時係咪呢個 working group 嘅成員呀？

答：唔係。

問：唔係嘅。咁就但係就伍先生就係喇，因為我哋見到佢有出席。伍達群先生，佢有出席呢個小組嘅會議嘅，睇到嗎？

答：係。

問：咁佢當時係你下屬喇，咁佢出席呢啲會議，都會向你匯報㗎，係咪？

答：係。

問：咁呢度我哋見到，就都有講番啲背景，就係話即係考慮用銅喉等等。跟住就我哋見到喺 40071 嗰度，40071 嗰度，就有講到話“Building Services Engineer 就 table 咗五個呢個“technical specification for copper and ductile pipes”。咁然後就有一個“QUOTE”嘅，咁個“QUOTE”嗰度，基本上就係講出咗--個“QUOTE”個第 2 點，就講出咗話需要做一個即係 specification，就係去--同埋要 provide 個 draft，就等你哋內部就可以即係跟進

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番，同埋去 make 啲 comments，睇下有啲咩嘢需要即係改變嘅，睇到嗎？

答：唔。

問：睇到？

答：睇到。

問：咁就後面就講出咗要做啲乜嘢，個 time frame 喇。咁喺第 5 點 (a) 嗰度，就講“Technical specifications for copper and ductile iron pipes”，咁就即刻要做啲嘢呢樣嘢，所以就要搵個 BSE 就去負責做呢樣嘢嘅。咁呢個你當時都即係清楚有呢個步驟㗎嘛？

答：係，知道。

問：係嘞，係嘞。咁我想問一問就係，跟住冇幾耐，我哋見到喺 40132 頁，就係你有個 memo 嘅，就係你出嘅，當時就應該係可能就住當時開會嗰啲討論。因為需要做 specification，所以你就出番畀啲部門。我哋呢度睇一睇，個 memo 就係畀呢個 CA，就係即係 Chief Architect 喇。咁就呢個 D&S，就係代表呢個 Development & 乜嘢呀？呢個...

答：Standard.

問：Standard。咁跟住就 CM，就係 Contract Manager，係咪？

答：應該係 Chief Manager。

問：Chief Manager。咁個 M(SS1)呢？

答：應該係 Management Support Services 1。

問：Support Service 1，okay。跟住 CQS，係咪 Chief Quantity Surveyor？

答：冇錯。

問：咁 CS？

答：應該我相信係 Central Service。

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問：Central Service，好。咁呢度呢最主要都係提交番畀即係呢幾個部門，就係關於即係你哋當時考慮咗嘅一啲 specification，咁亦都係同啲可能要用嘅即係銅喉同埋配件都係相關嘅咁。咁我哋睇一睇呢度，有少少問題想問番你嘅，40135 頁。40135，喺頭嗰度，c、d、e、f、g--細楷嘅 c、d、e、f、g 嗰度開始，咁呢度都係 under 個 heading，就係個“COPPER FITTINGS STANDARD AND JOINTING METHODS”嘅。你見到由 f 開始，呢度就咁講嘅，“use of compression type fittings are only permitted for pipe sizes”，就係細過或者係等如 54mm 喇，咁就“use of solder capillary fittings only permitted for pipe”，就係細過 108 個 mm 咁。咁“use of brazed capillary fittings”，即係例如銀焊嗰啲，就係 permitted for pipe sizes 係 159mm 咁樣。我想先問一問，就係就住例如邊啲尺碼嘅喉，係用邊一類型嘅 fittings，當時嗰個--即係點解會有咁嘅選擇，可唔可以話一話畀我哋聽？

答：我一時--我唔記得到即係當時嗰個細節，嗰個諗法喇，因為時間太耐，十幾年前。

問：係，唔。

答：但係我相信制--我高級工程師同佢嘅團隊制訂呢個規格嗰陣時，係參考咗有關嘅英國標準嘅。

問：有關嘅英國標準，係咪？

答：係。

問：係。就住當時嗰個討論，就係話即係用銅喉嗰個討論，以你哋即係房委會當時係咪一個都--即係可以話係一個幾大嘅討論？

答：一般喇。

問：一般？

答：因為我哋有好多事關於工程呀，設計，都其實好多好多事情嘅，呢個只係其中一樣啫。

問：Okay，好。咁就如果我哋睇番呢一個 draft，我想問一問，首先就係，呢一個應該我睇到文件上嚟講，就第一次交出嚟，即係有關呢啲

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--有關銅喉部件同埋物料嘅 specification, 應該係第一個 draft 嚟嘅呢個, 你記唔記得?

答: 我唔記得係咪第一個, ...

問: 唔, 好。

答: ...即係之前唔知有冇。

問: 我想問一問你個 actual drafting, 即係嗰個--即係實際嗰個草擬嘅工作, 係你本人有冇份參與㗎?

答: 我有實際去 draft 嘅。

問: 唔, 好。咁我想問下, 就係伍先生應該佢有--本人有參與到個實際嗰個草擬工作, 係咪?

答: 係。

問: 唔。咁你都知道佢哋當時即係草擬呢個工作嘅時候, 都一定係有睇過啲相關嘅英國標準, ...

答: 係。

問: ...然後先至制訂出嚟嘅, 係咪? 如果我咁講同唔同意呢, 例如一啲物料嚟講, 如果我哋睇番 40135。40135 嗰個, 如果我哋講番啲物料嚟講, "SOLDERING ALLOYS FOR COPPER AND COPPER ALLOY CAPILLARY FITTINGS" 呢啲, 即係呢啲就如果我哋同以前嘅 specification 比較, 呢啲係算係啲新嘅物料嚟㗎, 即係以前有用嘅?

答: 以前係有呢個 specification。

問: 係嘞。即係以前亦都係有話用到呢啲 soldering alloys, 因為即係以前就唔係用緊要接駁銅喉嘅工程, 可唔可以咁講?

答: 以前應該據我知道係熱水都可能有用銅喉嘅, 但係唔係我哋呢一隊負責嘅。

問: 明白。

答: 嘅。

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問：唔。但係呢個 soldering alloys 可唔可以算係話--即係如果係做
啲 copper alloys capillary fittings 呢樣嘢，即係算係當時
嚟講係啲比較新嘅物料嚟嘅，即係以前比較少用嘅？

答：呢個喺水務條例，一向都有嗰個英國標準嗰個規格嘅要求。

問：係，我講話你哋房署嘅 project 嚟講，即係喺呢一個 draft 之前，
亦都比較少用呢啲物料，同唔同意呀？

答：銅喉係有用嘅，我相信。

問：唔，好。

主席：我想問一問，冷水同熱水點解會有唔同呢？

答：以前我哋一向就係用--即係用銅喉之前，即係就係用 uPVC-lined
嘅喉，咁據我了解，熱水就一向有用銅喉嘅。

主席：即係點解？係咪因為熱水會令到啲 lining 出現問題，所以熱水
就要用銅喉呢？

答：咁我詳情我唔知道，因為嗰個熱水嗰個其實唔係我哋 building
services 去負責㗎。

主席：係邊一度負責？

答：係應該係 architect 嘅。

主席：哦，architect 負責。咁佢嗰個熱水係都係牽涉到食水㗎，抑或
係完全唔牽涉到食水嘅呢？

答：如果係熱水喉，就係應該由個熱水爐嗰度出啲嘅。

主席：理論上係㗎。

答：嘍。

主席：咁係--即係你個熱水爐出，咁你入水位嘅時候，就係 uPVC--就係
lined 嘅 GI pipe，係咪咁嘅意思呀，入水？

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答：詳情...

主席：入去個熱水爐。

答：...我唔知道。因為嗰個設計唔係我哋負責㗎，我哋個--喺現時，我哋就係負責去制訂嗰個銅喉呢一個規格。

主席：我明。我就係想知道，你話以前用熱水，就係有用銅喉，咁嗰陣時如果用熱水嘅銅喉，又有啲咩嘢規格嘅呢？

答：呢個我唔清楚。

主席：完全唔知，得，唔緊要。我想問一問，我見到頭先嗰個--所謂嗰個小組呢，去研究呢個--引進呢個銅喉。即係喺 40070 嗰度，就見到成 group 人喺度，咁伍達群先生就係最冠--冠二嗰個，我想問下，係咪其實喺呢一班人裏面，其實就係佢係唯一一個係 BSE 嘅代表呢？

答：請問係邊一頁呀？

主席：40070，上高有一班人㗎嘛，出席嘅人士裏面。

答：係，佢係呢個唯一嘅 BSE。

主席：唯一一個 BSE，...

答：冇錯。

主席：...其他嗰啲就係 QS，QS 佔大部分添。

答：係，因為佢哋要做嗰個 contract documentation。

主席：要計錢嗰啲？

答：係，同埋嗰個寫個 contract documentation。即係寫個 contract 裏面啲條文。

主席：得，咁呢個--最冠嗰個人係咩嘢人㗎？

答：係 Architect 囉。

主席：係 Architect 㗎嘅？

答：係。

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主席：得，唔緊要。如果我哋而家見番 40133、134、135、136 個啲，其實可唔可以咁講，其實就即係基本上 one man band，就係伍達群自己一手一腳 draft 出嚟嘅？

答：佢仲有一啲 BSE 幫佢㗎。

主席：係。

答：只不過佢去開會咁解咋。

主席：哦，即係佢有--下面有一班人幫佢嘅？

答：係。

主席：得。但係其實佢就係 in charge 嘞，當時？

答：係。

主席：得。

問：好。我想問下你就係嗰個有關銅喉部件，或者係啲物料，嗰個有關嗰個英國標準，即係我哋而家講緊即係 1254 嗰個。我想問下，當時你有冇話去留意過呢樣嘢呀？即係個 1254 係講乜嘢㗎？有冇睇過呀？

答：我知道係用 1254 㗎，應該。

問：係，唔。如果我哋睇番其中一個，即係我哋都之前經常睇嘅一段，呢度都有，喺 15.4 嘅 40193 嗰度。嗰個係有關嗰個英國標準 1254，就住呢個 soldering material，咁就即係有個列表嘅，即係講番啲 maximum temperatures、pressures 咁嘅。咁就如果我哋睇番嗰個--呢個表，soldering，羅馬數字 I 嗰度，就講緊 lead、tin 等等。咁就 III 嗰度，都係講緊 tin、copper 等等、咁跟住就喺嗰個 footnote 嘅最後嗰度，你睇唔睇到個“NOTE”嗰度呀？就“Soldering alloys with lead and brazing alloys with cadmium are not permitted in installations for water for human consumption”。即係呢個就係嗰個即係 footnote 入面所寫嘅，就話即係唔可以用即係含鉛，如果係即係做一啲食水喉，或者食水嘅工程咁樣。即係呢樣嘢當時，我想問下，有冇話喺你哋個 team 入面，去討論即係關於呢一個即係要用 lead free 嘅 solder？就住食水呢樣嘢，有冇--即係你記唔記得有啲咁嘅討論？

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答：我唔記得。

問：唔記得。你第一次即係知道話，即係就住如果要用銅喉，要用呢個無鉛嘅呢樣嘢，咁可唔可以話都係當時差唔多係草擬緊呢個 revised specification 2002 嘅時候你係得知㗎？可唔可以咁講呀？

答：冇特別係--因為嗰個當時草擬我哋係成份銅喉呀，同埋好多嘢一齊草擬，冇特別係講關於呢個無鉛。

問：Okay。噏，...

主席：你自己知唔知呢？你自己個人知唔知呢？

答：我睇到個 spec.，我都睇到佢係無鉛嘅，但係呢個係一般即係其實個 spec. 裏面其中一部分㗎嘅。

問：唔。我哋--或者我帶你睇一睇伍先生嘅口供其中有一部分，即係睇下同--你同唔同意佢呢個講法，好唔好呀？咁就係 transcript，2015年11月16號嘅。中文嘅 transcript，第86頁。喺86頁，如果我哋落番去 G 嗰度，呢個就當時伍先生就答緊黎委員嘅問題。咁 G 嗰度佢係咁講嘅，「喺嗰個睇番個 standard 過程入面，就係關於 solder 呢個要求，其實 BS 1254-1 入面呢，就只係喺個 Table 6 入面就將唔同嘅 requirement 列咗出嚟，但係嗰個 table 入面，基本上佢又有 leaded 嘅 solder，亦都有所謂 lead-free 嘅 solder 喺度，咁就佢唯一就係喺佢嗰個 table...」，啱啱我畀你睇喇，「... 嘅 footnote 嗰度就係細細隻字咁樣寫咗，就寫咗話 installation for water for human consumption，就唔可以用有 lead 嘅 solder」咁樣。

「基本上」，佢跟住再解釋，「我諗一般嘅認知都會知道就話其實鉛係對健康即係唔好嘅，而佢本身呢一個即係表達嘅方法相對係有咁清晰，我哋作為一個 drafter，其實係有責任要喺我哋自己嘅 spec. 入面就將呢啲嘢寫清楚佢。」咁樣，呢個就係伍先生佢個講法。

佢另外仲有一小段，或者我畀你睇埋，就係喺 page 87 嘅 D 下面，佢就咁寫嘅，「其實喺 BS EN 1254 入面，關於呢啲 integral solder fittings，亦都有個 requirement 寫咗，就唔可以用有

鉛嘅 solder。因為呢個原因，其實我哋好自然就係話為咗清晰，即係避免有 specification user 真係唔小心搞錯，我哋自由會加多一句，無論係外加嘅 solder 或者係 integral solder，我哋都會提一提就係“use only lead-free category solder”，即係咁樣走咗出嚟，基本上就係咁嘞。」

呢度就伍先生似乎即係講番嗰個心路歷程，即係話點解會有一個咁樣嘅即係清晰嘅演繹方法，咁樣就住呢個 solder material 咁。咁似乎佢嘅講法，就係話「喂，我哋啲 drafter，當時呀，就即係覺得好需要將呢樣嘢表達出嚟，清晰嘅。」因為即係佢都知道鉛係對健康即係有唔好嘅。剛才我就問你話幾時第一次知道無鉛嗰個焊料喇，我想問一問你，就話即係以一般常識嚟講，你對即係鉛對身體有害呢樣嘢都應該知道嘅？

答：知道。

問：係咪？唔。咁就住你嚟講，就話喺一個都比較即係一個嚴肅嘅討論，即係話用銅喉，定係用番之前嗰啲物料，定係話畀業界多個選擇用銅喉呢樣嘢，咁你覺得即係伍先生呢個睇法，就係話睇到啲有--可能有危險，即係對身體有危險嘅物品，而需要清晰地喺個 specification 嗰度寫出嚟呢個做法，你都覺得係即係重要㗎嘛，呢樣嘢？即係你係佢上司，即係佢咁嘅做法--你嘅團隊咁嘅做法，你覺得係重要㗎嘛？

答：個團隊就係將英國標準有關嘅技術嘅要求，係擺番或者 incorporate 咗落我哋房屋署個規格裏面。

問：唔。

答：咁嗰個有關於鉛，solder 嗰度，其實係英國標準裏面係提及到嘅，咁佢就將呢啲咁嘅要求，就係擺番落去我哋個--房署嗰個 general spec. 裏面。

問：唔，係。要求呢，如果我哋睇文字就係死㗎喇。即係要求一定係有個原因喺背後，係咪？即係你要求 1254，個原因喺背後，喺個 footnote 嗰度都有講，就話「啊，如果用--做食水嘅，就唔可以用有鉛呢樣嘢。」咁即係你覺得呢樣嘢，作為當時討論緊應唔應該用銅喉嘅做法，即係呢個都係一個重要嘅考慮㗎喇。即係用咗銅喉，佢嘅物料，佢嘅配件，有冇啲係對身體有害嘅物料，呢樣嘢係重要㗎，你同唔同意呀？

答：呢個係英國標準裏面嘅一部分，其實英國標準有關壓力、使用，全部都係喺個規格裏面考慮之一，都係重要嘅。

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問：即係都係重要嘅，係咪？

答：所有英國標準裏面嗰啲要求其實都係重要嘅，因為英國標準係一個好清晰嘅技術嘅規格嚟㗎。

問：明白，好。我想問下，你當時，我哋做緊呢一個 revised spec. 2002年嘅時候，有冇話對啲外國嗰啲經驗，就係就住話因為食水入面有含鉛，而嗰個引致嗰個原因，可能係同呢個用有鉛嘅一啲焊料有關嘅情況，當時你知唔知？

答：我唔知。

問：完全唔知嘅，係咪？

答：唔知。

問：唔。可唔可以咁講呢，就係你哋當時你哋嗰個團隊，將呢一個 soldering material 嘅要求寫到咁清晰，其實你哋個團隊都好清楚知道，即係呢個--如果係個焊料含鉛呢樣嘢，係會即係有一個危險嚟度，即係呢樣嘢可以話係清楚嘅，你哋個團隊？

答：我嘅團隊，佢哋 draft 呢啲咁嘅規格，其實都係--無論做咩嘢規格都係清晰表達咗嗰個技術要求。

問：唔。我想問下，就住例如呢啲咁嘅物料，例如 solder material，咁如果用銅喉嘅話，即係可能要即係大量咁樣購入。首先即係就你哋嗰個 team 嚟講，喺呢個做 specification 個過程入面，你哋會唔會去話同啲供應商去聯絡下，話「啊，睇下，喂，呢啲咁嘅物料會有邊幾隻唔同嘅物料呀，又或者嗰啲物料嘅成本可能會有唔同呀，規格會有唔同呀」，呢啲會唔會去討論㗎？

答：詳情我唔記得，但係我覺得嗰陣時其實又係--即係個團隊，係有了解到香港個業界使用呢啲銅喉嘅情況。

問：係，但係你自己就唔記得話有冇即係同過啲供應商去即係探討過呢樣嘢，係咪？

答：如果係呢個工作，就佢--高級工程師同佢嘅團隊係會做嘅。

問：係咩嘢話？

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答：高級工程師同佢嘅團隊，即係佢哋負責去 draft 個 spec. 嗰陣時，因為我哋都有一啲文件都提過，我哋係有了解過業界香港用銅喉嘅情況嘅。

問：係。咁我想問下，就係或者你睇一睇伍先生就住呢方面個口供，我就帶你睇一睇另外有一段小段嘅，就喺同一個文件夾呢，同一日，第 90 頁。喺 90 頁，近住 N 下面，都係答緊主席嘅問題，就有關啲松香膏嘅情況嘅。咁佢呢度就係--伍先生就係咁解釋嘅，就係「唔一定係我哋自己，因為呢個我哋除咗 study 啲 standard 之外，我哋亦都要睇番啲譬如話 material 嘅 catalogue，亦都會參考一啲而家即係話向來嘅一啲 handbooks。咁呢一句話係--即係話“recommended by the solder alloy manufacturer.”呢類 flux，其實我哋一啲 technical spec. 入面亦都好 common 咁去寫嘅，即係要由啲 manufacturer 去 recommend，因為當兩種 material 佢安裝嘅時候，咁可能有 interaction，咁所以就我哋就會要求有個 manufacturer 去到 recommend 用邊一啲物料嘅」咁。

其實我問題，都係話你當時 2002 年嘅時候，有冇話即係就住因為用銅喉，需要用到啲物料、部件咁，就同例如啲供應商，大家去商談一下，「喂，諗可唔可以畀啲建議我哋用邊隻牌子呀？邊啲會比較穩陣啲呀？」即係呢啲做法，我想問下你，即係有冇即係印象啫？

答：嗰個工作就唔係我親自去做，但係我相信--我頭先都講過，即係嗰個團隊，其實係有係了解過香港個業界用銅喉嘅情況嘅。

問：唔。即係如果而家問你，你就即係應該就係個團隊有做到呢個工作嘅，係咪？

答：有去了解啲香港使用銅喉嘅情況。

問：唔。咁你記唔記得當時，即係假設你哋嘅團隊係有做呢個工作，當時有冇啲 feedback 返嚟，就話就住，例如供應商話「喂，推薦你哋使用邊啲物料呀，有關銅喉。例如焊料呀，例如呢一隻綠色“FRY”一卷卷嘅。」有冇當時係例如聽過或者睇過呢啲有關嘅物料呢？

答：我有聽過。

問：唔。呢隻“FRY”呢隻無鉛焊料，你幾時第一次聽過，接觸過呀？

答：喺報紙嗰度。

B

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C

問：即係鉛水事件發生之後先接觸到，係咪--即係先聽過？

C

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答：係。

D

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問：咁你之前知唔知道，就係例如喺呢個行內，如果就住焊料嚟講，即係係有分有鉛同埋無鉛呢樣嘢，你自己知唔知呀？

E

F

答：嗰個英國標準嗰度都提到係有鉛同埋無鉛嘅 solder，咁呢個係必然係有咁嘅兩種物料喺度。

F

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問：即係你自己都係知道嘅，係咪？

G

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答：係。

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問：係。對於焊料有邊幾隻，即係例如我哋之前聽到嗰啲口供，都係講話有啲有錫線呀，有啲錫條呀嘅分別，呢個你喺 2002 年嘅時候，即係做緊呢個 revised specification 嘅時候，清唔清楚呀？

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主席：再講多次吓，唔該。

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許偉強先生：係，唔好意思。

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答：我唔記得，我唔記得。

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問：我再問多一次喇，就係即係我哋聽咗好多證供就係講焊料都有唔同嘅種類，例如有啲人叫錫條呀，有啲人叫錫線呀咁，我想問下梁生嘅，就係喺 2002 年制訂呢個 revised specification 嘅過程入面，有冇話聽過或者接觸過呢啲唔同焊料嘅稱呼？

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答：我唔記得。

Q

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問：唔。

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主席：你如果睇番 1254 呢，BS 1254，譬如如果你有睇過嘅，咁你會知道其實銅喉嘅焊接，係可以用有鉛嘅焊料，又可以用無鉛嘅焊料，你係知道嘅？

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答：我係知道嘅。

主席：不過就住接駁食水，就一定要用無鉛嘅，你亦都知道嘅？

答：我都知道。

主席：唔。咁好嘞，既然如果係接駁銅喉有鉛又接駁得，無鉛又接駁得，咁你哋個 specification 又寫到明要無鉛嘞，咁我就一針見血問，咁你哋點樣樣可以確保係用無鉛嗰隻去做焊料呢？

答：因為我哋嗰個團隊，我哋負責--我嘅職責就係制訂嗰個規格，有關個--喺地盤施工監管，就唔係我哋嗰個制訂規格嗰個範疇。

問：唔，呢個...

主席：得。當你哋制訂規格嘅時候，如果係既然係--又知道係有鉛係會有機會出問題嘅話，咁你哋喺 draft 個 specifications 嗰陣時候，而家我哋知道，其實 sample submission 都唔使嘅。

答：我哋嗰陣時係知道英國標準係要求係無鉛，但係我哋當時制訂，冇聽過係銅喉呢個即係有鉛同無鉛嗰個問題，我哋...

主席：再講多次。

答：我哋制訂嗰個規格嗰陣時，我哋知道英國標準係要求係無鉛㗎。

主席：係呀。

答：但係當時我哋冇聽過喺業界，即係呢個有鉛同無鉛係有一個問題出現㗎嘅。

主席：有鉛同埋無鉛嘅焊料係出現...

答：嘅焊料喇，係嘞，對。

主席：得。所以就雖然知道，不過就-- specification 雖然寫咗落去，不過就唔覺得有一個需要，就話要確保呢樣使用嘅時候係咁樣樣？

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答：因為個規格就係一個技術規格，而去監管嗰個地盤施工係咪跟足技術規格呢，就唔係嗰個制訂規格呢一個工作範疇嚟嘅。

黎先生：係邊個人嘅責任呀？係邊個人嘅責任呀？即係你話你哋係負責 drafting。

答：我哋負責係 draft spec。

黎先生：咁係執行監管係邊個嘅責任呢？

答：應該係其他組別喇。

黎先生：其他組別，即係喺房屋署入面嘅其他組別？

答：係嘞。

主席：即係咩嘢組別？

黎先生：即係乜嘢人呢？

答：我諗係應該係 Project Team 同埋個 contract --即係管理 contract 嘅團隊喇。

主席：你就係 CBSE...

答：2。

主席：2。當時候我相信你都只不過係呢一個 Design and Standard 裏面嘅其中一個 team 嚟嘅啫。

答：係。

主席：係咪？因為你哋嗰啲 specifications 其實 ultimately 就係上去嗰個 DCMB 呀？

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答：對。

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主席：嗱咁嘛？

D

E

答：對。

E

主席：DCMB 話事㗎嘛。

F

答：對，冇錯。

F

G

主席：咁你就係將佢交上去嗰個 board 嗰度，...

G

H

答：對。

H

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主席：...個 board 就再 overview 咁樣樣去睇，嗱唔嗱？

I

J

答：㗎。

J

主席：你其實你交上去時候，使唔使交去畀嗰個 CA/D&S 㗎？

K

K

答：CA/D&S 係嗰個工作小組其中一個成員喇，咁所以佢其實嗰個規格同埋嗰個交上去，就大家都係即係傾咗，同意咗嘅，咁就再交上去我個 AD。AD clear 咗呢，就交上去呢個 DCMB。

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主席：DCMB 就由一個 D/D 去 chair 嘅？

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答：冇錯。

N

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問：如果我哋睇番呢一個--你剛才講喇，如果係就住個 enforcement 個情況，就可能係 contract manager 或者係呢個--你講話就係 architect 嗰邊個--應該係佢哋去負責嘅，係咪？

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答：係，我唔--因為我哋淨係負責係嗰個制訂個規格，佢哋係邊一隊負責，我唔係咁清晰講到。

R

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問：一般嚟講，我想問下，例如你哋嗰個 team 喇，即係負責制訂咗嗰啲 specification 之後，咁你哋應該都會同例如負責執行 contract 嘅部門去有啲溝通嘅，係咪？有冇㗎？

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答：睇下個情況喇。但係而家呢一個只係將一啲英國標準擺落去一個銅喉

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嘅規格。

問：其實我想問下嘅就係如果我哋講成個 enforcement 嘅過程，即係話「喂，係咪真係用啲物料喇」咁，咁其中一個當然係個 contract administration 個情況喇，係咪？咁呢個就係即係 chief architect 會係負責嘅。咁另外例如個 site supervision 嘅，你都會有個 site supervision team 嘅去負責。你呢樣你知道嘅？

答：一般嚟講，啱喇。

問：係。我想問下你，就係話你哋例如每一次制訂一套例如 revise 嘅 specifications 嘅過程當中，會唔會話特定就住，咦，而家有呢個 revised specifications 嘞，有啲唔同嘅物料囉嘞，會同例如 contract administration 同埋呢個 site supervision 嘅 team，會有冇啲即係開會，會議，去商討下，即係點樣去執行呢啲新嘅 specifications 嘍？

答：嗰個 specifications 係只係係--我哋一般嚟講我哋係做咗個 specification，一般嚟講我哋係呢一個監管嗰個工程，係咪跟呢一個新嘅--跟呢啲 spec 呢，就呢一個其他嘅同事，就係佢哋負責呢方面，佢哋會處理嘅。

問：明白。即係例如好似--如果你講 2002 年，個 specifications 做咗出嚟嘞，如果我哋睇番 15.3, 39600. 39600, 我哋見到就係當時係有呢一個文件，就係寫住一個 instruction number, 就係 "P25/02", 個抬頭就係 "Use of Alternative Piping Materials for Cold Water Supply Installations in HA Buildings" 嘅。見到嘛？

如果我哋睇番呢個最後嗰頁，39605 --我哋之前都問過伍先生，我都想問一問你呢方面。39605 嗰度，我哋都睇到有好多部門，即係係就住呢一份新嘅 specifications 就會去向佢哋發布嘅，即係大家去傳閱咁樣嘅。咁就你嘅意思係咪咁呢，梁先生，就係話你哋個 team 就係制訂咗個 specifications 嘞，亦都呢個 specifications 會 send 畀咁多個部門。咁跟住後面嗰啲部門，例如 contract administration 又好，site supervision 又好，佢哋去點做呢，咁就留待佢哋去處理嘞，就睇完你哋嘅 specifications 之後；係咁咁嘅意思？

答：係。

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問：就唔會話特別話就著你哋呢個 revised specifications 而再去進行一個例如跨部門又或者係即係跨 divisions 嘅討論，就係話「啊，即係如果有呢啲 specifications，我哋應該點樣去合作呢」，呢樣嘢就比較少嘅，係咪？

答：係。

問：我又想問一問就係--剛才我哋亦都睇過，就係你都同意喇，就係如果我哋制訂嗰個 revised specifications，2002 嘅時候，因為要睇嗰個英國標準咁嘛，因為有好多物料咁都要係符合英國標準嘅。咁符合英國標準，我哋都知道個義意就係在於盡量去減低即係使用個物料嘅時候即係有機會產生嘅風險喇，或者係即係對健康或者有啲乜嘢唔好嘅。咁我想問下，就係除咗你哋部門會制訂 revised specifications 之外呢，對於一啲即係物料--或者我哋可能跟住 revised specifications 入面嗰啲寫嗰啲物料，有機會有啲 risk，有機會對人體可能會有啲害呀，或者用嘅時候會有危險、safety 嗰方面；嗰個會唔會有特定邊個部門去睇呢樣嘢嘍？即係話，啊，既然有呢啲 revised specification 嘍，要跟英國標準做嘍，嗰啲咁嘅風險個估評，會唔會有特別有邊個部門去跟進呢樣嘢嘍？

答：呢個唔係我哋嗰個 CBSE/2 同埋 draft 呢個 spec 嗰個團隊負責嘅。

問：咁就你嘅認知--即係你都喺房署做咗好多年喇，即係會唔會有邊個特定嘅部門去負責做呢方面嘅 risk assessment 嘍？

答：我唔知道嘞。

問：即係可唔可以話係即係有一個特定嘅部門去做呢樣嘢呢？

答：因為我講唔到呢--因為我 2004 年就係已經係唔喺呢一個 DCD 嗰度嘍，...

問：明白。

答：...所以我唔理解之後嗰個組織或者嗰個你頭先提個問題係點樣處理。

問：04 年之後你就去咗 estate management 喇。

答：冇錯。

問：係咪？我想問下先，如果講番 04 年之前，即係你對於個部門個運作

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都熟悉喇，咁會唔會你--而家問番起你，會有邊個部門係負責呢方面 risk assessment 㗎？

答：我唔知道嗰個 risk assessment，你提及嗰個呢，係具體指係咪有一個特定嘅部門去做呢？

問：我具體指就係話當你哋需要去制訂 specifications 嘅時候，咁要睇英國標準喇，英國標準入面可能係有啲規格要符合，或者有啲物料係唔可以含有有啲即係有毒嘅物料嘅，或者呢個物料用嘅時候可能會有產生危險嘅咁；呢方面嘅 risk 可能需要去探討下，喂，到時真係用起上嚟嘅時候會點呀，個 risk 有幾大呀，呢啲；即係我係講緊呢方面。就住如果有 revised specifications 嘅時候，咁會唔會有一個特定嘅部門去跟進呢方面嘅 assessment 嘅工作呢咁，喺 2004 年之前？

答：我諗唔到你頭先提及有一個所謂特定嘅部門去做㗎。但係呢啲監管嘅工作就其實係會喺即係地盤施工嗰陣時有監管喇。

主席：譬如我哋頭先討論過呢個 solder 呢一樣嘢，咁就因為你就話「啊，當時我哋都唔覺得究竟即係有鉛或者無鉛嘅 solder 係有啲咩嘢 problems，所以你哋從來冇諗過嗰個 risk 喇」，係咪？呢樣嘢，譬如我--如果你真係唔知嘅，我都明嘅。譬如--咁於是你就話後--譬如好簡單，submission 嗰啲就完全唔使嘞，乜都唔使嘞，係咪？「總之我 specifications 寫咗個規格，就係你一定要用 lead-free solders，咁就已經 good enough 嘞。」

咁譬如好--我而家就睇緊，我就有少少 obsessed with 呢個 pipe bracket。你睇番 40138。40138 就其實都係講緊其實呢度全部嘅嘢，全部都係講緊當時 introduce 銅喉嘅時候，考慮各種唔同嘅配件嘅嘢咩。40138，個頂嗰度，“7”嗰度嘅時候，就講緊 pipe 嘅 brackets，咁但係“d”嗰度就講到明“Samples or details of the pipe brackets shall be submitted for Approval prior to installation.” 你見到呀呵，梁先生？40138。

答：第幾段呀？

主席：最頂呢，寫住“7. PIPE BRACKETS”嘅“d”。

答：哦。

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主席：係。係咪？見到喇呵？

答：係，見到。

主席：因為我哋知道 PLU1 裏面基本上所有嘅嘢都唔使 provide sample submission，但係好奇奇怪怪就有--當時我記得畀我哋委員會嘅原因，話唔需要畀 sample submission，PLU1，就係因為認為嗰啲嘢就其實你都 test 唔到個譬如嗰啲 chemical composition 嘍喇，咁所以你交啲 brochures、交啲 literature 上嚟就已經 good enough 嘍。呢個就係當時我聽到唔記得左邊一個講嘅 evidence 嘍。咁但係呢個 pipe brackets 有啲乜嘢咁特別呢？我真係完全唔明。如果係純粹講嗰個 strength 或者 chemical composition，睇 brochures 都得喇。你明我意思嘛？點解咁特別呢個就要？即係你諗唔諗到有啲咩嘢特別嘅原因，呢個突然之間會加左落去就要 sample submission？

答：主席，我諗喇，即係當然我唔知道--十幾年前，我唔記得十幾年前佢哋點樣諗喇。因為呢個 pipe bracket，從一般嘅技術角度，因為 pipe bracket 同 support 就有個規格嘅。咁你見...

主席：同個乜嘢話？同個 sup...

答：冇一個規格呀，即係幾長，幾厚，幾高，幾闊，幾深，pipe bracket 同埋 support 咁嘛，咁所以就係冇一個規格，所以就做咗出嚟有個 sample，睇睇佢啱唔啱我哋嗰個要求。因為佢冇一個英國標準嘅規格寫到係點樣樣嘅，咁所以佢就畀個 sample 囉。呢個我相信當時個 drafter 係咁諗法喇，因為唔係我 draft 嘅，呢個。

主席：係。即係你完全唔知點解嘅？

答：我估計係頭先我嗰個原因。

主席：就因為有 British Standards on pipe brackets，所以就要交個...

答：同埋呢啲 pipe bracket 係喺不同嘅情況，係有時係喺--吊喺高吓，有時係吊喺--係喺牆或者盛，咁所以佢有不同嘅設計同埋個即係種類喇，所以就要畀一個 sample 我哋睇，先至知道其實，啊，原來就係咁樣樣。

主席：即係同外觀有關？

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答：同個外觀同埋嗰個 pipe bracket 嘅設計囉，用幾厚嘅料，用乜嘢材料，用角鐵定抑或用其他扁鐵，咁呢個係有關喇。

主席：但係就--得，唔緊要。繼續。

問：好。我想問一問你，梁生，就係啱啱我畀你睇過就係 2002 年 1 月嘅時候，就喺 40132 嗰一版喇，就你就將有關嘅即係草擬咗一啲 specifications，其中包括咗啲即係 cooper pipework 嘅 specifications 喇，就畀咗幾個部門，等佢哋去--即係 for 佢哋嘅 comments 喇，咁樣。

如果我哋睇番即係整個文件嗰個次序嘅話，喺 40142，當時--差唔多係你遞交咗文件，嗰啲 draft specifications，兩個星期嘅，就呢個 chief architect，development and standards 嘅，咁就係 Theresa Yim，咁我哋都有聽過佢嘅證供嘅。咁 Theresa Yim，就佢呢度係咁樣寫番畀你嘅，就係話“Thank you for your memo”喇，22 號，咁呀“Please be advised that we have the following comment”，40142 吓。“(a)”就係“consider inclusion of uPVC/plastic pipe bracket in addition to the metal pipe brackets. (b) To consider inclusion of quality tests for copper pipes / fittings”，跟住“(may refer to quality tests for uPVC lined galvanized steel pipe and fittings)”咁。

我想問一問，就係就住第 2 點嗰度。當時 Theresa Yim 就係 chief architect。咁佢就話要 include 埋 quality tests for copper pipes and fittings 咁。咁就住呢個，你嘅理解，當時佢呢個要求係咩嘢意思呀？

答：呢個可能佢--我估喇吓，因為咁耐，我都唔記得咗十幾年前究竟嗰陣時個講法同埋個諗法喇。咁因為 copper pipe 同 fittings 就係點樣去保證佢哋係啱我哋嘅規格呢咁，咁但係我哋其實我哋寫 copper pipe 同嗰啲 fitting 就有英國標準㗎嘛。

問：係。

答：咁所以我哋嗰個都有寫到有一啲要需要 type test certificate。呢個就係其實嗰個 quality，即係嗰一部分，佢點樣去...

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問：因為--點解我問你呢個問題呢？就係咁呀，因為我睇，就咁睇個 quality test 喇，就唔係好理解佢所謂嘅 quality test 係講緊話「啊，噏，你而家制訂嘅時候，就順便做埋啲 quality test 喇，就住啲 copper pipes and fittings」，定係佢嘅意思係話「啊，第二時如果用呢啲嘅時候，喺個 site 用緊嘅時候，啊，喂，要即係寫到明喺個 specifications 嗰度係要做啲 test 呀」咁？即係你嘅理解係點呀，當時？

答：因為我就唔係直接去答佢喇。其實我哋喺 40158，伍生...

問：係，我見到。

答：...都有答咗喇，就係其實我哋個--李（譯音）生當時喺個答佢嗰張 memo 嘅文件亦都表達咗喇，因為我哋有啲啲係國際標準，即係英國標準嘅要求咁嘛，咁嗰個英國標準嗰個其實就係即係令到嗰個 quality 係有個保證囉。

問：係，我知道呢個係你嘅答法。但係我想知道嘅就係當時 Theresa Yim 佢話叫你哋去考慮包括一啲 quality test 喇，佢直情講到明，佢話你哋可以參考番“quality tests for uPVC lined galvanized steel pipe and fittings”。即係我個睇法，就咁睇文件嚟講，係應該係咪之前做過一啲 quality test，係就住 uPVC lined galvanized steel pipe and fittings 嘍？係咪有做過呢方面嘅工作嘍？

答：我唔記得。

問：唔記得。咁即係你如果去--當時佢呢個 memo 係畀你嚟嘛，咁...

答：Attention 畀 TK。

問：係，我知道。但係個 memo 就係畀你嘅，即係你都係個 team 個即係阿頭咁嘛，咁我想問下就係你當時睇嘅時候，就你覺得佢所指嘅 quality test 係乜嘢啫，我想搞清楚呢方面。即係你作為即係裝備工程師，如果個 architect 同你講話「喂，就住物料，唔該做 quality test」喇，係個認知係乜嘢呀？即係話「喂，而家去做啲--驗下可能唔同嘅部件或者材料，喂，攞啲辦返嚟驗下」咁，定係點，我想知道係點解呀？

答：我從而家呢個文件睇番，就我估計喇吓，因為我唔記得我當時十幾年前係諗緊或者個考慮係咩嘢，...

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問：明白。

答：...就其實主要就係當我哋用呢啲銅喉或者配件嗰陣時，我哋有有一個係規格，而呢啲規格係即係令到就係呢啲銅喉同啲配件係有一個一定嘅 quality 嘅保證。咁當時，你睇到呢個咁嘅答案，因為我哋英國標準嗰個要求嘅，同埋亦都應該有個--如果我冇記錯呢，就係有個 type test certificate，即係要有個 type test 嘅，咁所以就呢一個係一個足夠嘅，令到個 quality，呢啲咁嘅物料，係有一個保證。

問：唔好意思吓，就住呢一點，即係我想問多你一個問題嘅啫，就係因為--似乎當時 Theresa Yim 所講嘅 quality test，就唔係淨係講啲規格，即係啲咩嘢規格，符合啲咩嘢規格。我哋都知道有英國標準喇。佢似乎就係要求一啲實際嘅 quality test 啲；即係唔係文件上嘅，quality test，佢係咁講嘅。

後面嘅答法，當時伍達群代你答佢就係咁嘅，“3. Regarding the request to include quality tests for copper pipes and fittings, please note that we have already included relevant international standards on the manufacturing and quality testing aspects for all pipes and fittings and specific type test for compression type fittings ... Tests for other purposes are not envisaged at the moment.”

即係你呢度係特別係講到就話「啊，我哋有呢啲 standards 嘞，有規格嘞，亦都可能有 test reports」，啱啱你咁講嘞，「所以就唔需要再啲乜嘢特定嘅 tests for other purposes 嘅。」咁我就想知道你當時嗰個想法，就話「啊，唔需要做 tests for other purposes 嘞，呢啲咁嘅 quality test 嘞」，即係係點解呢，呢啲咁嘅 tests for other purposes？即係你嘅理解係乜嘢呢？

答：你睇番嗰個規格喇，我哋係有要求有個 type test 嘅 certificate 個啲。我哋係要求有個 type test 啲，係有 test 嘅。

問：你係講緊--可唔可以--你而家睇緊係邊頁？

答：如果個規格，係嗰個--即係 2002 年出嗰個規格。

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主席：即係你講緊個銅喉嘅 specifications，係咪？

答：銅喉嘅規格。即係我哋跟個 DCMBI 裏面出個規格，我哋係有寫到明啲銅喉同埋啲 fittings 都係要有個 type test certificate 去證明佢係符合個英國標準。

問：係，即係呢度係--我哋明白你講嘅，即係講緊啲 test certs 或者啲 test results 嘅證明，就關於呢啲，即係到時總承建商嗰邊可能要提交嘅，咁先至能夠符合你哋嘅要求嘅。呢個我明白。

但係我想即係進一步問下嘅就係當時 Theresa Yim 講個 quality test，我嘅理解，就咁睇字面上，似乎就唔係淨係講緊一啲文件上啲 test reports 嘅，似乎佢係要求話，喂，真係去做一啲 tests 嗰咁。咁你嘅理解係咪咁樣呀？

答：我哋個理解，quality tests，我哋通常一般就係要求呢啲 type test certificates 囉。

問：好，唔該。跟住我哋見到就係就住個 draft 都有啲 comments 嘅，喺唔同部門。咁我哋剛才睇完 40142，咁就呢兩點就係 chief architect 畀你哋個個回應喇。

如果我哋睇番 40143 咁，40143 就係應該我哋講緊係個 quantity surveyor，係咪呀？

答：係。

問：40143 嗰個 memo。

答：係，係。

問：都係畀番即係你哋部門嘅。咁就佢呢度就話佢有啲 comments，關於你哋 draft，有啲 comments 嘅咁。

如果我哋可以睇下--其中我想帶你去睇下嘅 comments 就係喺 40149 頁。40149，如果我哋睇下嗰個“SUP M178.M”嗰度喇--其實個改動就唔係好大概嘅，如果我哋睇番呢個“SOLDERING ALLOYS FOR COPPER AND COPPER ALLOY CAPILLARY FITTINGS”，佢嘅改動就係咁嘅，佢話“Soldering alloys complying with BS EN 1254 Part 1 Table 6 Sections II and III; (b) ... use of integral solder fittings is permitted provided

they comply with BS EN 1245 (1254?) Part 1”。咁改咗
啲大細草嘅啫。同埋 c 嘞，原先嘅寫法就係“Only lead-free
category solders shall be used.” 咁佢呢度就將個被動式
就改成一個係即係 active 嘅寫法嘞，就寫住“Use only lead-free
category solders”咁。咁下面亦都係將個被動式係改咗喇，就係
“Use only a non-corrosive type of flux that is
recommended by the solder alloy manufacturer”咁。

咁似乎個 quantity surveyors 嗰個部門都好仔細地即係睇過
每一條條款，就直情將佢哋希望達致嘅呢個表達方法就話番畀你哋聽
嘅，係咪，當時？

答：係。

問：係咪？唔。咁就如果我咁樣講同唔同意呢，就係當時，第一，嗰個 draft
specification 就先畀咗 chief architect 喇，咁佢亦都畀咗
comments；咁佢當時亦都應該係睇過所有嘅 specifications 先
至畀 comments 㗎喇；咁 quantity surveyors 亦都係睇完之後，
每一條差唔多都有啲 comments 畀咗嘅咁；咁可唔可以咁講呢，就係
話當時起碼即係呢兩個部門都有好積極地參與就係呢個 draft
revise specifications 呢個工作，同唔同意？

答：同意，佢哋有 working group 㗎嘛。

問：係嘞，好。咁就應該佢哋都好清楚呢啲物料使用應該要達到或者遵守
嘅規格，包括啲 soldering materials 要遵守嘅規格，咁佢哋都
應該知嘅？

答：佢哋睇到個規格，佢哋應該明瞭到裏面所寫嘅嘢喇。

問：係。跟住我想問一問你嘅，就係你睇下 40128 頁。呢個就係 2002 年，
2002 年喇，就係 4 月 12 號喇，就由 Director of Housing 就
發去畀 Water Supplies Department 嘅一個 memo。咁呢個 memo，
如果我哋睇個內容，就都係講番啲“Alternative Arrangement in
the Selection of Piping Material, Fresh Water Supply
System for Standard Domestic Blocks”嘅咁。咁我哋睇一睇
個內容喇，“Currently, the above ground piping materials
for fresh water system adopted in our standard domestic
blocks are as follows”，咁跟住就 cold water 係乜嘢喇，
hot water 係乜嘢喇。

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跟住“In the future, we are considering to widen the tenderers’ choice of piping materials”，即係畀佢哋多啲選擇喇，咁就“for our standard block construction projects as follows”，咁其中 cold water pipes，“Arrangement 1: Galvanized steel pipe with internal uPVC lining”，即係冇轉喇；“Arrangement 2: ... combination of ductile iron pipe and copper pipe as follows”，一，有個“D.I. pipe”，咁就“for the portion of riser where the working pressure is more than 10 個 bar”，二，“Copper pipe for subsequent downstream pipework where working pressure is below 10 個 bar or where pipe size does not exceed 80 個 mm”咁。

跟住就將呢啲咁嘅 copies of drawings 就畀咗佢哋睇嘞。第3段嗰度講喇，咁“Attached ... please find two copies of the drawings”喇，“proposed amendments are clouded in the above drawing for your easy reference. To save printing paper”，就嗰啲 similar 嘅 amendments 就唔 attach 嘞咁。

“Please let us have your agreement/comment on the above arrangements in the selection of piping materials and the method of presentation for the VPLD submission on or before 4月26號”咁。

呢封信就係有一位黃（譯音）先生喇，佢當時都係 senior building services engineer 嚟嘅。咁我想問下即係呢位黃先生當時係咪都係...

主席：鄺（譯音），鄺先生。

許

問：啊，sorry 吓，鄺先生。我想問下呢位鄺先生當時同你係咪屬於同一個 team 㗎？

答：我要 check 一 check 先得。

問：好呀。因為我睇到佢個部門就寫住“CBSE/1”嘅，你嗰個就應該係

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“CBSE/2”嘅，所以我想搞清楚就係即係你哋係咪同一個部門。

答：我睇緊有一份嘅 organisation chart，就 2002 年 8 月嘅，就有佢個名喺我嗰個-- CBSE/2 嗰個 section 裏面。

問：好。好嘞，咁我想問一問就係呢封信似乎都有抄送到去你哋個部門嘅。

答：係。

問：如果我哋睇下個“c.c.”嗰度，就有“CBSE/2”嘅，見到嘛？

答：係。

問：咁就應該係屬於你嗰個部門嚟嘅。

答：係我嘅。

問：係咪？

答：係。

問：咁呢個抄送畀你哋部門喇。我想問一問其實呢一個做法，即係房署寫畀水務署，有關呢啲即係有可能會用銅喉作為冷嘅食水喉喇，cold water pipe 喇，呢一個做法當時個目的最主要係乜嘢呀，你知唔知？

答：一般嚟講我哋有一啲新嘅設計或者改咗嘅設計，我哋都會寄畀水務局，畀佢睇，同埋因為每一個 project 都要畀佢都要批嚟嘛，咁所以我哋喺呢個過程，我哋係有同事將呢啲咁嘅建議嘅改動同埋個設計同埋啲物料係話畀佢聽，睇下佢有啲咩嘢 comment。

問：係嘞，我就想知道--你剛才都提過喇，話有啲改動、設計或者物料就話畀佢哋聽嘅喇。我想知道清楚啲就係--你呢度就畀咗兩個 copies of 啲啲 drawings 就畀咗水務署嘅。我想問下即係當時嘅做法喇，有冇話將嗰個即係 revised specifications 畀佢哋參與㗎？

答：我唔知道呀，因為嗰個 memo 唔係我哋出嘅。

問：明白。但係呢個係咪慣常嘅做法嚟㗎？即係如果有啲物料嘅改動，可能會牽涉到一啲 design 上面嘅改動嘅，都會通知水務署，呢個係一個慣常嘅做法嚟嘅，係咪？

答：據我理解係。

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問：但係以慣常做法嚟講，例如如果有一啲可能日後有機會就住一啲設計方面嘅更改或者係物料上面嘅更改，一般嚟講你哋嘅做法，通知水務署嘅時候，會唔會通知埋佢哋，啊，更改呢個設計喇，仲有啲乜嘢物料、部件都可能會更改或者係更新，或者係要即係再買多啲返嚟要用嘅，有啲新嘅物料；呢啲物料嗰啲 specifications 或者物料嗰個--即係我哋所講嗰個--係一個清單喇，會唔會畀佢哋睇㗎？

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答：我唔知道個詳情，因為呢個工作唔係我哋負責。

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問：好。呢個工作係邊個部門負責㗎？

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答：應該係做 submission 畀水務局嘅同事。因為而家呢位同事似乎就係唔係我個 team 嘅。

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主席：Submission 畀水務局呀？

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問：係嘞，即係你講嘅 submission 畀水務署係乜嘢 submission 呀？

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答：咪就係呢啲水嘅 vertical pumping line diagrams 同埋呢張 memo，呢啲囉。

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問：我哋一步、一步嚟吓。即係你剛才講就係話呢個係一個慣常嘅做法喇，即係如果嗰個設計可能係有更改或者物料可能有更改嘅，個慣常嘅做法都會通知水務署嘅。呢一點我想問一問，就係呢一個通知水務署呢個咁嘅步驟，係咪一般嚟講都係屋宇裝備工程師，你哋個 team 去通知佢哋？

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答：我諗係邊一個 team 係負責嗰部分就邊一個去通知囉。因為屋宇裝備工程師佢負責嗰啲係 plumbing 喇，即係啲水管系統喇，就佢負責一部分，另外有一啲就係 architect 負責嘅。

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問：係，冇錯。以我嘅理解就係屋宇裝備工程師，就如果你講緊話即係實際個監管個工作呢，就係佢係就住啲 nominated subcontractors，即係例如啲 fire services 或者係啲泵房嗰啲工作，咁佢哋去實際即係做監管工作嘅，咁其他嘅 plumbing works 就由 chief architect 嗰邊負責嘅。你剛才講呢樣喇。

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但係我知道就係如果你 specifications 嚟講，即係如果寫，

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制訂 specifications 嚟講，屋宇裝備工程師就所有都做晒嚟嘞，同意嘛？即係包括例如 plumbing works，包括例如水喉同埋消防或者係泵房嗰啲都係屋宇裝備工程師嘅責任嚟嘅。

答：因為你頭先講嗰度係好闊嘅。就成個水嘅系統有好多嘢喇。咁而家呢度，我記得就係而家我哋嗰呢一個銅喉，就係我哋呢一隊去制訂嗰個銅喉同埋嗰啲配件嘅標準；其他嗰啲，我唔清楚係唔係好似你咁講。

問：好。咁我想問下咁，就係就住呢一個當時同水務署嘅接洽，你就話唔記得咗，啊，有冇通知佢哋有關嘅 specifications，等等喇。

答：唔係我唔記得。我唔知道。

問：你唔知道，好。咁我想問下，你自己本人，喺你 04 年之前，有冇曾經例如參與過你直接向水務署嗰邊請示話「喂，會有啲更改物料或者更改嗰個 design，而家就 submit 畀你嘞。喂，你睇睇吓，有冇 comment」？你自己有冇參與過呢方面嘅工作嘍？

答：我唔記得，不過我相信有嘅，因為我哋--頭先講，我哋係負責制訂嗰個規格。

問：好。但係就如果你睇番呢份文件，就似乎就係你所講嗰個向水務署提交呢方面嘅 submissions，另個工作應該就係你哋屋宇裝備工程師嘅工作範疇裏面嘅，係咪？

答：喺制訂呢一個銅喉嗰個規格就係。

問：我係講緊制訂咗規格之後，而家通知水務署，啊，有呢啲可能規格上嘅改變，用料方面嘅改變，design 方面嘅改變，通知水務署，同水務署接洽呢個工作，係咪都係屋宇裝備工程師嘅工作？

答：我唔肯定。

問：除咗屋宇裝備工程師，就住呢方面，同水務署接洽，仲有邊個部門會負責呀？

答：你嘅意思喺房屋署，係咪？

問：係。

答：通常如果係 submission，一係就屋宇裝備工程，同埋 architect。

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問：好。就住呢一個你哋交界水務署嗰個 memo，咁我哋睇番佢寫番嚟 40130 個回覆，咁就佢呢度都係講番話佢就有乜特別嘅 comment 嚟 to 你嘅“proposed alternative arrangements for cold and hot water pipes. However, it is recommended that DI pipes to BSEN 545 with cement mortar lining”等等就“shall be used.” 咁特別就係講出呢樣嘢嘅啫。“Please be informed that all DI pipes used by our department for all public projects are internally lined with cement mortar to BSEN 545”咁。

呢個就係佢哋嘅回覆。我想問一問就係除咗--以你嘅即係記憶喇，或者即係你當時嘅職位喇，有討論過呢方面銅喉嘅採用嘅事宜喇，咁我想問下即係同水務署除咗一啲咁樣嘅書面上嘅接洽之外，大家嘅溝通之外，會唔會同佢哋就住呢一個使用銅喉呢方面嘅事情係再有啲咩嘢會面，有家傾下，即係真係要用銅喉嘅時候嗰啲細節應該係點樣，有冇嘍，你記唔記得？

答：我有印象有。

問：睇番你哋同業界嗰個溝通，因為即係之前有幾位房署嘅證人，即係包括馮女士。我哋問佢即係有關 2002 年，即係討論緊銅喉個使用嘅時候，都有講到都有同業界係有啲溝通嘅咁樣。

我首先問一問你，就係如果我哋睇番呢一個文件裏面，40162。40162，如果我哋睇番嗰個文件嘅第一頁，就係 40160，就係“HKCA”同埋“HD” -- 即係“HKCA”就係 Hong Kong Construction Association，呢個你知道喇。咁同埋 Housing Department 嘅一啲討論，一啲會議嘅。首先我想問下，你有冇參與過呢啲類似嘅會議嘍，你自己？

答：冇。

問：冇，好。如果我哋睇下呢個會議，就 40160 喇，一路到後面 40162，就講緊“Water Supply Pipes”嘅。咁呢度就似乎就係講緊就係話商討緊呢個有關即係畀多一個選擇，就係呢個做凍食水嗰個喉管嘅，咁 “for future HD contracts. Preliminary specification and drawing” -- “layout drawings of the standard block for the alternative cold water supply system would be passed to HKCA for comment within a week”咁。即係呢度當時帶出嚟就係話會同 Hong Kong CA 就去--畀佢哋就討論咁樣。咁我想問下就係以你所知喇，當時討論緊食水銅

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喉，就房署因為不鏽都係 HKCA 有啲定期嘅會面喇，咁有傾過呢樣嘢喇，我想問下，除咗 HKCA 之外，業界--以你嘅記憶，有冇同其他業界邊啲機構去討論過呢個銅喉，即係將會可能被比較廣泛啲採用呢個問題呀，除咗 HKCA 之外？

答：應該我記得當時都係有接觸過有一啲 supplier 喇。

問：你話係 supplier，係邊方面嘅 supplier 呀？

答：應該係啲銅喉嘅 supplier 喇。

問：銅喉嘅 supplier。以你所知，有冇接觸過啲物料嘅 supplier 呢？即係例如焊料嗰方面嘅 supplier，你有冇印象？

答：冇印象。

問：當時其實呢一個就住鼓勵總承建商，等佢用多啲--即係採用銅喉呢樣嘢，對你哋嚟講，即係你哋部門嚟講，或者係你嘅 team 嚟講，即係呢樣嘢係咪一個都即係比較重要嘅一個事情吖，定係你會覺得係都係流水作業，即係其中一個即係一般--一個好普通嘅事情嚟嘅啫？即係喺你哋嚟講係重唔重視呢樣嘢嘍，當時？

答：我哋呢個工作就係制訂 spec 喇，我頭先講過喇。咁呢個水喉係一個係--要顯示係另一個選擇去畀--除咗 uPVC-lined，仲可以畀銅喉，咁呢個係其中一個我哋日常嘅事務其中一個工作嘅課題嚟嘅。

問：係。我哋睇番就係當時建築業佢哋畀番你哋嘅 comments，就係喺呢一個 40181。啊，或者睇下 40166 先吓。40166，就係房委會就將啲啲有關嘅 drawings、specifications 等等就係交咗畀呢個建築業協會嘅。

我哋睇下 40166 頁--香港建造商會，唔好意思。40166，第二段，就係 "As discussed, attached herewith please find the preliminary revised specifications and 5 sets of the water services installation drawings (as per the attached list) regarding the alternative piping materials proposed for the cold water supply installation in HA buildings for your reference and comment" 咁樣。

即係呢度就係即係你哋畀呢個建造商會嘅信喇，咁入面亦都包括

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咗啲當時制訂好咗嘅 revised specifications 喇，2002 年嘅。

咁我哋睇番建造商會佢哋個回覆，就可以喺 40181 嗰度睇到嘅，“We enclose the sketches for the captioned issue for your attention”咁樣。咁跟住就有啲圖，我哋可以見到喇。就就住 copper pipe 同埋啲 galvanized iron pipe，佢哋有啲細節就寫咗喺個圖嗰度嘅。

喺 40185，咁呢個係你哋內部嘅文件嘞，就係即係收到建造商會畀你哋啲啲咁嘅草圖喇，咁然後你哋去再決定點樣跟進嘅，咁樣。

我想問一問就係你自己知唔知道當時同建造商會，就畀咗佢哋一啲 revised specifications 睇喇，咁佢哋有冇就住例如啲啲物料，喂，即係例如，即係喺個業界，供應夠唔夠，成本，啲等等嘅問題，同你哋有討論㗎？

答：我唔知道。

問：如果係就住呢方面嘅討論，即係例如同業界，除咗講啲 technical 啲啲 specifications 之外，如果係有啲係講關於，喂，日後運作上面，即係 practical 嘅問題嘞，即係例如啲物料，喺業界嚟講，覺得嗰個採購容唔容易，成本高唔高等等嘅，如果呢個，喺你哋署方嚟講，會係邊個部門係去負責討論呢方面嘅問題㗎？

答：我相信係嗰個頭先你指出嗰個 liaison meeting，Hong Kong CA，嗰個係一個場合去討論呢啲你剛才所講嘅事情。

許偉強先生：我有其他問題。

主席：唔該。有冇人有問題？冇人有問題。

有冇覆問，請問？

殷先生：...（聽不清）

主席：冇覆問。好，唔該晒。

唔該晒，梁先生，畀完證供，可以走得，唔該。

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答：唔該。

殷先生：主席，我哋房委會下一位證人就應該係黃比先生嘅。

主席：係。

殷先生：咁黃比先生亦都做咗一份書面嘅口供。除此之外，佢就喺啲紀錄度就 compile 咗啲係有關嗰個背景，當時嗰個 advisory committee on water quality 嗰個成立個背景，係關於一啲鑄水嘅事件咁樣樣，有關；據我所知係一啲文件嘅。

咁我哋其實就即係都好倉猝，就印咗啲文件，但係就做緊，compile 咗個 index，就未印到 copies。咁我就同委員會嘅大律師就商討過，可唔可以有一個 short break，等我哋處理咗呢啲文件之後...

主席：可以。Short break 呀？

殷先生：或者早啲提早食飯。

主席：或者早啲食飯喇，好唔好？或者我哋兩點三再開番喇，再重...

許偉強先生：係，但係我都可能要少少時間，...

主席：睇。

許偉強先生：...即係睇完啲啲文件，就要諗一諗即係同我嗰個盤問會即係有關係。咁我諗我可以喺食晏嗰個時間，如果殷大律師佢哋嘅團隊可以畀到我個話呢，咁我都會盡量睇一睇先嘅。但係如果我跟住可能要多少少時間，我再同即係主席或者委員報告番喇。

主席：得。即係你嘅意思可能要呢個晏晝去睇，係咪咁嘅意思？抑或...

許偉強先生：係嘞，係。

主席：不如咁喇，我哋兩點三再開先喇，睇下個進度點樣樣。如果你話「啊，我有時間睇啲啲文件嘅，需要多啲時間」，咁我哋到時先至再押後喇，好唔好？

殷先生：好。

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許偉強先生：好。

主席：好。

許偉強先生：唔該。

下午 12 時 39 分聆訊押後

下午 2 時 18 分恢復聆訊

出席人士如前。

許偉強先生：主席、委員，就殷大律師就畀咗有一沓文件，就係一啲進一步有關房委會嗰啲文件嚟嘅，我就好快咁睇過，但係我未有時間睇啲好仔細嘅細節，我諗我相信都再要啲時間去閱讀一下。我就考慮到因為可能黃生都嚟咗，或者睇下主席會唔會叫黃生或者聽咗殷大律師讀咗佢份口供，然後或者我今日晏晝返去再仔細啲睇下呢份文件，聽日我開始我盤問咁樣？

主席：好呀，因為而家都係...

殷先生：主席，我自己就咁諗，因為我預咗黃生今日都未必完到佢嘅證供嘅，不如我哋就繼續，如果黃生即係適當嘅時間，許大律師話「我唔問落去喇。」或者佢要聽日先問嘅，...

主席：即係你嘅意思，你今日唔會...

殷先生：我讀，我讀佢嘅證供，如果許大律師有嘢唔關事我今朝畀佢個十零張紙嘅嘢嘅，要問嘅，佢可以問嘅，適當時候我哋咪 adjourn 囉，今日下晝，黃生聽日繼續，如果佢 overnight 諗到有啲咩嘢多嘅問題要問嘅，咪聽朝繼續問囉。

主席：冇分別㗎。

殷先生：係，冇分別嘅。

主席：唔係，我嘅意思，你咪讀咗佢個個...

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殷先生：讀咗佢先，點都讀咗佢先。

主席：係，讀咗佢份證供先。

殷先生：黃比先生。

主席：叫黃比先生，係。即係你讀完佢嗰份口供之後仲有好多問題想問佢，係咪咁...

殷先生：我就冇乜嘢問題嘅啫。

主席：哦，得，得。

殷先生：如果許大律師覺得佢有部分問題可以 start 咗先嘅，咪問咗先囉、如果佢話「我冇啱咩都唔問住，聽朝至開始。」咁咪聽朝至開始，隨得佢。

主席：請過嚟呢邊，黃先生。

香港房屋委員會第十六證人：黃比（水質事務諮詢委員會委員（於 2000 至 2008 年代表房屋署））以本地話宣誓作供

主席：Mr Yin。

殷先生：係。

殷先生主問

問：黃生，我而家就讀一次你嗰個書面嘅口供先。

COMMISSION OF INQUIRY

WITNESS STATEMENT OF WONG BAY

I, WONG Bay, Principal Lecturer, Department of Real Estate

and Construction, 5/F., Knowles Building, the University of Hong Kong, Pokfulam Road, Hong Kong, do say as follows:-

1. I make this statement to address the matters raised in the letter to me from Messrs. Lo & Lo dated 25 November 2015. As introductory comments, I wish to provide some background regarding the Advisory Committee on the Quality of Water Supplies ("**ACQWS**").

2. As far as I can recall, the ACQWS was an initiative of the Water Supplies Department ("**WSD**"). It was established at a time when there was significant public concern and scrutiny over the quality of water in Hong Kong. The focus of the ACQWS at that time was to address the following issues:-

a) The quality of water supplied from Dongjiang;

b) Discolouration and turbidity due to rusty pipes; and

c) The poor maintenance of plumbing systems in Hong Kong.

3. The terms of reference of the ACQWS were:-

"To keep under review and to advise the Government of the Hong Kong Special Administrative Region through the Director of Water Supplies on matters relating to the quality of water supplies."

4. As the terms of reference suggest, the role of non-WSD members, including myself, was advisory. Essentially, it was a forum for the WSD to obtain the views of third parties, details of experience and expertise on matters relating to the quality of water supplies. Members were drawn from various bodies, as can be seen from the minutes of the meetings.

5. Although it was decided that the Chairman of ACQWS would be a layman (Mr. Kenneth Fang Hung), the

Vice-Chairman (Mr. Hugh Phillipson) and Secretary (Mr. Stephen Lau Chi-Ming) were from the WSD. Most (if not all) of the agendas, topics of discussions, items for review etc. were decided and prepared by the WSD (or its consultants). After ascertaining the views of the ACQWS members, it would be for the WSD to collate those views and, for example, draft further papers or prepare a proposal for possible implementation. If there were differing views on any issue the WSD would usually decide how to proceed. The WSD played a leading role, as the advice of the ACQWS was rendered "through the Director of Water Supplies".

6. Prior to the lead incident in 2015, the ACQWS did not discuss potential hazards which would give rise to excessive lead in water in Hong Kong. Further, there were (and still are) half-yearly meetings between the WSD and Housing Department ("HD"). As far as I am aware, there were never any discussions about lead at these meetings.

7. When I first attended the ACQWS, I was the Acting Assistant Director (Management 2) Management Branch of the HD, handling the maintenance issues of estates. I was chosen as the HD representative as the subject was more related to maintenance issues rather than construction and development. At that time, I was also the co-chairman of the Liaison Group on Construction Quality ("LGCQ"). Although I ceased to be HD's representative member in the ACQWS in 2008, I rejoined the ACQWS in 2014 as a non-official member (which, by then, had become the "Advisory Committee on Water Resources and quality of Water Supplies")

8. I now turn to the specific matters raised by the COI.

Confirm whether you u as a member of the ACQWS had played any part in the preparation of Paper No. 7 and if so

describe your role and your work and the work of any other members or persons in the preparation of Paper No. 7.

If you have not played any part in the preparation of Paper No 7, confirm and identify to the best of your knowledge and recollection, the author(s) of Paper No. 7 and the member(s) and person(s) who assisted in preparing and writing Paper No. 7 in particular paragraphs 8 and 9 thereof. Please also identify the member(s) and person(s) who undertook the "literature and research of publications and through the internet" as referred to in paragraph 8 of Paper No. 7.

9. I had no involvement in the preparation of Paper No. 7. To the best of my recollection that document was prepared by the WSD or possibly their representatives.

Paper No. 7 was subsequently considered in an ACQWS meeting which took place on 15 January 2001. A copy of the minutes of that meeting is enclosed (Enclosure 4). You were present in that meeting as a representative of the Housing Department Please confirm whether Paper No. 7 was circulated to you the Housing Department and/or the Housing Authority prior to that meeting and, if so, identify the relevant recipient(s) in the Housing Department and/or the Housing Authority of that Paper.

10. The normal procedure was for papers to be circulated to me a few days prior to meetings. I believe Paper No. 7 was circulated in this way although I cannot find the relevant record showing receipt of it.

As regards the ACQWS meeting on 15 January 2001, please confirm, to the best of your knowledge and recollection whether matters stated in paragraphs 8 and 9 of Paper No. 7 were ever discussed and if so give an account of the relevant discussions.

11. I cannot recall precisely what was discussed at this ACQWS meeting. However, I do have a broad recollection that the focus of the discussion was on the discolouration and turbidity of water caused by rusty pipes. Paragraph 8 and the first part of paragraph 9 might have been mentioned very briefly but there was no detailed discussion concerning the same.

According to the evidence given by witnesses from the Housing Authority, the use of copper pipes with soldered joints for the fresh water plumbing system in public housing developments was introduced in around 2002 which gradually took over the use of galvanized iron (GI) pipes. Kindly confirm whether you were aware of this intended change in the use of plumbing materials when you attended the ACQWS meeting(s) back in 2001 and 2002.

12. As co-chairman of the LGCQ, I was aware that there were on-going discussions in the LGCQ about the plumbing materials used in new works and maintenance projects and the possible use of copper pipes in fresh water plumbing systems. I understand that these discussions are or will be detailed in a further witness statement of Ada Fung Yin-Suen.

13. I emphasize again that the focus of the ACQWS meetings at that time were the three issues mentioned in paragraph 2 above. The focus of ACQWS Paper No. 7 was on the discolouration and turbidity due to rusty pipes. The comment that *"In the UK and USA, the most common problem is the presence of lead in water since during their development stage, lead pipes and lead-soldered copper pipes were widely used"* was really an introductory and passing remark.

14. I was generally aware that lead is a toxic substance, and that the use of lead pipes and fittings containing lead ought to be avoided. In this context, paragraphs

8 and 9 did not attract any special attention and I did not report them to the HD. My focus at that time was to consider means to tackle the local problems of discolouration and turbidity from an estate management perspective.

As a representative of the Housing Department and a senior officer thereof, explain and describe your role and objective in attending and participating in the work and meetings of the ACQWS. Please confirm whether during the course of your membership (2000 - 2008) the Housing Department took any action or followed up on any areas of discussion or decision by the ACQWS, and whether there was a requirement in the Housing Department for any of the said actions to be taken. Please describe the requirement and/or the follow up work and actions (if any).

15. As explained in paragraphs 3 to 5 above, my role was advisory, offering the views, perspective, experience and expertise of the HD in the development of initiatives by the WSD, and to support these initiatives if appropriate. Most of the follow up actions were to be undertaken by the WSD.

16. Matters requiring follow-up are marked at the right hand column of the ACQWS meeting minutes (which can be found in Bundle G2). The matters that required follow up by the HD were as follows:-

(a) At paragraph 6.11 of the minutes of the 5th meeting (Bundle G2, tab 29) , the Chairman proposed that the WSD ought to test water samples in newly replumbed public housing blocks to confirm their compliance with water quality requirements;

(b) At paragraph 3.1.5 of the minutes of the 10th meeting (Bundle G2, tab 34), the HD indicated that it would fully support the Fresh Water Plumbing Quality Maintenance Recognition Scheme

(“FWPQMRS”) and take the lead to have the buildings under its jurisdiction join the scheme in three stages within the next three years; and

(c) At paragraph 8.1.5 of the minutes of the 14th Meeting (Bundle G2, tab 38) the HD committed to renewing the certificates of public housing blocks every 3 years.

The HD followed up on these actions, as will be explained in paragraphs 17 to 23 below.

17. As can be seen from paragraphs 14 and 15 of the Notes of Business Director/Management (“BD/M”) weekly session held on 24 July 2002 (shown to me marked “**Exhibit 1**”), I reported the HD’s support to the FWPQMRS, and that there would be further liaison with the WSD to sort out the detailed requirements of the scheme.

18. As noted in paragraphs 15 and 16 of the Notes of BD/M weekly session held on 15 October 2002 (shown to me marked “**Exhibit 2**”), the HD decided to take the lead to conduct pilot tests concerning the water quality of public rental housing estates in the first instance. The results were noted in paragraphs 16 and 17 of the Notes of the EMD meeting held on 11 March 2003 (shown to me marked “**Exhibit 3**”).

19. In paragraph 13 of the Notes of Estate Management Division (“EMD”) meeting held on 6 August 2003 (shown to me marked “**Exhibit 4**”) and paragraph 8 of the Notes of the EMD meeting held on 12 August 2003 (shown to me marked “**Exhibit 5**”), there was discussion of renewing the certificates every 3 years.

20. Further, the HD’s implementation of the FWPQMRS can be seen from the EMD’s mandatory instructions dated 21 October 2003 (shown to me marked “**Exhibit 6**”), which was subsequently superseded by the EMD’s mandatory instructions dated 14 April 2008 (shown to me marked

"Exhibit 7"). It should be noted that by the latter set of instructions, paragraph 10 b) required certificates to be renewed every 2 years instead of 3 years, keeping to HD's promise that it would review how often certificates ought to be renewed (mentioned in paragraph 16(c) above).

21. For the sake of clarity, by joining the FWPQMRS, the water of newly replumbed estates would also be tested as per paragraph 16(a) above.

22. Having reviewed the minutes, I note that at paragraph 4.1.16 of the minutes of the 7th meeting (Bundle G2, tab 31) , there appears to be a marking suggesting that there was some follow up action to be undertaken by the HD. That is an error. The suggestion made by me was that the WSD should garner support from other Government departments, with the follow up action being undertaken by the WSD.

23. There is no HD guideline specifying that it must follow up on ACQWS actions. Whether and how the HD acts would be determined on a case by case basis. That said, the HD had fully supported and actively participated in the FWPQMRS. The HD's mandatory instructions referred to above were based on a full set of guidelines prepared by the WSD for that scheme.

In relation to the work meetings and activities of the ACQWS, please confirm and explain whether and how you would report and disseminate the relevant materials (including the ACQWS Papers, minutes of meetings documents memoranda and notes taken) to the Housing Department and/or Housing Authority and bring to their notice matters relevant to the work and responsibilities of such departments. In particular, please confirm whether (a) matters in paragraphs 8 and 9 of Paper No. 7 and (b) WHO Guidelines had been reported and made known to the Housing Department

and/or the Housing Authority.

24. As explained in paragraphs 3 to 5 and 15 above, my role in the ACQWS was advisory, to provide HD's input concerning WSD matters. For most of these matters, the responsibility was on the WSD to follow up and not the HD.

25. As I understand, the HD, in selecting its representative, chose a person of sufficient seniority and experience. As can also be seen from the notes of meetings disclosed in Exhibits 1 to 5, the quality of water is just one of the numerous matters that the HD has to oversee. The ACQWS is one of many committees which HD representatives attend.

26. In that context, the HD representative is also entrusted with the duty to take the initiative to disseminate relevant information and matters (and to filter out irrelevant information and matters) and to follow up on matters requiring further action.

27. As can be seen from the matters referred to in paragraphs 15 to 23 above, insofar as there are any key issues or follow up actions, they would be summarized and raised at the BD/M weekly sessions and Estate Management Division meetings for deliberation and development of internal programmes and procedures as appropriate. Again, given the numerous matters the HD has to deal with, only a summary of the key issues and follow up actions will be raised. The background documents (such as the ACQWS papers, minutes of meetings, documents, memorandum and notes taken) would not be circulated generally.

28. As explained above, the contents of paragraphs 8 to 9 of Paper No. 7 was an introductory or background remark which was not discussed in any detail by the ACQWS. It was not circulated within the Housing Department.

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29. As can be seen from paragraph 6.3 of the minutes of the 1st meeting (Bundle G2, tab 25) , and paragraph 5.2.3 of the minutes of the 2nd meeting (Bundle G2, tab 26), the initial discussions of the ACQWS was on whether Hong Kong should simply adopt the WHO Guidelines, or to also adopt additional parameters in USEPA and EC. It was eventually decided not to adopt the additional parameters in USEPA and EC as it was expensive without any significant improvement concerning the quality of water.

30. The fact that Hong Kong adopted the WHO Guidelines was common knowledge (at least to those whose work is water related). The choice of parameters to be tested in Hong Kong was a matter for the WSD. I considered this to be a WSD matter and not HD matter. This topic and the WHO Guidelines was not reported to other members of the HD.

31. I would add that most of the references thereafter to the WHO Guidelines are statements by the WSD to the effect that there is compliance with those Guidelines (see for example, paragraph 6.3 of minutes of 4th meeting (Bundle G2, tab 28), paragraph 6.9 of minutes of 6th meeting (Bundle G2, tab 30), paragraph 4之.4 of minutes of 9th meeting (Bundle G2, tab 33), paragraph 3.2.3 of minutes of 10th meeting (Bundle G2, tab 34), paragraph 4.1.5 of minutes of 12th meeting (Bundle G2, tab 36)). I did not report these references to the WHO Guidelines to the HD.

問：黃生，你剛才聽過我讀過一次你嗰個用英文書寫嘅書面證供，你有冇嘢需要更改或者補充？

答：冇。

問：你願唔願意確立佢作為你嗰個研訊入面嘅證供？

答：願意。

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問：黃生，有幾個簡單嘅問題補充嘅啫？我哋喺有啲文件度見過有一個人叫做 Peter Wong 嘅，你係咪有個洋名叫做 Peter？

答：有人咁樣叫我嘅。

問：我知道今日你上嚟畀證供嘅時候，就帶咗有一沓文件，大約係 1 個 centimetre 厚嘅文件上嚟嘅，我哋見到有個目錄其實係有一啲係房屋署本身自己嘅紀錄，亦有一啲係公開嘅文件嚟嘅，有一啲係剪報，報紙嘅報導，有一啲係立法會嘅文件，你可唔可以同我哋簡單咁講一講呢啲文件同我哋今日委員會所上嚟作供嘅嘢有咩嘢關係？

答：我想趁呢個機會提供多啲資料或者啲背景嘅資料，關於嗰陣時點解水質委員會要成立，其實响 1993 年至到 2000 年個左右，社會上好多討論，關於黃水嘅事件--黃水問題，當時就係好多 complaint，亦都有好多請願嘅。當時呢個黃水事件都幾影響民生同埋好多壓力團體上嚟房屋署請願，又去水務局請願，即係講黃水，其實就即係水務局覺得佢哋埋--即係由黃水哋埋東江水都有問題，東江水嘅質素好差咁樣，所以當時嘅水務局就諗個方法，要問咁多人，開會，睇下點樣去解決呢啲嘅問題。

一路傾，其實就黃水係一個大問題，水管嘅維修亦都--即係嗰個水缸保養，成個系統嘅保養亦都係好大嘅問題，因為冇人花錢去保養當時，即係好少業主願意用錢去保養。我記得就 1993 年，頭先有少少剪報，就青衣行動組 express for concern，關於黃水事件嘅話，同東江水有關。

1994 年 6 月，有自由黨沙田區嘅支部亦都係 complain 過有啲黃水嘅事--黃水，同埋有 press conference 開過嘅，簡松年同埋李鵬飛當年就係 follow up for 呢個 issue。

就响大約 1994 年水務署就 announce 就唔好--即係 ban 咗呢個 GI pipe。

問：我哋停一停先。你一路講黃水係咪即係鐵銹水？

答：鐵銹水。

問：就係據...

答：即係啲水有 brown 棕色嘅物體，係鐵嚟嘅。當時我哋普遍採用嘅水管都係 galvanised iron pipe，當時係普遍採用嘅。

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問：冇包膠嘅，嗰啲係？

答：冇包膠嘅，冇包膠嘅。去到 94 年嘅年尾，就水務署就 announce，就話唔准用呢啲 GI pipe，BS1387 嘅 GI pipe 就唔好用，就畀...

問：個原因就係因為佢舊咗就令到啲水會有銹水？

答：係喇，會有生銹嘅現象，就 ban 咗呢個，就畀一個 grace period 我哋，就去到 1995 年嘅 12 月 23 號就 grace period，過咗 grace period，新造嘅樓就唔准用 GI pipe，如果你做開保養嗰啲就可以，即係我記得。

就去到 1995 年 11 月，房署因為其實都好多水喉係有呢個問題，我哋就 announce 咗一個 re-plumbing programme，即係話同啲嚴重嘅，某一座屋邨裏面嚴重嘅，我哋就同佢 renew 過嗰個 plumbing system。當年就係用咗 150 個 million 係做一百二十座樓嘅，over 一年嘅 period，曾經講過咁嘅。响當時，我記得就係 lined GI 同埋 copper 都會用嘅，房署都係講過，兩樣都可以用。

去到 1995 年 12 月 23 號，就 GI pipe 正式係唔畀用，prohibited，去到 1996 年，因為不停，因為唔係可以一次過一年之內就換晒所有水喉㗎嘛，不斷有人就上嚟請願，要求提早同佢換呢啲水喉。

去到 1996 年 2 月，我哋就將嗰個 programme expand，整多一年，就估計就 300 個 million 做二百座樓，响兩年之內做嘅，當時嘅報紙係咁講。

去到 1999 年，其實不斷都有請願要求提早，1999 年 2 月，民建聯就帶咗班居民上嚟同我哋見面，因為當時好似係賣--有啲公共屋邨要賣，叫做 TPS，賣嗰啲邨，咁要求我哋快啲做咗啲換水喉嘅計劃，耀安邨、華明邨等等。據我記得，我都接見過呢啲居民，一人帶一樽水上嚟要求我哋飲，當然我哋冇飲，即係我哋體諒佢哋，知道係有咁嘅問題。

好喇，就去到 2000 年，水務署就成立呢個水質諮詢委員會，就 invite 我哋派一名 D2 嘅 officer 去參與嗰個 working group -- 參與嗰個 advisory committee，不過呢個 advisory committee 其實就唔係有 executive authority 嘅，係 advisory，即係畀意見。

因為當時我記得就有好多其他嘅專家，包括咩嘢專家呢？包括有環保嘅專家，包括有醫務嘅專家，包括有啲團體，包括 engineer，即係 institute of engineer，有一系列嘅專家，有十幾、二十個，不同。

佢哋成日就响嗰個諮詢委員會都辯論嘅，討論、辯論，因為觀點、角度唔係完全一致。當有一啲嘢大家有 consol.，即係 consensus 嗰時，就水務署就會將佢哋嘅意見搜納咗佢，再出咗個 revised paper，响下次會或者再咩嘢。因為我記得有幾個計劃就係搞咗幾次先至 get 到個 consensus。

做完呢啲嘢，其實有一樣嘢就好緊要嘅，水務署當時係有幾個指引，呢個我有冇帶？

問：黃生，或者我想問一問你，根據你頭先咁講，你講咗好多關於背景嘅嘢畀我哋聽，當時嘅黃水事件嘅背景。當時你亦都話畀我哋聽嗰個公眾嘅疑慮就係關於呢個食水嗰個系統嘅維修或者失修嘅問題。其實嗰陣時個討論係咪即係直情係集中喺鐵銹，即係啲舊嘅 GI pipes -- unlined GI pipes 引起鐵銹水個問題㗎，抑或係嗰個討論係闊啲嘅呢？

答：咁樣嘅，就佢一開首就係第一次會、第二次會都未入肉嘅，第一次就講個國際嗰個標準，即係講嗰個 WHO guideline 有幾多個種 test，又乜乜物物咁樣。咁就有兩個 paper 嘅，同埋水務署想趁個機會就公開一啲資料，等人哋放心可以飲水，响個水喉嗰度飲，就話想 release 嗰啲 testing data 嘅，release publication of water quality 嘅 standard。

响當年，水務署就係想趁個機會要 clarify，因為要 educate 個 public，水務署負責嘅位，其實負責個水質就係由水塘或者由東江經過佢個 testing laboratory 之後去到個 supply point of the boundary，之後嗰個其實係應該業主要負責，或者個業主嗰個 maintenance agent 就應該去維修保養，佢其實都想 clarify 呢一個 point 嘅。過咗嗰個位，過咗個 point，就係個業主同埋個維修 agent 要負責嘅，趁呢度佢講埋。

問：喺嗰個位嗰度講話即係個責任佢要做保養、維修嗰啲，嗰個討論嘅專注係咪講緊銹水㗎，抑或係做一個好概括嘅話即係供水系統，全世界唔同嘅地方有啲乜嘢唔同嘅經驗或者有啲乜嘢嘢係有可能係有問題嘅，即係一個好概括嘅睇法㗎，抑或嗰陣時其實嗰個集中點係講緊--講來講去講緊黃水嘅？

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答：第一、二次會未去到講到呢啲嘅，第一、二次會就係講 standard、講 data、publication of data，去到第二次會尾就開始有人就話就係即係應該要睇埋...

主席：對唔住，黃先生，你而家睇緊--你係有啲 documents 你睇住同我哋講嘅，係咪？

答：我而家睇緊嗰個水諮會個第二次會議紀錄。

主席：係喇，即係我哋都有㗎嘛，保華交晒上嚟㗎嘛，係咪呀？

問：黃生，你係咪想講 7 月 19 號 2000 年嗰個會議紀錄？

答：7 月 19 號 2000 年嗰個，㗎。

問：係 G2...

主席：唔好岔開住先。跟住你講埋，水務署於是有些指引，頭先你講到呢度，跟住你個...

答：嗰個指引就係稍後嘅，稍後，因為我哋討論到第三次會，就出嗰個 paper number 7，paper number 7 就聚焦响點樣處理嗰啲黃水嘅問題嘅。咁點解會聚焦去處理呢？就係去到第二次會嘅尾又有委員提出，就話好關注呢個 discoloured water and consider some measures should be taken to ensure a safe tap water supply to the consumers，即係佢話要令到居民有信心，一定要處理呢個問題，所以就引致咗第三個會，咁就出咗個 paper，出咗個 paper number 7，呢個講 quality of water in building。

响呢個 paper，我嗰個記憶力唔係好好，返去喇，喇到一個 paper PowerPoint，其實就水務署畀個 PowerPoint，present 畀所有委員嘅。我相信個 PowerPoint 已經响嗰一沓紙嗰度。

嗰個 PowerPoint 就講晒當時成個大圍嗰啲問題，亦都就 touch on 就係應該點樣去處理嘅，個 PowerPoint，唔知大家有冇個 PowerPoint？PowerPoint dated 15 January 2001 年嗰個

PowerPoint。

主席：等一陣。係咪即係呢個？

答：（沒有可聽到的回答）

主席：唔係，得，好。

答：1月15號2001年嗰份。呢個就係由水務署嘅同事就 present 畀水諮會所有嘅委員嘅同事，聽咗佢個 briefing，就開始聚焦去討論呢樣嘢。

佢就提到就係想提升番嗰個飲水者個 consumer 嗰個 confidence 去飲水喉水，佢個背景就係 clarify 咗就係响個 connection point 嗰個 standard 就係 WHO guideline 1993，呢個就係水務署負責嘅，inside the building 就係睇睇咩嘢喇，嗰個水質就係要睇睇個 condition of 個 piping material，internal plumbing。

個問題就包括黃水、discolouration、rusting of unlined GI pipe，1995年已經 ban 咗，不過仍然有問題。第二就係 contamination，contamination 就主要係關於水箱有人去處理，即係有人去勤力洗水箱，亦都整咗幾個圖出嚟，就係即係有好多證據，當時係真係有咁嘅情況。

之後水務署就引述佢哋做過 consultancy study，同佢哋好吻合嘅，就係話就係個 building less than ten years old 嘅，睇過嗰啲十年以內嗰啲樓，就只不過有 small percentage 有 discolouration problem，就 causes 都係 rusting of internal plumbing、poor maintenance of water tanks and water pumps，主要就係集中响呢度。就又再講番我哋而家有啲咩嘢 action 係要搞咁樣，就有個 slight corrosion 又點，more serious corrosion 又點，very serious corrosion 佢哋會點樣處理。當時亦都提到就水務局係有一啲指引係清洗水缸嘅，定期要洗水缸，有一炸 publication 嘅。

問：講呢個 contamination 或者 corrosion 嗰方面，有冇人提過話銅喉用焊料係有機會係用咗啲唔合適嘅含鉛嘅焊料會...

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答：我記唔到，我記唔到，但係我睇過呢個 PowerPoint，就有嘅，個 PowerPoint 佢提 literature 都係講 unlined GI pipe banned in Canada、Singapore and Hong Kong, but not in UK and USA, 同埋 installation, 喺 UK 嘅 “drinking water tapped directly from the mains or a tank storing water from less than 20C.”, 第三樣至係 maintenance 咁，星加坡 “Water from outlets sampled periodically by a water analyst”, 同埋 “Cisterns inspected annually and cleaned.”

其實成個焦點當日討論都係關於黃水同埋點樣去增加--增強我哋嘅 confidence 去飲 direct, 同埋趁個機會就係要 clarify 水務局嘅責任, 同埋令到市民就唔好 blame 晒係東江水嘅水質係 poor, 即係幾樣嘅, 當時個環境就係咁樣。

後面仲有好多 PowerPoint 講嘅, 就係講就係 Buildings Department 點樣幫手、借啲錢畀人去維修, 討論過好多 option。

反覆討論其實搞咗幾次會, 去到某一個會, 有一個會就係我哋出咗兩次嘅 supplementary paper, 响呢一樣嘢, 亦最後其中一個方法就係又 education, 又 publication, 又公開資料, 又有--即係希望用一啲 incentive 嘅 scheme 引導一啲人做多啲維修保養, 嗰個引致到後期我哋全力參與去支持水務署嘅嗰個叫優質食水供水嘅計劃, 嗰個就我哋真係擺咗好多心機, 因為我哋趁住有 re-plumbing programme, 拍住去做, 嗰度就係同水務局 liaison。

殷先生：主席，我...

答：使唔使再講？

殷先生：我唔知道你想唔想黃比先生繼續自由發揮？

主席：繼續講，係，繼續講。

殷先生：繼續講？

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主席：係，係。

答：繼續講？

主席：係，繼續講。

答：咁我要睇番我哋水諮會一路開會，其實大部分嘅 item，因為我哋始終係 advisory，只會一個我哋畀--從用家嘅角度同埋保養、管理嘅角度提供意見。至於點樣，有啲咩嘢要做，水務署就响幾份文件都提過嘅，佢想提升呢個水質，除咗頭先講啲計劃，就其中有一樣，就話畀一啲叫做 re-plumbing guideline 畀我哋所有業界學。

如果我哋睇番第三個份文件，即係第三次出嘅 supplementary paper，ACQWS Paper 9，Supplementary Paper No. 2 呢一份文件就講得好詳細嘅，consolidate 晒我哋嘅 view 嘅。

主席：喺第幾頁？

殷先生：喺 G bundle，第九...

問：係 paper 幾多話？

答：ACQWS Paper 9 Quality of Water in Building...

問：1000。

答：...Supplementary Paper No. 2。

問：G2 1000。黃生，你睇睇嗰個螢光幕上面嗰個，睇唔睇到？

答：喺，喺，係。其中--或者因為呢度好多 action，其中我想 highlight 一點，就係 5.1.5，5.1.5。

問：1004 頁-- 1003，1003。

答：係喇，係喇，5.1.5，呢度佢就教--出一啲指引，就畀“Advice to

registered consumers and agents on proper maintenance of inside services.”，包括 5.1.5.2 就水務署會出一個 Plumbing Maintenance Guide。

其實水務署不停都有新指引嘅，其中一份指引就教我哋用料，有一個叫做 guide to preparation of plumbing proposal，即係你換水喉應該點樣，佢又有個 guide 嘅，定期 update。

亦都我哋自己部門有個 guide to re-plumbing fresh water supply，呢一炸嘢，仲有最後期，水務署就出過一份叫做 handbook on plumbing installation for buildings 嘅，有份咁嘅嘢，即係呢一大炸嘢就咁文件，我哋咁咁到。

我想講就係話水務署係同我哋保持--大家保持聯絡，同埋佢有啲乜嘢，佢會 consolidate，點樣做佢會教我哋，我哋跟足佢個意思去做。

呢啲就係保養維修，去到新樓，就 5.1.8 段，5.1.8，“A new code of practice for developers”，佢當年就講就係“new code of practice on the plumbing designs, which can protect and preserve drinking water quality to facilitate developers. It will reflect the latest technology and best international practices. The code will cover safety of drinking water and plumbing design to minimise the probability of water quality problems”。

5.1.8.3 就“WSD will regularly organise seminars for developers, designers and academics on the latest technology in designing for preserving water quality.”

呢一大炸嘢，其實水務署係做好多嘢，即係又要定期開會，又要乜嘢，有呢啲。我記番我哋做保養嗰陣時，收咗一大炸嘢之後，我哋就會同--即係收咗個 guide，我哋將個 guide，出番指引畀我哋啲同事跟佢點樣做，咁點樣設計，其實每個 project 另外有會開嘅，會同佢哋--我哋有個定期嘅會同佢開，individual project 亦都寫畀佢，問下佢同唔同意咁做。

主席：得，頭先嗰度嗰啲文件，我諗我哋--你頭先擺出嚟嗰啲圖、嗰啲文件，我諗我哋都想睇嘅。

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答：好呀。

主席：我哋就不如--因為我哋--基本上我哋就未有時間去消化晒你今日交界我哋啲文件，我哋都想花啲時間睇，同埋似乎你今日都帶咗唔少文件嚟。

答：呢啲就係嗰個水諮會啲紀錄。

主席：我都有興趣睇嘅，其實。

答：水諮會嗰個會議紀錄。

主席：即係頭先啲話譬如用啲咩嘢物料，跟住...

答：哦，呢啲 guide，我畀你睇。

主席：係呀，嗰啲 guide 啲啲，係。得喇喇，得喇喇，你坐喺度得喇喇，唔使--得。呢啲--得，我哋 keep 住先。黃先生，我諗就第一，我哋就要啲時間就消化你今日所交界我哋啲啲嘢，同埋頭先啲啲啲啲啲，無論係我哋委員會嘅律師、我哋自己委員都要，水務署啲啲代表都可能需要，因為佢哋都可能唔知。我就唔打算今日就問你問題住，因為我哋要消化，你畀我哋一個晏晝去消化。麻煩你聽朝早可唔可以返嚟？

答：得。

主席：到時我哋再詳細啲研究下當年究竟發生啲咩嘢事，好唔好？

答：好。

許偉強先生：我諗亦都可以等秘書處嗰邊可以 paginate 啲啲文件。

主席：係，可以等我哋 paginate 咗啲啲。

許偉強先生：不過我...

主席：你仲有帶咗啲乜嘢嚟...

許偉強先生：我想確定一下仲有冇其他嘢...

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主席：係喇，你如果帶咗啲--仲有啲乜嘢文件你認為可以協助到我哋嘅，就麻煩你一次過交...

答：其實畀晒㗎喇。

主席：畀晒㗎喇？

答：即係呢一沓就係水諮會每次個會議紀錄同埋啲啲 paper 啫，我响個網上 print 嘅啫。

主席：因為你有好多啲啲譬如啲啲 PowerPoint presentation，啲啲我哋以前冇嘅。

答：哦，啲個係啲個囉，呢一個。

主席：係呀，啲啲，我哋都想睇下。我哋--麻煩你聽朝早 10 點鐘再返一返嚟，好唔好呀？

答：好呀，okay，okay。

主席：我哋而家暫時就休息先，聽朝早 10 點鐘我哋再見面。好，唔該晒。

2016年1月21日

下午3時05分聆訊押後

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

B Commission of Inquiry into Excess Lead Found in Drinking Water Day 43 B

C Thursday, 21 January 2016 C

D (10.03 am) D

E (Transcript of simultaneous interpretation E

F except where otherwise specified) F

G MS JESS CHIU WAI KUEN (on former affirmation) G

H Cross-examination by MR SHIEH H

I MR SHIEH: Good morning, Madam Chiu. This morning, on I

J behalf of the Commission, I have some questions for you. J

K You know that there is a gentleman called Mr Kevin K

L Kwong? L

M A. Yes, indeed. M

N Q. He was really stationed in the office? N

O A. Yes. O

P Q. He was responsible for the work related to tender? P

Q A. Yes. Q

R Q. One of the areas of his work was to get tender and to R

S prepare the documents? S

T A. Correct. T

U Q. He was also responsible for submission of samples, that U

V is submission of samples to the main contractor for V

Q further submission to the HA. You have a general idea? Q

R A. Correct. R

S Q. In your latest witness statement, that is the revised S

T witness statement -- you don't need to take it out -- T

U you have said that Mr Kwong was aware when your company U

V

had got a tender awarded. Then, for the items covered by the bills of quantity and measurables, you will ask the suppliers for quotations?

A. Correct.

Q. At that time, the purpose was to get the quotations and then there will be a decision to identify the supplier to supply the items to Ho Biu Kee; right?

A. Well, we will get the relevant suppliers to quote.

Q. Say for example telling them about the number of pipes and valves?

A. Yes.

Q. Then they will tell you that for this particular project, the following items will be needed: pipes, valves, et cetera, et cetera. Then, like filling a prescription and you have said that you had a number of suppliers familiar to do it, and you would get quotations. You forwarded the information to your boss and then the boss would decide whose price was good, and then there would be a supply contract?

A. Correct.

Q. Then everything was subject to the sample of the item which had to be approved by the architect before it could be confirmed?

A. Yes.

Q. It was something routine. You had your regular

C suppliers and you were familiar with the job. You got
D the samples and you got approval. Everybody knew in
E mind that there would not be any problems? Seldom did
you encounter difficulties?

A. Yes, I could say so.

F Q. So this is items mentioned in the BQ.

G A. Yes.

H Q. But of course we know that the BQ would not mention
soldering materials.

I A. Yes.

J Q. Have you ever seen a BQ?

A. Yes.

K Q. A lot of words, but then you had a general idea that the
L BQ would not mention the soldering materials?

A. I don't think I came across such, for those I found.

M Q. They are the filler materials.

N A. Yes.

O Q. In your witness statement, you have said that for such
P filler materials, you did not have the habit of getting
quotations from the suppliers?

A. No, we didn't analyse.

Q Q. So what you did was you would not make an effort to get
R quotations; whatever amount you wanted, you would just
S go right after Prosperity and get what you needed?

A. Correct.

T

U

V

Q. In your revised statement, you said that at that time you didn't know the soldering materials had to be approved by the architect. Setting aside whether it was needed or not, sometimes people would do things even though they were not asked to do so. Did you know that it was subject to approval?

A. No, I didn't.

Q. Did you see any documents showing that the architect had approved the soldering materials?

A. No.

Q. We have heard -- I may not have to show you a document; if necessary, I will -- the Commission has come across certain documents saying that the architect, that is architects employed by the HA, will approve a lot of materials to be used, one being the soldering materials, and we have come across documents. It was Mr Kwong who submitted the sample materials to China State for HA, HA approved and then there will be an approval document. China State will then give it to Ho Biu Kee on the site, and then Ho Biu Kee's driver will take it back and then will give it to Ms Wong Wai Ping; do you know Ms Wong Wai Ping?

A. Yes.

Q. After Ms Wong got the document, it would be shown to Mr Kwong. Mr Kwong saw it and then returned it to

Ms Wong and then it would be filed. That's the evidence. Were you aware of such steps?

A. No.

Q. It's not your area of work. As the purchasing officer, you just did what you were used to doing when someone would like to purchase something?

A. Correct.

Q. Within your area of work, I would like to know whether you had to come across the physical materials?

A. Seldom.

Q. Have you ever seen something like this, in a roll? (Indicating)?

A. No.

Q. You haven't seen it before?

A. No.

Q. What about the strips? What about the solder strips in a box, like this? (Indicating).

A. No, I haven't.

Q. So workers from the site faxed their request to you and you turned it into purchase orders?

A. Correct.

Q. For the solder supplier, we know it is Prosperity, and for you, Ho Biu Kee, according to what you know, you joined in the year 2009. At that time, it was already Prosperity that was supplying the filler materials?

A. Yes.

Q. For you to place orders for soldering materials, you would not have second thoughts, because according to you there was no need to get quotations for such sundry items and you would just go after Prosperity?

A. Correct.

Q. For what items would you need to get specific quotations, or talk about -- have a discussion about the supply contracts? Am I right to say that it all depended on the instructions from Mr Kwong as to the items involved, orally or on paper?

A. There was a BQ. Say if it is about copper pipes, then the whole pile of BQs would be sent to me, say just the part concerning the copper pipes.

Q. So he will give you the part of the BQ awarded to Ho Biu Kee and then you knew about the pipes, you read English, and then, just like filling out a prescription, you will just get the information?

A. Yes, and then get it to the supplier as well for quotation.

Q. So that's what you used to do. Anything not mentioned in the BQ will not be the subject matter of getting quotations?

A. Correct.

Q. Now, for workers on the site, they will have steps or

procedures in relation to placing orders. I think there is a form, request for purchase, and then someone on the site would decide on the quantity and then he will write down the quantity needed. The subject matter of this Inquiry is the solder materials. According to your memory, in what sort of words or language would they describe the soldering materials?

A. The strips and wires.

Q. For brazing wires, let's set that aside. So they used the words "(Chinese spoken)". Did you actually distinguish between them?

A. No.

Q. Because you had trust in the workers on the site; whatever they needed, you would just copy from their request. But then you have a so-called manual from Ho Biu Kee. For the workers, they use a certain format of words to write to you, either calling strips or wires, solder strips or solder wires, and you have described that they will take out -- what Prosperity gave to Ho Biu Kee, it was a sort of list.

Please read K3, in front of you. Please go to page 2378.23. Let's focus on the first three items, because only those items are relevant to this case. They are the soldering materials involved.

Let's set aside the Powerflux. So if somebody wrote

in, asking for solder strips, what you would do was that you would take hold of this price list and then you would try to get a corresponding one, and then that would be the flat solder strips.

A. Yes.

Q. So, in your mind, you had the assumption, that the usual practice was that when the workers referred to solder strips, that would correspond to what the staff of Prosperity had understood it to be and had written down in this list, that is the flat solder strips?

A. Correct.

Q. Sometimes, when somebody says something orally, in relation to such terms, unless we have got very strict definitions, when workers mention solder strips, they may not correspond to what is in the Prosperity list.

A. Had there been a problem, they would have told me, but they didn't.

Q. So you assumed that if there was a problem, they would tell you? You made the orders and nobody objected, so when they wrote down "solder strips", you ordered solder strips, and then from practice you got this result; is that the case?

A. Right.

Q. For the prices on this list, they didn't remain the same all the time.

A. You are right.

Q. Just now and also yesterday, you said that the price given was 190, but in fact that's for solder wires. But at a certain period of time it became \$160. Did you ever take note when it became \$160?

A. I would write it down aside.

Q. Well, this is a clean copy, but in your daily work you have a working copy. You have the amended prices, and you use the working copy for reference.

A. Yes.

Q. Are you familiar with the site supervisors?

A. Usually, I call them over the phone, because they are not stationed in the office.

Q. And you do roughly know who is who, because you know their names? You have to match their signature with their names. But you have never made any attempt to verify their preference for material, because this is just run-of-the-mill?

A. Yes.

Q. Just now, you said you didn't know that solder material had been approved, and in your witness statement you say that the contracts and even the law have a requirement that solder material has to be lead-free.

A. I didn't know that.

Q. This is a hypothetical question. If somebody had told

you, whether it be Mr Kwong or anybody else, "We have submitted some solder material for approval, and the Housing Authority also only approved the FRY brand", when you procure solder material, would you take special steps to ensure that what you ordered would be the material approved by the architect? I understand your work practice is you send a request to suppliers, and suppliers would send to the construction site, and the site workers would not complain. Now, I repeat, this is just a hypothetical question. So, if you were to make a judgment, what would you do? So if Mr Kwong had told you, "Actually, we have this only approved material, the brand FRY", and if you see a worker send you a material request for solder wire or solder strips, so regardless, you just copy down what they requested and order from the supplier. But if you knew there was only a certain brand name, certain solder wire that was approved, then in your procurement procedures, would you have any special steps?

A. Well, if that were the case, I might ask Mr Kwong, "so, when they request solder strips, is that appropriate?"

If there was such a specific instruction.

Q. So if there was a specific table, saying, "From now on, all our material has to be approved", and if the construction site just writes down a general term, you

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C are saying you would ask -- well, the site worker has C

D only just written down a couple of sentences -- how can D

E I ensure when I make an order with Prosperity that they E

F have delivered the correct material? F

G A. Yes. G

H Q. This is just an assumption, a hypothetical question H

I because it never occurred. I

J A. Yes. J

K Q. I would like to now direct you -- or first, let me ask. K

L The site workers, when they fax the material request L

M form, it's handwritten, and you would copy the M

N terminology verbatim to the purchase order. You would N

O type it out on the computer. Do you keep your computer O

P records? P

Q A. We don't have the old files. Q

R Q. Why? I know it only consumes memory space. R

S A. It's not necessary. We don't have a large server. S

T Usually, we just delete the files. T

U Q. So your practice is that how often do you delete them? U

V A. Well, we will ask the boss, "Has this project V

concluded?", and we will clear out the files and we will

delete the files.

Q. So all the computer records related to the construction

site, all the project files will be deleted?

A. Yes.

Q. So the only remaining documents are the hard copies? If the hard copies are discarded, then there's nothing left?

A. Yes, because the whole project has concluded.

Q. Okay. I would like to show you your purchase orders. Let's take a look at bundle S. Let's take a look at page 191 for Kai Ching Estate. We have the buyer's name here. This is a typical purchase order. So you have, in your computer, a basic template. When you need it, you load the template out and you fill out the form.

So the buyer, we have "Wai/Catlin". "Wai" refers to Wong Wai Ping, and Catlin is another procurement colleague.

I have looked at these purchase orders. Some just say "Catlin" and some say "Wai". Your name does not appear.

A. I normally focus on negotiating with the suppliers, getting discounts.

Q. So you are the head of the procurement department, so in fact all this typing work is done by your subordinates, and your division of labour, you are not responsible for the paperwork; you go and negotiate prices?

A. Well, for Prosperity, it's usually just sundry, minor hardware. I focus on major material.

Q. So you're saying it's normal to not have your name in

the "Buyer" column?

A. Sometimes my name appears, but mostly it's Catlin.

Q. And Ms Wong Wai Ping, if it's an urgent case, she might have to assist?

A. Yes.

Q. Your name doesn't appear that much?

A. Correct.

Q. Let me ask -- in our case, when you prepared your witness statement, your counsel might have told you HBK, they have two projects, Kai Ching and Kwai Luen, and they have ordered solder strips and solder wire. So I would like to ask you, in Kai Ching and Kwai Luen, prior to these two projects, you joined the company in 2009, and back then HBK wasn't just working on Kai Ching and Kwai Luen; there were other projects. So your practice was the same. Your site workers would send their material request form and fax it back, and you would draft the PO.

So, in your recollection, site workers in Kai Ching and Kwai Luen, prior to these two projects, if they were to order solder material, what type of terminology would they use to describe the material?

A. Well, it would either be solder strip or solder wire.

Q. So prior to Kai Ching and Kwai Luen, you have seen workers ask for solder strip or solder wire?

A. Well, I'm not sure. I think they would have asked for solder wire. But if you ask for a specific case, I can't recall.

Q. Prior to Kai Ching. I'm referring to projects outside of Kai Ching and Kwai Luen.

A. I think it should have been solder wire.

Q. So, in your recollection, in Kai Ching and Kwai Luen, you started to see solder strips. So after Kai Ching and Kwai Luen, Kai Ching concluded in 2013, roughly. So Kai Ching, Kwai Luen and other projects, have you seen people order solder strips?

A. I didn't take notice of that.

Q. In our case, if you look at Kai Ching and Kwai Luen, and the relevant delivery notes or procurement orders, we discover that the delivery note is issued by Prosperity -- the delivery notes issued by Prosperity say they delivered solder strips, WL50, and some delivery notes indicate they delivered FRY solder wire, and sometimes they delivered both. Sometimes it says that we have these materials delivered by Prosperity.

Now we are attempting to find the purchase orders from HBK, and we've discovered that we are not able to find solder wire documents, so I would like you to help us. In your recollection, HBK, when they send an order to Prosperity, ordering the soldering material, if

Prosperity delivered solder strips, would you assume
it's because HBK asked for solder strip?

A. If they ordered solder strip, then we delivered solder
strip.

Q. So, in other words, if Prosperity -- the goods delivered
was 20 rolls of solder wire and 100 pounds of solder
strip, let's assume -- then you would think that when
HBK placed an order, they wanted so much solder strip
and so much solder wire; would you assume that?

A. Yes.

Q. Would there be certain circumstances where HBK ordered
all solder strips; it's just that Prosperity, because
the material, the solder strip, they didn't have enough
stock, so they substituted some solder wire instead,
something similar, and delivered it to the HBK site as
a substitute?

A. No, I don't think so. It shouldn't happen.

Q. Well, you say it shouldn't happen. In your experience,
have there been cases when HBK places a PO with
Prosperity, asking for let's say 100 pounds of certain
material, let's say solder strip, and then Prosperity
gives you a call back and says, "We are out of stock, we
only have 50, so let's make up the shortfall with
a substitute"? Has that ever occurred?

A. In my tenure, I have not heard of it.

Q. Have you heard other people talk about that?

A. No.

Q. Has it ever occurred that when you do the accounts, you

find that you ordered, let's say, 100 rolls or

100 pounds of solder strip, and then later on

Prosperity, behind your back, they said they were out of

stock, so they sent 80 pounds or 80 strips, solder

strips, then they added other stuff to make up the

order, and the construction site was willing to take

delivery and sign off. So when they invoiced HBK, the

material was different from the PO.

A. No. If that occurred, we would have to compare our

notes and have to follow up.

Q. So it never occurred that Prosperity substituted other

material behind your back and issued you an invoice?

A. No, that never happened.

Q. If that happened, which department or which people would

know and follow up? Would it be the accounting

department or procurement department?

A. We would follow up if -- where the delivery note and the

PO didn't match, we would have to follow up with the

supplier.

Q. So the procurement department would be involved? They

would have to understand what went on, so it wouldn't be

passed to the accounting department? Because in the

accounting department we have Ms Chung, but you're saying that if there is a mismatch between delivery note and the purchase order, let's say you ordered 100 rolls and they gave you 80 and some other substitute --

A. But that never happened.

Q. It never happened, in your memory?

A. No.

Q. So you are saying that if wire and strip were ordered, you would assume it's because, when you placed the order, you wanted wire and strip?

A. Yes.

Q. Give me a second. I would like to direct you to the Shui Chuen O purchase order. Page 2378.24. This was a purchase request in 2014. You had disposed your Kai Ching and Kwai Luen purchase orders. This is a sample. In item 6, it refers to solder strip -- solder wire, rather -- and you are trying to indicate that you will get a quotation from other suppliers, but you usually purchase from Prosperity. So even if other people's prices are more attractive, you feel that all minor metal hardware should be purchased from Prosperity, because you are familiar with them.

So, if you have already considered Prosperity, then you ask Tung Wah to give you a quotation?

A. We had a quotation for aluminium ladders and little

carts.

Q. So, after you receive it from the site, you ask Tung Wah for a quotation, you ask for a few items, because you know in your mind certain suppliers focus on certain materials? This does not include -- this quotation does not -- it's not a request for solder wire but you included it anyway. Therefore, in your witness statement, you said that, say for example, \$160 per roll, and then you tried to convert it into the price per pound. You didn't do it at that time, but then for the purpose of the witness statement, you would like to explain the matter to us? In other words, at the time, you didn't do the calculation and try to see if it was better to use Tung Wah?

A. No, it was not like that.

Q. According to you, for this request to purchase form, solder wire has been written down. Well, in fact, the request will be converted into a PO to be sent to Prosperity; right?

A. Yes.

Q. Prosperity would act accordingly, and the relevant FRY solder wire would be sent to you. Did you pay attention to the brand name? Would it be FRY?

A. No, I didn't.

Q. Have you ever come across or heard about

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C high-temperature solder or low-temperature solder? C

D A. No. D

E Q. Did anybody write it down? E

F A. No. F

G Q. Either they ask for solder wire or solder strips? G

H A. Correct. H

I Q. What about the characteristics between different kinds I

J of soldering materials? J

K A. No, I don't. K

L MR SHIEH: Thank you very much. I haven't got other L

M questions. M

N WITNESS: Thank you. N

O CHAIRMAN: Does anybody have any questions? No. O

P Then thank you very much, Ms Chiu. You may now be P

Q excused. Q

R (The witness withdrew) R

S Any further witnesses from Ho Biu Kee? S

T MR KW LEE: No. T

U CHAIRMAN: So all the plumbing subcontractors have already U

V given evidence. V

MR SHIEH: Other than Mr Lam Tak Sum.

CHAIRMAN: Other than the plumbers. For Mr Lam, we will

just check his condition first. But let me tell the

lawyers for the two plumbing subcontractors -- Golden

Day is not present today, Ho Biu Kee, and also two

others are in person. Later on, we are going to send a letter.

For the four subcontractors for plumbing, as in the case of the main contractors, please prepare a summary of evidence in relation to the evidence given by your witnesses. So a summary of evidence, and also submissions covering your plumbing subcontractors, concerning knowledge or lack of knowledge, concerning the use of non-lead-free solder. So, just like in the case of the main contractors, if you think that there are other people who have knowledge or lack of knowledge about the use of non-lead solders, please also tell us.

Say, for example -- I am just giving an example; I'm not saying that it was indeed the case -- for Ho Biu Kee, say for example saying that it was Chan Siu Wah who knew it and who chose it deliberately, in your submission, please tell us why you say that Ho Biu Kee has such an allegation that Mr Chan Siu Wah knew it or he didn't know it or Wong Kwai Hung knew it or he didn't know it and why he had used it.

MR SHIEH: Or maybe the main contractor knew it or the entire construction site knew it.

CHAIRMAN: Yes, there was such an allegation.

MR SHIEH: Yes, somebody had said, "I have already told certain people."

CHAIRMAN: So you understand my point?

MR KW LEE: Chairman, we will have a letter -- do you have
a letter?

CHAIRMAN: No, sorry, I won't have a letter for you. I will
just tell you.

Please have it submitted before 5 February, the same
deadline for the main contractor. Please submit it
before 5 February, submit it to our Secretariat.

At this stage, that is in the month of February, we
are not going to disclose what you have submitted, for
the same reasons I have given. So later on, when I have
gathered all the submissions from you, I will read them
and then I will disclose them all at the same time. Do
you understand?

All right, thank you. Let's have a break and then
the next one will be someone from the Housing
Department, and we may need to change the seats. So ten
minutes' break.

(10.39 am)

(A short adjournment)

(10.54 am)

MR YIN: Chairman, the next witness is Mr Leung Sai Chi from
the Housing Authority.

According to the matters that we would like to
investigate, he has provided a witness statement, and

I understand that it has been tabled this morning.

MR LEUNG SAI CHI (affirmed)

Examination-in-chief by MR YIN

Q. Mr Leung, according to the Commission investigation's intentions, you have provided a witness statement. I will read it, and you can either confirm or supplement the statement.

(Statement read in English)

Mr Leung, I have read out your written witness statement. Do you want to make any additions or changes to your written statement?

A. No.

Q. Would you like to have it adopted as your evidence?

A. Yes.

MR YIN: I have no other questions.

Cross-examination by MR KHAW

MR KHAW: Mr Leung, good morning.

A. Good morning.

Q. I believe that you know that the Commission has asked you to assist in the Inquiry, one of the reasons being that in the month of November, we heard from Mr Ng Hak Ming. He was an engineer, and in his evidence he mentioned that the Specification Library was changed in the years 2002 to 2004. In 2002, there was this discussion about the use of copper pipes, so that there

would be an alternative for the main contractor to choose from.

Mr Ng, when giving evidence, submitted a revised specification in the year 2002 by the department. That is, in relation to the possible use of copper pipes, there were changes and additions to the specification, in relation to the copper pipe fittings.

In relation to this aspect, I have some questions for you. First of all, for Mr Ng, before he gave evidence, he submitted to the Commission the revised specification, 2002. Did he talk to you about the specifications?

A. With me? Yes, because in the year 2002, he was our senior engineer.

Q. At that time, he was your boss?

A. Rather, I was his boss.

Q. My question is, before he came here to give evidence, he talked to you about the revised specifications in the year 2002?

A. I don't quite recall the details as to what was discussed. I knew that he was coming here to give evidence.

Q. I want to ask you, in your own evidence, you have said that at that time, that is in the year 2002, there was this discussion. Now, Ada Fung also prepared a further

witness statement. Quite a lot of documents have been submitted, that is in relation to the discussion concerning the copper pipes since the 1990s.

In your witness statement, paragraph 3 or paragraph 4, you have talked about a working group that was set up at that time, and it was composed of the chief architect, et cetera. The discussion was the use of copper pipes -- that is, it could be an option for the contractors. You told us why it was desired, because of the pricing competition. You said that you thought that maybe it could assist the cost, that is it would be more cost-effective.

Now, when it comes to cost-effectiveness, I would like to know whether that was the main consideration. In the past, uPVC-lined pipes were used. So I want to know whether cost factor was the major consideration?

A. Yes, one of the factors.

Q. What about other factors? Was it because for the uPVC pipes, you had encountered problems; is that right?

A. At that time, those who were responsible for repair and maintenance gave us some feedback. They said for the uPVC-lined pipes, in terms of workmanship and in terms of repair and maintenance, they encountered certain problems, and they have been using copper pipes all the time. So they asked us to consider whether copper pipes

could be offered as a choice.

Q. At that time, did you consider projects other than those of the Housing Department? Did you refer to the use of copper pipes in the projects of the private sector?

A. I suppose, at that time, we also found that copper pipes had always been used in the private sector.

Q. Other than the factors that you have referred to just now -- well, for the uPVC-lined pipes, was it the case that it was short of supply?

A. No.

Q. The uPVC-lined, when I talk about the uPVC pipes, was there a shortage of supply?

A. I don't recall having this problem.

Q. Let's refer to bundle A1, page 2.

Let's go back to the GI pipes. Paragraph 3 on page 2:

"(Partially in English) ... (GI) pipes were used in fresh water plumbing systems ... In the mid-1990s, lined GI pipes were introduced owing to its anti-rust property. However, this material was uncommon in the retail market and difficult to purchase in small quantities."

It was said here that for the GI pipes, it wasn't that common and it will be difficult to purchase.

A. It talks about in small quantities rather than in large

quantities.

Q. So this is also one of the reasons to consider the use of copper pipes?

A. Yes, it should be one of the reasons.

Q. The use of copper pipes was explored, whether there should be greater use of copper pipes in the industry.

I think there was a liaison group -- in the document -- let me show it to you. I think there was a liaison group. Let me turn to the paper. B15.4/39997. You see there is a liaison group on construction quality. Do you see it?

A. Yes.

Q. For this liaison group, was it set up specifically for the discussion of copper pipes or was it a standing arrangement?

A. My understanding was that it has always been -- it was already there.

Q. For the consultation -- I want to know whether you were a member of the liaison group.

A. I wasn't.

Q. For the liaison group, let's take a look at the membership list. From page 39997, we have the development and construction branch. We also have the building services engineer. Please take a look at page 39997 in relation to the attendance list. So from

the development and construction branch, the last one on the list, we have a Mr Choi. He is a senior building services engineer. At that time, I want to know whether he worked under you.

A. No.

Q. At that time, what was your post, in relation to the year 1999?

A. I think at that time I was a senior engineer.

Q. Senior BS engineer?

A. Senior building services engineer.

Q. At that time, were you aware of the topics for discussion by this liaison group?

A. No, I wasn't.

Q. You weren't?

There was a report, page 40002. It reports on plumbing materials for fresh water supply. Do you see it?

A. Yes.

Q. I believe it was a report written by the liaison group, to talk about the choice of materials, one being the lined GI pipes as well as copper pipes, and you talked about the pros and cons.

For this particular report, do you recall having seen it, and did you have a discussion on the report?

A. No. I have no recollection. It's a long time ago, more

than ten years ago.

Q. Let's go to a certain part of this report. In this report, do you see the table concerning copper pipes, "Piping materials", one item being copper -- do you see it? -- with the advantages and disadvantages.

For copper:

"(In English) Withstand pressure up to 25 bar when used with soldering joint".

Disadvantages:

"(In English) Withstand pressure up to 10 bar only when used with compression fitting".

It appears from this line, it says that there is a difference between using soldering joint and compression fitting, so for soldering joint, it can withstand a higher pressure; do you see it?

A. (Nodded head).

Q. My question is, there was this discussion -- and we are talking about 1999, before the year 2000 -- do you recall the discussion? That is, in relation to the compression joint fitting and soldering joint fitting, do you recall whether the Housing Authority had a preference; that is, you preferred soldering joint to others?

A. No, I don't recall.

Q. You don't recall.

There are other papers behind this one. Let's go to page 40070 of B15.4. We have "Notes of meeting". This is the working group we saw just now. This is the working group that really looked into the alternative materials?

A. Yes.

Q. So if we look at the working group, the notes of meeting date back to 11 January 2002; can you see that?

A. Yes.

Q. First of all, I would like to ask, were you a member of this working group?

A. No.

Q. But Mr Ng, we see that he was, because he attended the meeting; do you see that?

A. Yes.

Q. At that time, he was your subordinate, and he attended these meetings, and he would report?

A. Yes.

Q. So we see that there's some background information, copper pipes, and so on. At page 40071, it says building services engineers have tabled five sheets of technical specification for copper and ductile pipes, and there is a quote.

Point 2 of the quote highlights that a specification is needed and a draft needs to be provided for the

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relevant people to comment on. Do you see that?

A. Yes.

Q. Then there is a time frame for what needs to be done.

Then we have technical specifications for copper and ductile iron pipes. So the BSE is responsible for this work.

You knew that there was that step at the time?

A. Yes.

Q. I would like to ask, not too long afterwards, on

page 40132, there is a memorandum issued by you. So

regarding the discussions and the meetings, you listed

some information. We have D&S, it stands for

development and standards, and then we have CM, contract manager.

A. It should be chief manager.

Q. And what about M(SS1)?

A. It should be management support services 1.

Q. Then we have CQS. Is that chief quantity surveyor?

A. Yes.

Q. And CS?

A. I think that would be central services.

Q. It is forwarded to these departments, it outlines some of the specifications that you considered, and the copper pipes that you have considered using.

I have some questions for you regarding this. On

page 40135, in the beginning, paragraphs, (c), (d), (e),
(f), (g) -- so that is under the heading "Copper
pipework" -- it says:

"The use of compression type fittings are only
permitted for pipe sizes [less than or equal to] 54 mm.

(g) The use of solder ... are only permitted for
pipe sizes [less than] 108 mm.

(h) The use of brazed capillary fittings are
permitted for pipe sizes [less than] 159 mm."

So I would like to ask what size diameter of pipes
use different types of fittings -- what was the
rationale for that choice?

A. I cannot remember the details at that time. It's been
too long, some ten-plus years ago. But I think the
senior engineer, when they drew up these specifications,
they made reference to the British Standards.

Q. They made reference to British Standards?

A. Yes.

Q. Regarding the discussion at the time, copper
pipework ... (Chinese spoken).

INTERPRETER: Speaker not speaking into the microphone.

A. We have a lot of design, engineering design. There are
a lot of works. This is just one of them.

MR KHAW: If we look at a draft, I see this has been
submitted for the first time, these copper pipings and

C specifications; do you recall that?

C

A. I don't remember whether it's the first one.

D Q. Well, the actual drafting, the actual drafting work, did
E you participate in that?

D

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A. I did not take part in drafting.

F Q. So I'd like to ask -- Mr Ng, he had taken part in the
G drafting work?

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A. Yes.

H Q. You are also aware, during the drafting work, he had
I made reference to the British Standards?

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A. Yes.

J Q. Would you agree that the materials, if we refer to
K page 40135, if we look at "Soldering alloys for copper
L and copper alloy capillary fittings", if we compare to
M the old specifications, these are new materials, that is
it had not been used before?

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N A. We didn't have that specification before.

N

O Q. You had also not used soldering alloys because there
were no copper pipe fittings conducted?

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P A. Well, as far as I know, in the past, hot water pipes
Q used copper pipes, but it wasn't the responsibility of
our team.

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Q

R Q. But soldering alloys, if you use copper alloy fittings,
S that was a new material; it wasn't that you used that
T frequently?

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A. Well, under the Waterworks Ordinance, it has always been a British Standard requirement.

Q. I'm saying for Housing Department projects. Prior to this draft, you didn't use these materials that frequently?

A. We did use copper pipes, I think.

CHAIRMAN: Why is there a difference between cold water and hot water?

A. In the past, before using copper pipes, we used uPVC-lined pipes. As far as I understand, hot water used copper pipes.

CHAIRMAN: But why? Is it because hot water would lead to problems in the lining, so that's why you had to use copper tubes?

A. Well, I don't know the details, because building services were not responsible for hot water pipes.

CHAIRMAN: Which team?

A. It was the architects.

CHAIRMAN: So the hot water, did that involve fresh water supply or did it not relate to fresh water supply?

A. Well, hot water comes from the heating tank.

CHAIRMAN: Theoretically, yes. So the heating tank releases hot water, so when the water comes in, it comes from GI pipes, uPVC-lined pipes, for water inlet?

A. I don't know, because we weren't responsible for the

design. Currently, we are responsible for laying out specifications for copper pipes.

CHAIRMAN: I understand. I want to know -- you say, in the old days, hot water used copper pipes. Well, hot water copper pipes, what kind of specifications do they have?

A. I'm not familiar. I don't know.

CHAIRMAN: I would like to ask -- I see the working group, on alternative materials, in page 40070, there's a whole group of people there. Mr TK Ng was the second-to-last person. So I would like to ask, in this group of people, he was the only BSE representative?

A. Which page are you referring to?

CHAIRMAN: Page 40070. We have a group of people who attended.

A. He is the only BSE.

CHAIRMAN: The others are QS. The majority are quantity surveyors.

A. Because they have to do contract documentation.

CHAIRMAN: They have to do a price calculation.

A. Yes. They also have to draft the contract documentation.

CHAIRMAN: So the last person, who is that person?

A. He is the architect.

CHAIRMAN: Okay. So if we refer to pages 40133, 134, 135 and 136, can we say basically it was a one-man band,

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

B Commission of Inquiry into
Excess Lead Found in Drinking Water Day 43 B

C Mr TK Ng, who drafted the document? C

D A. He had other BSEs assisting him. D

E CHAIRMAN: So he had a team underneath him, but he was in E
charge at the time? E

F A. Yes. F

G MR KHAW: I would like to ask you, the use of copper G
material, the relevant British Standards, 1254. Were G
you aware what 1254 referred to? G

H A. I understood that 1254 was applied. H

I Q. So if we look at a paragraph we have referred to I
frequently, at page 40193 -- this is related to the I
British Standard 1254 soldering materials. There's I
a table there. That refers to maximum temperature and I
pressure. I

L So if we look at soldering, I, it refers to L
lead/tin, and in III it also refers to tin and copper. L

M In the last part of the footnote: M

N "(In English) Soldering alloys with lead and brazing N
alloys with cadmium are not permitted in installations N
for water for human consumption." N

O That is the footnote; it says you cannot use lead O
for fresh water supply for human consumption. O

Q So I would like to ask, in your team, did you Q
discuss this lead-free solder requirement for fresh Q
water supply? Do you recall that? Q

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A. I don't recall.

Q. The first time you became aware that should copper pipes were to be used, they had to be lead-free, I would like to know whether it was during the drafting of the revised specifications in 2002 that you became aware of it for the first time?

A. The drafting was for copper pipes and other things, so we didn't specifically mention being lead-free.

CHAIRMAN: But did you know it personally?

A. When I read the specifications, I knew that it was lead-free, but that was part of the specifications.

MR KHAW: Let me take you to Mr Ng's evidence. I will ask you to see if you would like to agree with him. Let's go to the transcript, the year 2015.

The transcript in Chinese, page 86. Let's move down to line G. At that time, Mr Ng was answering the Commission's question. In line G, when looking at the standards in relation to the solder requirements for BS 1254, it was only in table 6 that the various requirements were set out. But then in the table, basically, it has also got leaded solder and also the so-called lead-free solder. The only thing was that for the table's footnote -- and I have just shown it to you -- in small print, it talks about installation for water for human consumption, then leaded solder should

not be used.

Then he went on to explain:

"Basically, I believe that the general understanding was that lead would not be good for health, and the way it was presented was relatively less clear. As a drafter, in fact we have a responsibility to write it clearly in our own specifications."

That's how Mr Ng put it. There is also a small paragraph that I want to show to you. That's on page 87, below line D. That's what he had said:

"In fact, for BS EN 1254, in relation to integral solder fittings, there is also the requirement, that is we cannot use leaded solder. Because of this, naturally, for clarity, to avoid specification users making a careless mistake, naturally we would add a sentence; that is, whether external solder or integral solder, we would mention 'use only lead-free category solder'. That's why it had emerged in this way."

So he was trying to tell you the development. That is why there was this presentation for the purpose of clarity. Basically, what he was saying was that for drafters, they thought that it was necessary to bring it out clearly because he knew that lead was harmful to health.

So just now I asked you when was the first time you

knew that it was necessary to use lead-free solder.

I think you must have common-sense knowledge that lead is harmful for health?

A. Yes, I know.

Q. As far as you are concerned -- well, I think it is a serious consideration or discussion -- the use of copper pipes or other materials, providing an additional choice to the industry -- now, Mr Ng has said this. That is, he has spotted something which may be harmful to health, so it is something that has to be brought out clearly in the specification.

You being his boss, you also agree that it was important for the team to do so?

A. The team had to incorporate the BS requirements in the HA's specification. For the lead and solder, within the British Standards it was also mentioned. So what was done was that such requirements were incorporated into the General Specifications of the Housing Department.

Q. Well, the requirement must have a justification behind it. For 1254, that's the requirement. In the footnote, it is said that if it is for human consumption, it must be lead-free.

So at that time you were discussing whether copper pipes should be used. Would you agree that at that time it was also an important consideration; by using copper

- pipes, you had to consider whether certain fittings would also be harmful to human health?
- A. Well, that's part of the British Standards. For pressure use, et cetera, everything was given considerations and everything was important. Well, everything in the BS was important, because the BS is a very important technical requirement.
- Q. When you were working on the revised specifications in 2002, what about the overseas experience, like lead found in drinking water, and use of leaded solder for copper pipes might be a contributing factor? At that time, were you aware of that?
- A. No.
- Q. Not at all? Can I put it in this way. At the time, your team made it very clear concerning the soldering materials. It was because your team was clearly aware that should the soldering materials contain lead, it would pose a hazard; at that time, you were clear?
- A. The team drafted the specifications. Like all other specifications drafting, they would like to clearly spell out the technical requirements.
- Q. For such materials, including soldering materials, when used for copper pipes -- first of all, as far as your team was concerned, when you were drawing up the specifications, was it your practice to talk to the

suppliers, to find out the various types of materials available, as well as the cost and the variations in the specifications? Did you have such discussion?

A. I can't recall the details, but I believe that at that time the team did try to find out about the use of copper pipes by the industry in Hong Kong.

Q. Right. But you can't recall whether you had discussion with the suppliers?

A. The senior engineer and his team would have done it. When they drew up the specifications, in fact from some documents it is mentioned that we did try to find out about the use of such pipes by the industry in Hong Kong.

Q. Please refer to what Mr Ng has said in his evidence. Let me refer you to another short paragraph, within the same bundle, on page 90, for the same day. Near N, he was answering the chairman's question about the solder paste. This is Mr Ng's explanation:

"Not necessarily because of us. Other than studying the standards, on our part, we had to look at things like the catalogues, and we would also make reference to the handbooks available. This sentence, 'recommended by the solder alloy manufacturer', the flux -- well, in fact, it was commonly written in our technical specifications. That is, the manufacturer had to

recommend, when the two materials were used in the installations, there might be some interaction, therefore we would ask the manufacturer to recommend the use of materials."

So my question is, in the year 2002, did you, as a result of the use of copper pipes, other fittings, other materials might have to be used -- did you, as a result of that, discuss with the suppliers and ask for their recommendations as to the brands they would like to recommend to play safe? Do you recall having this discussion?

A. This work would not have been done by me personally, but as I have said, the team did find out about the use of copper pipes by the industry in Hong Kong.

Q. So if I ask you now, you are saying that the team should have done this?

A. They had found out about the use of copper pipes in Hong Kong.

Q. Now, assuming that your team did do that, did you get feedback from the suppliers, say suppliers recommend certain materials in connection with copper pipes, say for example the green-coloured FRY brand in a roll? (Indicating). Did you hear about such materials?

A. No, I didn't.

Q. For this lead-free solder materials, branded FRY, when

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was the first time you heard about it?

A. In the papers.

Q. That is after the lead in water incident, then you became aware of it?

A. Yes.

Q. Prior to that, did you know that within the industry, as far as solder material was concerned, some materials were leaded and others were lead-free?

A. According to the British Standards, again it was mentioned that solder materials could be leaded or lead-free, so it must be that there were two different kinds.

Q. So you were aware of it?

A. Yes.

Q. For the solder materials, how many kinds were there, we have heard from the evidence that we have got solder strips, solder wires. In the year 2002, when you were revising the specifications, were you clear about that?

CHAIRMAN: Please say that again.

A. I can't recall.

MR KHAW: Let me ask you again. We have heard many times from the evidence that for solder materials, there are many different kinds; some call them "solder wires", some call them "solder strips".

So, Mr Leung, in 2002, when you revised the

specifications, did you hear about the different terms for the solder materials?

A. I don't recall.

CHAIRMAN: Please go back to BS 1254. If you had read it, I think you would know that for the jointing of copper pipes, one could use leaded solder or lead-free solder.

A. Yes.

CHAIRMAN: But for potable water, it should be lead-free.

A. Yes, I was aware.

CHAIRMAN: In this case, you can use lead-free or leaded solder materials to joint copper pipes, and in your specifications you have said that it should be lead-free.

So let me come to the point directly: how can you ensure that lead-free category will be used?

A. Our team's duty was to draw up the specifications. As to the oversight work on the construction site, it goes beyond our work of drawing up the specifications.

CHAIRMAN: When you drew up the specifications, you knew that leaded materials could pose a problem, when you drafted the specifications -- now we know that there was no need for sample submission.

A. At the time, we were aware that British Standards required lead-free, but we had not heard that copper pipes had this lead-free and leaded problem.

CHAIRMAN: Can you repeat?

A. When we drafted the specifications, we knew that the British Standards required lead-free solder, but we had not heard from the industry that there was a problem with leaded and unleaded solder material.

CHAIRMAN: Solder material?

A. Yes.

CHAIRMAN: So even you were aware, even the specifications had written it down, but you did not feel that it was necessary to ensure that during the application there was this requirement?

A. That was a technical standard, but when the construction site, whether they applied that, it is not the responsibility of our group.

COMMISSIONER LAI: Whose responsibility is it? You say you are responsible for drafting the specs, then who is responsible for enforcement and monitoring?

A. It should be other groups.

COMMISSIONER LAI: You are saying other groups in the Housing Authority, so who?

A. I think it would be the project team and the contract management team.

CHAIRMAN: Well, you are the CBSE/2. At the time, you were just one of the members in design and standards, because ultimately, these specifications are submitted DCMB. So

DCMB makes the decision. So you submit it to the board,
the board will take a look; is that correct?

A. Yes.

CHAIRMAN: So, when you submit the material, do you have to
submit to CA/D&S?

A. That is one of the members of the working group, so the
specifications had been discussed and agreed upon, so
I would submit it to my AD and the AD would submit it to
the DCMB.

CHAIRMAN: And that is chaired by AD/D.

MR KHAW: Just now, you said that enforcing the situation
should be the contract manager and the architect's
responsibility.

A. Well, we are just responsible for drafting the
specifications. So which team is responsible for
enforcing them, I'm not sure.

Q. I would like to ask, in general, your team that drafts
the specifications, you would have some communication
with the department enforcing the contracts; is that
correct?

A. It depends on the situation. Here we have just included
British Standards into copper tubes' specifications.

Q. Well, if we are talking about enforcement, whether the
correct material was used, of course contract
administration is part of the team and the chief

architect would be responsible. We also have site supervision work. There's a site supervision team.

A. In general, yes.

Q. I would like to ask -- each time you revise specifications, during that process, would you have different materials and would you have to communicate with contract administration and site supervision?

Would you have some meetings with them to discuss the enforcement of these new specifications?

A. Well, the specification -- in general, we draft the specifications. The enforcement, the monitoring, whether they comply with the specifications, other colleagues will be responsible.

Q. I understand. So if you refer to the specifications in the year 2002, if we look at 39600. On page 39600, we have this document. There's an instruction number: P25/02. "Use of alternative piping materials for cold water supply installations in HA buildings".

If we look at the last page, 39605 -- we have asked Mr Ng and we would like to ask you -- we see there are a lot of departments where they have received a circulation of this paper.

So, Mr Leung, do you mean that your team drafted the specifications and then circulated them amongst the different departments? We have contract administration,

site supervision. What would they do? That would be up to them, after they read the specifications; is that what you mean?

A. Yes.

Q. So you would not, regarding the revised specifications, conduct an intra-department or intra-division discussion, saying, "We have new specifications; how should we incorporate"? That does not occur frequently?

A. Correct.

Q. I would like to ask -- you agreed that in 2002, you had to make reference to British Standards. There were a lot of materials that had to comply with British Standards. We understand the purpose is to reduce risk, when you use materials.

So I want to ask, aside from your department that drafts revised specifications, regarding the materials, if there is risk to human health or there are safety concerns, is there a specific department that looks into this? Since we have revised specifications, then these risks, would it be assessed by a specific department?

A. That is not our CBSE/2 and drafting team's responsibility.

Q. You have worked many years in the Housing Department. Do you have a specific department for risk assessment?

A. I don't know.

Q. So can you say there's no specific department?

A. I cannot answer this because in 2004 I wasn't in the DCD, so I don't know what happened to the organisation afterwards.

Q. So you were transferred to estate management. So prior to 2004, you were familiar with the operations, so if we were to ask you now, which department was responsible for risk assessment?

A. Well, I don't know, the risk assessment you mentioned, what specific specifically -- are you referring to a specific department?

Q. When you draft specifications, you refer to the British Standards. The British Standards have some specifications of materials that cannot contain harmful substances, or there might be some safety concerns. These risks must be explored, if it is used, what the consequences are.

So, if there is a revised specification, is there a specific department to follow up with the assessment, prior to 2004?

A. Well, I cannot recall a specific department that deals with that, but the monitoring -- during the construction site works, there would be some supervision.

CHAIRMAN: Just now, we discussed solder, and you said that at the time you did not feel that leaded or unleaded

solder had any problems. So you never thought about the risks; is that correct?

A. Yes.

CHAIRMAN: So if you don't know, I understand. Then you said, "We don't need submissions", and so on. So if the specification says you need to use lead-free solder, that's good enough.

I'm a little bit obsessed with this pipe bracket. If you refer to page 40138, on that page they were talking about the introduction of copper pipes and the different fitting considerations. At the top of page 40138, they referred to pipe brackets, but in (d) it says:

"(In English) Samples or details of the pipe brackets shall be submitted for approval prior to installation."

Do you see that?

Page 40138.

A. Which paragraph?

CHAIRMAN: At the top, it says, "7. Pipe brackets", and paragraph (d) -- do you see that?

A. Yes.

CHAIRMAN: We are aware that PLU1, they don't need sample submissions, but very oddly, oddly enough, I recall that the reason why sample submissions were needed for PLU1

is because you couldn't test the chemical composition, so you could just submit brochures and literature, that was good enough. That was what I heard. That was the evidence I heard.

But in pipe brackets, what is so special? I don't understand. If you are referring to the strength or chemical composition, you can refer to the brochure. Do you follow? Can you conjecture why this is a good --

A. Chairman, I think this is ten-plus years ago. The pipe brackets, from a technical standpoint, there are no specifications for supports. There are no specifications for how long, how thick, how wide, how deep pipe brackets and supports; there are no specifications. So there are no specifications, so we would just look at the samples, see if it complies. There is no British Standard specification, so they just provide a sample.

So I believe that's what the drafter thought at the time. Since I did not draft this, I am conjecturing.

CHAIRMAN: So you don't know why?

A. I suspect it is for the reason I gave just now.

CHAIRMAN: There are no British Standards for pipe brackets.

A. These pipe brackets, under different circumstances, sometimes it's attached to a wall or a ceiling, so they have different designs and types. So they need to

C provide us with a sample so we will see what it's like. C

CHAIRMAN: So it's related to the external shape and size?

D A. And also related to the design, the material, whether D

E they use a flat strip, and so on. E

CHAIRMAN: It doesn't matter. Carry on.

F MR KHAW: Mr Leung, just now I have shown you that in the F

G month January 2002, on page 40132, you talked about the G

H specifications drafted, including copper pipeworks. You H

I showed it to a number of departments or divisions for I

their comments. I

J When we look at the sequence of the papers, for J
page 40142, it was about two weeks after you submitted

K the draft specifications that the chief K

L architect/development and standards, Theresa Yim -- and L

M we have heard her evidence -- for Theresa Yim, that's M

what she says in reply to you: M

N "(Partially in English) Thank you for your memo on N
22 ...

O 2. Please be advised that we have the following O
P comment. P

Q (a) To consider inclusion of uPVC/plastic pipe Q
R bracket in addition to the metal pipe brackets. R

S (b) To consider inclusion of quality tests for S
T copper pipes/fittings (may refer to quality tests for T
U uPVC lined galvanised steel pipe and fittings)."
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At the time, Theresa Yim was the chief architect.

She said that quality tests for copper pipes and fittings should be included. In relation to this point, what was your understanding of such a request from her?

A. It's such a long time ago, I can't actually remember what was being considered. I believe that for the copper pipes and fittings, how can we be sure that it is up to our standards? When we talk about copper pipes and fittings, of course there were British Standards, and we did talk about type test certificates. So that's part of the quality.

Q. I ask this question, this is because on the face of it, quality test is mentioned here, but I am not sure what was meant. That is, when you are drafting the specifications, you should carry out the quality test for the copper pipes and fittings, or what she meant was that in the future, when such were to be used on the site, it has to be written clearly in the specifications that certain tests have to be carried out.

What was your understanding at that time?

A. I didn't give the reply to her directly.

Q. On page 40158, Mr Ng gave a reply.

A. Yes, I see it.

When he replied to the memo, it was said there are certain requirements under the international standards,

that is the BS. In this way, there would be quality assurance.

Q. Yes, I know that's how you answered the question. At that time, Theresa Yim asked you to consider inclusion of quality tests, and in fact she made it clear that you could refer to quality test for uPVC-lined galvanised pipes and fittings.

So does it mean that, previously, there were quality tests for uPVC-lined galvanised steel pipes and fittings? Was such done in the past?

A. I cannot recall.

Q. This memo was sent to you at that time, attached to TK.

A. Yes, I know.

Q. But then the memo was addressed to you, and you were the head of the team. When you read this one, what about the quality test that she referred to? As a BSE, an architect said that there should be quality tests, what was your understanding? Does it mean that a test should be conducted to test for the materials and components, that is testing the samples? I want to know about your understanding.

A. From this document, now I believe that -- I cannot recall what happened ten-odd years ago. I cannot recall what my consideration was ten years ago. When we use copper pipes and fittings, we have to find out whether

C there were specifications, so that the copper pipes and fittings have a certain degree of quality assurance. C

D You have this reply here, and we do have the BS requirements, and if I remember correctly, we have got the type test certificate, so this would suffice. This would be adequate to have quality assurance for such materials. D
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G

H Q. I'm sorry, I would like to ask one further question on this point. It appears that at that time Theresa Yim was talking about quality tests, not just about specifications. We know there are BS for specifications. It appears to me that she was asking for something more substantive. H
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L Now, Mr Ng Tat Kwan answered on your behalf: L

M "(In English) Regarding the request to include quality tests for copper pipes/fittings, please note that we have already included relevant international standards on the manufacturing and quality testing aspects for all pipes and fittings and specific type test for compression type fittings ... Tests for other purposes are not envisaged at the moment." M
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Q

R Here, you said that, yes, you do have the standards, you do have the specifications, the tests, and therefore there is no need to have specific tests for other purposes. R
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I want to know about your thinking. There was no need for testing for other purposes. What actually did you mean? What did you mean by "tests for other purposes"?

A. Please look at the specifications. We did ask for a type test certificate. There was a requirement for test. The specifications -- in 2002, the specifications were issued.

CHAIRMAN: You mean the specifications for copper pipes?

A. The specifications issued in accordance with DCMBI. We have said that for copper pipes and fittings, they must be accompanied by type test certificates.

MR KHAW: Yes, I know. You are talking about the test certs and the test results, so that the main contractor might have to submit them to you so as to be in compliance. I understand that.

I want to ask a further question. Theresa Yim referred to quality tests. On the face of it, my understanding is that it is more than the paperwork, that is the reports of the tests. I think she was asking for tests actually to be carried out. Was that your understanding?

A. For quality tests, we were generally talking about the type test certificates.

Q. All right. Thank you.

C Next, in relation to the draft, from different C
D divisions there were certain comments. Just now, we D
E referred to page 40142, and there was a reply from the E
F chief architect. F

G Let's go to page 40143. I think it's from the G
H quantity surveyor; am I right? The memo on 40143, for H
I your department. I

H A. (Nodded head). H

I Q. Here, it says there are certain comments concerning your I
J draft. J

J Perhaps let's move to the comments that can be found J
K on page 40149. K

K "SUP M178.N", I don't think the change is major: K

L "(In English) Soldering alloys for copper and copper L
M alloy capillary fittings". M

M That's the change. M

N "(In English) (a) Soldering alloys complying with BS N
O EN 1254 part 1 table 6 sections II and III. O

O (b) The use of integral solder fittings is permitted O
P provided they comply with BS EN 1254 part 1." P

Q Just a change of capital letters. For (c): Q

R "(In English) Only lead-free category solders shall R
S be used." S

S So a change of the voice, from passive voice to S
T active voice: T

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"(In English) Use only lead-free category solders."

The same for the following sentence:

"[Use] Only a non-corrosive type of flux that is recommended by the solder alloy manufacturer."

It appears, from the quantity surveyors division, they meticulously read the document. They hoped that the presentation that they desired should be conveyed to you.

I put it to you and I will see if you agree with me: at that time, the draft specifications were first of all shown to the chief architect and she gave comments. Of course, she must have read all the specifications before giving a comment, and then the quantity surveyor, having read it, almost gave comments on each and every one of them.

Can I put it this way, that at least for those divisions, they had actively taken part in the drafting of the revised specifications; would you agree?

A. Yes. In the working group.

Q. So they know that the use of such materials had to meet certain requirements and specifications, including the soldering materials?

A. I suppose they should be aware of it. They read the specifications; they should understand what was written in the specifications.

Q. Next, I would like to refer you to page 40128. That is in 2002. In the year 2002, 12 April, the director of Housing sent this to the Water Supplies Department, a memo from the director. For the memo here, that's about:

"(In English) Alternative arrangement in the selection of piping material. Fresh water supply system for standard domestic blocks".

Let's take a look at the content:

"(In English) Currently, the above ground piping materials for fresh water supply system adopted in our standard domestic blocks are as follows".

Cold water, hot water.

"(In English) In the future, we are considering to widen the tenderers' choice of piping materials ..."

(Chinese spoken).

"(In English) ... for our standard block construction projects as follows:

Cold water pipe, Arrangement 1: Galvanised steel pipe with internal uPVC lining ..."

(Chinese spoken).

"(In English) Arrangement 2: A combination of ductile iron pipe and copper pipe as follows:

-- DI pipe ... for the portion of riser where the working pressure is more than 10 bar.

C -- Copper pipe for subsequent downstream pipework C
D where working pressure is below 10 bar or where pipe D
E size does not exceed 80 mm." E

F Then the copies of the drawings were shown to them, F
G that's in paragraph 3: G

H "(In English) Attached ... please find two copies of H
I the drawing ... The proposed amendments are clouded in I
J the above drawing for your easy reference. To save J
K printing paper ... very similar amendments are not K
L attached. L

M Please let us have your agreement/comment on the M
N above arrangements in the selection of piping materials N
O and the method of presentation for the VPLD submission O
P on or before 26 April 2002." P

Q So this letter was signed by Mr Kwong, a senior Q
R building services engineer. So this Mr Kwong, at the R
S time, was he in the same team as you were? S

T A. I need to check. T

U Q. Because I see that his department is CBSE/1 and you are U
V CBSE/2. I want to clarify, are you on the same team? V

A. I am looking at an organisation chart of August 2002. A
B His name is not in CBSE/2, not in my section. B

C Q. So this letter, it has been copied to your department. C
D So if we look at the cc, it has "CBSE/2", so that is D
E your department? E

A. Yes.

Q. So it's copied to your department. I want to ask, this practice, where the Housing Department issues a circular to Water Services, where copper pipes might be used for cold water pipes -- at that time, what was the purpose for doing so?

A. Well, in general, when we have new designs or revised designs, we will send Water Services a copy, because they need to approve. So, in the process, one of our colleagues had taken these proposed amendments, designs and material, and notified them, to elicit their comment and response.

Q. You said there are changes in the material design and so on. I want to clarify -- you have copies of drawings given to the Water Supplies Department. So, at the time, the revised specifications, was it forwarded to them for reference?

A. Well, I don't know, because the memorandum was not issued by us.

Q. But is that standard practice? That is, if there are changes in material, it might involve some design changes; you would notify Water Services. Is that the standard practice or standing practice?

A. Yes, as far as I know.

Q. So a standing practice. If there are changes of

material or design in the future, when you notify the WSD, will you tell them that there's a change in design, certain materials might be revised as well, certain material might have to be procured, and these material specifications -- a checklist, would you provide them with such?

A. Well, I don't know the details, because we are not responsible for this work.

Q. So which department is responsible for this work?

A. It's the colleagues who are responsible for submissions to the WSD. This colleague does not seem to be on my team.

Q. Well, submit to -- you said submission to the WSD.

A. So these vertical pumping line diagrams and this memorandum.

Q. Let's take it step by step. Just now, you said there is a standard practice. If there are changes in design or changes in material, the standard practice would be to notify the WSD.

On this point, notifying the WSD, is it the building services engineer team that would notify the WSD?

A. I think whichever team is responsible would notify the WSD, because building services engineers are responsible for plumbing; they are only responsible for a part. The other parts are the responsibility of the architects.

Q. Now, according to my understanding, the building services engineers, the actual supervision work, they work with the nominated subcontractors, the fire services, the pump rooms; they would monitor those. The rest of the plumbing works would be the responsibility of the chief architect. That's what you said.

But I am aware that for the specifications, the drafting of specifications, the building services engineer does everything -- including plumbing works, the copper pipes, fire services, pump room -- these are the responsibility of the building services engineer?

A. Just now, you covered a wide scope. The whole water system includes a lot of things. I recall that the copper pipes, our team was responsible for the specifications of copper pipes and fittings. I'm not clear whether it's as you said for the rest of the situation.

Q. Well, regarding the communication with the WSD, you cannot recall whether you notified them of the change in specification?

A. I don't know. It's something I don't recall.

Q. So, prior to 2004, did you directly participate -- did you notify the WSD of change in material or design? And you have submitted that for their comment. Did you participate in that type of work?

A. I do not recall, but I think I did not participate. As I said, we are responsible for drafting the specifications.

Q. If you refer to the document, it seems that the submissions to the WSD, this work, it seems like it is the responsibility of the building services engineers.

A. Well, in the copper pipe specifications, yes.

Q. So, after drafting the specifications, you now notify the WSD of change in specification, change in material and design. Do you notify the WSD? Is it the responsibility of the building services engineer to interact with the WSD?

A. I am not certain.

Q. So, aside from building services engineers meeting with the WSD, which other department would be responsible?

A. Are you referring to the Housing Department?

Q. Yes.

A. Well, submissions would be the architects or the building services engineers.

Q. Regarding the memorandum to the WSD, we see on page 40130 their response. They don't have any special comments "(In English) to your proposed alternative arrangement for cold and hot water pipes.

However, it is recommended that DI pipes to BSEN 545 with cement mortar lining ... shall be used."

C (Chinese spoken).

D "(In English) Please be informed that all DI pipes
E used by our department for all public projects are
internally lined with cement mortar to BSEN 545."

F So that is their response. So aside from your
G recollection, in your post where you had discussed their
H adaptation of the copper pipes, I would like to ask --
I so aside from this written communication with the WSD,
J would you, regarding the use of copper pipes, have
meetings or discussions regarding the details of using
copper pipes?

K A. I have no recollection.

L Q. Regarding communication with the industry, some HD
M representatives, witnesses such as Ms Fung, when they
discussed the use of copper pipes, there was some
communication with the industry.

N So I would like to ask you -- looking at the
O documents, page 40162. If we look at page 1, 40160, the
P Hong Kong Construction Association and the Housing
Department, they had a meeting.

Q First of all, did you take part in similar meetings?

R A. No.

S Q. Because if you look at this meeting, at page 40160, all
T the way to page 40162, it talks about water supply
pipes, and it seems that there is a discussion about

choices, cold water pipes for future HD contracts.

"(In English) Preliminary specification and design layout drawings of the standard block for the alternative cold water supply system would be passed to the HKCA for comment within a week."

So you would supply some information for discussion with the HKCA. So, as far as you know, the Housing Department have regular meetings with the HKCA; they talk about this. So, aside from the HKCA, do you recall meeting with other industry institutions to talk about the possible widespread use of copper pipes, that is aside from the HKCA?

A. Well, I recall we had met with some suppliers.

Q. Which suppliers?

A. Copper pipe suppliers.

Q. As far as you know, did you contact material suppliers, solder material suppliers; do you recall that?

A. No recollection.

Q. At the time, in relation to the encouragement of main contractors to have greater use of copper pipes, to you and to your team, I want to know whether it was something relatively more important or whether you regarded it as something routine and something ordinary. So what was the significance of this point to you? Did you emphasise it in your work?

C A. Our work was to draw up the specifications. As I have
D said, plumbing was one of the areas we tried to see if
E we could provide an alternative. That is, under the
F uPVC-lined pipes, we try to offer copper pipes. We
G regard it as one of our daily, regular work.

H Q. For the comment given by the construction industry,
I page 40181 -- or perhaps we should go to page 40166
J first. That is from the Housing Authority. The Housing
K Authority, in relation to the drawings and
L specifications, had then submitted to the Hong Kong
M Construction Association.

N Page 40166, the second paragraph:

O "(In English) ... As discussed, attached herewith
P please find the preliminary revised specifications and
Q 5 sets of the water services installation drawings (as
R per the attached drawing list) regarding the alternative
S piping materials proposed for the cold water supply
T installation in HA buildings for your reference and
U comment."

V So a letter from you to the HKCA, and that's in
relation to the revised specifications, 2002.

Let's then take a look at the reply from the HKCA.
You find it at page 40181:

"(In English) We enclose the sketches for the
captioned issue for your attention."

So we can see certain drawings. That's in relation to copper pipes, as well as galvanised iron pipes. So they have written down certain details on the drawing.

On page 40185, this is an internal document. You have received the sketches from the HKCA. You try to decide on the follow-up work.

My question is, at that time, did you know that revised specifications were given to the HKCA? What about the materials? Did they comment on the availability of the materials as well as the cost?

A. I don't know.

Q. In relation to this discussion, other than the technical side of the matter concerning the specifications, what about operational and practical issues, whether the industry found it easy to get the materials, whether it would be costly. Well, on the part of the department, I would like to know which division would be responsible for this sort of discussion.

A. I believe that it would be the liaison meeting with the HKCA that you referred to. That would be the right forum to discuss such issues.

MR KHAW: I have no other questions. Thank you.

CHAIRMAN: Does anybody have any questions? No?

Any re-examination?

MR YIN: No.

C CHAIRMAN: No re-examination? Thank you. C

D Thank you, Mr Leung. You are finished with your D
evidence and you may now be excused.

E (The witness withdrew) E

F MR YIN: Chairman, the next witness from the Housing F
Department should be Mr Wong Bay.

G CHAIRMAN: Yes. G

H MR YIN: Mr Wong has prepared a written statement. H

I In addition, from the records, he has compiled the I
relevant background concerning the setting up of the
J Advisory Committee on the Quality of Water Supply. J
That's in relation to the so-called rusty water.

K I understand that certain documents have been K
L prepared. Hastily, we have copied the papers. We have L
done an index but we haven't been able to prepare the
M copies. I am sort of having a word with counsel. M

N I just wonder whether we can have a short break. N

O CHAIRMAN: Or let's have an early break. Perhaps we can O
resume at 2.15.

P MR KHAW: I may need a bit of time to read it. I need time P
Q to read the papers and to see whether it is related to Q
R our work. Maybe, if Mr Yin can give us the information R
S during the lunch break -- but I am afraid I may need S
a bit more time to finish reading the documents.

T CHAIRMAN: In other words, you need to read it in the T
U
U
V

afternoon?

MR KHAW: Yes.

CHAIRMAN: Let's resume at 2.15 and let's check the progress. If by then you say you need more time, then we can make a further decision about adjournment.

MR KHAW: Thank you.

(12.40 pm)

(The luncheon adjournment)

(2.18 pm)

MR KHAW: Mr Chairman and member, just now the counsel has given us a batch of papers, further papers of the HD. I quickly took a look but I didn't have time to go into the details.

I believe I need a bit more time to read them. As Mr Wong has already arrived, subject to your instruction, Mr Chairman, maybe you would like Mr Yin to read out his witness statement and then I will spend more time this afternoon to read his papers.

MR YIN: Mr Chairman, I would like to say the following.

I don't think we can expect to finish Mr Wong's evidence today, so can we just carry on, and in due course maybe Mr Khaw will say he would rather not continue with his questions.

I will read out his statement. If Mr Khaw would like to ask questions not related to the dozen or so

pages I gave him this morning, then in due course we can adjourn and have Mr Wong continue tomorrow, if there are further questions for him.

CHAIRMAN: There is no difference. So why don't you just read out the statement.

MR YIN: Yes, we can read out the statement first.

CHAIRMAN: Please call Mr Wong Bay.

You still have many questions for him after reading out his statement?

MR YIN: Not quite. If Mr Khaw would like to and can ask some questions first, he can do so, or if he would like to start tomorrow, then he may also do so tomorrow.

CHAIRMAN: Mr Wong, please come over to this side.

MR WONG BAY (affirmed)

CHAIRMAN: Please be seated, Mr Wong.

Mr Yin?

Examination-in-chief by MR YIN

MR YIN: Mr Wong, I am going to read out your written statement.

(Statement read in English)

Do you want to supplement or add or change anything in the evidence I have just read out?

A. No.

Q. Do you want to adopt this as part of your evidence?

A. Yes.

Q. I have a few questions to ask you.

In some documents we see a name Peter Wong. Are you also called Peter Wong?

A. Yes, some people call me that.

Q. When you come to give evidence, you have brought with you a bundle of documents, about a centimetre thick (indicating), and I see an index. There are some records of the Housing Department. There are also some letters in the public domain, some newspaper cuttings, some LegCo papers. (Handed).

Can you quickly tell us, how is it related to your evidence today?

A. I would like the opportunity to supply some more information, some more background information, as to why the Advisory Committee was set up.

Between 1993 and the year 2000, there were a lot of discussions in society about yellow water and discoloration, and there were a lot of complaints and there were a lot of demonstrations.

In relation to the discoloration of water, it has affected greatly livelihood and there were a lot of petitions targeting the WSD and the HD. The WSD was of the view that because of discoloration, it showed that the quality of Dongjiang water was quite poor. That's why it was deemed necessary to have a meeting.

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 43	
C	Discoloration itself is a major problem.	C
D	Maintenance and repair of pipes, maintenance of water	D
E	tanks were equally important because at that time, not	E
F	many people were willing to spend money to maintain	F
G	water tanks and pipes.	G
H	I remember that in 1993, as you can see from the	H
I	newspaper cutting, it is the Express, about an incident	I
J	in Tsing Yi about the discoloration of water. It's	J
K	related to Dongjiang. In June 1994, Liberal Party,	K
L	Sha Tin branch, made a complaint about discoloration.	L
M	There was also a press conference between Allen Lee	M
N	and also Kan Chung Nin.	N
O	In about 1994, the WSD announced -- well, about the	O
P	banning of GI pipes.	P
Q	Q. You talk about discoloration of water or yellow water.	Q
R	You are referring to water with rust in it?	R
S	A. The water is brown, and it's actually iron, and at that	S
T	time we normally use galvanised iron pipes.	T
U	Q. It wasn't lined?	U
V	A. No. At the end of 1994, the WSD made an announcement	V
	banning BS 1387 GI pipes.	
	Q. Because with wear and tear, there would be rust?	
	A. Yes. However, there was a grace period until 23 October	
	1995. After the grace period for newly built blocks,	
	GI pipes were not allowed to be used. However,	

C maintenance of existing ones were allowed. C

D In November 1995, the WSD found that there are a lot D
E of places with problematic plumbing, so we set up E
F a system for re-plumbing the system where it's serious. F
G 150 million was earmarked for 120 blocks over a period G
H of one year, and I remember lined GI and copper were H
I both used, and the HD said that both could be used. And I
J 23 December 1995, GI pipes were formally prohibited. J

K In 1996, since the re-plumbing could not be K
L completed within just one year, there were petitions L
M asking for early re-plumbing. In February 1996, we M
N expanded the programme for another year. It was N
O estimated 300 million would be spent on 200 blocks over O
P a period of two years, as reported. P

Q In 1999, all the way to 1999 there were petitions Q
R asking for expedition. In February 1999 the DAB brought R
S a group of residents to meet us because of the tenant S
T purchase scheme. We were asked to re-plumb these T
U estates, Yiu On and Wah Ming. I remember meeting some U
V residents. They brought a bottle of water, asking us to V
drink it. Of course we did not. Of course we
understood the plight they faced.

R In 2000, the WSD set up the Advisory Committee, R
S inviting -- that is the ACQWS -- a D2 officer was sent S
T to participate in this Advisory Committee. However, T
U
V

this Advisory Committee is of an advisory nature. It is not an executive committee. I remember there were some other experts on say environment, healthcare, some groups, engineers, Institute of Engineers, about a dozen or 20 experts from different fields.

There were a lot of discussions and debates in the Advisory Committee, because they saw things from different perspectives. The WSD would collate the views and then a revised paper would be issued for the following meeting. I remember that for a few schemes, it took a few rounds of discussion before a consensus was reached.

There was one thing that was very important. At that time, the WSD had a few guidelines, and I've got them here.

Q. Mr Wong, perhaps I would like to ask you this question. According to what you said, you gave us a lot of background information about the water issue. You told us about the worries of the public, and that's about the disrepair and maintenance of the water supply system. So I want to know whether the focus of the discussion was on the rust, that is the unlined GI pipes giving rise to rusty water or discoloured water, or was the discussion broader than that?

A. Well, it started with the first or second meetings not

going into the core of the issue. The international standards were discussed. That is, the WHO Guidelines, and also the number of tests and whatnot. There were two papers. Then the WSD would like to take the opportunity to disclose certain information, so as to allay the worries of the public, so that they could drink from the tap directly. So there was the publication of water quality standards.

Back then, the WSD would like to take the opportunity to clarify and to educate the public. The WSD was responsible for the quality of water from Dongjiang to the testing laboratory, up to the supply point of the boundary. Thereafter, in fact, it should have been the responsibility of the owners or the maintenance agent of the owners. They should be responsible for the repair and maintenance of the system.

The WSD would like to clarify the issue. Beyond that point, it would be the owners as well as the agent of the owners to repair and maintain the system.

Q. You mean, the point -- you mean the boundary for maintenance and repair. I want to know whether the focus of the discussion was on the discoloured water or whether it was a very general discussion, talking about the water supply system. That is, all over the world,

you talked about the different experiences and the different problems. So I want to know whether it was a general discussion or whether the focus was always on the discoloration of water.

A. For the first and second meetings, we weren't on such matters yet. Initially, we talked about the standards, data, and publication of data.

Towards the end of the second meeting, somebody started to say that perhaps we should ...

CHAIRMAN: Sorry, Mr Wong. You have some documents that you are reading from when you speak?

A. Yes. I am reading the second meeting of the ACQWS.

CHAIRMAN: I think we've also got it because Paul Y has also submitted it to us; right?

MR YIN: Mr Wong, would you like to talk about the meeting held in the year 2000, 19 July?

A. Year 2000, 19 July, right.

CHAIRMAN: Don't digress. Please come back to the point.

The WSD had a few guidelines or a few sets of guidelines. You stopped at that point.

A. The guidelines emerged later on. By the time we had the third meeting, that is we got paper number 7.

CHAIRMAN: Yes.

A. For paper number 7, there was the attempt to deal with the discoloration. As to why that was the focus, that

is because towards the end of the second meeting,
a member raised the concern, that is he was very
concerned about the discoloration and some measures
should be taken.

In other words, he said that we should instil
a sense of confidence in the residents, and that's why
there was this paper, paper number 7, for the third
meeting. It's about quality of water in buildings.

For this paper, I don't have a very good memory.
I tried to dig up some information and I found
a PowerPoint presented by the WSD for the members.
I believe it is within my bundle.

The PowerPoint was on the topic, in a comprehensive
way. It touched on ways to handle the issue.

CHAIRMAN: Yes.

A. There was this PowerPoint. I don't know if you have it.

The PowerPoint dated 15 January 2001.

CHAIRMAN: A moment, please.

Is that the one?

A. (Indicating).

CHAIRMAN: No.

MR SHIEH: (indicating).

CHAIRMAN: Yes.

A. 15 January 2001.

CHAIRMAN: Yes.

A. So it was presented by the WSD colleagues to the ACQWS members. We received the briefing, and then we started to focus our discussion on that matter.

It was said that they would like to raise the confidence of the consumers and to drink tap water. Mention was made that the WHO Guidelines 1993 was the standard. Then, as to the quality inside the building, it depends on the quality and condition of the piping material. The problems included discoloration, rusting of the unlined GI pipes, which were banned in 1995, but the problem was still with us, and then there was contamination. That's mainly in relation to the lack of maintenance and cleansing of the water tanks.

A few diagrams were also sort of presented, showing the evidence. After that, the WSD quoted from a consultancy study, and the findings matched. For ten-year-old buildings, for buildings with a history within ten years, a small percentage of them have got discoloration problems, and again rusting of the internal plumbing and poor maintenance of water tanks and pumps were to be blamed. So that's the focus.

As to the action that had to be carried out, what about slight corrosion, serious corrosion. Different scenarios were outlined.

At that time, it was also mentioned that the WSD had

guidelines for regular cleansing of the water tanks.

MR YIN: Contamination and corrosion, did anybody mention the use of solder materials for copper pipes might -- as a result of use of inappropriate solder materials?

A. I cannot recall, but reading from this PowerPoint, it wasn't there.

"Unlined GI [pipes] -- banned in Canada, Singapore and Hong Kong but not in UK and USA."

That was mentioned in the PP. Then, for the drinking water of the UK "tapped directly from the mains or a tank storing water from less than 20C."

Then the third point was about "(In English) Maintenance, Singapore":

"(In English) Water from outlets sampled periodically by a water analyst.

Cisterns inspected annually and cleaned."

I think the focus of the discussion that day was on discoloration and how to enhance the confidence so that people could consume water directly from the tap, and also to clarify the responsibilities and hope the citizens would not blame it entirely on Dongjiang water.

There were more slides in the PowerPoint further on to talk about the Buildings Department providing money for others to carry out the maintenance and repair. So it was discussed back and forth, and we had it discussed

C at a few meetings. Then, for a meeting, there were two
D supplementary papers on the same topic, and eventually
E we decided that there should be education, disclosure of
F information. It was hoped that by having incentive
G schemes, people would be encouraged to have more repair
H and maintenance. Then later on, we said that we would
I show full support to the WSD in relation to the Fresh
J Water Plumbing Quality Maintenance Recognition Scheme,
K and it was the WSD that was carrying out the liaison
L work.

M MR YIN: Would you like Mr Wong to continue freely?

N CHAIRMAN: Yes, please continue.

O A. For the ACQWS, we were advisory. From the point of view
P users, from the point of view maintenance and
Q management, that's our role.

R As to what should be done, the WSD has submitted
S a paper. The WSD would like to enhance the water
T quality, and one among the proposals was that there
U should be a set of re-plumbing guidelines for everybody
V in the industry.

Now let's turn to the third paper, that is the third
supplementary paper issued. ACQWS paper number 9,
supplementary paper 2 -- it's very detailed and it
consolidated all our views.

CHAIRMAN: Page number, please.

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

B Commission of Inquiry into Excess Lead Found in Drinking Water Day 43 B

C A. Bundle G, ACQWS paper number 9, supplementary paper C
number 2.

D MR YIN: G2/1000. D

E Mr Wong, please look at the monitor. Is this the E
one?

F A. Yes. There were a lot of actions. 5.1.5. F

G Q. 1003, 5.1.5. G

H A. Here is a guideline on advice to registered consumers H
and agents on proper maintenance of inside services.

I 5.1.5.2 says that the WSD will issue a plumbing I
maintenance guide.

J From time to time, the WSD would issue new J
K guidelines, one of which is on material, that is a guide K
L to re-plumbing. It is a guide that will be updated from L
M time to time. There is also a guide to plumbing of M
N fresh water. There is a handbook of installation for N
O buildings. I stumbled upon them when I was looking for O
P papers, and I would like to say that the WSD was in P
Q liaison with us, and they would give us guidance on what Q
R to do and would follow it closely. That's in relation R
S to the maintenance and repair for new buildings. S
T It's 5.1.8, "(In English) A new code of practice for T
U developers", and it says: U
V "(In English)... a new code of practice on the V
plumbing designs, which can protect and preserve

drinking water quality to facilitate developers. It will reflect the latest technology and best international practices. The code will cover safety of drinking water and plumbing design to minimise the probability of water quality problems et cetera."

5.1.8.3:

"(In English) WSD will regularly organise seminars for developers, designers and academics on the latest technology in designing for preserving water quality."

The WSD has done a lot. There were regular meetings. I recall that when it comes to maintenance, after we receive the information, the guide, we would issue them as guidelines. There would be regular meetings with them. We would also write to them about individual projects, to seek their advice.

CHAIRMAN: The documents, the plans, we would like to have a look. We don't have time to digest the documents you give us today and we would like to go through them, and it seems that you have brought with you a lot of documents.

A. These are the records of the ACQWS.

CHAIRMAN: I am interested in going through them. Say, for example, use of material and guides as well.

Just stay there. (Handed). We will keep them.

Mr Wong, we would need some time to take in what you

have given us.

So members, WSD representatives and the lawyers
would need time to go through them.

I do not intend to ask you questions today, because
we need time to go through it. We will need
an afternoon. Perhaps tomorrow morning, please come
back and we will go into detail as to what happened at
that time.

MR KHAW: We can also use the time for the Secretariat to
paginate them.

CHAIRMAN: What more have you brought? If you have brought
some other documents that you think may be of
assistance, could you please give them all to us?

A. Yes, I have. This bundle is the minutes of meeting of
the Advisory Committee.

CHAIRMAN: We don't have the PowerPoint presentations and
similar papers and we would like to refer to them.

Tomorrow at 10 o'clock, please come back. We will
adjourn here, to resume at 10 o'clock tomorrow. Thank
you.

(3.06 pm)

(The hearing adjourned until 10.00 am the following day)

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(The witness withdrew)68

I MR WONG BAY (affirmed)70 I

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