

2016年2月3日

上午9時32分恢復聆訊

出席人士：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

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

李柱銘資深大律師及吳思諾大律師，由何謝韋、李偉業律師事務所延聘，代表啟晴邨及葵聯二邨公屋居民代表 Lee Pui Yi、Chong So Nga 及 Lui Hui Ping

何沛謙資深大律師及殷志明大律師，由羅夏信律師事務所延聘，代表香港房屋委員會

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

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

許佐賓大律師，由的近律師行延聘，代表保華建築營造有限公司

孖士打律師行陳韻華律師，代表瑞安承建有限公司

主席：係，Mr Lee。

李柱銘先生：早晨。

水務署第一證人：林天星（水務署署長）宣誓繼續作供
李柱銘先生繼續盤問

問：林生，我琴日就有啲嘢想畀你睇嘅，而家今日擠咗兩份嘢畀你睇，睇咗未呀？

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答：諗，...

問：未畀你㗎？

答：冇畀我。

問：唔好意思。不過我今日盡量唔會畀咁多嘢你睇嘅。你手裏面有兩份，你睇第一份，你睇第一行就係講有「7月11日」嘅；睇到未呀？係咪呀，第一行嗰度？

答：嘎。

問：一份就有個括弧，就係「十月八號」嘅；睇到喇嘛？

答：得。

問：我就想問你10月8號嗰份，就好少嘢嘅啫。呢一份，你睇見就係「新聞公報」，上面；睇到喇嘛？睇到嘛？

答：睇到。

問：唔該。就係政務司司長出席立法會內務委員會特別會議開場嘅發言。咁你睇下佢就講完「梁君彥主席、各位議員」之後，咁佢就多謝佢喇。咁跟住重要嘞，「由七月十日發現啟晴邨食水鉛量超標，到現在已經3個月，...我主持嘅跨部門高層會議，至今舉行了17次會議，統籌部門合作，盡速推出跟進措施。正如我在上次會議所說，以處理今次事件上，我們一直本着三大原則，即『公開透明』、『以人為本』和『全面徹查』。」

呢個就係政府嘅最高層嘅立場，你同唔同意㗎？

答：我當然同意。

問：跟住我攞一攞落去得㗎嘞。跟住就佢交代，咁第(1)嗰度就係食水含鉛就係超標嘅，佢講係2005年或以後嗰啲抽水，即係你哋做咗喇，就佔總數嘅2個per cent；睇到喇嘛？睇到嘛？

答：係，睇到。

問：跟住第(2)段，你攞一攞得㗎嘞。佢講幼兒園、學校，咁就跟住六歲以下嗰啲又特別嘅，okay？

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第(3)，就協助十一個受影響屋邨。去到嗰陣時已經知道有十一個受影響嘅屋邨，即係三個月後。

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Okay，咁跟住就第(4)段就講又驗咗血。

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第(5)就講嗰個係錫焊嘅接合含鉛。

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Okay，咁就算嘞，呢度我唔想你睇咁多。

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好嘞，另外嗰個，即係一開頭嗰個，又係政務司司長嘅，就係跨部門會議跟進啟晴邨食水水質事件。第一段，「政務司司長林鄭月娥今日（七月十一日）上午召開跨部門會議，討論房屋署啟晴邨食水含鉛事件嘅跟進工作，並作出重要後繼工作和相關措施嘅決定。參與會議嘅包括運輸及房屋局、發展局、食物及衛生局、房屋署、水務署同衛生署。」

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琴日我哋傾過呢六個嘞，係咪，六個單位嘞？

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「下午，運輸及房屋署、發展局、房屋署、水務署、衛生署同埋醫院管理局舉行記者會，交代詳細情況。」

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我未睇落去之前，7月10號發生啲咩嘢事呀？因為佢7月11號就開呢個記者會咁嘛，記唔記得7月10號係發生咩嘢事？係咪嗰陣時政府已經驗咗啟晴邨，係發現有問題呀？係水嘅含鉛係超過，你記唔記得？

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答：佢呢度係寫咗7月11上晝嘅會係討論房署啟晴邨食水含鉛事件嘅跟進。

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問：就係因為係先一日就政府自己都出咗個--係，喺7月3號開始，咁16號就有結果，咁就知道係有問題，咁所以就開呢個記者招待會。你記唔記得呢件事？

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答：日子唔係記得好清楚，不過大約係嗰個時候。

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問：係呀，係，好，得。因為若果叫你記得番啲嘢係唔公平嘅，所以你講大約得嘍嘞，okay？

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答：唔該你。

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問：咁你睇到，第一，跟住嗰段嘞，就「運輸及房屋..局長張炳良...喺記者會...表示，而家政府高度重視今次事件，特別...承造嘅持牌

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水喉匠懷疑違規嘅問題，以及如何盡快處理事情，控制風險，為市民提供安全食水，好讓市民比較安心。」

即係咁早其實就你哋已經係--起碼政府當局有關部門就覺得個問題喺個持牌水喉匠嗰度嚟個囉嗶，違規添嗶，好早期已經係個囉嗶，係咪？係咪呀？

答：我記得就係--因為呢度睇落去，提到房署嗰度，就話「今日公布啟晴邨最後一批食水樣本結果後，我們完成了該邨有系統的抽樣工作。」如果我記憶冇錯，就係當我哋抽咗嗰啲水樣本，譬如如果你講啟晴邨，我哋驗咗嗰個含鉛超標，咁我哋會係隨即去睇一睇有關嗰個嘅焊有冇問題嘅。我記得好似房署好似係做咗呢啲咁嘅測試嘅。咁所以如果係發現到嗰個焊料係含鉛，呢個就會係持牌水喉匠嘅責任。所以呢度就係會懷疑就係個持牌水喉匠違規嘅。我覺得嗰個意思就係咁解。

問：其實呢件事就係有啲團體，係有啲新聞、報紙、電視台報導，即係話係政府嗰啲屋邨，房署嗰屋邨就有問題，係嗰啲食水係含鉛過高，係咁樣引起成件事，係咪？係咪呀？即係唔係你哋自己提出嚟㗎嘛，係啲市民嗰方面提出嚟㗎嘛，含鉛呢樣...

答：你記憶好似係有啲嘅意見就話啟晴邨嗰個--有測試過一啲嘅水樣本有問題，所以就房署就同埋我哋就去睇一睇嗰條可能會有呢個鉛水超標嘅邨，究竟係咪真係有呢個問題，所以我哋就抽取個水樣本。

問：咁即係話好早期，即係當呢樣嘢一爆咗出嚟，喺個社會度爆咗出嚟之後，就你哋個部門就好早已經有參與嘞，係咪？

答：我哋嘅參與，如果我有記錯，都大約係呢個時候囉。

問：係嘞，即係公布咗之後，跟住爆咗出嚟，然後至參與嘅，啱唔啱？

答：嗰個公布嗰個結果，如果呢度講緊嗰個食水樣本，應該係我哋有參與嘅。

問：係。唔係，我而家唔係講呢個結果，係講民間團體，或者佢哋已經化驗咗啲水質，知道有報告出話唔掂，咁然後就好似同政府接觸，同你哋傾，跟住就爆咗新聞出咁樣。

答：或者咁講喇，水務署比較--我知道嘅、記得嘅參與，主要嘅參與，應該係喺大約係7月份呢個時候。你話較早前會唔會仲有一啲--我唔知你係咪講緊再早啲喇，嗰個我就唔係好上月定。

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問：但係你應該知道，呢啲嘢唔係政府自己查咗出嚟，然後公布畀社會嚟嘛？即係社會啲團體，社團，查咗出嚟，驗咗出嚟，然後至爆出嚟嘍咋喎，新聞，你同唔同意？

答：應該咁講喇，我嘅睇法就係有一啲嘅坊間啲嘅測試，就話嗰個嘅屋邨啲個水--鉛嘅成分係超過世衛啲個標準，咁所以我哋要去確立呢一個嘅測試係咪真係正確。因為就其實--一個測試嘅結果其實好睇幾樣嘢嘅，第一，就--我諗以前都講過好多次嘞，就係你要有一啲專業嘅人士去抽啲個水樣本，所有啲個程序、器具都係好緊張嘅。

問：即係你哋喇，你哋部門喇。

答：嘎。所以我哋係要做咗呢個工作，係真係比較全面啲去測驗到究竟嗰個嘅屋邨啲個水係咪真係有安全嘅問題。咁當測試咗，有咗結果之後，我哋先至係公布嘅。咁所以你話所謂講出嚟嗰度，我諗係個先後就係有一啲坊間嘅測試，咁我哋就去幫手去用一個我哋認為係比較專業正確嘅方法去真係驗啲水，而發現到真係有問題嘅時候就主動公布嗰個結果。

問：係嘞，咁就引致到呢個記者會嘞，啱唔啱？

答：係。

問：一路咁樣跟出嚟嘅？

答：係，係。

問：我而家就想問你一度，就係你哋初期驗水嘅時候，其實你驗水之前，係嗰啲民間嘅團體已經有啲驗水嘅報告畀你哋睇過嚟喇嘛？即係佢哋自己搵人做嚟嘛，係咪？

答：佢哋搵--佢--我見--我聽--或者我--我唔係好記得有冇真係見過嗰個報告，但係我係知道坊間係有一啲...

問：有啲報告嘅。

答：...數字，有啲數字出咗嚟嘅。即係譬如佢話某個水樣本嗰個鉛含量，佢哋測試，係乜嘢咁，嗰類。

問：佢哋亦講得出係超出係世衛個標準嘅，係咪？

答：我記憶係。

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問：咁你哋跟住就你哋去驗下喇。即係你哋唔能夠單方面就即刻接受佢哋嘅報告㗎；你都係要自己去驗一驗啲水。噏，公道嘅，我同意嘅，呢個負責任嘅做法，okay？

答：唔，唔。

問：咁但係你哋抽水辦嘅時候，嗰陣時咁早抽水辦嘅時候，係抽乜嘢樣本嘅呢？係咪...

答：我講係用乜嘢方法？

問：唔係，抽啲水辦，係咪沖咗水喉兩分鐘或者五分鐘之後至攞去驗㗎，定係隔夜水呢，定係兩樣都有呢？

答：我哋嗰陣時就知道都係基本上要睇睇嗰個--關注點就係個水質係咪安全喇。如果佢哋係比較世衛嗰個 1 公升 10 微克，根據世衛所建議，就係用一個代表性嘅水樣本。如果根據 ISO 5667，第 5 部分嗰度講，就係你要去知道嗰個水質係咪合乎嗰個世衛 1 公升 10 微克呢，就係用一個嘅--即係沖水嗰個樣本，咁即係大約就係兩分鐘至五分鐘。

問：你頭先個答案係答咗我嘅，不過其實可以短好多嘅。

答：哦，對唔住，嘎。

問：係嘞，因為你講啲啲嘢我哋個個都聽好多㗎嘞。

答：Okay。

問：好唔好？咁就若果你--你若果答咗我，如果你--然後再補充，okay嘅。

答：Okay。

問：當然你最好就講咗先，因為大家都知嘅。因為而家輪到我問你，如果我唔熟，就係我錯。

答：Okay。

問：Okay？好嘞。咁你嗰陣時就已經決定咗係抽水辦嘅時候時就已經係要沖咗兩分鐘至去驗嘅，啱唔啱？

答：係。

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問：但係都驗到有超標？

答：但係如果係啟晴邨，我記得就係有幾個樣本係超過 1 公升 10 微克嘅。

問：咁即係你哋已經一早就已經決定係隔夜水就唔準確嘅，喺你哋嘅立場認為唔準確、唔可靠嘅？

答：嗰個--你可以咁講喇。因為其實嗰個做法，基本上就我哋同事，不黓我哋做法就會係，如果係要知道嗰個水質係咪安全，我哋都係用呢個方法。即係呢個方法用咗好耐㗎嘞，唔係特別係為呢個屋邨嘅。

問：呢個方法用咗好耐，但係我而家頭一次聽到喇，咁唔緊要；係幾時開始係咁樣㗎？

答：我記憶唔到個日子。我諗係我哋過往一路做一個水質嘅評估，我哋都係用呢個方法。

問：咁即係你未坐上呢個位之前，已經係咁做法㗎嘞？

答：係，我記憶係。

問：你有冇睇過啲文件㗎，抑或你--...（聽不清）呢個調查呢，你有冇去因為要應付呢個畀口供喇，準備呢，有冇睇番你部門啲啲文件，睇番啲幾時開始係咁樣做呢？

答：我有見到正式文件。不過我有問過啲同事，佢就話係好耐㗎。我都唔知道就係開始嘅時候係幾耐。因為其實我哋水務署就好耐之前已經有做一個嘅水樣本嘅測試，一定係 94、95 之前嘅。因為 94、95 我哋係承諾會跟呢個世衛嗰個嘅準則。咁一定 94、95 年之前已經係做呢個嘅水樣本。咁我理解嗰陣時用嘅方法都係呢一個。因為我哋其實最主要嘅關鍵點，就係我哋要睇下究竟我哋所測試嗰個參數結果，係同呢個世衛嗰個標準比較。如果你一定要咁比較呢，就係要用呢一個嘅--我理解，。就係用個沖水呢個兩份鐘至五分鐘嘅方法。

問：咁但係你係知唔知世衛訂出呢個標準，佢哋都係沖咗水，然後至攞去化驗嘅呢？

答：世衛，如果你要比較嗰啲準則，就係要用一個代表性嘅樣本。

問：所謂...

答：代表性嘅樣本，就係用一個沖水嘅方法。

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問：即係你...

答：因為佢建議係用 ISO 5667 嘅，咁個度就寫咗，如果你要知道嗰個嘅水質，你就用一個沖水樣本。

問：呢個 ISO 係乜嘢呀，中文係點講㗎？

答：中文呀？

問：呢個法文嚟嘅，係咪，應該？

答：我諗係一個國際標準喇。

問：係。International Organization of Standardization

答：Standard，可能係咁喇。

問：係，係。咁所以你係知道呢個標準嘅，即係 ISO 嗰啲要求嘅，你講得 5667 咩嘛，係咪？

答：呢個我同我啲同事了解返嚟嘅。

問：咁你知唔知道 ISO 有另外嘅要求嘅，知唔知呢？

答：請講。

問：因為我哋而家--你已經睇過呢個--你講緊呢個 5667，正正就係呢個 report 係 bundle 6，sorry，B6 -- V1，V1，sorry。V1，係 page 1，然後我要呢個係 page 6。你頭先--呢個文件你睇過㗎喇，係咪？

答：你講緊係...

問：第 6 版。

答：你係咪講嗰個調查委會專家嗰個報？

問：係，嗰兩個專家嘅報告。

答：Okay，係。

問：最近啲大狀問過你㗎喇。

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答：係。

問：你睇第二段。

答：係。

問：“International Standards Organization Standard (ISO-5776...)”，就係頭先呢個嘞，不過就“-5”。

答：第5部分。

問：係嘞，“... on sampling techniques of drinking water from treatment works and pipe distribution systems states that ‘If the effects of materials on water quality are being investigated, then the initial draw off should be sampled. Samples may also be taken after a specified period of stagnation to provide information on the rate at which materials affect quality or the maximum likely effect.’ ...”

咁跟住就講 UK、美國嗰啲嘢嘞，日本。睇到喇嘛？

答：係，睇到。

問：咁如果係你都講係你哋以前點解係要 flush 咗至驗，因為跟 ISO 5667。咁但係如果你-- 5667 第5段就好清楚地就 first draw 個喎。

答：或者容許我讀一讀 5667 第5段。其實呢個專員係引用 ISO 5667 第5部分嘅 6.4.1，佢只係講咗一槓，佢冇講晒全部。如果你容許我讀呢，就佢講到--頭先你讀到嗰個就係“maximum likely effect”。但係跟住...

問：你想 6.4.1，“General”嗰度讀起，係咪？

答：係嘞--唔係，我就係讀番頭先你讀完嗰個“maximum likely effect”跟住嗰句，因為呢度有引用到。佢嗰度咁讀嘅，“If the quality of the water as supplied to premises is to be checked...”

佢係講“quality of water supplied to premises is to be checked, then the faucets ...”

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即係個 taps 喇， "... should be cleaned and flushed at a uniform rate for 2 minutes to 3 minutes or longer if necessary to achieve constant temperature before samples are collected."

咁我哋係睇後面個槓，因為後面個度就話如果你係想知道供應水去到個住戶個水質，咁你個水龍頭就要清楚同埋你係要 flush at 一個 uniform rate for 2 minutes to 3 minutes or longer in order to achieve -- 跟住係 constant temperature。咁所以我哋係睇到後面個槓，就係話如果你係想做一個 investigation, if the ... (聽不清) of material on water quality are being investigated, 咁就用 initial draw, 但係 if the quality of the water as supplied to premises is to be checked, 咁就唔同嘞，你就應該係攞個 flush 嘅 sample。

問：咁我哋而家係點解要驗水呢？因為就表面上係有啲邨民，有啲香港嘅市民中咗招咁嘛。咁係咪而家你--你又知道係--你嘅報告一早已經知道係啲水喉匠嘅問題，可能係焊料嘅問題，係含鉛嘅問題，咁所以你正正就係想--而家就係第一句，呢句重要囉，"If the effects of materials"咁嘛，咪完囉，"on water quality are being investigated"，咪正正就係呢度。

答：或者我講講個次序喇。當我哋去抽查個焊料，其實係等我哋做完咗呢個水樣辦嘅測試先嘅。譬如我舉一個例--唔好講啟晴邨喇。啟晴邨之後仲有好多屋邨我哋都有去驗嘅。我哋唔可以一開始嘅時候就話每一條邨都有事，我哋需要做一個調查。變咗我哋每一條邨我哋開始嘅時候...

主席：點解唔可以一開始就用呢個 stagnation, draw 水去調查呢？

答：可能我有...

主席：唔係，你成日講嚟講去你嘅調查就係 confine to 一樣嘢嘅啫，就一定係要拆喉，唔拆喉你就覺得唔係調查嚟嘅。即係你一定係要 invasive 嘅，一定係要 destructive 嘅，咁先至叫做調查。其他任何嘅方法取水，呢啲咁樣樣就不屬於調查。

答：或者我講講喇，其實我哋係最主要嘅目的就係要睇一睇供水去個住

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戶個水質。

主席：唔係，我哋絕對明白。

答：所以變咗我哋先攞個 flushing sample 先嘅。咁如果個 flushing sample 證實到係啱到世衛嘅標準，係冇問題。如果我哋--因為嗰刻，嗰陣時唔係調查，同埋如果你唔係用 flushing sample，其實你唔可以同世衛嗰個 1 公升 10 微克比較，根本你比較唔到。

主席：咁我想請問嗰啲驗咗，後來啟晴--即係最初知道啟晴邨嘅 quality 真係有問題嗰啲，subsequently 有冇再攞 stagnation 嘅水去驗？

答：我哋冇嘅。因為我最主要...

主席：係囉。Exactly。點解唔驗呀？

答：因為我哋嗰個調查--其實呢度--調查有幾個方法嘅，可能遲啲就我個同事會可能解釋詳細啲。我理解，你調查，其實你抽樣本嚟到去做測試，呢個係一個調查嘅方法。另外一個方法，直接你就係知道咗嗰個可能嘅成因，你就變咗你係攞嗰個--因為你--其實要睇睇你做唔做到呢個方法。有幾個方法係可以做調查。有啲方法，喺你實際嘅情況，你做唔到嘅。譬如話喺啟晴邨，因為嗰啲水喉其實佢係外露嘅，你係真係好容易，你係可以將嗰個嘅有可能懷疑有問題嗰個嘅喉料嚟到去直接嘅測試。嗰個嘅測試係好準確知道個問題所在。而事後我哋個專責小組亦都將成個供水鏈拆落嚟，咁嗰度佢會做好多嘅方法，亦都包括有一啲嘅--可能佢會將啲喉件喺個水嗰度浸一個好長嘅時間，就類似一個 step...

主席：唔係，我知道，我絕對知道你哋 subsequently 做咗啲咩嘢嘢。不過，即係個問題就係點解你簡單嘅方法唔去做先呢？同埋你切咗嗰啲水喉出嚟，你見到有鉛--我明白，係咪？咁你唔係話純粹想知道有冇鉛咁簡單咩嘛。你想知道個 extent of 嗰個 problems 咩嘛。Extent 個 problems，係咪要用 stagnations 呢一個方法去查呢？但係你哋係完全冇做咩嘛。

答：Extent of 嗰個 lead exposure，你係講緊呢樣嘢？

主席：好嘞，我當你講嘅真呀，係啱嘅，你做完第一層，general qualities 嘞，根據嗰個世衛嗰個。咁跟住下一部分，咁你知道已經超標喇，係咪？咁你個答案就係話「啊，我哋跟住唔再做 stagnation 嘞，其實鋸喉去睇。」

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答：因為啟晴邨，當我哋發現到有超標嘅時候，亦都--最緊要就係知道個成因喇。即係個成...（聽不清）

主席：唔係，你...

答：其實成條邨佢基本上佢都係唔會將佢...

主席：你有鉛，你想知道個 extent 㗎嘛。你唔想知道個 extend 呀？你唔想知道究竟超標幾多咩？

問：有幾多人受影響呢，你唔想知咩？

答：唔係。我唔知係咪可以...

主席：個 concentrations，你...

答：我唔知係咪可以--或者畀我嘗試邏輯講講成套我哋個睇法。

問：我就好鍾意你講邏輯。我而家一陣就用邏輯問你，好吖。不過你記住，記住，你講過嘅嘢唔需要第六次講嘅，okay？

主席：不過我哋都第六次問。

答：咁但係...（聽不清）都係我講嘅唔可以再講呢，其實就--因為我想成套嘢講一講，嗰個理念。

問：好，我哋慢慢講。

答：第一，我哋最主要就想知道譬如--唔好講啟晴邨喇，有一條邨，究竟佢嗰個水質是否安全。咁安全有啲乜嘢準則呢？最接近嗰個就係根據世衛嗰個準則標準，咁即係話 1 公升 10 微克，擺呢個做一個標準。你一定要有個標準，你先可以比較係咪安全嘅。咁如果係咁樣嘅時候呢，我哋要問一個問題，就係咁我應該取水嘅方法係點樣先至可以作

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為比較呢？如果根據世衛所建議用 ISO 頭先我講嗰個 5 部分呢，佢就話如果你係要知道個水質嘅情況，你就係要用一個 flushing sample，而只係 flushing sample，你先係代表性可以用呢個 10 微克比較。咁所以第一步我就一定要係喺一個方法嚟到去睇一睇嗰個水嘅含鉛成分係幾多。如果佢係用一個 flushing sample，即係我可以愛嚟作為一個代表性嘅水樣本嚟到同世衛嗰個標準比較，我哋做到呢一樣嘢嘅。咁我停嚟呢度先。呢個係第一部。

而我理解呢，我哋最主要就係知道啲屋邨究竟係咪可以安全去飲用。咁如果你要知道係咪安全可以飲用，你一定要有一個準則，一定要有個方法，咁所以我係用呢個方法嚟到去做。

問：講完喇嘛？

答：唔係，我想知道呢一度有冇問題？因為即係個邏輯就係咁樣喇。你首先一定要有個準則，有個方法，你先可以比較。

問：我明晒你啲邏輯。不過而家問題就係--你頭先讀咗嗰句出嚟，有用㗎，成段讀，好。呢啲專家唔係唔知，佢唔係故意隱瞞㗎。其實佢講緊兩件事嘅。如果你普通情況下，譬如政府想知道下，「我哋以民為本㗎，以人為本，咁我睇下啲水係咪好嘢先，係咪安全先？」好嘞，咁就睇下，全港九新界都驗下啲水質嘞，咁就用頭先你下半橛讀出嚟就㗎嘞。你啲水喉搞唔搞得清楚先？如果你水喉都唔乾淨，咁梗係唔掂喇。

答：唔。

問：係咪？咁咪要沖咗啲水先，又要凍水添。好嘞，咁然後乾淨咗嘞，然後去驗，咁你--水質，即係政府係 supplier 㗎嘛，政府供水㗎嘛，咁就啲市民就安心嘞，噏，政府供啲水係好嘢嘅，合乎國際標準嘅，咁冇問題。

但係而家出咗事㗎嘛，而你哋又知道係鉛㗎嘛，係咪？你知道㗎。

答：噏。

問：咁所以你而家你要係咪--自己又驗到㗎，自己驗到嘞，唔係民間驗嘞。啡完兩分鐘去驗，都有出--都係超過水準囉㗎，咁你應該震驚㗎喇嘛，如果你以民為本。咁所以就正正就係主席，咁你想知道，仲有好多領嘢嘅，係咪呢？

一個負責任、有責任嘅政府，尤其是以人為本嘅，就一定盡快，

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「唔該你搞清楚佢，究竟幾多條邨呀？」

幾多條邨，我哋都要應付個嗰，係咪？

係，以前搞落嚟嘅，以前咁樣驗水，而家搞到好多問題，唔緊要，政府要面對嚟嘛，解決嚟嘛。你哋拿拿聲就一樽樽水擺去，係，都好吖，係咪？

咁但係你要知道，喂，淨係呢十一條邨吖，定係可能好多嚟嘛？咁你驗水嘅時候就有理由唔係驗--跟住呢個專家就驗，頭頭個幾句嚟喇嘛。因為而家係睇緊個 effect 咁嘛，係咪？正正係“If the effects of materials on water quality are being investigated”，你咪正正就係做緊呢樣嘢囉。咁你就一定要 first draw 咁嘛，邏輯上，同唔同意？兩個情況，一個普通情況，等我睇下自己啲水靚唔靚，係咪？好嘞，驗到靚，咁我哋就好好喇，好開心喇，大家都。

好嘞，但係另外而家事發嘞，你又知道係鉛嘞，而家要驗係鉛嘅水度個後果係點樣樣，咁佢就一定就要 stagnation，即係 first --即係隔夜水嘞，好清楚個嗰。

我唔熟呢啲嘢嘍，但係我一睇落去已經明嘞，你有理由唔明個嗰。

答：我諗呢方面真係要搵啲專家畀啲意見喇，即係我...

問：唔係專家嘅問題。專家畀意見，你都要決定接唔接受個專家意見嘍。譬如一個專家意見話咁，另外一個專家意見話咁，你係坐喺其位，坐其位，你要用你自己嘅智慧，係咪？大家傾完之後，作出個決定咁嘛。你唔應能夠話因為有一個專家意見，其他嘅專家係相反嘅，但係人哋講得合情合理嘅，又跟 ISO 嘅，你都跟嘅。喂，主席就話「點解唔行多一步，你都唔肯？」

我話畀你聽，唔係你個人嘅事，呢件事；我認為唔係你個人嘅事。我認為政府係故意唔想知個 extent，呢個問題嘅廣泛性，因為越多人係啲水有問題，就要驗血，多啲人驗血，好大可能好多人將來會告政府。

你只係一個派出嚟解釋政府立場嘅人，不過揀著你之嘛。我同情嘅，okay？但係--所以主席琴日都同你講，你唔使咁緊張嘍，若果係...（聽不清），你咪講出嚟，有乜緊要呢？主席明晒嘍，我哋大家都明嘍。我希望你唔好仲喺度咁樣，咁 defensive。你明我意思

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嘛？因為呢個唔係你嘅問題嚟㗎。所以我盡量唔想...（聽不清）問你，okay？唔係淨係你個人嘅問題嚟嘅，係政府嘅問題嚟嘅，同埋你而家發咗誓，你放心講你心裏面嘅說話。我只係有呢個要求啫。

主席：啱啱有個坐監喎。

答：多謝，大狀。第一，我唔同意政府其實就係刻意去隱瞞咩嘢嘢嘢嘢。正如頭先你讀個報告喇，我哋都同意--頭先你都問我同唔同意喇。其實政府係非常之高度關注呢件事。頭先你提幾點呢，第一點，你話我哋應該係好快咁去睇一睇有幾多條邨係發生事。我想借呢個機會講講，自從喺7月開始，我哋其實就係發散好多同事，有啲係退咗休嘅同事都返嚟，幫手我哋去擺水辦。大家可能唔知道擺水辦個工夫其實係好多。

問：我知，但係你擺錯--點解唔行多一步，擺多一隻水辦呀？

答：唔係，我想回應頭先你話我哋係咪好心急要知道有幾多條邨係同樣出事。我想講就係成個工序要去測驗條邨有冇出事呢，大家要知道個個成個工序個個情況同埋困難嘅情況。因為你知道譬如啟晴邨都有六座，六座有好多層樓，你要派幾多人，好快去擺到嗰啲水辦，呢個係一個。因為有陣時我哋去到嗰個住戶，個住戶亦未必喺度嘅，咁亦都要安排，睇下點樣可以入到去嗰度。咁你要諗下我哋係講緊好多條邨，每一條邨有好多座，我哋都要去，做得好快。呢個第一樣。

第二樣，你擺到嗰個水樣本，亦都唔代表你可以即刻知道結果。你要即刻要拎去化驗所去驗。其實驗嗰個過程亦都係好專業嘅。因為你要知道咗嗰個結果，你先係知道究竟嗰條邨有冇事。咁我哋同事其實真係做到半夜三更，日以繼夜，一個禮拜做七日嘅。我唔係想喺呢度去講，我係想講個事實。

咁所以我想用一啲咁嘅資料去證實政府係非常之重視，亦都有行動，好急促地去驗晒好多個水辦，咁呢個係我想知道嗰個緊切性。

問：署長，如果我坐你個位呢，我用番咁多人，用番咁多工作，甚至可以唔使咁忙添，我叫佢驗少啲 flats，但係每個 flat 都驗埋個 first draw，驗埋隔夜水，甚至淨係驗隔夜水，其他唔使驗嘞。如果驗隔夜水，用嘅時候，同驗咗 flush 咗之後兩份鐘嘅時候，一樣嘅啫，驗嘅

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時間，啱唔啱？同唔同意先？

答：但係如果你譬如一座樓，你驗好少呢，其實亦都有好多問題存在。

問：梗係喇，但係好過你而家咁嘛？署長，你都話可能好多條邨，每一個邨可能好多個 block，好多座屋，亦即係話住咗好多、好多人喺嗰度。如果因為你同政府堅持唔聽啲國際專家嘅意見，唔跟 ISO 5667-5 咁嘅做法，係好多人可能健康係受嚴重影響㗎。你有冇從喺人嗰方面，以人為本，唔係以位、以政府為本，署長？

答：我同意，係以人為本。頭先讀 ISO 5667 第 5 部分都好清楚講喇，因為如果我哋嘅目的係想睇水質係咪安全，呢度都係建議我哋就係用一個沖水嘅樣本嘅。

問：唔係而家，而家唔係係咪水質 generally 普通係咪安全，而係就係正正係而家你嗰個--因為，好簡單，你知唔知--呢個好重要嘅問題，你知唔知住公屋嘅人或者住私樓嘅人嘅生活習慣，有冇人係會喺個廚房度或者喺第二度，朝頭早一開水喉，就擺去煲，跟住全日都飲啲水，你知唔知？知唔知先？有冇數字呢？

答：我相信呢--當然呢個要做一個調查喇。我知道大部分嘅人都唔係話--你話唔有冇一個人係咁樣做法呢，我唔敢話一定有喇。但係係咪大部...

問：多數人呀。香港人忙呀，多數人一起身就走入個廚房，一開水，煲水，因為可能煲粥，跟住食早餐，都係啲水嚟㗎嘛。你叫佢會唔會擺啲水嚟先沖咗佢，洗下地先呀？洗完衫先呀？然後沖完十分鐘後，然後至擺嚟食水咩？肯定有冇咁樣做，我唔可以話多數，肯定唔止一個、兩個。咁呢啲人嘅健康唔重要咩？佢哋啲 babies，佢哋啲兒女、細路哥唔重要咩？

答：我諗即係頭先你話有冇一啲人係咁喇，呢個係一個調查喇，但係...

問：梗有喇，使乜調查啫。

答：唔係，會有，但係就唔係多數喇，即係未必係多數喇。咁至於我哋...

問：唔係，就算係少數，都係重要㗎，係咪，啲健康？

答：係，我明白。但係個問題就係你要睇佢係全日嘅飲用水，佢唔係淨係嗰段時間擺嚟飲用嘅水。因為如果你真係睇世衛嗰個嘅訂個 10 微克 1

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公升，佢有個意思喺度嘅。嗰個意思係要睇全日，甚至成個禮拜嘅代表性嘅水質嘅。佢唔係淨係講，「啊，你朝頭早飲啲水就會有事嘞」咁。亦都就係點解呢個原因呢，喺呢個 ISO 5667 第 5 部分係建議我哋用呢個方法，即係話唔係用一個所謂頭啖水呢個方法。

問：佢唔係淨係建議你用呢個方法。普通情況，如果你想知道香港嘅水質合唔合乎國際標準，就用你嗰個，即係第二，嗰段第二個方法。而家係第一，嗰段，頭頭上面嗰度咁嘛。

答：即係第二個方法...

問：你要睇下有冇鉛喺個水度，個後果係乜嘢呢，就一定要驗隔夜水咁嘛，人哋係咁寫㗎嘛。

答：我知。即係話如果我哋廣泛咁去驗啲屋邨嘅水質是否安全，都同意就係用一個呢度所講嘅係沖洗嗰個方法嚟到去攞水辦。

問：而家唔係咁嘛。你若果沖水咗之後--好簡單，我睇過你啲報告嘅，你就話如果係用隔夜水唔得準確，點解呢？就即係淨係最近個水喉頭啲水攞咗出嚟啫，係咁咁嘛，啱唔啱？所以冇代表性咁嘛，係咪先？你...

答：呢個係其中一樣喇。

問：係喇。好嘞，咁但係問好就係正正就係呢度係最有害咁嘛。如果我做居民，如果我住喺個公屋裏面，啟晴邨，若果你話畀我聽，「啊，李先生，你啲水好安全㗎，嚟，因為呢，嚟，我哋嚟驗過。我哋開咗個水喉，啡咗兩分鐘、五分鐘，然後攞去驗，喂，合晒國際標準，你仲 minus，你即係比個國際標準係少咗 5 嘅，5 個毫克嘅，咁就好穩陣喇，好安全喇。」咁我就話「阿哥，但係我朝頭早我太太一起身就煲水飲個啲，咁嗰啲安唔安全先？」咁你點答我呢？

答：咁你可能用嗰個就唔係用--未必一定用比較 10 嗰個微克。

問：咁你就話畀我聽，「咁你傻喇，你太太若果咁做。佢應該啡...」

主席：唔係，你再講多次，署長。

答：唔係，因為 10 微克 1 公升其實係攞一個代表性...

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主席：即係你講喺咁嘅情況之下，嗰個人飲超過 10 微克嘅水，喺你哋水務署嚟講係冇問題嘅，係咪咁嘅意思？

答：我意思即係話，如果你係抽呢個頭啖水嚟到去驗到嗰個鉛嘅成分...

主席：唔係，佢頭先嗰個例子呀，你頭先個答案係咪咁嘅意思吖，請問署長？

答：唔係，我講係全--即係你係計--因為嗰個時--我理解喇，就係 1 公升 10 微克呢個標準，係計一個人喺一個長時間飲用嘅平均值嚟嘅。

問：但係你...

答：如果你淨係攞嗰個頭啖水嗰個鉛嘅成分就代表佢全日甚至係一個禮拜、一個月嗰個嘅平均值呢，嗰個就亦都唔係即係我理解世衛嗰個指標。

問：署長，嗰個人嘅習慣唔同㗎。如果我太太係起身早過我嘅...

主席：唔係，如果我 follow 你嘅 logic，署長，即係我今日 25，聽日我飲 5，後日我再飲 25，或者甚至後日飲 100，跟住之一個 0，總之除咗出嚟個 average 係低過 10 就得㗎嘞，冇問題；係咪咁嘅意思？

答：呢個真係好專家喇，不過呢個係我嘅理解。

主席：唔係，唔係，唔係專家，唔係專家嘅問題。因為點解呢，因為你作為呢一個水務監督，你最後要決定嘅。如果有啲數據咁樣樣出嚟，你作為水務監督，你認為咁樣樣係唔係安全？我哋香港人咁樣樣飲呢啲咁樣樣嘅水得唔得？

答：唔係，當然喇，如果係用我哋頭先講沖水嗰個方法，其實基本上如果你睇到嗰個鉛係超標，我哋而家個做法就係話啲水唔安全。其實我即係係想睇下第二啲國家，我覺得有參照性。如果你睇第二啲國家，基本上譬如英國，佢用佢啲方法嚟到去驗到水有問題，佢都唔係即時話嗰座大廈或者係嗰條邨係啲水即刻唔全安。其實佢亦都會做好多個調查嘅工作，睇一睇嗰個問題有幾大。

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問：我明--我明白，不過因為你--你唔好--即係因為而家我哋 isolate 你，你逐個、逐個 factors 去講吓嘛，咁我哋咪測試下你個啲。因為如果你頭先--你頭先啱啱就講到呢個問題吓嘛。

答：唔。

主席：係咪？因為李大律師就話「喂，我個啲 client 朝頭早起身飲，就開水嚟嘞，咁個啲超標啲，對佢哋影響好大。」咁你嘅答案就係話，啊，你同我哋講世衛嘅標準，10 微克吓嘛；10 微克就係其實就係講一個人幾多個 kg，over 一個 long period of exposure，諸如此類，咁跟住世衛先至訂立呢個 10 微克吓嘛。

答：唔，唔。

主席：咁你嘅意思即係話畀我聽，都唔一定有事嘅，總之就係長遠嚟講，佢唔超標就得喇，咁樣樣？

答：或者咁講喇，呢個係--或者我哋講番--呢個我理解喇。但係我想講番就係如果你係講緊就係當我哋發現到某一條邨用呢個方法係測試到嗰個水樣本嘅鉛成分係超過世衛嗰個標準，跟住係咪應該要做啲乜嘢嘅工作？其實如果你要去研究嗰個...

主席：唔係，佢個問題唔係咁呀。

問：唔係，呢個唔係問題。

主席：佢個問題係話你連第一樣--第一啖水你都唔驗呀。

答：第一啖水，頭先已經解釋咗，如果你睇 6.4.1，基本上如果你係想知道個水質呢，你係用呢個嘅沖水...

主席：李大律師，我諗我會最多畀卜問多十分鐘 on 呢一個 topic，因為我唔相信佢會改嘅。

李柱銘先生：不過我想--好，我都仲有十分鐘。

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主席：係。

問：頭先你話--即係我明白，如果普通一個人，佢開水喉係真係平均嘅，譬如--有啲人飲水喉水添。我記得梁智鴻生話香港嘅水喉水係安全嘅，不過佢講嘅時候係十年前嘞。我諗佢而家都唔會。

若果有啲人係飲水喉水嘅，佢起身飲啖水然後至漱口嘅，甚至。咁你話呢啖可能杰嘢嘞。咁但係佢跟住佢就開水喉，漱完口嘞，甚至做完第二啲嘢，咁然後又再飲，咁呢啲就好低喇，咁跟住就成日都低嘞。咁平均嗰日佢飲啲水落去，平均嚟講可能都低嘅。但係而家個問題就係而家我哋有證據，就有啲住喺度嗰啲人，即係中招嗰啲人，點解嘅呢？即係驗完血嘞。驗完水喇，跟住驗血喇，中招嘞。點解呢？就係因為佢一開頭第一件事一起身就開個水喉，嗰啲水就攞嚟煲水嘞，跟就凍滾水咁成日飲嘞，跟住或者攞嚟煮菜，係呢度出咗問題咁嘛。

咁你明知道有問題嘅時候，已經知道有問題㗎嘞，你點可以就成日話「欸，我哋啲水合世衛嘅標準嘞，所以就係安全嘅」？你嗰啲水，可能佢每一日，隔夜水，除咗嗰 1 公升，頭嗰 1 公升，甚至有咁多添，除咗嗰啲，全部都安全嘅。對呢個家戶嚟講有用㗎嘛。咁你個責任係咪應該要驗，一定要知道有出事嘞，即係起碼呢度會有問題嘞。你就逢係喺呢一座樓驗呢，呢個邨驗呢，都一定驗隔夜水，第一樣；同唔同意？

答：或者我想回應兩點喇。第一點，你提到...

問：即係唔同意，係咪？

答：唔係，我想有啲嘢回應。

問：你同意就唔使回應㗎喇，你同唔同意？因為我得十分鐘呀，而家。同唔同意？

答：我想提一點呢，就係頭先你講...

問：同唔同意？

答：唔係，你頭先講咗...

問：唔係，你可以話唔同意㗎。

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答：你可唔可以再重複番你要我同意嗰部分？因為頭先你講咗嗰橛呢，...

問：咁嗰十分鐘唔計。

答：...我有啲同意，有啲唔同意嘅。

問：而家我哋係好清楚嘅證供，係有啲家住，真係嗰啲兒女中咗招嘅，係點解呢？因為個生活方式，就一起身就去做水喉，一開水喉，就跟住攞去煲水㗎嘞，跟住全日都飲嗰啲水嘞。

答：我可唔可以喺呢度補充一點？

問：得。

答：你頭先講啲家住，係咪已經係講緊出咗事嗰啲？

問：出咗事喇。

答：出咗事嗰啲，我哋都同意嗰個邨係有問題㗎嘛，啲水。

問：係嘞。

答：所以落係有事囉。

問：所以--啱呀。

答：但係嗰個唔係一定係因為...

問：Okay。咁即係如果有啲咁嘅案件，有一戶人冇事，係咪？咁你哋已經成個邨當有事呀，係咪？

答：而家嘅做法係當我哋 check 到有一個水辦係超標，我哋就為安全起見，係全部嘅水我哋係暫停，就係建議就唔好飲，當食用喇。

問：即係嗰個邨？

答：係。

問：嗰個就叫做受影響嘅邨嘞，啱唔啱？

答：所以你驗呢...

問：唔係，係咪先？

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答：係，嗰個受影響嘅邨，係。

問：Okay。即係任何一個邨，如果係驗到，佢自己驗好，點有樣都好喇，係發現佢個血超標嘞，喺鉛嗰面吓，水又超標嘞，咁你就成個邨都當係受影響嘅邨嘞，係咪咁先？

答：如果係根據我哋嗰個方法...

問：唔係，係咪咁先？

答：係，即係我諗要兜一兜講喇。即係你根據個方法，你係驗呢個食水嗰個含鉛量，係同世衛嗰個比較，如果係超過 10 呢，而家個做法，就係為安全起見，嗰條邨我哋就唔建議嗰啲水係愛嚟食用嘅。所以房署亦都即刻安排就有樽裝水，亦都有呢個--我哋有安排有其他嘅水畀佢哋用嘅。

問：Okay。咁你...

答：所以呢條邨已經係出咗事，所以就話有問題囉。

問：咁而家你知道有十一條邨出咗事喇？

答：係。

問：咁其他嗰啲邨，你就覺得冇事囉嗎？

答：其他嘅邨...

問：係咪先？

答：其他嘅邨要有一個方法...

問：唔係，好簡單，係咪先，其他嘅邨係咪當冇事先？

答：其他嘅邨，我哋而家睇緊係冇嘢嘅。

問：Okay。即係當冇嘢喇？

答：係冇嘢。

問：點解你咁話係冇嘢呢，因為你驗過嗰啲水吓嘛？

答：係。

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問：但係你每次驗水都係沖啲兩分鐘至攞去驗吓嘛，係咪先？

答：我哋根據世衛...

問：Yes or no?

答：Yes。

問：係嘞。咁就驗完之後，就跟世衛嗰度發現合乎標準㗎嘛？

答：係。

問：咁所以你話呢度成條邨都有事喇，就係咁吓嘛？

答：唔，唔。

問：咁而家就問下你嘞，你有冇考慮到如果你係任何一條邨，呢啲你認為係 safe 嘅、係安全嘅邨，如果你攞隔夜水去驗，可能個後果係唔同個嘞，你有冇諗過呢度？

答：你個後果唔同嘅意思，即係話嗰個含鉛量會唔同？

問：超標。

答：但係咩嘢叫做「標」呀？

問：咪又係 10 微克。

答：但係嗰個唔係。頭先我講咗嗰個唔應該用 10 比較吓嘛。

問：應該用咩嘢比較？

答：就係有一個標準囉。嘎，...

問：即係要沖完至標準喇？

主席：唔係，再講多次，再講多次冇標...

答：如果你用一個隔夜水...

主席：冇標準呀？即係如果...

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答：冇一個--即係唔可以用 10 嗰個標準嚟做比較。

主席：得，我明白。。

問：咁就梗係唔可以用喇，因為一用，佢就超標咩嘛，咁你咪唔用囉，係咪呢？

答：唔係，唔係咁意思。我真係想講呢，我真係唔係呢方面嘅專家，不過我知道世衛去訂呢個 10 嘅時候，佢係有一套理念嘅。你係攞緊一啲代表性嘅水。如果你攞隔夜水嚟到去訂嗰個鉛含量，跟住你就話用 10 嚟做比較，就話佢係超標呢，呢一個我恐怕係有啲問題存在。

問：我話你正正就有問題存在。我話畀你聽，好簡單啫，佢呢個 10 微克 1 公升，就即係話你一超過 10 就唔安全咩嘛，係咪先？係咪先？

答：如果你係用佢呢個方法嚟到去沖就係喇。即係話你係用沖洗嘅方法。

問：即係話而家係講食水咩嘛，係咪先？

答：唔。

問：跟住即係世衛話「喺，如果你飲呢啲水，如果你飲呢啲水，係超過 10 個微克嘅就唔 save 嘞」，啱唔啱咩？係咪咩？食水咩嘛。如果你飲呢啲水，而攞去驗過，係超過 10 個微克嘅，咁就唔安全嘞，啱唔啱先？食水咩嘛，而家講緊。

答：你要有一套方法嘅。即係你唔可以話用任何一個方法抽到嘅食水，...

問：我而家唔好講方法。

答：唔。

問：你同唔同意而家--即係世衛梗係有個標準喺度㗎，呢個標準就係...

主席：用你嘅方法，用你嘅方法。

答：唔係，用世衛嘅方法，唔係用我個方法。

主席：用你嘅方法呀。

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答：唔係，世衛嚟--係建議用 ISO 5667 第 5 條。

主席：唔係，即係你--我當你嘅方法啱，超過 10 係咪唔安全呀？

答：如果係用呢個沖洗嘅方法，...

主席：係呀。

答：...超過 10，嗰個水辦就證明係有問題嘅。

主席：係囉。

問：點解--我而家問你，點解有問題呢？

答：如果你...

問：因為佢飲咗嘛，佢唔飲冇問題㗎，我攞去沖涼冇問題，同唔同意先？

答：係，呢個當然係。

問：多謝你呢個咁簡--咁快嘅答案。所以而家我就講飲嘅水嘅質量嘅問題，唔飲冇事㗎。好，你同意咗。而家啲人飲，有啲人嘅習慣就飲隔夜水，有啲人嘅習慣就飲沖咗嘅水。咁你要呢兩類人你都要照顧，...

主席：咁又唔係好公平，有啲人可能譬如佢唔係飲--譬如佢自己打井水嚟飲嘅，...

李柱銘先生：係。

主席：...佢明知道危險佢都飲，都有呢啲咁嘅人。

李柱銘先生：但係佢而家住公屋嗰啲冇飲井水㗎，主席。

主席：唔係，我知，即係咁講，因為你個標準得一個標準嘅啫，係咪先？

李柱銘先生：係，係，係，係，係。

主席：所以即係我想表達嘅意思就即係話，當然你 10 微克呢一個標準就應該放諸四海而皆準嘅，啱唔啱先？

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李柱銘先生：包括井水。

主席：無論乜嘢水都係。

李柱銘先生：係，係。

主席：係。不過你話如果有啲人 odd one out，我明知道危險，不過我都要飲，因為我唔想行遠啲，我想去我個井嗰度攞，我知道我個井又好近一啲有鉛嘅礦床嘅地方，呢啲我哋唔講，啱唔啱先？

李柱銘先生：係，係，啱。

主席：唔。

問：所以你講 representative，其實呢個字都好緊要，因為佢有兩個情況，呢一段 6.4.1 呢度，係兩個情況。如果你係普通情況下，全日嘅水 safe 唔 safe，你可以用個下面嘅方法，因為洗乾淨個水喉都係重要㗎？普通嚟講呢啲水安唔安全攞嚟飲。但係如果有問題出咗嘅時候，佢就好清楚就要驗個隔夜水，嗰個至係 representative，因為佢飲呀而家，佢攞去飲。你要話畀佢聽安唔安全，攞唔攞去飲。呢啲邏輯㗎，你睇唔睇到呀？

答：諗...

問：係飲嘅水至重要，唔飲唔緊要㗎。

答：唔係，我諗我都--我即係再講都係重複番我想講啲嘢，即係當我哋話飲...

問：咁你話「冇補充」咁咪得囉。喺立法會答案都係咁，冇補充我咪去第二條囉。因為而家問題正正就好簡單，而家我哋講食水，住呢啲屋邨嘅人，所有住呢啲屋邨嘅人，唔係淨係有啲--淨係下晝至飲水嘅人，有啲係喺晨早就飲水，呢啲人你都要照顧㗎，係咪呀？要唔要照顧？

答：其實佢...

問：要唔要照顧呢啲人？

答：當然，但係你一定要...

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問：要定唔要？

答：你要話畀佢聽...

問：要定唔要照顧呢啲人？即係我啲客戶嚟㗎。

答：照顧一定要，不過，我諗你--當你話畀佢聽，其實佢飲啲水係安全、唔安全，佢只係問你「咩嘢叫安全，咩嘢叫唔安全？」咁你就...

問：咁你咪 10 微克囉。

答：所以你講 10 微克呢，你一定要知道 10 微克點樣㗎。

問：佢又會問「咁我而家飲啲水，朝頭早一開頭--開水喉啲係咪 10 微克呢？」你講唔出㗎。

答：唔係，但係我意思即係你唔係淨係睇佢啲一刻裏面飲啲水，你要睇佢拉勻，係平均啲個數值。

問：我而家話畀你聽，佢啲水就係朝頭早攞出嚟。

答：但係佢唔--即係我意思講，就係如果你跟世衛啲個做法，你其實係計個平均值。

問：你喺衛生呢一方面、健康呢方面，你唔識㗎？你唔識㗎？

答：健康啲方面，我唔係呢方面嘅專家。

問：你而家淨係跟--死話跟標準，跟標準，跟標準，我係話畀你聽，呢個所謂 representative，代表性嘅標準都係兩個層次。

答：我唔知你容唔容許我想去解釋下，當我哋發現到有一條邨係有事嘅時候，其實個做法係點樣。如果我有--因為我有法子而家即係引用晒...

問：我知道晒你點樣做法，呢度唔好講。我而家話畀你聽，如果你哋--好，我避一避呢度先。你哋呢個--你而家咁樣驗水法，喺你哋啲個跨部門嘅會議上面，有冇傾過？

答：個焦點唔係喺呢度。

問：有冇傾過？

答：我記憶中有特別係喺呢方面要討論。即係最主要都係...

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問：呢個問題都有傾過？

答：因為呢個方法我哋基本上係--嗰個跨部門會議主要都係睇我哋用嗰個方法係咪有一啲嘅世衛同埋一啲國際嘅標準。

問：即係佢哋想知道香港啲食水係咪安全嘅，係咪呀？

答：唔。

問：如果唔係都唔使咁緊張，咁多人坐埋一齊。

答：唔，唔，唔。

問：係咪？

答：呢個當然係高度關注。

問：即係你就話畀佢聽安全個囉嗎？

答：我哋睇到個...

問：有冇先，有冇話畀佢知，我--呢啲邨呢啲--所有屋邨啲食水，除咗呢十一個屋邨有問題，其他全部都安全。有冇講過呢啲說話畀林鄭月娥聽？

答：我哋都話畀佢聽，就係嗰個化驗結果。如果知道咗個化驗結果嘅時候，根據嗰個世衛嘅準則，就係屬於符合嗰個嘅標準。

問：咁咪即係安全囉。咁即係佢哋就要靠你囉嗎，係咪呀？

主席：佢...

答：靠我哋所做嗰啲結果。

主席：即係全部人都依賴水務署嘅測試方法，係，呢個一定係。

李柱銘先生：係，係。

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主席：而你哋嘅測試方法，當然你唔識，係咪？就係你哋嗰個化學師陳先生就話「啊，呢個就係嗰個化學方法，我哋就用呢個嘅抽水嘅方法」。係咪咁樣樣？

答：我同時都係睇一啲嘅標準。

主席：我知，即係佢話事㗎嘛，你唔會--你同我最初都唔會去睇。

答：唔噃。

主席：係咪？

答：嘎，嘎。

主席：佢話畀你聽呢個啱用，就係佢決定，基本上，你同意就--就用呢個方法咁樣？

答：佢都有一啲根據嘅，我哋都睇過。

主席：係囉，唔係，我知，梗係喇，佢唔會自己咁叻，突然之間擺啲嘢出嚟話咁樣驗，佢要有根據，佢話佢睇咗呢個 ISO 5667。係咪？跟住佢再睇埋呢一個世衛嗰個...

答：指引。

主席：...個指引，係咪？

答：係。

主席：跟住佢就話我哋用呢一個方法，係咪？得，唔該。

問：但係去到尾都係你接受至得㗎，頭先我講--佢話意見，畀個意見，你要接受至得，你係署長。

答：如果佢畀我睇呢啲，我諗唔到啲咩嘢嘅理由，係話有出現咩嘢問題，因為呢度都寫咗...

問：你梗係睇唔到，我而家講咁多嘢畀你聽，你都睇唔到有問題。

答：頭先我哋都讀出嚟嗰句，都好清楚。佢就話如果你係要測試個水質，你其實係用一個...

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問：我哋係講先嗰句。先--好嘞，好嘞。

主席：得，我哋已經過咗鐘。

問：我而家問你。

答：唔。

問：你哋啲跨部門會議，係大家點樣--除咗開會之外，大家點樣通訊？有冇電話，即係呢六個，三局、三署開會，同埋政務司司長。

答：我唔係好掌握到你意思，點樣--你意思係啲會議與會議中間？

問：譬如會議完，有啲咩嘢跟進，會唔會用電話大家傾下？

答：我本人就比較少，會唔會啲同事有需要同第二啲部門去跟進，可能都有。

問：可能有。好，你本人又用咩嘢方法？用 memo ？

答：如果需要跟進，可以用電郵。

問：係。

答：或者係電話，如果真係有需要。

問：係。

答：因為基本上跟進啲事項，如果啲水務署嚟講，我哋主要角色就係要盡快抽驗水辦，我主要做呢個工作，安排食水。

問：Okay。

答：我相信啲前線嘅時候，譬如話如果要開一啲居民大會，不論有啲聯絡統籌嘅工作，佢之間佢哋可能會有溝通。我估佢溝通嘅方法多數用電話。

問：好。咁樣當呢個專家報告出咗之後，呢個專家報告有冇啲呢個跨部門嗰度討論過？有定冇？

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答：因為其實出咗個報告...

問：唔係因為呀，有定冇呀？

答：我印象中應該係冇傾過。

問：你唔得好重要咩？

答：唔係，呢個專家報告當然係提出一個嘅方法，就係話可能有另類嘅做法。

問：唔係呀，直情話你哋錯晒。

答：佢有冇--我唔知佢係咪--即係寫到話錯晒。因為你睇番佢嗰個報--佢個專家報告我都有睇度，佢就話--佢有一段，係畧二嗰段，佢都話“Fully flushed samples on their own may serve the purpose of assessing the general quality of a drinking water as supplied”。佢都有寫到。

問：係。

答：佢如果--佢嘅字眼佢唔係話...

問：你講埋下面嗰句，今次我叫你讀。

答：唔係，但係嗰個就係 lead--呢個係講緊嗰個...

問：General 咁嘛。

答：嗰個“concentration of lead or other metals from the internal distribution system to which the consumer is exposed”。佢講緊 extent 嗰度。

問：佢 general quality of drinking water，其實好--我嘅睇法就係你嘅水源嗰啲，由水源一路去，東江水，咩嘢都好，然後經過 treatment，跟住去到個屋邨嗰度為止係好啱嘛，呢度我接受。個 general quality of water。但係入到去個屋邨裏面，因為水喉嗰度至有毛病，接駁嗰度嗰個位有毛病，所以呢啲食水就有毛病。即係你要咁樣睇，因為你啲英文好好啱，你有理由唔明。

答：即係...

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問：“but will not give a representative assessment of the concentration of lead or other metals from the internal distribution system to which the consumer is exposed.”。我哋而家就係關注呢一度。

答：我都係...

問：你淨係睇一槪，..

答：我都係重複一句，我哋關注係水質。

問：我頭先呢段--人哋專家，6.4.1，你就睇下面個槪，呢個 report 你就睇上面個槪，咁點搞啫？

答：唔係，因為而家我哋最主要想知個水質，quality of water。

問：嗰啲兒女有問題嗰啲家長，係想知道佢飲嗰啲水質，唔係 general water quality。你話畀佢聽「我哋好好㗎，香港好好㗎」；一百分都有用，「喂，你點樣賠償我個仔先？」

答：其實就喺呢個專家嘅意見第二段，...

問：跟住最收靚一段，“Based on the above, data from fully flushed samples are not likely to be representative of the extent of lead exposure.”。我哋而家個委員會就係想查嗰啲 extend of lead exposure，仲有好多人吖嘛。

答：我其實...

問：你呢個報告居然冇畀林鄭月娥女士睇？

答：唔係，你頭先講係跨部門會議，...

問：有冇--有冇畀佢睇？

答：...跨部門會議有冇討論過。

問：你有冇親自交一份畀佢睇？佢係主席嚟個㗎。

答：我相信佢知道呢個報告，佢有睇嘅。

問：你有冇交畀佢呀？你應該交畀佢個㗎，係咪先？

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答：有同事會交界佢。但係問題就係有冇--或者我想講講，其實呢個第二段，佢都係講緊 ISO-5667 第 5 個部分。即係個--我唔係淨係睇最靚嗰度，佢成篇都有提到，你用一個乜嘢嘅標準嚟到去抽水辦。

我頭先讀嗰句，其實好清楚，如果你想知道水質，嗰度佢都有一個 general quality，佢就 if the quality of the water，要去做一個嘅 check，佢呢度咁寫。所以我哋係用呢個方法嚟到去做。

問：你...

答：你講嗰個呢，...

問：...--你唔好--好唔好侮辱我哋啲智慧好唔好呀？唔該你。

答：呢個唔係意思。

問：呢個報告咁清楚，你仲可以話唔係。

答：我有補充。

問：Okay，我有補充，我有補充，不過我唔問呢一啲。我有啲--我咁問你，你睇下啱唔啱？你哋而家嘅做法就係，喺公屋，啲屋邨嚟講先，如果你哋驗到水--某一個住戶，水--食水係超標，即係世貿嗰個--世衛個標，然後就驗血，啱唔啱？係咪咁情況呀，次序？

答：唔係全部，我諗係有選擇性。

問：即係先水有問題先，然後就有某啲細路呀，...

答：係，係。

問：...或者係懷孕嘅媽媽啲啲，或者餵母乳啲啲，啲啲就--呢幾類喇，啱唔啱？

答：唔。

問：反而啲啲 chronic illness，啲啲即係長期病者都唔會去驗血個啲，係咪呀？你哋而家政府嗰個做法？

答：真係對唔住，我諗我答唔到呢啲問題。

問：Okay，okay，fair enough。好，咁呢三類人就驗埋血，啱唔啱？

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水有問題先，嗰啲屋嘅水有問題，呢啲屋嗰啲人，呢一類人就驗血，係咪？

答：我諗佢自願嘅。我哋有個...

問：梗係想，梗係自願，冇人話強迫。

答：我印象中好似唔係個個都去。

問：係，但係政府會幫佢哋咁嘅。

答：會幫助，係。

問：驗咗血都有問題，你哋就醫佢，盡力嚟醫佢--醫好佢咁嘅，啱唔啱？啱唔啱先？

答：佢--我知道衛生署有啲跟進工作。

問：好。跟住你哋就會話呢一個邨呢，都覺得係有被影響嘅屋邨，所以啲水即係抽樣去驗，係咪？

主席：抽樣去驗，...

答：調番轉係咪呀？

李柱銘先生：抽辦，抽辦去驗，就--就...

答：已經驗咗。

主席：唔係，驗咗個囉喎已經。

答：已經驗咗。

李柱銘先生：咁你--另外其他嗰啲，呢啲--呢幾個人有，咁你再驗多啲，...

主席：冇個囉喎。

李柱銘先生：冇嘍嘍已經？

主席：冇嘍嘍，係。

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答：因為成條邨嗰啲水，我哋已經叫佢唔好愛嚟飲用。

主席：係，冇嘍。

問：咁就有嘍。

答：我哋派樽裝水，同埋我哋有另外水畀佢。

問：即係嗰度好多人原來啲血都有事都有個囉喎，冇個囉喎，係咪？

答：冇--冇乜嘢呀你？

主席：抽咗啲 high risk 嘅，你頭先所講嘅三類人去驗。如果你話 individual，有冇一個人特別係因為咁樣樣而即係血裏面嗰啲鉛係超標嘅，咁就有嘍。

問：所以--即係我而家即係話畀你聽，所以最重要嘅呢，最重要呀，如果想解決呢個問題，或者面對呢個問題，最重要嘅呢就係抽水辦。因為你由呢度開始，就影響到你全個策略。

主席：抽水辦。

李柱銘先生：抽水辦，即係要隔夜水嘅水辦。

主席：我哋都係返番去嗰個問題喇。

李柱銘先生：係，我而家 put to，一樣啫，係。

主席：唔。

問：所以抽水辦係咁重要，喺呢個研究咁仲要呢，同埋點解要搵埋專家意見呢，就因為大家都睇到，如果唔係你有法子知道而家呢個問題嘅廣泛性，你接受--同意定唔同意得嘍。

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答：唔係，我自己覺得抽水辦呢個係其中一個重要，但係之後嗰個補救方法好重要。

問：梗係喇。

答：因為我理解就係--最重要就係你如果係發現到嗰條邨嘅水係有問題，其實應該即刻停用，然後我哋要將嗰個出事嘅源頭搵到出嚟。而家我哋知道如果係焊料有事，我睇咗啲文件，有好多種做法，其中一種做法，如果可以嘅話，就將所有嗰啲有問題嘅水管裝置係--水管同埋嗰啲焊物嚟到去換咗。其實呢個係最好嘅方法。

你睇番外國嗰啲，其實佢哋發現到有好多鉛有問題嘅時候，佢哋難嘅地方就係，佢哋未必可以將所有嗰啲...

問：我而家唔係關心外國。

答：唔係，我只係一個參照。即係我意思最有效方法，其實你就係停咗個源頭。

問：Okay，我而家想問你，你而家話--即係你做出呢個即係唔肯--其實你就--你其實就係已經有一個決定，你有一個決定，就係你個部門係幾大都唔會抽隔夜水去驗，係咪先，係定唔係？

答：諗...

問：一定唔會，因為你話唔好，唔可靠、唔準確，係咪呀？

答：我唔係話嗰個--我唔係話唔準確，我意思即係話...

問：你係咪已經決定咗你永遠唔會--因為鉛嘅問題，你哋部門一定唔會抽隔夜水去驗，yes or no, please?

答：你講以後？

問：而家，不嬲都係。

答：過往呢，我哋頭...

問：你--係咪？你一早有個 policy，一早你哋都係做開嘅，而家都繼續做，就係如果你睇下鉛喺個水裏面會唔會超標呢，你哋一定唔會抽...

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主席：唔係，應該咁樣，應該調番轉頭嚟問。

李柱銘先生：唔。

主席：即係你嘅抽水方法，去到今日你都認為係正確嘅？除非有好特別嘅情況出現令到你改變你呢個主意，你都會繼續沿用呢一個咁樣嘅抽水辦嘅方法？

答：係。

主席：唔，得。

問：呢個--好，呢個除非咩嘢事出現你至會改呢？可能係靠呢個委員會，咁得唔得呢？譬如委員會話你呢個方法錯嘅，以後驗呢要驗隔夜水，咁你會唔會跟住做？

答：我諗同其他政府部門都一樣，我哋都係會聽取各方面嘅意見。

問：得，如果你肯聽話就得。

答：唔係，我會聽取意見，然後就...

主席：聽意見咋喎。

答：聽意見我哋...

問：你可唔可以聽我哋主席嘅意見，同埋委員嘅意見，等如你聽阿陳健民嘅意見一樣咁呢？

答：當然委員會係會有一啲嘅建議，我哋會睇住啲嘅建議細心去研究，我知道遲啲呢，...

問：當然你係公務員呢，你仲要聽埋上司嘅決定嘅，呢啲好公平，對你嘅...

答：我知道遲啲水啲方面嘅專家會有啲嘅證供，我哋自己都希望有啲--如果主席同意，我都有啲專家，大家可以將你頭先所講啲嘅事係比較清楚啲去分析。

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問：你啲專家嘅意見，佢講過畀你聽㗎喇，係咪？佢差唔多寫完。

答：係。

問：佢嘅意見其實同你一樣，係咪？

答：佢當然睇咗我哋個做法，知道我哋嘅實際情況，而係表達佢嘅意見。

問：係，即係同陳健民佢嘅睇法一樣？

答：大致上。

問：好，關於呢點，因為我對陳健民都要公道。你而家話，而家你哋政府呢個立場，即係驗親都係要開咗水喉兩分鐘至會去驗嘅。呢個立場，係因為佢影響你，定係你自己點呀？即係你聽晒佢話，即係佢嘅意見變咗你嘅意見，定係你自己獨立思考，都覺得佢啱。

答：唔係，我諗就頭先我講，呢個方法唔係而家先至做，不鏟都有做，而佢有根有據嘅。

問：你有冇諗過不鏟都錯呀，喺呢個情況下？有冇呢個可能，有冇諗過呀？

答：諗...

問：有冇咁嘅可能？

答：所有可能性都有嘅。不過問題都要有個根據嘅。

問：咁人哋專家--係，即係專家而家已經有個意見畀你呢，...

主席：唔係，我諗我哋又返番去嗰個問題，咁我哋唔好討論。

問：好，好，好。我而家好嚴肅地同你講，處理呢個鉛水嘅問題，政府，包括你係故意，故意唔想知道呢個問題嘅嚴重性，你同意還是唔同意？

答：我唔同意。

問：Okay，我而家解畀你聽點解我咁樣話。因為政府，包括你係知道，如

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果你係驗隔夜水，你就會做多好多工夫，呢個係可能好多條邨都係被 -- 要訂為係受影響嘅邨。好似琴日許大律師畀你睇，有啲係 borderline 嘅，嗰啲好 borderline 嘅會唔會超標？如果嗰啲擺去驗，我可以話畀你聽，一定會超標。所以你故意係避免，故意唔想見呢個後果，所以就死都唔肯驗隔夜水。你同意定唔同意？

答：我唔同意。

問：好，唔該你。就因為咁，政府知道如果有時抽啲樣本去驗，驗到個後果係唔滿意嘅，佢就會 -- 你個部門會用方法將呢啲咁嘅驗水嘅結果取消咗去。

主席：再講多次，對唔住。

李柱銘先生：係。

主席：再講多次，唔。

問：所以你啲部門，如果驗到啲水辦返嚟，即係凍過之後至擺去驗，都係超標呢，係有啲情況下係故意 discard 咗去，故意唔要嘅。我會畀例子你，你同意定唔同意先？

答：我唔同意。

問：好，我而家畀例子你。好，我嘅文件係 C19.7，160。

主席：19.7 呀？

李柱銘先生：C。

主席：得。

問：係咪 C19？

講者（不能辨別）：唔。

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問：C19.7, 160, 然後 15517。而家睇 15517, 呢個表你稍為望一望先, 呢個 public rental housing developments 嘅文件。首先你睇個 "Total No. of samples taken by WSD for lead and result issued, (A)=(B)+(C)+(D)+(E)"。跟住就係 "No. of samples tested by WSD for Lead and result issued"。跟住分開 subdivide, "No. of sample exceeding the WHO PGV for lead", 咁先係 (B), 跟住就睇落去。有 11 個 affected, 跟住就有 unaffected; 跟住就--第 2 就係 "completed in or after 2005"。3 就係 "Unaffected PRH Developments completed before 2005"。逐個 column 有啲數字睇到, okay。

因為你有兩個部門嚟負責 test, 一個就係 WSD, 一個就 Government Laboratory, 所以就咁樣編咗出嚟, 你睇到?

答：係, 睇到。

問：(B) 同 (C) 就係你哋嘅 department; (D) 同 (E) 就係 Government Laboratory。

答：唔。

問：所以要加埋晒。好, over the page, 呢度即係 15518。就講啲 development 嗰度。如果你左手面嗰啲就有八個邨嘅, okay, 第一個 column 有八個邨, 你睇到嘛?

答：睇到。

問：第二個 column, 喺左手面數過嚟第二個 column, "No. of samples taken by WSD for lead and result issued", 又係 "(A)=(B)+(C)", 一路落有啲 figures。你又再 across, 又係 seen "No. of samples tested by WSD for Lead and result issued"。第一個就係 "No. of sample exceeding WHO" 嘅, "for lead, (B1)"; 第二個就 "No. of sample within lead", 即係 within 佢嗰個, (B2)。跟住加埋, 即係驗到幾多, 就有個數出嚟。

跟住再過去就 "No. of samples tested by Government Laboratory", 又係咁樣 (C1) 就係 exceed 咗; (C2) 就唔 exceed 嘅, 加埋晒就 total。

你而家睇番, 先係你哋做嗰啲係 exceed, 你睇落去呢啲邨, 7、

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5、1、2、0、1、16、4，睇到嘛？

答：唔噃。

問：係有，exceed㗎，all right？跟住(B2)嗰度就 within 嘅，又有啲 figures 喺度。因為你抽樣，呢啲全部抽樣，啱唔啱呀，你唔係驗晒，你抽樣驗嘅啫。

答：唔。

問：跟住去到 “Total No. of samples” 嗰度，即係 “(B)=(B1)+(B2)” 嗰度，第一個睇落嚟就 93，但係有個 footnote，有個 1 字嘅，睇唔睇到？

答：睇到。

問：你駁落去 1，佢就 “Apart from 93 samples, test results of 6 samples were not issued”。有啲唔 issue 個啲，有 sample，點解唔 issue 呢？有咩嘢可能會唔 issue 嘅呢？因為你超標又有一個 column，唔超標又有一個 column，點解會有啲唔 issue 呢？你諗唔諗到咩嘢 situation？

答：我唔知。

問：Okay，你話唔知得㗎嘞，all right。你個 footnote 5，你睇下 footnote 5。佢咁邊度嚟，就喺上面，最收靚個 column 嗰度。右手面，“No. of sample” 嗰度，你見到 59 嗰度睇唔睇到呀？

答：睇到。

問：嗰度有個 footnote，呢度過番係咩嘢嚟嘅呢，就係石硤尾，Phase 2，okay。呢個 footnote 5 你留心睇，Apart from 59 個 samples，因為 59 寫咗出嚟，“the results of two samples of GL’s Lab Nos.”，畀咗嘅，“were discarded after detailed investigation and resampling. The sample of” 其中一個，就 “contained a visible black particulate. It was observed that the abnormal test results”，of 呢個，同埋跟住嗰個 “were probably caused by non-repeatable, sudden transient surge of accumulated lead containing deposits in water, whilst the other sample might also be affected by suspected environmental contamination.

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Both were discarded as unrepresentative after detailed investigation by WSD”。

如果突然間有一個 surge of accumulated 係重要個嘢，點解唔要咗去呢？我會明白，譬如而家攞咗個 sample，connect 咗個 sample，咁你就畀個 container 裏面，原來後來發現有啲人喺度搞個 sample，interfere the sample，咁你就好要，fair enough。譬如有啲人倒啲嘢落去，或者細路仔玩搞親佢，唔驗。Fair enough，discard 咗去。

你明唔明？但係如果突然間好多 lead 走咗出嚟，嘩，咁就唔 representative。咁你係唔係 representative 你要睇個 general picture。你所有 sample 都應該擠去一齊睇。而家即係唔得準確。

答：我答唔到你，不過，我覺得其實佢即係將嗰個--或者我想澄清，或者指出一點，即係專業人士，譬如化驗師等等，佢哋有佢專業嗰個嘅操守同埋做法。如果佢將嗰個--喺佢個專業判斷底下，將個事實羅列出嚟，其實佢講呢個結果冇事，因為呢條邨都已經話咗有事，我覺得佢冇乜動機，好似頭先你提，所以我唔同意，就佢哋故意係想一啲嘅結果係去抹去，或者係改裝，即係我唔同意呢點。

因為既然呢啲邨已經係話咗，佢有需要咁做。亦都我相信啲同事，包括政府化驗所嘅同事係有佢專業嗰個判斷，同埋操守。佢將呢個事實或者佢哋佢哋嘅判斷羅列出嚟，正正就顯示佢根本有需要將一啲--或者佢覺--或者可能覺得唔好嘅一啲嘅--有唔好後果嘅嘢嚟到去將佢遮蔽，我唔覺得佢係做緊呢樣嘢。不過，你如果問我細節啲呢個點解，我係答唔到你。

問：Okay。咁問邊個至知？你哋個--陳健民知唔知呢？

答：我諗化驗師會知。不過我知道以前就試過係有啲水辦就唔係頭先你講話，當我攞咗個水辦之後有人去搞佢。譬如抽水辦嗰刻嘅時候，喺嗰個空氣裏面有啲微塵係會跌咗落去嗰個樣本嗰度嘅，咁呢個都會係--呢度都有提過嘅，一啲佢叫做環境污染。呢個我知道，我聽過佢哋講過呢一樣嘢。細節啲你問嗰個註腳 1 同埋註腳 5 嗰度我答唔到你。

問：譬如佢收畀嗰度，佢話 “might also be affected by suspected environmental contamination”，environmental contamination 就永遠都存在㗎喇，係咪？

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答：我唔知係咪呢一個，我記得有一次--有一個個案就係佢喺一個管理處
嗰度擺個水辦，但係管理處嗰個--我記得好似個抽氣扇係好污糟嘅。
喺空氣裏面其實就係有好多時有啲咁嘅塵係你未必用肉眼睇到。因為
我哋講緊其實 10 微克，1 公升嗰 10 微克細到嗰個地步係...（聽不
清）一點咁樣。

問：我知，我知，我即係話畀你聽，呢個狀況呀，...

答：都係唔知。

問：...呢個狀況，或者呢個原因，係所有辦都可能係用呢個原因畀佢影
響到㗎，如果你用...

主席：未必一定。

答：未必，要睇環境。

主席：未必一定。

答：唔一定。

問：睇環境，okay。即係或者出面嘅--咁屋裏面...

答：唔係出面，直情頭先我講管理處嗰個情況，佢抽氣扇好污糟。

問：Okay, okay, okay。即係你--okay，跟住嗰個 note 6, note 6，
呢個第 6 嘅係邊度走出嚟呢，就係喺 (B) 嗰度，(B1)，=(B1)+(B2)
嗰個 column，“Total No. of samples”嗰度；去到畀二嗰個，
74 嗰度，有個 6 字，睇唔睇到呀？即係第 7, Hung Hom Estate，
第 7 嗰度，Hung Hom Estate (Phase 2)，74 有個 6 嗰度，睇唔
睇到呀？

答：我睇到。

問：跟住落嚟睇個 footnote，“Apart from the 74 samples, two
samples were discarded by WSD due to
unrepresentativeness after detailed
investigation.”。又好 general 嘅呢個，你又唔知道原因，係

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咪？

答：我答唔到。

問：Okay。

答：不過，我成日都覺得如果佢係有故意想遮瞞一啲嘢，佢唔需要寫出嚟。而且呢條邨已經係話咗有事，就算佢用埋啲啲資料又有咩嘢特別。佢亦都唔知道呢個結果係點，佢只係話嗰個樣本就係唔用。我理解佢咁其實出事...

主席：一定係超標。

答：吓？

主席：一定係超標先 unrepresentative，如果低過標佢使乜講。

李柱銘先生：係喇，係喇，就係咁。

答：或者我淨係睇呢度唔知，呢個係估計喇。

主席：係咪？即係 logical 一定係咁。

問：好，我而家就揭去 15520 嗰版，15520。呢個 “Table No.2 就 unaffected, unaffected PRH Developments completed in or after 2005”。好，而家我哋揭去，揭到 15524。睇到嗰版？

答：我見到。

問：呢度就先喺左手面數過嚟就係啲 developments 嗰啲名，樂富嗰啲。再隔離嗰個就 “Total No. of samples taken by WSD for lead and result issued”，呢度。就去到最收靚底下嗰個 sub-total 3780，睇到嘛？

答：睇到。

問：呢度有個 footnote 12，係咪，係咪呀？

答：係。

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問：Footnote 12 就話 “Apart from these 3780 samples, the test results of 102 samples were not issued by HD or discarded for various reasons, of which 73 were tested by WSD, 29 tested by GL”。但係就呢個係 not issued by HD。你知唔知道咩嘢情況下 Housing Department 唔會 issue 嘅呢？或者係 discarded？

答：我答唔到。

問：你答唔到，okay。

答：係。

問：跟住 15525，15525，係，第二版。上面就係 “Table No. 3- Unaffected PRH Developments completed before 2005”。去到 15532，15532 個版，又係去番--先睇啲 estates 先，啲 developments。跟住啲個 column， “Total No. of samples taken by WSD for lead and result issued”。個 total 個度就 2634，跟住就 note 13，footnote 13，底下， “Apart from these 2634 samples, the test results of 9 samples were not issued by HD or discarded for various reasons, of which 1 was tested by WSD, 8 were tested by GL”。呢度你--我諗你同一個答案，即係你唔知個理由？

答：我唔知。

問：Okay。我而家另外就問啲個水泉澳邨，水泉澳邨就唔係 affected 嘅，啱唔啱？

答：我記憶係。

問：我而家想先去 A2，31，917；915，去 915。底下，一路再落，再落，個 table 個度一路落。係，呢個，啱。呢度就係 “Public Rental Housing development with lead in water samples complying with WHO’s provisional guideline value”，呢度即係合規嘅。然後你睇左手面啲 name of 個 development，1、2、3、4 就水泉澳邨 Phase 1，睇到嘛，睇到嘛？

答：請講。

問：1、2、3、4，4 個個？

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答：係，睇到。

問：你跟住 across，一路過 Main contractor 係邊個；No. of samples taken 就係 53；跟住 No. of samples with excess lead 就 0 嘅。

答：唔。

問：跟住有個 note，有個 note。我哋而家睇個 note 就係 917，917 版。

答：唔。

問：917 版，個 note 就話 “One sample taken from a vacant unit at 喜泉樓 of 水泉澳 Estate was found to have a lead level of 14 micrograms per litre, which slightly exceeded WHO’s provisional guideline value. The water samples taken from the rest of the three domestic blocks did not exceed the value. WSD took more water samples from Hei Chuen House for testing to ascertain the situation. After analysis, it was concluded that the water sample which exceeded the value might have been affected by the environment.”

即係直情擺咗嚟驗咗，超標，後來就再簽多啲。跟住個 conclusion 就話可能係因為受到個環境影響，全部就 reject。所以變咗就有影響，因為 0 嘞，個 sample。呢度就有--呢度--我諗你都係解釋唔到。

答：呢個或者我可以講講。

問：嘎，你...

答：因為呢個我記得當時喺記者會我哋有解釋過。

問：好，好，唔。

答：因為水泉樓，如果我有記錯，呢一個公屋就係--嗰陣時就係啱啱開始入伙，嗰度有好多地--好多單位係做緊裝修，所以就嗰個環境，我聽啲同事講就係唔係咁好。我哋發現到就係...

問：我不如等你--我有個文件，因為你係開過記者招待會。係...

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主席：不如你就咁講個文件講咩嘢，我哋唔使睇。

答：係喇，或者我講--我簡單啲講一講。

主席：李大律師，你就咁講個文件講畀我哋聽得。

李柱銘先生：Okay, okay。

問：呢個係水務署署長在跟進水含鉛量超標事件記者會開場發言。咁就又有個咁樣講，林天星，跟住就係有根據--跟進呢個食水含鉛量超標事宜舉行記者招待會。以下係林天星在記者會上的開場發言全文：

「昨日我公布在水泉澳邨抽取的四十三個水樣本中，有一個在喜泉樓的空置單位抽取的水樣本，含鉛量超標數值為每公升 14 微克，比世界衛生組織（世衛）的標準每公升 10 微克稍高；其餘十個同樣在喜泉樓抽取的水樣本均符合世衛標準。因此，我們懷疑超標的水樣本在抽取的過程中可能受到污染。

今日我們再次到該單位抽取水樣本，並有系統地從同一條供水的水管，為該單位同一樓層的其他單位抽取水樣本，同時在該單位的上層和下層抽取多個水樣本。化驗的結果顯示全部十個水樣本的含鉛量均符合世衛標準。

對於今次結果與昨日的有出入，我們經分析後得出的結論是昨日超標的水樣本有機會受到環境因素影響，令化驗的結果出現差微。」

講者（不能辨別）：偏差。

問：偏差，出現偏差，「完」。

答：呢個我記得當時，所以呢個我有啲印象。

問：係，呢個可以補充喇？

答：我諗你頭先講咗嗰個就係我想補充啲。

問：咩嘢污染呢？

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答：頭先我講，即係嗰度就因為好多係裝修緊，即係基本上係一個地盤嚟，
嗰個環境係比較惡劣一啲。所以我哋覺得係有需要去再詳細啲去驗，
就唔係淨係驗嗰個單位，係嗰條供水鏈其他嘅單位，同一個樓層嘅單
位。去睇一睇係咪都有呢個鉛超標嗰個嘅情況。

如果我有記錯，頭先你讀出都有上--即係除咗嗰層樓，都有第二
層樓都有驗到。我哋驗個數目，如果我有記錯超過--好似大約十個咁
上下，即係唔係--因為而家係一個超標，我哋係再做詳細啲嘅研究。

問：呢一個記者招待會就係舊年 2015 年 7 月 15 號嘅。

答：7...

問：2015 年 7 月 15 號。

答：7 月 15。

問：7 月 15 號，係。好，跟住 7 月 14 號，我而家問番早一日，我又畀份
文件你睇。

主席：唔係，我想--李大律師，我想知道你個--你想問佢呢一樣嘢係關於
咩嘢？

李柱銘先生：即係我就--即係其實話呢個水泉澳邨可能係有問題。

主席：唔，得。不過，我都可以話畀你聽，我哋 commission 係有去--
返番去水泉澳邨再睇過。即係可能今日，或者遲啲你就會知道個結
果，如果我哋公布嘅時候。所以呢度...

李柱銘先生：我從短。

主席：係。

李柱銘先生：好。

主席：唔。

問：文件嘅 C19.1，C19.1，107。annex II。

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講者（不能辨別）：1。

問：吓？

講者（不能辨別）：II 1。

問：annex II 1。Page 9978。99...

講者（不能辨別）：9970--sorry。

問：9970。

講者（不能辨別）：9976

問：9976。係，呢個。呢度佢就--我而家睇到 introduction 嗰度，你自己睇睇，“In response to the recent...”。你哋係邀請 Government Laboratory 幫手，就 “on site investigation of lead in plumbing components”，原來 Government Laboratory 就用嗰啲 X-ray fluorescence (XRF) method which is a fast and reliable screening technique...”。睇到嘛？

答：睇到。

問：係，“for lead on the surface of the plumbing components. The on site screening of lead is based on a portable XRF analyser ...”。跟住畀個 model number。“The screening limit of lead is 1 per cent...”。 “w/w”係咩嘢嚟？

主席：Weight over weight。

李柱銘先生：Thank you。

問：跟住你睇個 date 嗰度，有個--date，第二個，14 號 July，睇到嘛，睇唔睇到？

答：睇到。

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問：跟住你向右邊去，Responsible officer 呢就 WSD 嘅，同埋 Government Laboratory 嘅。個 venues--而家你去番 14 號個個就係 Shui Chuen O Estate，就係 four vacant flats 嚟嘅。即係呢四個都係 vacant 嘅。第 1 就睇到 . “Exposed water pipe(s) in the water inlet outside the flat.”；第 2 就 “Soldering points at the joints of the exposed water pipe(s) in toilet, kitchen and outside the flat.”；第 3 就 “Screeners of the water taps in toilet and kitchen of the flat.”。睇到嘛？

答：係。

問：然後我哋就去 9978 版。而家睇--個 heading 就 “2. Date of examination: 14 July 2015 (Laboratory Number ...)”。你睇到 address 嗰度就 Site I Estate，水泉澳邨、個 Building 就係喜泉樓、Flat number 畀咗、Location kitchen。Kitchen 嗰度就 examination，個 soldering point 就 not detected 嘅。“Detection of lead by XRF”，冇嘅。

但係跟住嗰個第 2，“The screener of the water tap”就係 kitchen 仍然係，就 detected 嘅。個 screener 係咩嘢嚟㗎？

答：吓？

問：Screener 係咩嘢嚟？

答：Screener 我--係嗰個水龍頭你扭--即係扭--即係最尾嗰度你可以扭入去一個 screening 嘅一個--即係主要係隔一啲沙--嗰啲沙網咁上下嘅嘢，個 screener。

問：即係個水龍頭就...

答：最尾嗰度。

問：最尾嗰就咁扭入去嘅？

答：我理解係。

問：係咁...

答：即係可以扭出嚟、扭入去咁。

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問：係，就隔咗啲沙，嗰啲嘅 solid。

答：唔㗎。

問：有時攞出嚟睇番係綠色，係咪呀？因為我屋企嗰啲攞出嚟綠色。

答：要定期清洗下，佢可能有啲雜質污糟。

主席：佢個膠係綠色，有啲係綠色，唔。

問：所以就驗嗰個 screener 其實，嗰個就 screener--就用呢個...

主席：XRF analyser。

問：係，XRF 就驗--係，XRF 就驗嗰個 screener。

答：唔。

問：就驗到嘅？呢個係咪準確？

答：你講 XRF？

問：係。

答：有某程度準確，因為通常 XRF 做完之後，呢個係一個快速測試。但係如果係要準確，其實要將佢拆出嚟，真係用一啲科學嘅方法去驗。

問：因為我頭先畀你睇過個 introduction 嗰度，佢話 "which is a fast and reliable screening technique"。

答：唔。

問：所以呢度...

答：但係你有法子知道嗰個實數。

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問：係。

答：即係你頭先話準確，即係問個鉛含量有幾多，我理解佢未必畀到，佢只係知道有、冇咁樣，同埋仲係喺表面。

主席：唔係喎，唔係，署長。

答：係。

主席：我哋都睇過，知道個 percentage 其實。

答：XRF 知道個 percentage？

主席：係呀，你就咁樣射上去，佢會話畀你聽邊一種金屬個 percentage。

答：但係我問過政府化驗師，即係政府嗰邊，佢就話嗰個--佢畀唔到個數我哋。佢可能--佢有一個大約嘅估數，佢話嗰個唔可以當...

主席：唔係，我知唔可以--嗰個唔係一個實--即係唔係一個好 accurate。

答：準確嘅數，係。

主席：唔係一個好--嗰個係一個約--應該咁講，睇下究竟你想要到幾準確。不過，個問題就係你一射上去，佢會話畀你聽呢一隻金屬，或者呢個管裏面有幾多係--譬如係銅，有幾多係鋅，佢講埋個 percentage 出嚟畀你聽。

當然你話究竟有--即係做 screening 就絕對冇問題。不過，你話如果我要好 accurate 嘅話，當然政府化驗所就會有啲 x-ray，或者啲 spectrometry 啲咁樣樣更加先進嘅儀器去做。不過，呢個--即係我哋嘅理解就 hand-held，就方便，喺嗰個時候就 okay 嘅。不過係會話畀你聽個 percentage，就唔係淨係話有定有嘅。我嘅理解就係。

答：Okay。

李柱銘先生：謝謝。

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C 問：跟住你落去就 toilet, toilet 第 3 個度，就 “soldering point”
D 個度就有事嘅，right? 第 4， “screener of the water tap”
E 喺個 toilet 就有事。即係當然，我哋睇嚟喺 toilet 個啲唔大件事，
因為啲多數都唔會係 drinking water 嚟，除非佢飲水喉水，係
咪？

F 跟住落就 “outside the main door”，5 同 6 都 not
G detected。跟住個個 site II，落嚟，又係 Shui Chuen O Estate，
H 呢個今次又係個個樓--個 flat number 唔同。Kitchen 個度， “The
soldering point at the joint of the exposed water pipe
under basin”就 not detected。但係又去到 screener 個度又
detected。睇到嘛。

I 答：係。

J 問：Toilet 個度，第 4 個度， “Screener of the water tap”又
K detected。Right?跟住 outside the main door 就有。跟住
L site III，又另外一個 flat，kitchen 就有嘅，呢次 kitchen
M 兩度都有；Toilet，第 4 個個，screener 又有嘅，啱喇嘛？

N 好，而家去 page--我而家跳去 conclusion 個度，就係 page
O 9980， conclusion，係，佢話 “In the three-day
P investigation, a total of 47 examination points were
Q checked in 10 flats of 5 public estates ...” and given
R the names。

S “Positive XRF (detected) results for lead were
T found at 17 points in 3 estates (Kai Ching Estate, Shui
U Chuen O Estate and Kwai Luen Estate). In Kai Ching
V and Kwai Luen Estates, lead was detected in the
soldering points between plumbing connections while
in Shui Chuen O Estate, lead was detected in the
screeners of the water taps。”。呢度你又點樣 comment？

主席：呢度佢點樣 comment，咪講番佢個 press release 個啲嘢。

問：係咪呀？

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答：你講嗰個 screener 點解有鉛？

問：係，係，係。

答：因為其實嗰個 screener 佢係--如果我有記錯，佢可能係一種嘅合金
嗰類，係基本上係可以有微量嘅鉛，佢只係測試佢有冇。

問：即係佢本身有鉛？

答：我印象中佢唔係話要 lead-free。

問：Okay，但係佢哋嗰啲可能係會唔會 connect 到啲水出嚟嗰啲，會唔
會？唔會？

主席：應該唔會。

答：應該唔會。

主席：因為佢係 XRF，如果佢係用 XRF analyser，...

李柱銘先生：就係用...

主席：...就唔係 test 啲水，...

李柱銘先生：係用啲 metal。

主席：...就係 test 嗰個 metal。

答：係。

主席：如果佢係真係用 XRF，應該係喇，係咪？

問：如果有--即係個 metal 裏面有鉛，咪即係可能啲水出嚟都有鉛個囉
嗰，會唔會呢？

主席：有機會，所以佢哋--後來水務署咪有做過嗰啲部件，究竟佢 leach
嗰個 rate 係幾多，同埋究竟係邊一度 leach 出嚟。

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問：Okay。你同意主席？

答：係。

問：Okay。

李柱銘先生：主席，我仲有兩個部分要問，不過唔會耐。但係可唔可以早
少少...

主席：可以，我哋而家休庭二十分鐘。好唔好呀？

上午 11 時 16 分聆訊押後

上午 11 時 46 分恢復聆訊

出席人士如前。

李柱銘先生：主席，多謝你提早咗休會一陣。咁我而家就好快啲嘞，半個
鐘頭應該得。

主席：好呀。

李柱銘先生：因為有啲重複嘅嘢就受頭先嗰十分鐘嘅限制，所以就唔會再
問。

主席：好呀。

李柱銘先生：不過有一點我想個證人澄清嘅。

水務署第一證人：林天星（水務署署長）宣誓繼續作供
李柱銘先生繼續盤問

問：就係琴日當許大律師問你嘅時候，就問過即係話房署就即係靠你哋安

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固定熱水，講到呢個問題嘅時候，咁你就--同埋主席又問你，佢就話房署嗰面係倚賴你哋嘅知識㗎嘛，同埋你哋係專業㗎嘛。咁喺嗰個時段，咁你就講過一句說話嘅，咁你就話係房署係知道唔同方法就可以達到唔同目的嘅，即係咁樣講。即係話房署係知道，如果驗水嘅時候，即係抽水辦嗰陣時，係用唔同嘅方法就會達到唔同嘅目的嘅。大致上咁樣講嘅，你記唔記得？

答：我唔係好記得喇。因為--主要嘅意思係咁嘅。當房署邀請我哋幫手驗水辦，我哋知道佢嗰個目的係想睇個水質係咪符合世衛嘅標準。所以當時我哋用嘅方法，就係我哋不嬲用開，即係抽水辦嘅。

問：即係又講番今朝我哋嗰匹布嘞。咁但係房署佢哋，你哋知唔知呢個 ISO 㗎，頭先我哋讀嗰段？

答：佢唔係一定知嘅。

問：你哋有傾過嘅？

答：你講 7 月嗰陣時，我本人有參與喇。即係房署未必知道咁詳細。佢只係話佢想知道個水質係咪符合世衛標準。咁我哋就用我哋沿用嘅方法嘅。

問：咁你嗰陣時理解佢想知道嘅水質...

答：係咪符合世衛標準。

問：係嘞。咁你嗰陣時有冇諗到係隔夜水唔同呢？我哋有冇諗過佢哋知唔知有分別呢？

答：我答唔到，因為你講緊 7 月嗰陣時㗎嘛。

問：係。你感覺唔到佢哋知道有分別？

答：你講 7 月嗰陣時？

問：而家好清楚㗎，你嘅證供好清楚有分別喇，係咪？

答：係。

問：你話達到唔同嘅目的。

答：我諗之後佢哋會知道。但係你話喺 7 月嗰陣時，攞嗰陣時，佢未必會

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知嘅。我有參與嗰個討論，因為其實嗰陣時就比較迫切就係話坊間驗
咗一啲嘅水。坊間都係用一個世衛嘅標準去比較嘅。咁好自然就房委
會想就係要睇清楚究竟驗嗰啲水係咪正確喇。

問：好。

答：我唔想重複嗰個方法。

問：好呀，好呀。

答：咁所以我哋自然就係話「如果你用世衛標準嚟做比較，你就係要跟呢
個」，頭先嗰個 ISO 嚟做法。

問：咁你而家頭先就好清楚話 7 月嘅時候你諗佢哋唔知，但係之後嘞，就
你覺得係應該知嘞，係咪？

答：知道其實都有好多--一啲嘅意見就話「咦，點解唔用隔夜水呀」咁。
咁我相信就係討論嘅過程，譬如係--我記得好似都係喺一個嘅立法
會嘅會議裏面都有，有啲議員有提過嘅，咁我諗佢都聽到嘅。

問：即係喺嗰啲，如果立法會喺呢個問題上嘅辯論，你覺得房署都有人喺
度嘅，應該？

答：佢喺度。

問：咁就即係你哋嗰個...

答：都係之後嘍嘞。

問：嗰個跨部門小組嗰啲人應該去聽嘍喇，立法會辯論嘅時候，係咪？

答：嗰個會基本上幾個局長喺度嘅。

問：你本人有冇喺度？

答：我記一記先。有局長或者副局長喺度喇。

問：好嘞，咁跟住--仲係同一個問題，即係房署嗰面知唔知道啲抽水辦係
有隔夜水同沖咗之後去驗嘅唔同呢一方面。你嘅記憶就去到國際專家
崔國林（譯音）嗰個 report 嘅時候，你有冇畀一份佢哋嘅？

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主席：再講多次你嘅問題。

問：即係我哋成日問你嗰個國際專家...

主席：有冇睇過你哋嗰個 task force 嘅 report，係咪咁嘅意思？

李柱銘先生：唔係，唔係，唔係佢哋嘅 task force，係國際嗰個，我哋成日問嗰個 joint opinion 嘅。

主席：係吖，係吖。

問：嗰個意見書，有冇畀到房署嗰面？

主席：哦，有冇畀到房署。

答：我唔知道係咪由我哋畀喇。我相信房署佢有第二啲方法擺到嘅。

主席：吓？

答：嘍。

主席：佢哋有呀，佢哋。因為我哋擺上網，佢哋知㗎嘛。

答：我哋知道嘅。

李柱銘先生：哦，即係一擺咗就上網，上網就應該全部人都知嘞。

主席：我哋...

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答：好似係咪喺庭嗰度讀㗎？

主席：我哋擺上網嘅。秘書處擺上網嘅。咁如果佢哋有睇，就一定知嘅。

李柱銘先生：咁應該即日收到嘞，一上網就應該知道嘅？

主席：係吖。

李柱銘先生：好，okay。

問：咁即係有冇...

答：我相信喺 7 月嘅時候，其實就因為要知道係嗰啲水係咪符合嗰個世衛標準，當時我哋係用呢個抽水辦嘅方法。我有參與，又有一啲咁嘅討論。不過我相信房署嗰陣時我應該唔知道咁清晰話，你話有咁嘅調查，又點樣；抽水辦，你要點樣，又點樣，我諗--我估計可能有咁詳細嘅討論喇。

問：咁我哋嘅諗法喺唔喺呢，即係--起碼我嘅諗法喺唔喺呢，喺嗰個時段，即係 7 月嗰陣時候睇番...

答：7 月中嘅，係咪？

問：即係佢哋係即係靠你哋㗎嘞，係咪？

答：基本上我哋要知道佢個要求喇。佢就話「我想知道」--因為其實坊間嗰個係用 10 公升-- 10 微克 1 公升比較㗎嘛，咁好自然佢係用世衛嗰個標準比較。而我哋跟世衛嘅指引，用 ISO，頭先講 5667 第 5 段，就係話要睇下嗰個水質係咪符合世衛標準，所以我哋用呢個兩至五分鐘呢個方法。

問：係。即係我哋頭先一路傾嗰陣時候，傾到主席限我十分鐘問你個問題，即係大家知喇，係兩樣唔同嘅驗水嘅後果唔同吖嘛，竹你哋房署知唔知呢？

答：你講--睇下方個時段喇。即係我相信 7 月嗰陣時未必...

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問：即係 7 月嘅時候你都知？

答：我唔敢肯定，因為唔係我真係參與嗰個討論喇。佢可能唔知，都唔出奇。

問：跟住應該知嘞？

答：但係後期有咁多討論，我相信佢都聽到嘅。因為我哋喺立法會都有答過嘅，就係話你唔同嘅目的，係用唔同嘅抽水方法。

問：好，好。好嘞，咁我而家問你，就係問番立法會有一個辯論嘅，有個動議嘅。即係你知喇，嗰啲議員提出嘅動議就係唔係--即係冇約束力嘅，對政係冇約束力，我諗你知道㗎喇，係咪？Non-binding...

答：冇約束力，不過我哋都有啲進展嘅報告嘅。

問：當然喇。咁我就想...

李柱銘先生：Okay，我哋而家派啲文件，就係立法會一個辯論，係舊年 2015 年 10 月 29 號嘅，就係嗰個動議辯論就係關於食水安全法。即係立法會啲議員就想正式立一個食水安全法。

你到上面就係「2015 年 10 月 28 日嘅立法會會議，郭家麒議員就「為食水安全法立法」動議嘅議案」。我就唔會讀晒。一開頭嗰度佢就話「食水安全為民生要務」，咁一路咁講、講、講，第一段，去到尾嗰度就話「本會亦促請政府推出下列措施」。

問：你睇到喇嘛？

答：睇到。

問：係嘞，咁就「第(一)合理地豁免所有受影響公共屋邨住戶嘅水費同租金；「第(二)為已安裝濾水器嘅受影響公共屋邨住戶抽驗食水，以確保濾水器發揮有效嘅功能；第(三)擴大為受影響公共屋邨住戶優先驗血嘅範圍至住戶入伙時未滿 6 歲的成員；(四)明確地向受影響公共屋邨住戶交代更換問題喉管及／或部件嘅時間表，以及有關嘅安排同埋進度，並協助受影響住戶追討賠償；及(五)提出方案協助受影響嘅學校同埋醫院等更換問題喉管及／或部件。」

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咁呢個動議就後來有修正咗之後--呢個修正咗嘅，係。呢個係經陳恒鑽議員修正咗呢個議案，修正議案就通咗嘅，立法會。

就好少咁齊心，係完全差唔多係唔同黨派係差唔多全部都贊成嘅。或者我唔想煩你咁嘞。

你記得呢件事嘛？

答：我記得。

問：Okay。咁就辯論嘅時候，就代表政府發言嘅就唔係你咁呢面嘅，就係高永文醫生嘅，佢就係食物及衛生局局長。

咁我就畀個立法會嘅正式個報告嘅紀錄我就講幾段畀你睇嘅啫，okay？唔會嘅好多時候。就係 AC1/15，253 開始。

答：唔。

問：你睇一開頭嗰度，「主席」嗰度，係嘞--唔係，再後啲，落啲，唔該。係嘞，呢度就開始嘞，「食物及衛生局長」，咁佢先就解釋點解陳茂波局長就唔可以嚟，因為喺北京開會。咁跟住去到第一段畀二個行，「但特區政府嘅跨局及跨部門團隊會全程參與，聆聽各議員嘅提案同埋意見」。

即係我諗你會喺度，係咪？

答：我唔喺嗰度。

問：你唔喺嗰度嘅。咁跟住嗰段，就第四行你睇到喇，就係佢哋一直有三大原則，第三行，「一直本著三大原則處理今次事件，即『公開透明』、『以人為本』同埋『全面徹查』。」

呢度我停一停先。好簡單問你，你覺得喺處理呢件事，你同埋你個部門係咪可以做到呢三大原則呢？你覺得係咪做到或者未做到呢？

答：我覺得我哋做到，或者盡力做到喇。

問：Okay。咁跟住揭第二版嘞，254，即係喺上面嗰度第二段，佢就話嘞，「關於《水務設施條例》過時嘅問題，我想指出《水務設施條例》及《水務設施規則》嘅現行版本於一九七五年後曾經多次修訂，例如一九九二年...」有條訂，同埋 1995 有修訂，跟住就 2006 年就再修

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訂。「由此可見」，你睇到嗰度，讀嗰度喇嘛，「由此可見」？睇到嘛？

答：睇到。

問：係。「政府...不時檢討法例是否適切。正如發展局局長早前就范國威議員同埋何秀蘭議員分別根據《立法會（權力及特權）條例》...提出嘅議案總結發言時指出，我們認同隨着社會嘅發展同埋食水安全標準嘅演變，有需要檢討現行嘅法例，並於法例修訂前，實行適當行政措施來解決或減緩問題。」

呢度我停一停先。關於呢個現行嘅法律，即係《水務設施條例》呢一類，同埋個規則，你哋部門其實已經有冇開始做呢個工作呀？

答：有。

問：做緊啲嘞，係咪？

答：開始咗。

問：咁你哋係咪覺得好多地方都唔妥呀？

答：其實啱啱開始啫。我哋覺得有啲地方我哋需要就係有一個檢視。咁我哋都要研究下譬如--因為香港其實食水安全就我哋有一個法喇，咁但係外國有啲地方有嘅。咁我哋都要研究外國嗰個做法，然後睇一睇香港嗰個適切性。

問：你大致上你同意係咪落後得好緊要？

答：我又唔覺得話真係--睇下嗰個「落後」係咩嘢意思喇。因為其實係隨住時代嘅轉變，其實一路我哋都要--呢度局長都講得好清楚喇，隨住社會嘅發展同埋安全嘅標準演變去更改喇。我又唔覺得落後得好緊要。

問：有一點你--我畀個例子你吓，就--因為其他啲大律師冇問嘅。你哋係跟 BS 喇，British Standards 喇。

答：係。

問：其實而家有好多嘅變咗個 EN 出嚟嘅，係 Europe 嗰面啲嘞，係咪？

答：我哋都照用嘅。

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問：European norm 㗎嘞？

答：如果佢有 EN 嘅啲，我哋用 EN 囉。

問：咁佢係而家法例係 BS 㗎嘛。

答：哦，其實佢個定義，如果我有記錯，佢係指 BSI，即係包埋--如果我有理解，應該係包埋 EN 嘅。

問：係，係，佢 BS，跟住 EN 咁㗎嘛。

答：嘎。

問：係喇。咁所以呢啲...

答：我哋都係用嘅。

問：係嘞。咁佢係你法例上就淨係 BS 㗎嘛？

答：法例，佢好似唔係叫“BS”，係叫“BSI”。等我睇一睇先。

問：好呀。我唔會睇好多時候喺呢度。

答：我理解係包埋，即係 BS 以後，譬如轉做 EN 嘅啲。

問：唔係，喺呢一方面，你有冇諗到可能都要修改下法例？

答：你講 BS？

問：因為你法例而家係根據 BS 㗎嘛。

答：法例呢度咁寫嘅，“BS”就係“means the latest revised edition of a specification issued by the British Standards Institution”。

問：係喇。

答：我有記錯呢，其實 BS EN 或者 BS EN ISO 嘅啲，佢都係沿住 BS 個個去做嘅。我哋都係實際上我哋係跟...

問：佢係個法例有冇包括埋㗎，話 BS 係等如--包括埋 BSI 或者 BS EN？

答：呢個喺個法嘅演繹嘅度喇，即係 BSI 係咪都包到 BS EN 喇。

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問：係喇，係喇，呢度都要睇㗎嘛。

答：呢個我哋可以睇一睇嘅。

問：Okay。好嘞，咁跟住落嘞，就係「關於郭家麟議員促請政府為食水安全立法，我希望在此簡單...介紹一些海外國家有關這議題嘅法例同埋常規」，當中就包括咗美國、英國、澳洲同埋新加坡，咁呢啲嘞，「等已發展國家在保障食水安全方面的經驗。據了解，有些已發展國家包括美國、英國及新加坡等，已訂立了相關嘅食水水質法例以保障食水水質。此外亦有一些城市例如澳洲悉號透過營運執照清楚列明供水機構嘅責任。

一般而言，已發展國家嘅食水水質法例或指引有五個共同點：...」

咁我就唔會讀晒五個嘅，我而家去第（二）個，「基本上會設立一個獨立於供水機構嘅水質監管機構，以監測食水水質和執行規例。」

你有咩睇法呢？呢啲人哋嘅，你同唔同意香港需要...

答：我哋都係喺呢方面都有做一啲研究嘅。即係...

問：而家開始做嘞，已經做緊？

答：嘎，嘎，因為基本上我哋水務署就係嗰個供水機構喇，咁喺我哋做嗰個水安全計劃底下，我哋有抽一啲嘅水樣本喇，同埋我都有提過，我哋都有同衛生署有一個聯絡，咁就...

問：係，呢度有個...

答：...第二啲國家佢基本上就有兩類嘅機構，一個可能係一個嘅環保嘅，EPA，譬如美國用 EPA 嘅；有啲，譬如英國，佢有另外整一個叫 DWI 嘅。咁有啲國家佢係用 health 嘅，好似加大拿用 health 嘅。咁我覺得呢啲都係我哋參詳嘅對象。

問：即係你都覺得應該獨立嘅好啲嘅，係咪？唔係自己查自己係。

答：我覺得需要另外一個部門，或者一個機構喇，可能我哋同衛生署嗰個--呢個其中。我哋已經加強喺呢方面嗰個大家個溝通㗎嘞。

問：Okay。即係你覺得同意嘅，呢一方面，係咪咁樣？

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答：呢個係我哋研究其中一個對象喇。

問：Okay。咁第（三）嘞，就佢而家講咗其--其他國家有五個共同點喇，第（三）就話「通常會要求供水機關透過定期抽取和測試水樣本，監測從源頭至客戶水龍頭嘅水質。」

呢個你都同意㗎，係咪，呢個方向？

答：呢個就有啲國家譬如好似--佢呢度提到--我諗你要睇埋第（一）嘅。

問：係。

答：喺美國、英國、星加坡佢哋訂咗個水質嘅標準，呢個喺法例裏面訂咗嘅。呢個水質嘅標準亦都包括喺內部供水系統嘅。咁如果係咁樣嘅時候，你點樣去知道究竟有冇按照呢個水質標準嚟到去進行到呢，咁呢度其實係要--其中一個方法，你係要靠呢個測試水樣本嘅。譬如你如果睇頭先嗰度講到澳洲，我理解澳洲佢哋就未必會有一個全面嘅抽水樣--喺水龍頭抽水樣本嘅。咁我諗睇--唔同嘅國家，按照實際嘅情況去做喇。

問：係。咁所以你呢方面都係正面嘅，係咪？

答：呢方面正面。其實我哋香港而家就--我之前講咗，我哋每年有十六萬嘅水樣本。係最近我哋其實亦都將我哋抽取水龍頭嗰個水樣本嚟到抽取，要去驗鉛，其實我哋已經增加咗嘅。

問：Okay。

答：我哋而家--由舊年嘅7月到而家都驗咗有九百個水樣本，睇下有冇鉛成分。

問：Okay。

答：其實呢個擴大呢個水樣本嘅測試，特別喺鉛嗰方面，我哋喺舊年嘅7月已經開始咗。

問：Okay。咁跟住去到第（五），「一些國家會指定所需達標準，如美國為90」個百分比，澳洲同新西蘭就係百分之95。

咁呢一點，如果香港要，咁你都唔會反對㗎，係咪？

答：呢個其實就我哋覺得要真係研究下，因為我哋同過唔同國家嘅專家有

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傾過，譬如香港而家就基本上一個水辦有事，我哋就當係有事，即係要百分之百嘅。咁但係外國，譬如美國，佢就百分之 90，佢跟住嗰個佢就唔係叫做一個 standard，叫做 action level，即係超過--譬如一百個樣本，有超過十個有事呢，佢就會有啲行動要做嘅。

問：新加坡幾多呀？

答：新加坡我就唔係好有印象佢有一個實數，我唔敢肯定。

問：Okay。

答：呢度都有提到喇，我唔知佢有冇一個實數。

問：係，呢一點呢度你會唔會--你覺得呢個方向，你會唔會唔同意呢？

答：我覺得要研究下究竟我哋係咪做到譬如百分之一百嗰個做法呢，嘎，你...

問：百分之一百就做到 perfect 喇喇。

答：嘎，嘎。

問：咁佢而家佢冇話要幾多，只係話一個共同點，就係自己畀自己嘅一個咩嘢嘢啫。

答：一個達標率喇，佢叫做，...

問：係喇，係喇，係喇。

答：...compliance rate。

問：咁你有理由反對㗎，如果你而家諗住百分之一百。

答：我哋會研究喇。

問：Okay，好嘞，咁唔該你揭去 257 頁。睇二嗰段，至於嗰度係，「至於為用水器具，例如固定熱水罈，就訂明供水水資嘅相關標準，我想在此澄清，根據《水務設施條例》及佢嘅規則，這是用水器具，並不是內部供水系統嘅一部分」，即係唔係你個供水系統嘅一部分，你哋啲係水喉嘅啫。

答：唔，唔。

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問：佢呢啲係擺嚟用熱水用嘅，或者喺餐廳嗰啲嘅，係咪？

答：唔，唔，唔。

問：「我們理解市民對熱水罈的關注，發展局局長亦已指示水務署與其他有關部門進行調查，水務署早前已--亦已向公眾發出了使用熱水罈的指引，就當調查有結果後，我們會作出相關嘅跟進工作。」雖然唔係你哋管嘅，但係而家就好似完全冇人管，係咪呀？

答：而家似乎冇一個好清晰嘅一個法例，專係就住熱水罈嗰個安全性有一個規格。

問：係嘞，咁你呢方面都有睇過㗎，係咪？有啲...

答：我哋部門係負責研究呢個熱水罈水含鉛超標嘅。

問：係。

答：咁亦都發現到個問題，我哋做咗研究之後呢，出咗一啲嘅指引喇。

問：係。

答：都有同業界去傾點樣去係用行政嘅方法，盡量去解決嗰個問題。

問：係。

答：包括呢建議畀啲飲食嘅部門喇。

問：係喇。

答：嘎，佢哋如果係買一啲熱水罈嘅時候呢，就應該要--需要冇啲嘅咩嘢化驗，如果佢現有用嗰個熱水罈呢，佢應該點樣去測試究竟嗰個熱水罈裏面啲水係咪安全，即係我哋有啲咁嘅指引，亦都有同業界跟進嘅。

問：因為有啲金屬物可能係走咗入去啲水度㗎，係咪？譬如你茶餐廳咁用呢啲熱水罈開啲水出嚟，而有啲走咗入去，咁出嚟就飲咗㗎喇，係咪？

答：我哋嗰個調查嘅結果呢，就發現咗熱水罈裏面有一部分呢，佢亦都用咗啲焊料，焊料裏面呢就用咗啲含鉛嘅焊料。

問：...（聽不清）

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答：所以就有頭先你講嗰個問題。

問：係，同埋熱...

答：佢特別比較嚴重，因為佢係煲呀。

問：係呀，佢煲水仲...

答：嘎，煲水係仲危險嘅，嘎。

問：Okay，咁即係喺外國就有嘅，就呢啲叫做 migration test，用啲 migration test，即係 migration of metal into the water，你聽過未呀？

答：如果係關於熱水罈呢，外國嗰個嘅條例呢，我聽講有啲同事去跟進，但係就有冇用到 migration test 呢，呢個我唔清楚。

問：Okay，咁整體嚟講呢，你自己呀，或者你嘅部門支唔支持呢，係要喺 --呢個係喺呢方面立法呀？

答：我哋會做啲研究先喇。

問：《食水安全法》。

答：我哋會--我哋同意呢就喺呢方面我哋要做一啲嘅研究嘅工作，然後睇下係咪--最終係咪立法喇。

問：即係你到到而家都唔想話見到立法咩，即係未曾作出一個決定呢？

答：未做一個決定。

問：Okay。

答：我哋開放嘅呢個態度係。

問：開放啫？

答：即係可以立法嘅。

問：可以立。

答：但係睇睇佢實際嘅情況。

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問：個問題就係你係 proactive，你係咪 proactive 㗎咋嘛。

答：當然喇。

問：係喇，咁你覺得你哋個部門係 proactive 㗎，定係好 passive？

答：我唔覺得我哋 passive 喇。

問：Okay，希望你 proactive 喇，okay。最後一樣嘢呢，我想問你就係咁嘞，而家我哋知道個水喉嗰度有問題喇，點樣解決呢一方面，我同你傾一傾，有個--有幾條題目問一問你嘅，因為我最近呢就同有啲德國嘅公司有接觸，可能你都有接觸嘅，就有一個叫做 Tersa Aqua，T-E-R-S-A，A-Q-U-A，聽過未呀？

答：我知，我最近因為亦都有提過呢一個問題，我哋--個陣時我就知道嘞。

問：咁你知道要--即係呢隻就好似係會 solution 㗎嘅，就--就落到啲水嗰度嘅，水喉嗰度。

答：唔。

問：你知道要佢點樣--個作用？

答：我理解呢，呢隻呢，其實基本上，我用--或者我用啲英文喇，我唔係好記得中文點譯。

問：好呀，好，好，好。

答：佢係用一種叫 orthophosphate。

問：係。

答：喺美國、英國，好多國家呢，因為佢基本上用鉛喉㗎，所以呢佢就將呢個 orthophosphate 落喺--多數係落喺啲處理廠，即係 water treatment plant 嗰度。

問：唔。

答：咁令到呢，水呢就--嗰啲喉料呢就會因為落咗呢隻化合物呢，就有一個保護膜。

問：唔。

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答：就等到呢喉料裏面其他金屬唔會咁容易釋放出嚟嘅，我理解係咁嘅。

問：係。

答：咁就呢種嘅做法呢，就喺英國同美國都非常之常用嘅。

問：唔。

答：至於你頭先提嗰個牌子呢，我知道佢亦都考慮除咗 orthophosphate，亦都有一個好似用一種 silicate 嘅。

問：唔。

答：嘍。

問：佢哋呢就--呢個 orthophosphate 就正磷酸鹽，正磷酸鹽。

答：唔。

問：咁佢就想有一個--就透過呢啲化學嘅添加劑呢，即係 chemical additive 呢，就會形成一個薄嘅膜呀。

答：嘍。

問：咁薄嘅膜喺個水喉裏面呢，就變咗成條都變咗有條內面嘅水喉嘅性質㗎，變咗呢就算出面條水喉，譬如銅嘅喉有裂痕都好喇，佢唔會漏水，因為佢裏面有一條--裏面又有一條水喉，你明我意思嗎？

答：我知。

問：咁變咗呢就流水嘅--嘅又快啲，順利好多，嗰啲壓力又唔需要咁大，咁同埋你到時想--譬如想換水喉嘅時候呢，又唔使咁急，因為佢唔會漏水㗎，即係呢啲咁嘅優點，你聽過未呀？

答：我聽過。

問：唔，唔。

答：嘍。

問：咁你哋個 silicate 嘅--即係矽酸鹽呢，就變咗呢佢--就算佢喺個內水喉裏面呢，個薄膜有啲窿呢，佢都會同佢填埋嘅，即係佢個後果呢就係用咗幾個月之後呢，就變咗佢出面嗰個 metal pipe 裏面呢，

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就有一條薄嘅，inner 嘅 pipe，你知嗎？

答：唔。

問：咁你哋聽完之後呢，因為如果係咁樣就解決咗我哋呢個問題嘅，將來
嗰啲鉛又唔會入到水裏面，佢隔住㗎嘛，同埋德國呢，係超過百分之
九十已經用咗呢個方法㗎喇，德國咁大，即係個國家裏面的水喉都係
用，你知唔知呢度呀？

答：我唔知德國有幾多成嘅用，我知道你講嗰種方法呢，其實喺頭先我講
嗰兩個國家呢，係...

問：歐洲、美國都用㗎。

答：但係我亦都唔係呢方面嘅專家，不過我有同過啲同事研究過嘅，如果
你將呢種頭先你講叫 orthophosphate 落喺濾水廠呢，因為要睇睇
香港實際嘅情形，你落一種嘅化合物落去一個廠嗰度係影響到全香港
所有嘅食水嘅。

問：係呀。

答：要研究下落咗去對人呢，除咗你係解決咗某一個問題，有冇衍生另外
一啲問題，我知道呢，orthophosphate 如--外國呢，如果係天氣
比較寒冷啲呢，個問題冇咁嚴重，香港呢，因為香港比較熱呀，嗰隻
化合物呢，可以引申一啲另外一啲嘅問題，係同呢一啲嘅營養物有關
嘅，即係話啲水接觸到啲營養物呢，佢會影響到個生態，呢個我理解
嘅，我同事可能遲啲有機會講詳細啲喇。

問：Okay。

答：即係你話香港喺我哋而家嘅環境，係咪個問題大到--或者全面到一個
地步，我哋需要喺濾水廠落呢種化合物，而且佢落咗個化合物呢，會
有其他衍生一啲嘅問題，包括頭先我講嗰樣嘢，呢個我哋要好小心去
研究。

問：Okay。

答：外國呢，我知道點解佢要用呢，當然第一佢天氣比較寒冷啲喇。

問：唔。

答：第二，因為佢都幾多地方係用鉛水喉，佢除非另外一個做--鉛喉，除

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非佢另外一個做法呢係將所有嗰啲鉛喉更換咗佢，咁但係呢個我諗係一個好大概功夫，原因就係因為我上--以前作供都提過喇，譬如喺英國，佢去到 70 年佢先至停用，喺英國成 80，咁積咗好多屋呢都係用鉛喉嘍，咁如果佢用--第--用--唔用呢種方法呢，佢好難即刻解決呢個問題嘅。

問：唔。

答：但係香港又有啲唔同嘅環境，所以呢我哋要細心研究，嘎。

問：咁即係積極、細心研究？

答：你講呢種化合物呢，其實我哋睇過呢，喺香港嘅適用性係比較低嘅。

問：Okay。

答：嘎。

問：咁就係邊個同事會可以喺呢方面解釋呀？

答：都係我哋啲化驗師，嘎。

問：係咪陳健民呀？

答：係。

問：哦，又係佢。我有其他問題。

主席：唔該晒，Mr Lee。

李柱銘先生：好，唔該你。

答：唔該。

主席：哦，仲有人有嘢問。

許佐賓先生：主席，好短嘅問題。

主席：哦，你問先喇。

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許佐賓先生盤問

問：林署長。林署長，除咗你出席 2014 年一個週年大會，係呢個香港 plumbers sanitary ware trade association 之外，貴署有幾多個 WSD 嘅公務員出席呢？

答：我答唔到你個實數，嘎，因為嗰個其實係一個嘅週年嘅晚宴。

問：對唔住，如果咁我...

答：我答唔到你個實數。

問：我另外一個問法，你知唔知道有幾多位 WSD 嘅公務員出席呢？

答：我記唔起實數，即係你問我實數...

問：我只係問你知定唔知啫，署長。

主席：唔係，你問佢知唔知道有幾多位咩嘛，所以呢度有兩個 question 嚟㗎。

答：我唔知道。

主席：不如你 specific 啲問佢，究竟你想問佢究竟邊一個有出席咩，問下佢有冇出席。

許佐賓先生：係。

主席：咪得囉，嘎。

問：我可唔可以咁樣答呢，署長？

答：我都唔夠膽講實個名喇，你講 2014 年嗰個晚宴，我知道有啲同事出席，但係有邊幾位，我真係記唔起。

問：同樣嘅問...

答：不過要翻查可能搵到紀錄嘅，我而家答唔到你。

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問：好，同樣嘅問題，2015年嗰個週年晚宴。

答：都係一樣，我--因為其實有好多呢類嘅--呢啲咁嘅活動嘅，咁有好多唔同組別嘅同事會出席，所以我亦都唔係好知道到--當時真係有邊位出席。

問：星期一食完午膳之後，主席好似問過你，我哋啲水喉裏面嘅 pH number 係去到 8.2，係比較高，咁你呢就好似--你可以澄--幫我澄清下，唔該，就話呢個 pH number 比較高呢，就唔係因為啲 heavy metal 嘅，就係因為啲 fittings 嘅，我咁樣講啱唔啱呢？

答：唔係。

問：唔啱，請你講。

答：對唔住，我哋--你再問深入啲我未必答到你，但係我知道香港而家嗰個食水嗰個酸鹼值呢，係比世衛嗰個建議係高嘅，世衛 8.0 至 8.5，我哋係 8.2 至 8.8，我同事話畀我聽呢，呢個呢係幫助我哋可以減少啲金屬啲啲喉料裏面釋放出嚟，即係嗰個--其中一個作用係咁嘅。

許佐賓先生：唔該晒主席。

主席：Mr Lee.

李頌然先生：係，署長，我有幾個問題想問番你。

答：唔。

李頌然先生盤問

問：呢幾日其實呢，我哋聽啲證供呢，關於水務署呢，喺鉛水事件爆發之前呢，即係你哋嗰個角色呀，你哋做咗啲咩嘢呢，呢個其實我唔係好關注，因為都聽過證供，喺度想問你就係你同唔同意一個論點就係其實呢，業界或者持份者呀，就住水務署嘅角色嚟講呢，啲持份者其實都幾依賴水務署所做嘅嘢，譬如話制訂一啲政策，或者一啲要求，嚟到去考慮佢哋自己執業嗰陣時權衡下邊啲係重要，邊啲係有咁重要，同唔同意你哋嘅角色？

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答：我唔同意嘅，我覺得我哋嘅角色係一個監管嘅角色。

問：唔。

答：究竟持份者係咪要依賴我哋呢？持份者係要睇我哋個法例嘅規格，如果喺呢個角度睇嘅依賴呢，我覺得應該係話要追--跟從，嘅，要遵守。

問：譬如話你哋出啲 guideline 喇，你亦都希望佢哋跟從，係咪？

答：係。

問：Okay。你哋出一啲建議，有啲 circular，一啲通函入面啲建議。

答：係。

問：佢哋都要跟嘅。

答：係。

問：同唔同意呢啲咁嘅 circular，有個 guideline 喺度出嚟嘞，啲持份者睇完之後嘞，都有啲譬如話睇住你哋有啲咩嘢要求，而集中啲焦點喺啲要求上面呢？

答：我哋通常出一啲通知呢，都會係有啲特別嘅原因嘅，就我哋譬如最近出一啲通知，我哋都同持份者呢，其實持份者佢有一啲聯會嘅代表嘍，我哋有同佢哋開會，講講我哋一啲嘅建議，睇下佢哋有啲咩嘢嘅意見，然後呢，之後呢就出一個咁嘅通告出嚟，我亦都有邀請啲嘅專業嘅協會聯會呢，能夠同佢哋啲會員去解釋我哋個要求，同埋呢嚟到跟循，喺呢一方面嘅角度，你可以話呢，呢啲嘅聚焦嘅地方呢，我哋係希望呢佢哋能夠呢係追隨。

問：譬如話有啲譬如係教育機構呀，VTC 呀，或者 CIC 喇，你哋水務署都有派人作為啲代表去畀一啲意見，佢哋一啲過程上面點樣制訂嘅，係咪？

答：主要嚟講呢，就係因為我哋個《水務設施條例》，持牌水喉匠係需要呢就係有呢個職業訓練局啲嘅證書，所以呢，佢個課程呢，我哋係有同事呢係參與喺個會議嗰度。CIC 我理解呢，就係因為佢係訓--其中一啲訓練啲水喉工人，所以呢，我哋都有同事係參與佢哋啲嘅會議嘅，嘅。

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問：唔。

答：至於你之前嗰個係咩嘢會，你仲有第一個...

問：VTC 同 CIC。

答：VI--VTC 同 CIC 係咪呀？呢兩個囉。

問：係，係嘞，另外就譬如啱啱剛才許大律師都問過你喇，香港水喉潔具業會--商會喇，都有邀請水務署，包括你本人呢，都喺 14 年有出席佢哋嘅晚會，係咪？

答：係。

問：所以你--佢哋參--邀請你參與，同唔同意就係話其實佢哋嗰個運作，某程度上呢，都好睇你哋畀啲咩嘢意見佢哋，或者出啲咩嘢好似剛才講 guideline 同 circular。

答：我哋冇...

問：即係跟住你嚟做呀。

答：嘅。

問：同唔同意呀？

答：我哋同頭先你講啲商會、協會等等呢，我哋都好多時都有好多嘅溝通同埋聯絡嘅，咁當然我哋有啲意見畀我哋，佢哋有好多時呢都會有啲意見畀我哋嘅，咁大家係喺--你可以話呢，係大家喺個好緊密嘅一個伙伴關係。咁當然我哋出啲嘅建議，頭先我講咗喇，我哋之前都有好多時候溝通，大家都覺得嗰個係一個好嘅準則，係畀業界去跟隨，咁佢哋都係合作緊，將呢啲嘅意見呢，我哋所出嘅通告呢，同啲會員分享。

問：合作，雙方就互畀意見，係一個過程，到最後都係水務署以一個引導、領導者嘅角度嚟到協助呢啲人㗎嘛，啱唔啱？

答：同意。

問：Okay。好嘞，另外呢，喺--想邀請你睇睇呢，一個通函，應該係 12 年嗰個 circular，係 C3，唔該。呢度舉個例子嚟㗎咋。第 2222 頁。呢個就係 2012 年嗰個關於嗰八個參數呢，嗰個通函喇，相信你會有

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印象喇。

答：我知道呢個通函。

問：我哋睇落少少，喺呢個表落啲嗰度呢，咁寫嘅，“Additional parameters may be tested if there is any sign of suspected contamination.”見唔見？

答：見到。

問：呢一句其實佢意思就係話呢，而家我哋呢就有八個參數要驗嘞，但係如果將來見到有任何嘅可能性，啲食水呢會有污染嘅情況呢，我就會加參數上去嘅，有咁嘅意思嘅，係咪？

答：係，我睇到。

問：從佢呢一句都會畀到業界一個例子呢，就係話，而家我哋睇到呢八樣嘞，不過將來如果我哋見到有啲咩嘢風險，我哋即係講緊水務署喇，即係你哋喇，你哋見到有啲咩嘢風險的話呢，就會加嘍嘞，你哋就聽住我講喇。

答：唔。

問：有咁嘅信息畀到啲持份者嘅，同唔同意？

答：係。

問：喺過去呢幾天，我哋聽到、睇到啲證供呢，就住焊料，水喉啲焊料嗰方面，你哋嗰個制度係點樣，你主要嘅講法就係--糾正我，如果唔同意的話。

答：係。

問：大題目嚟嘅啫。

答：好。

問：就係話你哋以一個物料嘅監控，monitoring，物料嘅 monitoring 嘅方針去對待呢個焊料嘅，係咪？

答：係。

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問：除咗物料嘅 monitoring, material monitoring 之外呢，其實都幾位法律代表問過你就係冇一啲其他啲譬如話監督呀，去巡查呀，其他嘅方法呢，去確保係會啲水喉匠又好，啲工人都好，唔會用到一啲唔合規格嘅焊料嘅。

答：你係講緊--因為其實唔同時候呢，譬如話喺舊年 7 月之前同之後我哋都有唔同嘅做法，譬如喺鉛水事件之後，我哋其實有啲新嘅措施，包括除咗...

主席：唔好--唔使講...

李頌然先生：對唔住，我講之前嘅其實。

主席：係，唔使講後啲啲。

答：你講 2015 年 7 月之前，係咪呀？

李頌然先生：係嘞。

答：係，okay。

問：係咪？

答：基本上我哋係用物料監控嗰個方法。

問：唔。再推前少少，當 2002 年呢，房委會嘗試推行用銅喉，而唔用呢個 GI pipe 嘞，改呢個物料嗰陣時呢，房委會都有諮詢過水務署㗎？

答：我聽同事講，佢哋有話畀我哋聽呢件事。

問：而我哋睇到呢，譬如話 Ada Fung, Ms Ada Fung 喇，房委會嗰邊，都交過一個 memo 出嚟，就見到呢，有諮詢過你哋，不過你哋有 comments 畀房委會嘅。

答：我了解--係，我了解...

問：係咪？

答：...咗個情況呢，就啲同事當時呢收到房委會話佢想用銅喉，基本上

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銅喉呢喺我哋嗰個《水務設施條例》裏面呢，都鉛用咗好耐㗎嘞，二零--如果你講 2002 年之前呢，除咗房委會，私人公司都有用銅喉，所以就我哋睇唔到有啲乜嘢特別嘅係需要針對，因為其實用咗好耐，可能公共屋邨佢哋而家開始比較大量用，私人公司已經用咗嘞，所以我睇唔到有啲咩嘢特別。

問：睇過嗰個 memo 嘞，譬如我講緊 2002 年...

答：我有見過嗰個 memo。

問：我哋睇到喇。

答：我哋睇...

問：我哋尋日聽到啲答案喇。

答：Okay。

問：Okay，再睇埋喺 7 月，舊年 7 月之前，你哋嘅措施。

答：係。

問：Okay，同唔同意其實你哋所做嘅嘢會令到呢啲持份者有個信息嘅接收呢，就話其實都有將個焦點放喺嗰個焊料嘅選擇上面呢，係冇聚焦得應該要有嘅程度呢？

答：我唔同意呢就係話--因為喺嗰個法例呢，都幾清晰講嗰個要求，而我知，如果你特別針對房委會呢，佢自己個合約裏面呢，亦都講清楚佢哋係需要一啲無鉛嘅焊料，而事實上有一啲嘅承建商亦都係將嗰個焊料呢，有--嘅樣本係呈交，我唔知有冇出埋證書畀佢哋嘅，咁所以呢，成件事呢，特別係房委會呢，佢都好清楚嗰個嘅要求。

問：明白。

答：嘍。

問：白紙黑字我哋見到晒，我個問題係冇聚焦，因為幾百樣物料，不過係冇聚焦喺焊料上。

答：我未必答到一個問題就係，我唔知房委會係咪所有物料都呈交，都要批准嘅，因為有啲好細嘅物料可能佢未必需要，但係呢一樣呢，我知道呢佢有嘅，係咪都係聚焦呢，呢個可能要睇一睇。

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問：唔。即係同唔同意就係其實喺今次嘅件鉛水事件發生之後呢，你哋水務署回想番過去呢，係咪應該將呢啲焊料放入一啲你哋水務署應該要審批嘅一啲物料上面？

答：呢個就要--你講番去之前？

問：係嘞。

答：之前其實呢，我哋...

問：唔係，你而家回想番件事咁發生喇，以前你嘅措施嘞。

答：唔。

問：同唔同意而家...

答：其實我哋睇番成件事呢，如果要認知到呢真係鉛呢係呢個焊料係一個高風險，係唔跟我哋嘅法例，而用一啲有鉛嘅焊料喺個食水喉管嗰度，因為我哋睇番呢，我哋個制度呢，其實基本上，除咗我哋要持牌水喉匠，同埋呢個認可人士確認之外，咁另外呢，亦都有唔同層數嘅呢個發展商，亦都有呢個嘅承建商，去派人呢我哋定期去監督，一直以嚟我哋嘅監控措--監控嗰個嘅結果返嚟，譬如話我哋都供靠有冇一啲人投訴嗰個水裏面有冇呢個鉛呢個問題，或者我哋睇我哋手上嗰啲資料，都有察覺到呢樣嘢，所以我又冇認知到個制度有一個咁嘅問題出現到，又用咗一啲嘅鉛嘅非法嘅焊料。但係喺我哋最近做咗好多大量嘅水辦呢，譬如幫公共屋邨、幼稚園，幫呢個幼兒中心等等，我哋做咗接近一萬個水辦呢，其實嗰個問題，我哋睇到呢都唔係咁大，因為就算係以幼稚園同埋呢個嘅社福單位呢，佢哋係百分之一百個水辦係冇超標嘅，咁呢個可以推想可能唔會有鉛嗰個問題，另外就算係房委會嗰啲屋邨，你亦都睇到，整體嚟講係百分之 99，都係滿足嗰個嘅世衛嗰個標準，我哋自己最近喺舊年嘅 7 月開始抽樣去驗坊間一啲嘅水龍頭嗰啲嘅水樣本，去測驗鉛呢，我哋做咗大約九百個呢，亦都有超過呢個嘅世衛嘅標準，所以我又睇唔到即係喺呢個問題呢，即係我哋之前，你講緊舊年 7 月之前，我哋係真係會有資料顯示嗰個風險係咁高嘅。我想喺呢度再次提一提呢，因為頭先你亦都提到 2014、15 商會嗰個晚宴，其實我反復再睇番嗰兩篇文呢，佢主要都係講緊嗰個嘅水喉嗰啲裝置，fittings，完全係冇提到焊料嘅，佢當時係好針對性知道第二啲國家，包括美國，佢會將嗰個 fitting，因為呢，其實呢呢啲裝置呢，我哋而家跟美國嗰個標準呢，佢係有百分之 4 至百分之 6 嗰個鉛成分，呢個係容許嘅，咁但係外國呢，而家用咗另外一個方法嚟到去計算呢個鉛嘅成分，佢用嘅方法呢，係計呢水接觸呢

個銅合金嗰個面嗰個面積有幾多，然後計一個佢叫 weighted average，佢個數望到好似好細，但係如果你睇清楚佢嗰條方程式呢，其實唔代表佢要求嗰個某一個裝置呢，譬如水龍頭個裝置嗰個鉛成分係減到零點幾 per cent 嘅，都唔係嘅，因為譬如水龍頭呢，佢接觸水嗰個水面個面積好細，最接觸面多呢就係喉，所以喉呢我哋係要求呢基本上呢，就係 lead-free 嘅，如果你計喉嘅面積咁大呢，計番嗰個所謂比重嘅 weighted average 呢，其實影響就唔係咁緊要嘅，不過呢我改到咁長呢，其實就商會擔心即係香港會唔會有好大嘅轉變，咁其實我哋--我之前都講過喇，任何有啲新嘅規例呢，我哋都會同業界傾傾，對個業界有影響幾大，同埋對嗰個食水安全有幾大影響，我哋先做到一個嘅決定嘅。

許佐賓先生：Okay，唔該晒，主席，有嘢問。

許偉強先生：主席，就住尋日林先生就有啲答案就關於喺法例下面，持牌水喉匠嘅角度呢，因為我同主席都問過有啲問題，咁我哋就睇過嗰個法例嗰個改變喇，咁有少少補充資料呢，我就想同你再確認一下。

許偉強先生繼續盤問

問：林先生，就尋日呢，你都會記得我哋問過你呢，係一啲有關持牌水喉匠呢，同埋而家個法例呢，嗰個--即係嗰個關係喇，同埋我哋都睇過，你之前 1992 年你哋水務署出嗰個--有個 circular 嘅，你記得嗎？即係我哋尋日...

答：哦，記得，係。

問：咁呢我而家都想你睇一睇番，因為我哋就搵番一啲法例嗰個改變嘅資料喇，我就想同你再傾一傾嘅，如果我哋而家去一去 A3 嘅 tab 47，A3 tab 47 呢就喺 2536 頁。林生，你見到有一個係 Cap 102 嘅，咁就上面寫住 1950 嘅，嗰一份文件，有嗎？

答：有，我見到。

問：嘎，係嘞，咁呢個呢就係應該係 1950 年嘅版本喇。唔，好。1950 年嘅版本呢，係就住最近係 1939 年嗰個水務條例呢，就係嗰個法例嘅內容嚟嘅，咁如果我哋睇一睇呢，就係 section 2 嘅，就第一頁

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嗰個 section 2 開始呢，如果我哋去到第 2 頁，睇唔睇到個 licensed plumber 嗰個解釋呀？

答：唔，睇到。

問：嘎，咁呢佢就話“licensed plumber includes any person or persons or corporate body licensed by the Water Authority to construct, alter or repair inside services or fire services connected with or to be connected with the waterworks”，咁呢度呢就帶出咗一個問題，就係一個 corporate body 喇，咁我哋睇番個騰本呢，尋日喺你答主席個問題嗰陣時呢，都有提過就話，即係以前呢，你都記得有個做法呢，就係有啲水喉公司，咁呀即係佢哋都係屬於持牌水喉匠，咁呢佢哋就可以搵其他啲工人呢，去做工程嘅，即係變咗佢哋可以 delegate 畀啲工人做工程，你記得你尋日有討論過呢個話題咩嘛？

答：係，記得。

問：咁我哋睇下喇，呢度呢就似乎係我哋睇番舊嗰個法例呢，即係呢一個係 1950 年個版本呢，就確實係有你尋日講嗰樣嘢嘅，就係話 corporate body 呢，就係一個即係持牌水喉匠嗰個角度嘅，呢度你都睇到喇。

答：係。

問：嘎，咁我哋睇一睇而家呢個法律嘅演變呢，如果我哋去到 1974 年嗰個版本呢，就如果我哋喺螢光幕呢，我哋就睇到 A3 tab 48，係嘞，見到嘞，唔該，咁呢就麻煩你去一去應該係 2549，就係呢一個文件嘅第 4 頁。第 4，等陣先，第 5 頁，係嘞，係嘞。2550，咁呢就呢個第 5 頁嗰度呢，我哋又見到新呢個版本嘅 licensed plumber 個解釋，咁呢度呢就係講緊“licensed plumber means a person licensed under this Ordinance to construct, install, maintain, alter, repair or remove fire services or inside services, and a person deemed under this Ordinance to be a licensed plumber”。我哋呢度有兩點嘅，第一呢，林生你睇一睇呢個解釋先喇，第 5 頁呢度。

答：唔。

問：呢個解釋呢度呢，就...

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主席：你之前有冇睇過呀？林先生？

答：我睇過。

主席：你有睇過，得。

問：呢度呢就個 licensed plumber 呢就似乎就有咗之前個版本所講個 corporate body 嗰樣嘢嘞。

答：係。

問：係咪呀？咁呀但係取而代之呢，就有多一個--包括咗多一個範疇嘅，就係“a person deemed under this Ordinance to be a licensed plumber”，即係有啲係可能佢自己--即係唔係經過正式途徑成為 licensed plumber，但係喺法律上面呢，就容許佢，deem 咗佢，即係當佢係一個 licensed plumber 嘅做法嘅，呢樣嘢你知道嗎？

答：我知道。

問：咁我哋--或者我哋睇一睇，關於呢個 deeming provision 係點樣運作嘅先，噏，個 deeming provision 呢，我哋可以睇下 A3，A3/52--2522。2522，我睇呢個...

答：對唔住，係咪喺番呢份文件㗎？

問：你或者你可以睇番個文件先。A3。喺睇呢個條例，呢個規則呀之前呢，我想再問一問你就係林生你尋日提到話，即係之前嘅做法呢，就有啲係即係 corporate 嘅 licensed plumber，咁呢佢哋即係公司嚟講呢，咁佢哋可以請啲工人去做呢啲咁嘅水喉工程嘅咁樣，你尋日講呢個做法呢，就應該喺七十年代呢，就應該就係有咗呢個咁嘅公司咁嘅情況嘞，你知道嗎，呢樣嘢？

答：我睇到喇而家。

問：係嘞，咁呢就如果我哋睇番呢一個版本，呢一個係 1989 年 regulation 嘅版本喇，就講番 deeming provision，38 就係講 “Any person, not being a licensed plumber, who carries

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on business of plumbing for the purposes of the Ordinance; and employs any licensed plumber for the purposes of such business, shall be deemed to be a licensed plumber.”咁呢度就似乎就係講緊呢就係話，如果我哋睇番前面 2519 呢，33 開始呢，就係講話，如果你要申請一個 license 作為一個 licensed plumber 個程序呀，有啲咩嘢資格呀，就係 33、34 嗰度呢，35 呢都有講到嘅，咁呀 38 就似乎係講緊呢有啲人，佢就有經過啲正式程序成為個 licensed plumber，但係法例呢個個規則呢，就係話如果佢係從事水喉工程嘅，亦都係佢請咗一啲係持牌水喉匠，佢請咗一啲持牌水喉匠返嚟去做呢啲咁嘅工程嘅，咁佢就會係--法例會當佢成為一個持牌水喉匠呀咁，即係呢樣嘢，你都知㗎呵？

I 答：係。

J 問：係知道嘅。咁雖然呢，個規則呢就唔係好清楚，因為點解呢，點解我咁講呢，如果你睇番呢個規則嘅第 2 條，第 2 條。

K 答：你講緊規例呀？

L 問：係嘞，呢個規例，係嘞。

M 答：規例呀？

N 問：即係呢個 regulations 喇。

O 答：Regulation 呀？

P 問：嘎，係 2509。

P 答：哦。

Q 問：如果你睇番個 regulation 2 呢，個 plumber license 嗰度呢，就係“means a plumber's license issued under regulation 34”嘅啫，就有特別提到 38 嘅咁，咁佢係就 38 就話係即係個 deeming provision 喇，就 deem 咗佢作為一個即係 licensed plumber 咁樣，但係如果你睇番 38 呢，佢另外仲有一段嘅，2522 頁，38(2) 嗰度呢就寫“Every person who is deemed to be a licensed plumber under subregulation (1) shall, within 14 days after the end of every year, submit to the licensing authority the name of every licensed plumber employed

by him.”。即係呢度似乎個講法就係話，如果一個個人又好，或者可能係一個公司又好，咁呢佢呢自己就唔係 licensed plumber 喇，咁佢就請咗人，請咗 licensed plumber 返嚟做，咁呀佢自己呢就自動會成為一個 licensed plumber 嚟喇，咁第二個個規定呢就話 14 日，end of year 14 日呢，就要 submit 畀個 licensing authority 呢，佢請番嚟啲人呀，請番啲 licensed plumber 啲名呀，要交待番畀你啲個 licensing authority 嘅，呢度就咁講嘅，咁呀如果佢唔做呢，如果佢唔做的話呢，係一個違規個嘢，如果你睇下 2526 頁吖。51, penalty 個度呢，就話 “Any person who contravenes regulation...” 其中就包括 38(2) 嘅，咁就會係一個即係刑事罪行，一個罪行嚟嘅。咁我想你睇一睇，呢度就而家有咗個 corporate licensed plumber 喇，但係就加多咗一個即係 deeming provision，一個 deemed licensed plumber，你知唔知當時即係加咗呢個 deemed licensed plumber，即係當時個個意義喺邊度呀？

答：我憑記憶喇。

問：唔。

答：我記得呢當時呢，就有個問題就係如果係用一個公司，佢叫做 licensed plumber，你事實上如果有啲咩嘢事發生，有咩嘢違規呢，你捉個公司係比較冇捉一個人係咁好，即係你捉咗一個人，就話個個人要負責，公司就比較困難...

問：所以就冇咗公司個個...

答：我理解可能係一個原因底下呢，佢將公司呢，就變咗做一個人，雖然個個人呢佢冇正式受過呢個訓練，但係只要佢係做生意，而呢又亦都請起碼有一個嘅有受訓練，即係有--真係有牌嘅持牌水喉匠。

問：係。

答：咁就可以喇。

問：呢個係你嘅理解？

答：呢個我記得好似係有啲咁嘅...

問：你嘅記憶係從咩嘢嘢...

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答：應該係睇過一啲文件，我唔係好記得，我好似係睇過啲文件。

問：係咪呀？

答：不過我唔係好記得嘞。

問：係，咁如果我哋再睇番呢一個規則嘅演變呢，就喺 G1。

答：不過你容唔容許我補充一點呢。

問：可以，可以。

答：其實當時呢，如果係一個冇受訓練嗰個人呢，佢--我相信佢都唔會自己落手落腳做嚟喇，佢一定係會搵一啲人嚟到去做。

問：係，冇錯。

答：咁當時會唔會淨係搵佢請起碼一個嘅持牌水喉匠做呢？

問：唔。

答：咁呢個係一個問號，因為我理解呢，就算你去到一九--而家呢個咁遲喇，因為持--水喉工人呢，其實個歷史係好耐嚟喇，即係喺香港不鏽就有呢個水喉工人，咁所以呢，由一個公司轉做一個所謂 deemed 嘅 licensed plumber，我相信當時亦都有轉變，即係都仍然繼續搵工人去做。

問：冇錯。

答：但係如果你睇呢個同一條條例呢，你睇番喺 14、15，佢都有 14、15 嘅，佢同樣都寫呢，如果你要做一啲嘅水務工程，你就需要搵一啲持牌水喉匠。

問：冇錯，呢個冇錯，你講得正確嘅，就係如果我哋講番呢個 1974 嗰個版本先喇，如果我哋睇番 section 15 呢，section 15 呢就 2555。Section 15 呢嗰個字眼呢就應該係同而家個法例係一樣嘅。即係除咗 minor nature 嘅 work 呢，其他都係要由持牌水喉匠去 carry out 嘅，見到嗎？

答：係。

問：係嘞，咁呀但係如果我哋睇番個 deeming provision 呢，A3/2522

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呢，deeming provision 嗰度呢，就係講話如果有個老闆，佢請咗啲人，而佢自己係從事水務嘅工程嘅，佢自己本人就因為符合咗呢啲咁嘅條件呢，佢就會被當成一個持牌水喉匠，但係佢請啲人返嚟呢，都係要係 licensed 嘅，licensed plumber 嚟嘅，睇到嗎？

答：未必係佢所請嘅全部都係，佢係請起碼有一個。

問：點解你會有咁嘅演繹呢？淨係只需要請一個呢？

答：因為佢呢度寫話 employ any licensed plumber 咁嘛，即係佢 any，即係一個以上喇。

問：係。

答：所以都解釋到第 2 嗰個條款，點解佢要佢每年呢，喺年尾前 14 日呢，14 日內呢，佢要遞交，因為我亦都見過一啲文件呢，佢講過就係話，當時發現到一個問題，就係呢個 licensed-- 呢個 deem 嘅 licensed plumber，究竟佢有冇繼續請一啲持牌水喉匠呢，譬如舉個例，當有一個人，佢開咗一間公司，咁佢申請做一個叫 deem licensed plumber 嘅時候呢，佢一定要話畀當時可能係水務監督，或者係發牌嘅當局喇，佢係有請到一啲持牌水喉匠，我相信當時佢會遞交嗰個持牌水喉匠嘅名喇，同埋可能有啲嘅證書，咁當個牌畀咗呢個持牌-- 呢個咁嘅做生意呢個人呢，佢就變咗做一個 deem 嘅 licensed plumber。

問：係。

答：但係跟住一年、兩年、三年，佢所請嗰個僱員，有冇繼續喺間公司做，係唔知㗎。

問：冇錯。

答：咁佢離開咗之後呢，其實你就唔知道究竟佢係繼續喺間公司，如果佢公司裏面冇一個僱員係有一個真係受訓嘅持牌水喉匠呢，其實佢基本上呢就失去咗個資格，咁所以呢我記得有啲文件就講話，加咗呢個條款落去，就係要保證呢就係佢起碼呢，就有持牌水喉匠，我同時理解呢，喺當時其實呢喺香港呢有好多做水喉嘅工人嘅，咁所以呢我相信-- 我未必有一個好正確... (聽不清)，但係我相信呢，呢個 deemed 嘅 licensed plumber 呢，其實佢嘅僱員呢，我相信未必係全部真係幫佢做水喉嗰啲呢，都係一個有受訓練嘅持牌水喉匠。

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問：我想問下你...

答：呢個係我估算啫。

問：你呢個理解呢，首先就話，呢個 deemed licensed plumber，佢只需要請一個持牌水喉匠...

答：以上，唔係--我唔係--即係起碼一個喇，可能一個都得嘅。

問：即係至少要有一個。

答：係喇。

問：至少要有一個，就已經可以符合成為 licensed plumber 呢個資格，呢樣嘢你係從何得知嘅呢？即係只係要一個。

答：哦，我睇英文嚟咋，我見到呢度寫住“and employ any licensed plumber”呢個 any 可以指即係你只有一個咪得囉。

問：你係而家睇呢一份文件嘅時候得出嚟個結論吖，定係你之前都有探討過呢樣嘢嘍？

答：冇探討過，我睇呢個文件嘅。

問：冇探討過，而家就咁睇個文件？

答：嘎。

問：當然喇，如果你 2 個度呢，我哋睇到呢，佢就話佢--法例係需要佢呢“submit to the licensing authority the name of every licensed plumber employed by him”，即係每一個 licensed plumber employed by him，佢都要申報嘅，就唔係淨係申報一個，每一個都要申報。

答：我明白，但係我意思即係話呢，其實呢個我諗都唔係太難 check 嘅，因為當時係我哋去批，究竟一個做生意嘅人，係咪可以叫做一個叫 deem 嘅...

問：好。

答：...licensed plumber。咁如果當時個規例，只要佢有一個係 licensed plumber 就得，我相信個邏輯呢同之前呢公司個個都

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係一樣，公司佢都係要求你有一個持牌水喉匠，你就可以呢就係叫做一個 licensed plumber。

問：或者我哋就睇一睇呢一個 regulation 嘅演變喇，就喺 G1，287 頁。

答：好，唔該。

問：287 頁呢，呢個就係現時嗰個版本呀，咁如果我哋睇下二百七十--287 頁呢，呢個條例三--呢個 regulation 38 呢就喺 1992 年嗰陣時呢，就廢除咗嘅，即係呢個 deeming provision 呢樣嘢，1992 年廢除咗嘅，呢樣嘢你睇呢個之前，你知道嗎？

答：我知嘅。

問：知道嘅。

答：嘍。

問：知唔知道點解廢除呀？

答：我印象中記得見過啲文件呢就話佢用咗呢個方法去 check 嗰個嘅 deemed 嘅 licensed plumber，繼續係咪請呢個嘅持牌水喉匠，佢覺得呢個都好似唔係好--即係唔係好係好實際，因為你其實一年裏面你即係...

主席：唔係好實即係咩嘢意思呀？

答：即係話你一年裏面你都係--先至 check 到佢究竟有冇請有持牌水喉匠，咁即係話呢譬如佢--我呢個我自己估算啫，譬如佢今日交咗有一個持牌水喉匠嘅名畀你，咁跟住呢佢個牌就繼續續㗎喇，咁但係可能第二日佢已經--呢個持牌水喉匠已經離開咗公司嘞，但係我哋就唔知道，咁所以理論上呢，其實佢應該係冇--佢嘅公司裏面根本都有持牌水喉匠喺度，如果佢用佢 deemed 呢個嘅身分繼續去承接一啲嘅水喉工程，其實就會有一個問題，就係佢公司裏面有一個人其實係識呢一類嘅工作㗎。

許偉強先生：係嘞，我正...

答：咁可能呢個呢就係佢哋擔心嘅地方，所以取消呢個 deem 嘅 provision 呢，佢就不如直情呢就搵嗰個持牌水喉匠去做。

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許偉強先生：冇錯。

答：咁但係我想強調呢，其實呢一個呢，一路嘅演變呢，都係有--我相信呢，都係有一班嘅工人繼續係做緊水喉嘅工程。

問：籠統啲咁講唔啱呢，就係實際上，你話有冇其他工人做工程，呢個係作別論，就咁睇我哋個法例，我哋剛才睇過嘅，咁好明顯籠統啲嚟講，取消咗呢個 regulation 38 呢，都係要確保參與嘅人係持牌水喉匠嚟嘅，唔好整啲冇正式資格嘅人入咗嚟個工程，要確保參與啲人係持牌水喉匠先得，即係呢個好明顯係其中一個原因喇。

答：確保啲個承接商--承接啲個工程，有一啲識嘅人喺度，我覺得...

問：有一啲咩嘢呀？有一啲識嘢嘅人喺度？

答：即係有個專業嘅水喉匠喺度，你承接一單工程，你一定要有--因為頭先我講呢，就係你公司又好，或者你係 deem 個個呢，都有機會有一段時間你根本--佢話佢有啲個--請啲個僱員呢，喺個持牌水喉匠離開咗公司，但係我哋...

主席：咁點解唔寫清楚呢？如果咁...

答：我同意呢，其實啲陣時我睇番 92 年呢，佢改呢個例嘅時候，佢取消咗個 deeming provision 呢，佢冇--我唔夠膽，即係我可以大膽啲喇，就喺度睇，其實 section 14、15 呢，啲度係需要有的...
(聽不清)

主席：對唔住，咩嘢話？

答：即係當佢喺 92 年呢取消呢個 deeming provision 呢，...

主席：係呀。

答：...其實當時呢大家都知道，或者我相信呢，係啲陣時一路都係啲啲工人幫緊個持牌水喉匠，或者問公司去進行啲工程嘅，如果 92 年，佢係想有個轉變，即係話持牌水喉匠一定要落水落腳做，唔畀一路做開啲啲工人去做水喉呢，佢應該 92 年啲陣時呢，就要有一個好清晰嘅政策上嘅轉變，而呢就要話畀業界聽，92 年我而家--因為佢 92 年

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先改例嘅，佢 92 年之前已經係有好多準備功夫㗎，咁我睇番呢啲文件，我睇唔到佢第一，如果呢個係一個咁大嘅政策轉變，不嬲係有工人落手落腳做水喉，而家我要--一定要有持牌嘅水喉匠先可以做，咁即係話呢，佢需要請大量嘅持牌水喉匠，咁佢即係一定有一段時間要訓練喇，咁呢個第一，第二呢，佢一定要諮詢業界，因為業界會好緊張，話你要所有嘅落手落腳做嘅，都一定要有持牌水喉匠呢個咁嘅專業嘅身分，我點可以應付到呢，當時雖然可能香港冇而家咁多嘅工程，但係都有一定嘅數量，係需要有一個影響，而第三呢，就係我哋睇到佢諮詢業界嘅時候呢，係完全冇睇到話有呢一個嘅轉變，所以呢我相信呢當時嗰個原意呢，其實唔係諗住呢就係話所有嘅持牌水喉匠，由 92 年之前係可以--我估計呢容許工人做，到到 92 年之後，你就唔畀工人做，一定要持牌水喉匠落手落腳做，...

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許偉強先生：我明。

答：...即係呢個我自己嘅估算啫。

問：我明你意思，即係我哋都知道喺實際嗰個施工過程，可能係一啲工人，佢自己唔係持牌水喉匠，佢有參與到嗰個水喉工程，即係呢樣嘢我都聽咗你個講法，但係我哋想探討下呢就係呢個咁嘅做法，你一路以--以嚟，你呢個理解，同個法例本身，同埋你哋執行上，係咪有啲抵觸嘅，因為點解呢，你如果睇番 74 年嘅版本呢，剛才我都同你提過，都好清楚呢啲第 15 段嗰呢，都講咗嘞，第 15 段，74 年嘅版本，就係 Cap 48，係嘞，15 段嗰度呢，都講得好清楚。15(1) 嗰度呢就係講緊話你唔可以--“no fire service or inside service shall be constructed, installed, maintained, altered, repaired or removed by a person other than a licensed plumber”，呢度係咁講，第 2 個條款呢，更加清楚嘅，因為點解呢，呢度直情寫住“Alterations or repairs to a fire service or inside service which are, in the opinion of the Water Authority, of a minor nature ... may be carried out by a person other than a licensed plumber”，即係話--即係佢呢度嘅意思呢，就係話除咗呢啲咁樣嘅 minor nature 嘅 work 係可以 carried out by 唔係持牌水喉匠嘅人...

答：但係...

問：...其他嘅工程呢，都係要 carried out by 持牌水喉匠嘅，呢個應該係法例嗰個意思嚟嘅，你同意嗎？

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答：係嘞，74年嗰陣時，仍然有個 deeming provision 喺度㗎嘛，咁即係話呢，嗰個 licensed plumber 本身佢要生意，因為頭先解釋過 deeming provision, deemed 嘅 provision 呢，講明嗰個人做生意㗎嘛，即係佢係做水喉嘅生意，加上佢請頭先我話起碼一個嘅持牌水喉匠，佢就可以變成一個 deemed 嘅持牌水喉匠。

問：係吖。

答：74年嗰陣時，我相信呢，呢一個人呢，其實佢係根據個 15 嗰度呢，佢可以承接呢啲持牌水喉--呢個水喉嘅工程㗎嘛，但係我相信呢當時佢真係搵落手落腳做嗰啲人呢，佢有可能係全部都係持牌水喉匠。

問：唔，好。

答：所以當時就算有呢個條例呢，亦都係--我覺得呢，當時亦都係唔係一啲持牌水喉匠一定要親--即係落手落腳做嘅。

問：唔。

答：呢個我個理解。

問：或者我哋睇一睇嗰個喺立法會入面嘅討論喇，即係有關喺 1992 年呢，點解取消咗呢個 deeming provision 嘅討論入面呢...

主席：不如我哋食完飯返嚟再討論喇，好唔好呀？

許偉強先生：好吖。

主席：好呀。我哋兩點半再繼續。

下午 1 時 01 分聆訊押後

下午 2 時 31 分恢復聆訊

出席人士如前。

主席：繼續。

水務署第一證人：林天星（水務署署長）宣誓繼續作供
許偉強先生繼續盤問

問：林生，就食晏之前，我哋就講緊嗰個 regulation 38，就有關嗰個 deeming provision，就喺而家嗰個--我哋睇到而家嗰個規則，嗰個 regulation 就係 repeal 咗嘅，即係廢除咗嘅。

我哋都搵到一啲有關當年廢除咗呢一個 deeming provision 嘅時候有啲立法會有啲文憲，其中有一個就係個 Legco 嘅 brief，就講及有關個改動，或者我請你睇一睇文件夾 A3 嘅 49 個 item，就係 2565 頁開始，2566 就係呢個 brief。

呢度就如果我哋由第 1 段開始睇，就“THE PROBLEM”嗰度，佢呢度就話“The Waterworks Regulations provided for the issue of licences to Plumbers. The system for the application and issue of licences was not satisfactory.”，呢度就話好似唔係好理想，當時嗰個進度。

“The Waterworks Regulations stipulated that the installation of water meters should be by the Water Authority. This arrangement could not always cope with the demand for meter installations due to surges in demand in output of large private housing developments. Some minor ambiguities and irregularities in the Waterworks Ordinance and regulations therefore need amending.”

跟住後面都係講番有關持牌水喉匠佢哋有分幾個 grade 等等，第 4 段。第 5 段就係講話以前就要考試嘅，跟住第 6 段就講番嗰陣時個 pass rate 等等，亦都提及“ICAC had recommended that the examination system should be replaced by a qualification recognition system. The recommendation was supported by the Water Supplies Department.”，我哋都知道跟住係有變化，就係要經過啲正式嘅途徑，讀過嗰兩個課程，先至可以就成為持牌水喉匠嘅。

第 8 嗰度，就係“If a certificate holder fails to apply for a plumber’s licence for 5 or more consecutive years after obtaining the certificate”或者係“fails to renew his licence, the Water Authority may require the

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applicant to be tested before a licence is issued or renewed. The new system will ensure that plumbers receive proper and up-to-date training before they are licensed.”。

跟住 9，呢度係咁講嘅，就“To strengthen control over licensed plumbers, the following arrangements have also been made”，(i)就係 grade II 就有咗，跟住就(ii)就係佢要自己去攞個 license。

(iii)就係我哋所講，就係“the provision in the Waterworks Regulations has been removed which provides for any person, not being a licensed plumber, to be deemed to be a licensed plumber by virtue of his business.”。

所以就似乎我哋睇呢一個立法會嘅文件，就睇到當時要廢除呢一個 deeming provision，就似乎個目的喺呢度字面上嚟睇，就係去加強嗰個監管，對於持牌水喉匠嘅監管，呢度我哋就係有咁樣嘅理解嘅。我想問一問對於呢樣嘢，你清唔清楚，林先生，即係當時點解廢除嗰個之前個 deeming provision 呢個 point？

答：如果純粹睇呢個文件，就頭先你讀出嗰個意思，第 9 段嗰度就係話加強嗰個控制，但係我記憶中，當時其實個問題就係話如果你係一個 deem 嘅 licensed 嘅 plumbers，即係本身冇受過訓練，佢係靠佢自己做生意同埋請一個或以上嘅持牌水喉匠，但係期間如果呢個持牌水喉匠離開咗間公司--離開咗嗰個人，因為佢變咗一個人...

主席：聽唔到，可唔可以大--聽唔到，大聲啲，唔該。

答：好呀。對唔住，或者我再講多次。

問：係，唔該。

答：頭先呢一度就係呢一個立法會嘅文件第 9 段，嗰度講就係取消嗰個 deeming provision，個原因就係加強嗰個嘅持牌水喉匠嗰個嘅監控，我理解就係因為個 deeming provision 就係准許一個其實冇

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受過訓練嘅人，佢係做呢個水喉生意，如果佢請咗一個有訓練嘅持牌水喉匠，佢可以叫佢自己做持牌水喉匠。

問：冇錯。

答：但係期間如果佢所請嘅持牌水喉匠離開咗個公司--離開咗佢，唔係再做佢嘅僱員嘅話...

主席：再講多次，唔該。

答：即係如果嗰個冇受過訓練嗰個持牌水喉嘅--冇受過訓練嗰個人，因為佢請咗一個有專業訓練嘅持牌水喉匠，同埋佢係經營水務嘅生意，佢就可以向水務署申請做一個持牌水喉匠，呢種我叫做 deem，我唔知中文點譯，deem 嘅持牌水喉匠。

但係呢個 deem 嘅持牌水喉匠，佢擺咗個牌之後，如果佢所請嘅專業訓練嘅持牌水喉匠離開咗佢，即係唔再做佢嘅僱員，其實水務署就有法子知道，除非佢話畀我哋聽，如果佢話畀我聽佢所請嘅所有專業嘅持牌水喉匠都離開咗佢，即係唔係佢嘅僱員，其實我哋好自然就會取消佢嘅牌嘅。

所以個問題就係嗰個控制就唔強，因為我估--我想講，呢個都係我嘅理解啫，即係我估好希望係要一個接到水喉生意嘅人或者之前嘅公司佢必須有起碼一個係識呢一個水喉業嘅，係有專業訓練嘅人喺度嘅，如果佢請嘅僱員冇咗呢個，其實佢就有咗呢個資格，因為佢自己本身亦都有呢個訓練嘅，...

問：簡單啲...

答：...所以呢個控制唔好，我覺得佢係一個背後嘅理由就要取消呢一個 deeming。

問：唔該，簡單啲嚟講，即係呢個咁嘅廢除呢個 deeming provision，如果簡單啲嚟講，都可以話避免咗一啲水喉工程係喺有持牌水喉匠嘅情況之下進行。

答：冇...

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問：即係有一個正式訓練嘅--正式有資格嘅持牌水喉匠...

答：有訓練嘅人去參與個工程，我諗係。

問：係喇，參與工程，好。

主席：我唔係好明，再講多次。

問：即係我話你呢個 *deeming provision*...

主席：嘅廢除。

問：...作廢，即係作廢，簡單啲嚟講，嘅目的--主要目的就係避免一啲係冇受過正式訓練出嚟嘅持牌水喉匠去參與啲水喉工程，因為就唔畀啲啲 *deem* 嘅水喉匠，一定要係真嘅水喉匠，唔係啲 *deem* 嘅水喉匠。

主席：係，唔單只啲啲 *deeming* 啲啲唔得，因為頭先署長講啲個 *situation* 就係佢諗到話啲個持牌水喉匠走咗之後，係咪？

許偉強先生：係。

主席：但係個問題就係個 *provision* 其實再進一步㗎喎，就算你有持牌水喉匠，我都唔畀你，啱唔啱呀？

許偉強先生：唔。

主席：因為我成個廢除晒，即使你係循規蹈矩，你不黷年年都有請 *licensed plumber* 做你嘅其中一個僱員㗎喇，即使你循規蹈矩，我都唔畀你呀而家。

問：係喇，即係再進一步，個目的就係話就算啲個老闆佢唔係受過正式訓練，但係佢係 *deem* 嘅 *licensed plumber*，然後佢請咗啲持牌水喉匠返嚟幫佢做嘢，即係呢一種嘅模式都廢除埋㗎喇？

答：係，我理解就係因為佢--即係水務署發現到有一啲人唔係好守規矩，就係佢擺牌啲陣時有個持牌水喉匠，但係擺牌之後，啲個持牌水喉匠

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離開咗佢，即係冇做--唔係佢嘅僱員，我哋冇法子知道究竟嗰班所謂 deem 嘅人，佢冇咗一個持牌水喉匠嘅度，我覺得嗰個監管就--但係因為基本上佢會照接一啲生意，但係基本上佢冇一個人係識嘅，呢個控制就唔好。

問：所以簡單啲嚟講，廢除咗呢樣嘢係確保嗰個水喉工程係要由有資格嘅持牌水喉匠嘅情況之下進行嘅，同意嘛？

答：係，係。

問：如果我哋再睇一睇 1974 年嗰個版本，即係我哋嘅 tab 28 -- tab 48，睇下先，我想畀你睇一睇就係--先睇一睇 tab 47，即係較早嗰個版本，1950 年嗰個版本，即係有關 1939 年第一次出版嗰個版本，就係 2540，即係 section 10，講關於 inside services 嗰度。

呢度我哋睇到就係 inside services 嗰句係咁講嘅，就 "Any consumer may arrange with a licensed plumber to construct an inside service in premises for the supply of water from the waterworks. The construction of the inside service and the nature, size and quality of the materials and fittings shall be in accordance with regulations and on the completion of the service to the satisfaction of the water authority it shall be connected by the water authority to the waterworks subject to payment of the charges for such connection as prescribed by such regulations and subject to the consumer giving the undertaking required by section 5."

呢個就係當時嗰個 inside service 嗰個做法，即係話個 consumer 未 arrange with 一個 licensed plumber 去 construct inside service 嘅。呢度就似乎就係有一個好清楚嘅條文去寫話實際嗰個工作係應該由邊個去做嘅，但係如果我哋睇到 1974 年嗰個版本...

主席：其實 10 嗰度係 "may" 添咋。

許偉強先生："May"，係喇。

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主席：“May”咋，係。

許偉強先生：即係佢可以同持牌水喉匠去作出呢啲咁嘅安排。

主席：即係唔係一定要添。

問：如果我哋睇下 74 年嗰個版本，喺 tab 48 嘅第 15，section 15，2555，呢度就加強咗好多，喺嗰個監管方面，呢度就係“no fire service or inside service shall be constructed, installed, maintained, altered, repaired or removed by a person other than a licensed plumber or a public officer authorized by the Water Authority.”，呢度就係講“shall be constructed”，即係必須要由佢哋去...

答：但係當時有 deeming provision 嘅。

問：係，呢個我哋慢慢再討論。第 (2) 就係都係“Alterations or repairs to a fire service or inside service which are, in the opinion of the Water Authority, of a minor nature”，呢個係 minor nature，就係“may be carried out by a person other than a licensed plumber or a public officer authorised by the Water Authority.”，即係呢個係講緊 minor nature，就可以由一啲唔係持牌水喉匠嘅人，當然亦都可以由持牌水喉匠嘅人去做。

即係呢度似乎個意思，我今朝都問過你，就係應該都係確保就係嗰啲唔係 minor nature 嘅工作就係要由呢個持牌水喉匠去做嘅，呢個你都同意？

答：有參與，因為我都係...

問：係喇，有參與。如果我哋睇番呢一個版本嘅法例，如果我哋唔好講個實際運作係點，喺個法例嘅條文，即係唯一一個係容許一啲冇正式訓練作為持牌水喉匠，而佢可以參與個工程嘅就係個 deeming provision 嚟嘅，同意嘛？

答：呢一個係。

問：係咪呀？同意嘛？

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答：（沒有可聽到的回答）

問：但係個發展演變就係連呢一個 deeming provision 喺而家個法例都有埋，都有咗，我哋剛才睇到。似乎我咁樣講你同唔同意呢？個法例一路嗰個演變嘅趨勢就係更加加強同埋更加確保要由持牌水喉匠嚟到進行呢啲咁樣嘅 inside service 嘅工程嘅，同意嘛？更加加強呢方面？

答：呢個會係喺 92 年嗰時候出現，係咪呀？因為嗰陣時係取消嗰個 deeming provision 嘅。

問：係，92 年冇咗 deeming provision 之後，係喇。

答：即係話如果喺 74 年，我估算當時除咗持牌水喉匠，亦都有好多水喉工人係做嘢嘅，我都可能--即係我喺估緊 74 年嗰陣時，因為有個 deeming provision 喺度，冇受過訓練嘅人，只要佢有請持牌水喉匠，佢就可以做一個 deem 嘅持牌水喉匠，當時我估計佢可能都會有機會係請好多水喉工人落手落腳做嘅，我亦都唔知道當時就算係--即係我相信當時個社會亦都係可能一路發展緊，都會好多好多水喉工程，所以工人係會幫嗰個持牌水喉匠，無論佢係 deem 或者係正式受訓練，去做呢啲工程。

主席：你如果咁，你個 Legislative Council brief 講埋喇，點解唔講埋呢？

答：所以去到九...

主席：唔係，你個問題，你睇番嗰個 Legislative Council brief 淨係 paragraph 3 講 "minor ambiguities and irregularities"，"minor"。

答：所以我諗住就...

主席：唔係，係咪？

答：係，所以我諗住如果有一個好清楚嘅轉變，就係要加強到持牌水喉匠必須要親手...

主席：唔係，你而家都話係 ambiguities 嚟㗎嘛，嗰陣時都有講過呢個咁嘅問題。同埋我都係覺得--不過唔緊要，你--不過我唔問，費事，

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你繼續講。

答：唔係，因為我覺得如果係 92 年係想--我估計 92 年前，即係 74 個陣時的確係有一班嘅水喉工人係從事--親手做呢個水喉工程嘅，如果喺 92 年係將呢個取消，即係會係一個好大嘅轉變嚟嘅，我覺得當時有一個好重要嘅政策嘅轉變，亦都需要培訓好多嘅持牌水喉匠，亦都要諮詢業界。

主席：唔一定係政策嘅轉變㗎，可能係你譬如歷任嘅水務署長都係錯誤咁演繹㗎。

答：如果係咁樣嘅時候，可能佢喺 92 年嘅時候都係覺得嗰個演繹係可以畀一啲唔係有持牌水喉匠資格嘅人士從事呢個工作。

主席：係咪？因為你睇番--即係我就覺得奇怪，14、15，我哋成日講嚟講去都係 14、15，其實 14 就係個大框框嚟嘅，就話個個人都唔准做嘅，跟住 15 先至話有啲人准做，跟住有啲人准做嗰度先至話係“no inside service shall be constructed...”，跟住 et cetera，“by a person other than a licensed plumber”，“by a person other than a licensed plumber”，係囉，...

答：唔係，就我諗緊當時...

主席：...“by a person”咁嘛。

答：但係當時嗰個 licensed plumber 其實係一個 deem 嘅 licensed plumber 嚟嘅，佢自己都唔識做，佢做唔到，佢一定係搵人做。

主席：唔係，你而家其實你即係 74 年係咁，跟住一路而家都係咁，去到而家都係咁㗎，no 乜乜乜...

答：但係我想指出 74 年嗰個字眼都有變到，都係話...

主席：...“no inside service shall be constructed a person other than a licensed plumber”。

答：所以 74 年嗰陣時其實有 deeming provision...

主席：如果係啱嘅話，你嘅演繹或者你哋咁多年嘅水務署長嘅演繹係啱嘅，可以“no inside service shall be constructed by a person other than a licensed plumber or by any person or by a person under the supervision of a licensed

plumber”。

答：我同意就係嗰個唔清晰。

主席：要 read 好多個字入去先至可以...

答：即係如果係當時我--嗰個實際情況，佢係的確譬如 deem 嘅 licensed plumber 佢自己唔識，佢一定係請好多人幫手做，而都係用番呢一個 15 嚟到去解，其實就係佢係唔應該搵一啲唔係持牌嘅水喉匠做，所以我同意主席講，其實我覺得係唔清晰嘅，我諗係要將嗰個...

主席：唔係唔清晰，對我嚟講，好清晰。

答：但係我意思係話事實上，嗰個反映佢事實嗰陣時個做法其實係咪達到個意思，我覺得嗰個原意其實佢係要當你承接一個水喉工程，你係必須要有一個專業嘅人士嚟度，至於係咪要落手落腳做，我覺得佢一路個講法...

主席：因為你嘅律師最初問啲證人嘅時候，都係擺嗰張 circular 出嚟問嘅咋，「呢張 circular 就 empower 水務署長或者嗰啲工人係可以有個 plumber supervise 就可以做。」呢個係佢嘅 understanding，佢都係咁樣樣最初問，呢個講法係直至到你上到嚟，我哋問你，我哋先至第一次聽嘅咋。

答：因為嗰張 circular 2/90 係 90 年出嘅，如果我哋 92 年改嗰個法例，一般嘅做法，嗰個法例如果 92 年改，其實 90 年已經開始蘊釀，我會覺得如果 90 年已經堅持話持牌水喉匠必須親手做，2/90 出嗰個就會好怪，因為佢嗰度係容許佢係請一啲工人做，所以我覺得一路--可能一路都錯都--呢個係一個可能性，但係好清楚個原意就係持牌水喉匠佢係可以搵幫手做，90 年出嗰張 circular，如果 92 年就改呢個法例嘅意思唔係咁嘅時候，我相信當時一定有一個好多嘅討論。我只可以講就係而家個寫法真係反映唔到嗰個原意，係需要有一啲地方我哋係要去梳理一下嘅。

問：好。我哋又睇一睇 C3 2422，呢個我哋尋日都睇過，1990 年嗰個 circular，circular No. 2，呢度我哋尋日都睇過，就係講番你所指有啲 incident，就係啲 licensed plumber withdraw 咗 from 嗰啲 plumbing work。呢度你就再重申就係話「如果你係個 licensed plumber，你就唔可以假手於人，就唔可以將成個

project shift 咗畀第二個人，一個唔係持牌水喉匠嘅人」。

另外第三段就話“So long as you remain to be the licensed plumber of a particular job for which you have signed Waterworks Form G, you may employ workers who are not necessarily licensed plumbers to assist you in carrying out the work. But under no circumstances should you use your licence to enable non-licensed persons to undertake plumbing work without involving yourself in the supervision of the work.”，呢個就係你剛才一路講--你嘅理解喇。

答：係，我...

問：所以呢個同個法律嗰個條文可能唔係話完全符合，你嘅理解就係話「你可以請工人去咁樣做嘅。」雖然嗰啲工人就唔係持牌水喉匠。我想問一問，因為呢個係 1990 年嗰個版本，我哋啱啱都討論過，1992 年嗰陣時就個 deeming provision 又作廢咗，廢除咗，你都有同意我講法，就係廢除咗個意思其中一個重要嘅目的就係想確保係由持牌水喉匠去參與呢啲咁嘅水喉工程嘅，一定係持牌水喉匠。

答：確保承接水務工程嗰個公司或者嗰個人一定要有一個專業嘅持牌水喉匠...

問：即係呢個係一路係你嗰個睇法，...

答：係，一路我都有睇啲文件...

問：...因為同法例係有啲唔係好銜接嘅地方。

答：係，即係有唔清晰嘅地方。

問：我想問一問，就係 1992 年有呢一個加大咗力度，去到話監管持牌水喉匠，廢除埋個 deeming provision 添，當時水務署有冇話諗下呢個 circular No. 2/1990 會唔會亦都適時地作出一啲改變呢？

答：你講喺 92 年...

問：92 年或之後，即係廢除咗個 deeming provision 之後，因為個 deeming provision 廢除係有個意義喺度㗎嘛，廢除咗，咁睇番呢一個 circular，會唔會再諗下「有啲咩嘢要做番嚟加強個力度監管

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持牌水喉匠」呢？

答：我諗我有做呢個研究，我答唔到，即係 92 年出咗個法例之後，有冇就住因為冇咗個 deeming provision 做啲咩嘢特別嘅措施。

問：好，最後我想問一問你就係--亦都尋日問過你有關 2015 年嗰個 circular，就第 4 嗰個 circular 嘅，就喺番同一個文件夾 C3 2199 頁，如果我哋而家有個中文版本嘅，就係喺 2200.1，睇下搵唔搵到？

答：係。

問：有個中文版本，係咪呀？

答：睇到。

問：呢個中文版本就係--我哋尋日都有--我就有將個文件擺出嚟，不過我哋尋日都有討論過，嗰個中文版本就係咁寫嘅，為避免產生疑問，所有使用軟焊方法連接銅喉管水喉的工程，必須根據水喉設施條例第 14 同埋第 15 個規定，「先取得水務監督的書面許可，並由持牌水喉匠施工。」呢度好清楚講到明就由持牌水喉匠施工嘅，呢度就有話特別去交代話係咪你嗰個解釋就係話...

答：我同意，係。

問：...係可以請其他啲唔係持牌水喉匠嘅工人定係點，但係當然你嘅理解，就話仍然都可以用唔係持牌水喉匠嘅工人幫手嘅，呢個係你尋日個說法，係咪呀？

答：係，其實個施工如果跟頭先--我唔知睇邊份睇咗，即係佢 undertaking 嗰種嘅。

問：Undertaking，你嘅意思即係話...

答：即係佢係要負責呢一個--等我睇下搵唔搵到先，好似係 2/90，佢好似係用嗰個字眼係“undertake”，好似係用“undertaking”。

問：2/90，啱啱我哋睇 2422 嗰個，2422 嗰個就係話...

答：我而家見到喇，呢度，“under no circumstances should you use your licence to enable non-licensed persons to undertake plumbing work”，不過我同意就個翻譯唔係好清楚，即係其實我哋嘅意思喺呢一個嘅通函，我哋主要係講就係前面嗰度話

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為避免產生疑問，就如果你係用軟焊嘅方法去連接銅喉管，就一定要係需要請一個持牌水喉匠嘅，因為恐怕有啲人會誤會咗，一啲普通嘅工程，可能好輕微啫，但係我哋想澄清如果你係用一個軟焊，其實嗰啲係需要一啲特別嘅技術，就唔係一啲輕微嘅工程嚟嘅，主要係呢個--個重點就喺呢度嚟嘅。

問：等等先。即係話你嘅重點就係想帶出用軟焊做呢個咁嘅接駁水喉工程就唔係 minor nature 嘅，係咪？

答：係，係。

問：但係你亦都同意話呢一個通告--通函似乎就唔係好清楚就係話究竟係要 licensed plumber 親手去做嘢，定係可以話搵 workers 去做嘅，即係字面上唔係好清楚，係咪呀？

答：冇處理到，冇處理，呢個佢主要成張通函係針對前面嗰度。

問：係喇，即係呢方面就唔係好清楚，你都同意嘅，係咪呀？

答：同意，係。

問：我又睇一睇水務署你哋自己嗰個 website，就呢個通函嗰個解讀，A4，睇一睇 A4 2739，2739 第一個 item，見唔見到「水務署通函第 4/2015 號」？

答：係。

問：呢度係咁講嘅，呢度...

主席：等一陣先。

許偉強先生：係喇，唔好意思，2739，係喇，呢個，可以放大少少，係喇，唔該。

問：就係水務署呢個通函，「水務署發出此通函的用意為何？」呢度就係講「根據《水務設施條例》，除性質輕微的更改或修理工作外，建造或安裝內部供水系統須獲得水務監督許可，並由持牌水喉匠進行。」呢度都係講番第 15 條其實嗰個內容，「本署發出水務署通函第

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4/2015 號的目的是提醒相關人士所有使用軟焊連接銅喉管的水管工程，須按規例獲得水務監督許可，並由持牌水喉匠進行。」多一句呢度，「若有需要，持牌水喉匠可由工人協助進行工程。」嘅，呢度加多一句，即係講畀你聽可以由工人進行工程嘅。

我想問下，就係你發出個通函就畀業界，包括持牌水喉匠，又有呢個 website 畀大家睇，如果我係持牌水喉匠，我應該跟邊個呢？即係跟你個通函入面嗰個內容吖，定係跟你呢個 website 嘅內容作準？

答：我諗呢個通函嘅解釋應該係--我估算係我哋出咗呢個通函 4/2015 號之後，都有一啲嘅查詢，就唔係好清晰，所以我估啲同事可能係出咗呢個去解釋清楚就係我哋係--即係其實佢呢個都有包含到通函裏面嘅內容，不過後面再加多一句嘅，所以其實兩者嚟講，就係呢個嘅解釋係澄清嗰個 4/2015 號發出嘅用意嘅。

問：你話出咗個通函之後，收到一啲業界嘅查詢，係咪都有人問話「係咪由持牌水喉匠親自操刀去做，定係可唔可以搵第二啲工人做呀？」係咪呢啲咁嘅查詢？

答：我諗佢哋見到之後，都係--因為我有本人親自接啲查詢，不過我聽講就係--同事話畀我聽有啲業內嘅人士就住呢個通函嗰個出呢個用意，佢哋覺得我哋需要就係講多啲，等佢哋清楚即係出嚟嘅目的係乜嘢，所以呢度嘅目的其實主要針對就係嗰個網頁上面想講嘅就係嗰個「輕微更改、修理」嗰度嘅，即係個重點係嗰個“minor works”嗰度，不過就再解釋多啲，就係話如果佢哋有需要，佢哋係可以請工人係協助進行工程。

問：好，既然你帶出呢一點，我都再問一問你，就係 minor nature 嘅 work 呢樣嘢，即係性質輕微嘅，一路以嚟，例如講緊 2015 年鉛水事件之前，你哋水務署，你哋個認知關於話焊接嘅工程，用軟焊做焊接嘅工程係唔係屬於 minor work 嗰度，你哋入面有冇討論過？

答：我哋嗰個網頁同埋啲手冊就講咗乜嘢叫做輕微工程，輕微工程有提到就係必須就係嗰個工程係唔牽涉到一啲特別嘅技術，我哋好似用“specialised skill”咁上下字眼嘅。如果你係燒焊嘅工程，就屬於一啲就真係需要特別一啲嘅技術嘅，就唔係普通一個工人係冇受過訓練係可以做，所以我哋嘅理解就係咁。

問：好，你出呢個第 4/2015 年嗰個通函，入面--你嗰呢一個 website 嗰度特別去提到就係話使用軟焊呢啲，就其實你嘅意思就話就唔係啲

咩嘢性質輕微嘅工程嚟喇，所以都係要由持牌水喉匠進行嘅，呢度即係你要咁樣寫得清楚啲呢樣嘢...

答：我同意可能嗰個通函出嗰陣時就唔係諗得好詳細，所以呢度就再次解釋清楚我哋嗰個用意係乜嘢。

問：但係通函出嚟--即係你通函出咗嚟，再次解釋呢個問題，係咪都係覺得其實之前可能業界對於焊接呢個工程係唔係屬於輕微嘅工程呢樣嘢係驚住啲人會有混淆，驚住啲人唔清楚，想搞清楚啲？

答：有咁嘅可能性，因為好多時啲小型嘅工程，其實啲人都唔係好清晰究竟燒--因為我哋冇講清楚咩嘢叫做 specialised skill 嘅，呢一個通函係喺個鉛水事件之後發生，我哋覺得有需要提醒就係話如果你係真係用一啲嘅錫焊，呢一個係屬於一啲非輕微嘅工程，呢個係一個提醒性嘅，就係因為嗰個事件之後，我哋加強呢一方面嗰個嘅--你可以話係一啲提示喇。

許偉強先生：好，我有其他問題，唔該主席。

主席：繼續，繼續。

王先生補問

問：署長，第一個範圍我想同你探討嘅就係關於嗰個取水辦，嗰個 water samples，同埋嗰個世衛個標準嘅問題，因為我哋就聽到好多講話取水辦嘅目的係乜嘢、世衛嘅標準係乜嘢，我想釐清一啲概念性嘅問題先。我想首先帶你去睇嗰個世衛個文件，世衛嘅文件就喺 C2，第一版就 1244，我哋琴日都睇過呢個文件，我就想直接去睇一段，其他有啲段落，我一陣間都會仔細睇嘅，但係我想而家就睇一段，1258，1258，唔該。

喺你嘅右手邊嗰度，第二段，由上面數上去第二段，嗰度咁講嘅，“There are few chemicals for which the contribution from drinking-water to overall intake is an important factor in preventing disease. One example is the effect of fluoride in drinking water in protecting against dental caries. The Guidelines”，即係講緊世衛

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個 guidelines, "do not attempt to define minimum desirable concentrations for chemicals in drinking-water.", 當然最好就係零, 但係世衛個標準就係有講過最低標準, 個 concentration of chemicals in drinking-water, 啱唔啱?

答: 唔, 唔。

問: 好喇, 我哋再讀落去, " Guideline values are derived for many chemical constituents of drinking-water. A guideline value normally represents the concentration of a constituent that does not result in any significant risk to health over a lifetime of consumption. A number of provisional guideline values have been established based on the practical level of treatment performance or analytical achievability. In these cases, the guideline value is higher than the calculated health-based value.", 你見到嘛?

答: 係。

問: 好喇, 我想理解下我哋而家所講嘅超標、超標, 超個個係乜嘢標, 嗰個...

答: 有...

問: ...世衛嗰個標準, 關於飲用水是否安全, 即係話我哋市民關心嘅, 佢哋屋苑, 佢哋嗰個住戶入面嘅水是否安全呢個標準, 其實我哋係講緊呢度係一個 over a lifetime of consumption 嘅概念嚟嘅, 啱唔啱?

答: 唔。

主席: 即係咩嘢意思呀?

王先生: 即係係一個平均值, 即係一個人入面嗰個...

主席: 不如你講畀我聽 in real life, 即係點樣嘅意思?

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王先生：The lifetime consumption，即係呢個，主席，我個...

主席：唔係，你話畀我聽 in lifetime 咩嘢意思？解釋畀我聽，即係我唔識，我係一個 layman 嚟嘅，請你解釋畀我聽。

王先生：Okay，主席，我嘅理解係咁嘅，我嘅理解就係話有一條--我哋個 chemist 會同你詳細解釋嘅，有一條 formula 係計一個人個 body weight，同埋佢一個--乘一個佢一世會飲幾多水，然後有一個--即係我自己都唔係讀 science，但係我知道有一個 formula 去計咗嗰--係咁樣嚟計個 10 微克出嚟。

主席：係咪即係你嘅意思即係我飲足一世，飲 10 微克嘅水，我先至會有事，係咪咁嘅意思？

王先生：係，係。

主席：我飲一世先至有事？

王先生：唔係，唔係飲一世，如果係超咗嗰個標準。

主席：哦，超咗個標準，10 微克。

王先生：即係如果你 10 微克以下，你 average consumption over lifetime 係 10 微克就冇事。

主席：就飲一世都冇事？

王先生：係喇。

主席：Okay。

王先生：係喇，即係如果你嘅 lifetime consumption on average 係 below...

主席：飲一世，如果我 10 microgram per mil. ...

王先生：Per litre。

主席：Per litre，飲一世就有事，係咪咁嘅意思？

王先生：我嘅理解係，我...

主席：唔係，你解釋畀我聽，係，係。

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王先生：我可能錯，我...

主席：你係錯就唔好話畀我聽啫。

王先生：唔係，唔係，唔係，我嘅理解，我嘅理解。

主席：因為我話畀你知 Prof Fawell 就有份寫嘅，呢份嘢。

王先生：唔係，我會睇 Fawell 嗰個 report 嘅，我會睇嘅，即係所以我而家想搞清楚啲概念先，唔該。主席，我嘅理解嗰個概念...

主席：唔係，因為我要知道你想--你個 concept 係講緊乜嘢嘢，我先知道 you 問署長究竟係問緊咩嘢嘍嘛。

王先生：明白，明白，明白。主席，我個概念就係如果係用 health-based 嚟計，你係要一世人 lifetime, over 個 life span, 你個 average consumption, daily intake 係多過 10 微克 per litre, 你嘅 health 就會有事，但係如果你嗰個--即係根據世衛嗰個，就會有嗰個-- above 嗰個 threshold。

主席：係咪真係咁㗎？你聽下 Bellinger 講啲嘢。

王先生：Bellinger, 我 understanding, Bellinger 其實都係講 lifetime consumption 嘅。

主席：吓？

王先生：Bellinger 都係...

主席：唔係，係咪呀？你個細路咪永遠都唔使醫？

王先生：如果個 intake 好大，當然唔同喇。

主席：吓？

王先生：即係如果你個...

主席：唔係，你見到啲啲細路啲啲喺血裏面啲啲，同埋跟住你驗水出嚟啲啲都唔係好犀利啫，都已經超晒標喇，都唔好講話 life, 兩、三年啫已經係，你係咪即係話畀我聽啲啲細路其實係冇事㗎？

王先生：我唔敢咁講，...

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主席：你唔敢咁講就唔好咁講喇，咁問喇。

王先生：唔係，我係咁理解，即係我係咁理解呢一個世衛，因為我哋而家講緊--所以我...

主席：唔係，你而家講--所以我就話 real life，你話畀我聽，我嘅理解就算你啟晴邨又好，咩嘢都好，你超標唔係超好多嘅啫，係咪？

王先生：係。

主席：啱唔啱先？咁啲細路又唔係飲咗好耐啫，飲咗兩、三年啫最多，但係佢哋啲血裏面都已經有啲都超標得幾緊要，係咪先？你而家話畀我聽 above 10 mil. 跟住要飲一世先至有一個 health hazard，係咪真係咁㗎？

王先生：咁喇，主席，呢個我都唔--即係我--呢個係專家個個...

主席：唔係，你而家--對唔住，你而家以專家身分問佢作為專家咩嘛，似乎？

王先生：唔係，因為頭先呢個 issue 有 cover 過，所以我想澄清下個個概念啫。

主席：我就話畀你聽，署長，如果你唔係呢個 WHO guideline 嘅專家，最好就話唔識。

答：我聽聽個問題係咩嘢先。

主席：我 honestly 就話畀你聽嘅，真係嘅。

答：不過我唔係呢方面嘅專家㗎，但係我睇一睇個問題係問乜嘢，即係如果個問題係問...

主席：係咪？因為你個咁嘅問題，我用我嘅 common sense 去睇番個 real life situation，就覺得唔係好妥，如果你而家話畀我聽「陳法官，你每日飲水全部超標嘅，飲足一世，你先至有事。」係咪咁呀？

王先生：或者主席，我哋調番轉嚟諗，如果...

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主席：唔係，我一定唔會試。

王先生：唔係，我唔係要試。

主席：如果你要試嘅，你可以試先。

王先生：唔係，唔係，唔係，主席，我而家想咁講。如果嗰個--調番轉嚟講，如果嗰個水入面係 9 微克，below 10，9 微克，你每日都係飲嗰啲水都係 9 微克嘅，其實根據世衛嘅標準，你係冇事嘅。

主席：冇事？

王先生：即係嗰個係安全嘅標準，即係按嗰個 lifetime consumption。

主席：我唔知點計，我淨係知道總之 10 就超標，exactly 點樣樣計番嚟，我唔識，啱唔啱呀？因為我唔係專家，我得個--係咪？三十年前讀番嚟嘅，最簡單嘅 science degree，係咁多，係咪？不過我就咁聽你嘅解釋，我就覺得如果--王律師，你咁講，9.9 都冇事，係咪？

王先生：係，9.9 都冇事，係，都係 below 10。

主席：係呀，係呀，冇事？

王先生：即係根據佢嗰個世衛標準。

主席：係，得，得，飲一世都冇事？

王先生：9.9，係呀。

主席：得，好。真係咁㗎？

王先生：我嘅理解。

主席：你嘅理解，如果你嘅理解錯呢？你有冇問過人係咪咁樣理解？

王先生：我係有問過...

主席：你問過邊個？

王先生：或者我咁樣，我唔喺度糾纏，...

主席：即係冇問過，繼續。

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王先生：好，好，好，好，我繼續喇。

問：署長，我想問一問，我哋講番嗰個水樣辦嗰個目的，委員會嘅專家證人都係根據 ISO 5667 嘅，ISO 5667 就有兩個方法，一個就係攞 first draw，一個就 flushed for 2 to 5 minutes 嘅，啱唔啱？

答：唔，唔。

問：好喇，你攞 first draw 嘅時候，個目的，我哋睇番嗰個 joint expert 個 opinion，喺 V1 嘅第 6 頁，佢第一段開宗明義係咁講嘅，個 “sampling protocol to identify whether lead is present in the pipework or fittings of drinking water systems in buildings is important in assessing the risks of lead contamination in drinking water.”，所以嗰個--以你嘅理解，係咪嗰個用 first draw 嗰個係去搵出--係回答呢個問題，就係食水入面是否含鉛，啱唔啱？

答：我諗佢係講緊嗰個系統，即係供水系統，pipeworks and fittings 裏面有個鉛嗰個量，就未必係水嗰度，我覺得佢呢度講緊係 “lead is present in the pipework or fittings of drinking water systems”。

問：好，嗰個攞頭啖水或者個 first draw 其實係唔可以反映到，係唔可以 represent 你下面最後嗰句，係個 “general quality of a drinking water as supplied”，啱唔啱？因為你如果要睇到個世衛個標準，個世衛嘅標準就係講個 lifetime consumption，個 average 個 value 嘅，嗰個就係...

主席：你唔好講 lifetime consumption 喇，係咪啱？

王先生：我淨係根據佢呢度咁寫，即係佢個文件咁寫，我咁讀，我錯喇，我...

主席：你想問咩嘢問題呢？我到而家都唔係好清楚。我 accept 㗎，如果你淨係想做一個 general 嘅 quality drinking water，你係如果係用 stagnation 可能係錯㗎，啱唔啱？我同意。

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王先生：主席，或者我淨係想喺呢度釐清一個概念，嗰個概念就係咁樣嘅，個概念就係話世衛嗰個標準話 10 微克，點樣去決定是否符合嗰個世衛標準 10 微克並唔係由個 first draw 嚟決定佢符唔符合世衛標準，因為點解呢？因為你唔會每人每一日都係...

主席：我同意，我同意，我同意，啱，你講得啱。

王先生：好，我以為有個誤解喺度。

主席：冇誤解。

王先生：好，我哋又講一講嗰個邏輯，即係關於嗰個--因為我哋而家有個爭議，似乎有個爭議關於個取水辦應該係點樣取法。

主席：係，啱。

問：我哋講一講個邏輯，第一，如果我哋先講兩個步驟，第一個步驟就係如果我哋先取第一浸係頭啖水先，...

主席：對唔住，你取水辦嘅目的係愛嚟做乜先？

王先生：好喇，我取水辦嘅目的係為咗係證明嗰啲水係唔係符合世衛 10 微克安全飲用水嘅標準。

主席：好呀。

問：好喇，如果我係為咗去斷定取水係去符合係咪--嗰個水嘅質量係咪符合世衛嘅標準，10 微克嘅標準，署長，以你嘅理解，係攞頭啖水抑或係根據 ISO 後面嗰段，係攞沖咗兩至五分鐘一個代表性嘅水？

主席：我答。

王先生：好。

主席：沖咗嘅水。

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王先生：好，唔該，好。

問：好，跟住我哋就講行多一步嘅問題，因為頭先有問到，好喇，既然你沖咗二至五分鐘，點解你唔行多一步去再擺頭啖水嚟，我想又係講邏輯，如果你已經係擺咗一個二至五分鐘嘅水，而嗰個化驗嘅結果已經係符合咗世衛 below 10, below 10 微克嗰個，署長，你認為從水務署嘅角度，仲需唔需要再去喺同一個屋苑再去擺頭啖水？

主席：佢認為唔使，都答咗，冇 ambiguities，不過有人話要。

問：署長，我就係想...

主席：唔使咁嘛，署長你話？

答：係，...

主席：係囉，得喇。

答：...即係如果嗰個水質係已經符合世衛標準咁嘛。

主席：我知呀，我知道佢講乜，你唔好以為我唔知佢講乜先得嘍。

王先生：唔係，主席，我就以為呢度有一個誤解，所以我想澄清。

主席：冇 ambiguities, whatsoever, 我完全知道你水務署嘅立場。

王先生：我就想講--主席，我係想講如果嗰個...

問：或者咁講，署長，我想問你，喺 7 月發生呢件事嘅時候，你哋當時去擺水辦，淨係擺晒咁多屋苑，淨係 test 二至五分鐘嘅時候，擺啲水辦，你哋用咗幾多時間，用咗幾多物力？

答：你講係全部屋邨定還是...

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問：係。

主席：全部屋邨定乜嘢？

王先生：全部屋邨，全部屋邨。

主席：全部屋邨。

答：全部屋邨呀？我知道佢總共就大約五個月嘅時間做晒所有嘅取水辦同埋化驗嘅。

問：你當時有冇考慮過話「我分兩個步驟做，先攞第一浸先，個頭啖水，先做一次，五個月先，然後再做多五個月」...

主席：咩嘢再做多五個月啫？你同一時間可以做兩樣嘢㗎嘛，啱唔啱呀？

王先生：係，可以。

問：即係你哋當時有冇諗過話「好喇，我做晒兩個 test，化驗兩樣嘢。」點解當時唔咁做，個理據係乜嘢？

答：當時我諗，我記憶番，就主要我哋要達到個目的就係睇到嗰啲水係咪安全，第二...

主席：Comply 唔 comply with 世衛嘅標準，都有問題，我完全明白。

答：第二，亦都係要好快，因為個時間上，想儘快知道有幾多...

主席：Compliance 咁嘛，講咗，emphasize 咗好多次喇。

王先生：主席，我係講話即係解答話即係--因為喺佢個問題嘅時候，曾經

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有問過話點解唔再行前一步再擺多次...

主席：係呀，我都問㗎嘛，我唔係話擺多次，at the same time 可以擺㗎嘛，你同一個住戶，你朝頭早 6 點鐘去或者 8 點鐘去，係咪？跟住你咪擺囉，擺個 stagnation，跟住再沖二至五分鐘再擺，咁即係唔會加你好多時間嘅之嘛，係咪呀？

王先生：但係呢個化驗就會有多成本，即係會多啲人手啲啲會有，呢個自必然會有。

主席：都係時間多啲啫，用機器化驗㗎嘛而家，係咪？你估仲係我哋以前啲啲擺支試管喺度滴下滴下啲啲咩？

王先生：好呀。

答：不過，主席，我就或者講一講，如果你要擺啲啲隔夜水，其實就有一啲時間性限制嘅。

主席：我明。

答：因為我哋擺水辦係全日都擺嘅，即係...

主席：我知，我明，我梗係明喇。

答：即係如果你一定要隔夜，我諗個速度唔可能快到係好似我哋啱啱做完個個，因為你要等。

主席：我明，我絕對明。

答：Okay，好。

主席：即係我話畀你聽遲啲我哋有--因為 commission 自己會有返去啲啲屋邨再做，我哋有做 stagnations，我哋有做隔夜水嘅，房署知道，因為我哋要經過房署去搵啲啲居民幫手先至擺到嘅。

答：Okay，好。

問：署長，我問多啲問題，我就離開呢個題目。你哋當時擺水辦嘅時候，

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擺呢個水辦抽樣嘅時候，你哋最重要嘅關注點係咩嘢？

答：水質安全。

問：唔該。好，我想問另外一個題目，就係關於嗰個風險評估，個風險評估就係好專注嘅，就係關於係 leaching of lead into drinking water，即係會係喺香港呢個特別嘅環境之下，有呢個風險 of leaching of lead into drinking water 呢個風險，因為如果我哋睇番頭先世衛嗰個文件，如果我請你睇 1251，1251。

答：呢度，係。

問：1251 喺右手邊就有好多個 bullet points，第三個 bullet point from the bottom，嗰度就有講到你 providing guidance 係要 identify 個 local priorities 同埋 for the purpose on management -- and on management，即係你如果做風險評估嘅時候，要睇下--因為資源有限，所以你要根據本地嗰個 priority 嚟做風險評估嘅，呢個你同意嘛？

答：對唔住，係咪 1251？

問：係，1251。

答：第三個 bullet，你講？

問：喺下面數上嚟。

答：哦，下面數上去？

問：係。

答：Okay，得。

問：睇到嘛？

答：睇到。

問：好，我跟住想帶你睇一個文件，就係關於點樣 identify 呢啲 priorities 嘅，就喺嗰個文件檔案夾嘅 C19.1，如果你去 10552，10552，呢個係另外一份世衛嘅文件，就係“Chemical of drinking-water: Assessing priorities for risk management”，見到嘛？

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答：見到。

問：好，我想請你睇睇 10585，10585。

答：係，睇到。

問：3/1 嗰度就話 "Identifying priority chemicals in a drinking-water supply"。

答：係，睇到。

問：第一段嗰度，如果你下面數上嚟--即係上面數上嚟第五行，佢就話 "Consequently, it was important that countries identify those chemicals of concern according to local circumstances. Chemical contaminants in drinking-water should be prioritized to ensure that scarce resources are not unnecessarily directed towards management of chemicals that pose no threat to health and do not affect the acceptability of drinking water."，你見到？

答：係。

問：跟住下一段，"As it is neither physically nor economically feasible to test for all chemical constituents in drinking-water, monitoring efforts and resources should be carefully planned and directed at significant or key parameters."，你都見到，係咪？

答：係，見到。

問：好喇，下一段，"The process outlined in this publication provides guidance to assist water supply utilities, in collaboration with public health authorities, to identify those chemicals that are likely to be present in an individual water supply, and may represent a potential public health risk."，見到嘛？

答：見到。

問：好喇，你跳去下一段，"In assessing the chemical quality

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of a water supply, it is important to include the four priority chemicals”, 佢就 identify 咗四種，即係世衛，根據佢自己嘅經驗、佢接收到嘅資訊，佢就 identify 有四種佢認為係 priority 嘅 chemical, ...

答：係，見到。

問：見到嘛？

答：見到。

問：跟住就“before assessing the water supply system for chemicals of local concern. Extensive international experience has shown that these four chemicals produce adverse health effects as a consequence of exposure through numerous water supplies around the world.”。

跟住佢就話另外兩種，“Two other commonly occurring constituents, iron” 同埋 magneses, “are of high priority because they can give rise to significant discoloration of drinking-water, making it unacceptable to consumers”...

主席：Manganese。

王先生：Manganese。

主席：唔係 magnesium。

王先生：Manganese，唔該，唔該主席。

問：“who may turn to supplies that are more aesthetically acceptable but may be microbiologically contaminated.”，見到嘛？

答：見到。

問：“Once priority chemicals within a particular

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drinking-water system have been identified, a management policy should be established and implemented to provide a framework for the prevention and reduction of these chemicals. Appropriate monitoring programmes should be established to ensure that the chemical quality of drinking-water remains within appropriate national standards.”根據世衛，佢就 identify 嗰個 priority 就係咁樣，呢個你知唔知？

答：我都係第一次睇呢度。

問：Okay，琴日其實何大律師就有問過你，如果你搬番前面，10581，...

主席：我想知道有啲咩關係呢，讀咗成段出嚟。

王先生：我想講，跟住嗰段就係嗰個鉛，根據世衛嗰個就唔係 high priority 嘅 chemical 嚟嘅，因為...

主席：我都 accept，冇問題。

王先生：哦。

主席：呢個 chemical 喺啲 drinking water 裏面，喺成個 system 裏面咁嘛？

王先生：係。

主席：啱呀，成個 system 咁嘛。

王先生：係，我知，我知。

主席：係囉，唔係，個問題就係咁，個問題就係我哋個水務署有 Water Safety Plan，係咪？嗰啲 Water Safety Plan 就講我哋 go through，general，跟住我見過你哋，譬如你哋 treatment plant，你哋啲 reservoir，你哋啲 plumbing stations，全部都有 identify，話有啲咩 hazard，跟住點樣 prevent 嗰啲，完全冇問題，我 accept，不過佢哋就去到個 boundary lot 嗰度就 stop 咗，跟住 beyond 嗰啲有冇 leaching 諸如此類嗰啲，就佢哋冇做，冇做過 risk assessment，priorities 都有。

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王先生：呢個我知道。

主席：咪係囉，你同我講呢啲，我明呀。

王先生：唔係，主席，我想講個重點就係話根據世衛出嘅書籍，總體嗰個...

主席：啱，你視乎環境，譬如好簡單，如果香港隔離係一個開鉛礦嘅地方，...

王先生：明白，明白。

主席：...你梗係要咩嘢，係咪？

王先生：明白，當然，當然，當然。

主席：你個 general 嘅時候，你咪要 prioritise 佢囉。

王先生：呢個明白嘅。

主席：咪係囉。

王先生：主席，我想講就係話即係...

主席：一般情況之下係唔會有呢啲咁嘅現象，我都明呀，冇問題㗎，係咪先？

王先生：呢個係會關係到嗰個有關機構嗰個 risk assessment 個...

主席：啱，我明，係囉，而家其實講嚟講去個問題喺邊度呢？個問題就係話你應該知道有個咁嘅 risk。

王先生：係，我而家就係想講第一...

主席：因為已經有啲 early warning signs 話畀你聽有個咁嘅 risk，不過你就冇咩。

王先生：唔係，主席，我想一步步...

主席：你話「我知」又好，「我唔知」又好，呢個就另外一回事嚟嘅，係咪先？

王先生：係，主席，我同意你嘅講法，我而家想重點帶出嚟嘅，就係話首先 in general 先，根據世衛嗰個 publication，lead 都唔係一

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種高風險嘅 chemical，即係...

主席：我 accept，我完全 accept，世衛仲有話添，heavy metals，其實你係唔需要 constantly 去 monitor，即係唔需要擺水辦去 monitor 佢嘅，如果你真係有呢啲 problems 嘅話，就最緊要就係呢個 specifications，啱唔啱先？因為呢啲 metal 佢個 concentration fluctuation 係得好緊要嘅，我絕對明。

王先生：係，即係呢個係講嗰個重金屬，係用物料監控嗰度，呢個係...

主席：係囉，使乜咁勞氣咁樣樣指出呢？

王先生：唔係，我唔係勞氣，主席，我有勞氣到，我只不過係想講...

主席：啱唔啱呀？

王先生：係，我係想一步步解釋關於嗰個--根據世衛嗰度，in general，跟住我會講香港嘅，in general，嗰個 lead 就唔係高風險嘅項目。

主席：唔係，如果你話--我其實睇過晒你哋東江水嚟嗰啲 lead 嘅 concentration，係細到好細好細嘅，generally speaking，係完全冇問題，我由你 7 月開始，事發之前，一路睇你半年，我睇過晒，你唔好以為我乜都唔睇嘅先得㗎。

王先生：我知，我知，我知，主席，我知道你好勤力睇好多嘢，但係我只係想-- okay，我帶出呢一點，你已經收到，我知道，或者你已經一早就知道。好喇，咁我...

主席：係喇。

王先生：或者我係唔知道你知道嘅。

問：如果我哋知道嗰個世衛--我睇番香港嘅情況，即係講 local 嗰個 situation，關於鉛個風險，嗰個 risk assessment，即係鉛嘅風險 of leaching into drinking water 呢個風險，我哋 1938 年就香港嘅法例就禁咗用鉛喉，啱唔啱？

答：唔。

問：你同唔同意喺禁用鉛喉立法嘅問題，一定嗰陣時就有討論過點解要禁

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用鉛喉同埋禁用鉛喉係為咗應付啲咩嘢風險，啱唔啱？

答：唔，唔。

問：同唔同意？

答：係，同意。

問：好喇，由 1938 年禁用鉛喉，香港本地禁用鉛喉，到 2015 年-- sorry，2016 年，以你哋嗰個水務署嘅資料或者紀錄，或者以你個人本人嘅認知，有冇曾經有個情況有人違反法例，靜雞雞走去用鉛喉，有冇？

答：我有聽過。

問：呢一個會唔會對你哋個風險嘅認知關於呢個風險，喺本地嘅情況，個鉛會釋放入去飲用水入面會有一個影響？

答：我相信我哋因為用鉛喉而釋放到鉛落水，我就覺得呢個基本上係好低。

問：好低。

答：因為都冇用鉛喉。

問：你哋會唔會話立咗呢條法例，我哋呢度有人講過，有法例就有風險有人違反法例嘅，你哋又會唔會坐低話研究下有人違反法例嘅風險有幾高？

答：我哋都係睇一啲客觀嘅情況，同埋主要就係我哋關注就係成個嗰個物料監控嗰個嘅系統，亦都有一個持牌水喉匠同埋認可人士喺期間裏面有一個雙重嘅保險，呢個我哋都覺得呢個係好重要。

問：好，1980 年代，我哋香港就開始引入銅喉，啱唔啱？你應該知，大概 80 年代。

答：銅喉就好早有，我唔知係咪 80 後係特別多，但係銅喉我理解好耐已經畀用，...

問：已經畀用。

答：...但係我唔記得邊一年開始畀用。

問：好，1987 年，《水務設施條例》就話又修例，就經過呢個 BS 嗰度，

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亦都基本上係禁咗用有鉛嘅焊料，啱唔啱？

答：係，係。

問：好喇，喺修例嘅時候或者喺呢個引入呢個 BS standard 去禁止用有鉛嘅焊料嘅時候，我相信你亦都係會有內部評估過點解要咁做同埋想要應付嘅風險係乜嘢，係咪？

答：唔，我哋其實嗰陣時就睇--因為當時嘅年代就係講緊一九八幾年，我就有參與，不過我估算，當時係因為英國嗰個標準，84年嗰陣時個標準，我印象中，佢個焊料嘅鉛成分係超過百分之五十嘅，但係去到87年嘅，就嗰個嘅標準就減到去--我唔係好記得係咪0.1個 per cent 定直情係零。

問：好喇，我哋又講番2015年7月之前，喺2015年7月之前，你哋署方有冇紀錄或者有冇認知雖然係立例話要用無鉛嘅焊料，但係曾經有人違法地使用有鉛嘅焊料，你有冇咁嘅紀錄或者認知？

答：冇，我哋有呢個紀錄，亦都我哋睇番啲市民投訴水質嘅資料都有提到係有呢個問題。

主席：市民投訴水質唔識投訴鉛㗎嗎。

答：但係睇外國，係因為啲市民嘅投訴水質而衍生...

主席：係吖，因為嗰啲就已經好嚴重，甩頭髮，又 rash 嗰啲㗎囉嗎，因為鉛係無色、無味、無臭，係咪？

答：係。

主席：如果有市民投訴到嘅話，就已經係差唔多即係...

答：好嚴重。

主席：你睇下呢個咩嘢？最近嗰個，Michigan，係咪？

答：係，Michigan，係。

主席：Michigan 嗰啲小朋友已經係成年生 rash 㗎囉嗎，頭髮都甩晒。

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答：冇，我哋紀錄上冇任何呢一方面話焊料用鉛。

主席：係咪？因為你--我諗都有睇過 Bellinger 講㗎嘛，通常如果去到呢一個有 clinical symptoms 嘅話，已經係犀利到好犀利，通常都係 chronic 嘅之嘛，subclinical 嘅之嘛。

問：署長，如果由 1987 年禁咗用有鉛嘅焊料，到 2015 年嘅 7 月之前，你哋都有咁樣嘅紀錄或者認知嘅話，呢樣嘢對你哋關於呢個...

主席：有咁樣嘅紀錄或者認知香港市民有中鉛毒，因為飲食水，係咪咁嘅意思呀？

王先生：係，係，冇錯，冇錯。

問：咁對你哋嗰個風險評估話會有鉛嘍飲用水出現呢一個風險評估有咩嘢影響呢，呢個紀錄？

主席：唔係，佢哋都有風險評估過，佢哋都有 identify 過呢個係一個 risk，更加唔需要講話高定低。

王先生：唔係，即係我嘅意思係話喺嗰個認知...

主席：首先你要 identify 咗有個 hazard 先㗎嘛，佢連個 hazard 都有 identify 過。

王先生：唔係，即係有嗰個咁樣嘅...

主席：In respect of 呢個 inside services，我梗係講緊，係咪？

王先生：係。

主席：都有做過，署長尋日就話「我相信呢個唔係一個問題㗎嘅，因為我哋 generally 我哋啲 pH 好高，我哋啲 pH 校到咁高，就唔會有 corrosive action，我哋啲 pipe 好 safe。」即係基本上呢啲就

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係--即係用 common sense，但係實際上，你話有冇 go through 過一個 exercise 去 identify lead 係一個 hazard，同埋 identify 咗 lead 係一個 hazard 之後，究竟佢個 risk 係好 severe，抑或係 moderate，抑或係 minor，即係好似我哋啲 WSP plan 咁做呢，就有喇。

王先生：主席，我係同意你頭先所講，...

主席：咁咪係囉。

王先生：...就係話有一個詳細好系統性、數據性，個 WSP about inside services...

主席：即係 generally 之嘛，係咪先？

王先生：但係我而家嗰個焦點係喺嗰個署方入面個 general concept，嗰個 risk awareness of 呢一個 leaching of lead into water 呢一個本身呢個 awareness 嗰度，就唔係話...

主席：佢哋話佢哋唔知，係，啱，係呀。

王先生：我就想講出佢哋呢一個咁樣嘅 degree of knowledge 或者係 risk awareness，就係由於自 1987 年禁咗之後都有呢個 incident，所以就有呢個 contribution，係咁講啫。

主席：啱，我接受，唔需要澄清。

王先生：好，好。

主席：係呀，不過佢哋 commission 嘅律師就話「你應該知。」之嘛。

王先生：係，我知，我知，所以我就係即係咁樣講，澄清呢個問題。

問：好喇，或者我帶你睇一個...

主席：唔係，我想問一問，既然係咁，點解將呢個 cadmium、nickel 同埋 chromium 由原本都有 risk assessment，突然之間要提升到咁緊要呢？

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答：呢個可能搵...

主席：即係而家你四個...

答：呢個可能搵 chemist 答喇。

主席：係咪？

答：我有問過佢嘅，佢就話係如果係最大機會有啲重金屬會釋放落水，而嗰個嘅供水系統用嗰啲料嘅重金屬就係呢幾個，譬如佢有提過，譬如 nickel，好多時我哋有啲裝置佢用嗰啲電鍍，好似有機會會甩出嚟...

主席：係，nickel 同埋 chromium 都有，係咪？

答：係。

主席：Cadmium 可能就係喺嗰啲焊料...

答：Brazing。

主席：...brazing 嗰度啫。

答：係，brazing 嗰度，係。

主席：呢啲不鏽都有超標㗎，完全冇問題㗎過往，突然之間就係由完全乜都唔使，而家突然之間“chom”一聲上到去個層次去得咁高，有啲咩嘢--即係我想問下啫，你哋做 risk assessment，都要有啲 rationale behind 㗎，點解由一個完全以前都唔使，我哋又唔見到有啲咩嘢 problems，突然之間“boom”一聲彈到咁高，有啲咩嘢 rationale behind？

答：我答唔到呢個，我諗可能問一問我啲同事可能會清楚啲。

主席：Okay。

王先生：或者可能搵 chief chemist 作答。

主席：好呀。

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問：或者我問多一個問題就離開呢個題目。建基我頭先問你關於呢個香港本土嘅情況個立法，你哋曾經有冇考慮過有需要特登坐喺度，有個 detail 嘅 plan 去 assess, to carry out 一個--好似主席咁講，一個好數量化嘅中、高、低嘅 assessment about 嗰個鉛 leach into water, 喺香港...

主席：冇囉，都話，佢答咗喇，頭先。

王先生：唔係，我知佢係冇，但係我只不過有冇--即係點解--係有冇個 reason behind。

問：冇？

主席：佢想問點解冇啲。

答：我諗都係搵同事答一答，因為嗰個--你而家講緊嗰啲 Water Safety Plan 或者類似一啲嘅 risk assessment, 我只係知道就係喺我哋自己供水嗰度，我哋就好完備做嘅，過咗屋界嗰度，嗰個 risk 我哋就相對係做得少嘅，或者甚至係冇嘅，我諗詳細可能要問一問化驗師。

問：好，唔該。好，我而家就問另外一個題--帶你去睇另外一個題目。我想...

主席：其實你哋而家嗰個 regulation 或者 ordinance, 就淨係要嗰個 inside service 嗰個人嗰啲水係 clean 之嘛，係咪呀？我記得係淨係 clean, 因為尋日 Mr Ho 講，其實你哋有冇諗過除咗 clean 之外，仲要啲咩嘢嘅呢？

答：我哋而家檢討緊個法例，當然就希望喺個水質嗰方面嘅要求係增加，正如係而家嗰個規例係寫得好簡單。

主席：係，exactly。

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答：所以呢個水質個標準，我哋而家研究緊嘅，即係究竟係除咗我哋自己供水嘅水質，對於市民佢保養、清潔嗰個內部供水系統之後嗰個水龍頭所出嘅水質要幾高，我哋呢個要有一個研究。

主席：係喇，你知道英國係用個 term 係“wholesomeness”，係咪？

答：係，係。

主席：啱唔啱？即係唔單只係 safe，仲要係美觀上係可以接受㗎嘛。

答：不過我自己覺得，即係琴日我都有提到，就係如果要市民由我哋初頭喺 2002 年之前覺得嗰個佢哋喺水缸同埋喺嗰個保養--嗰個水管系統係非法之唔清潔嘅，因為當時我睇番啲紀錄，就係好多市民投訴話啲水質好污糟，我哋睇到就係個水缸係非常之污糟，褻扈我哋就推出咗個大廈優質食水計劃，我覺得係有一啲嘅幫助，但係我就覺得--琴日都提，可唔可以進一步直情係強制，好似強制驗窗、驗樓咁，會唔會做到呢一步，我哋要研究。

另外，我哋仲發現有一個同呢樣嘢唔係直接有關係，但係都有一個關係，就係漏水嘅情況，我見到好多私人嗰啲水管地下水管漏水漏得都幾嚴重，我哋都想希望而家--我哋希望今年可以推出一啲自願計劃，而遲啲可能會唔會有強制一啲嘅計劃去驗呢啲咁嘅地底嘅水管嗰個健康情況。

主席：其實你哋有冇諗過食物安全，譬如好簡單，我哋成日聽到話啲小朋友喺學校食晏晝嗰陣時候食物中毒，你有冇諗過可能係佢哋啲食水導致佢食物中毒嘅呢？

答：我哋冇諗過，因為如果係...

主席：點解唔諗，佢可能飲過啲湯，可能煮餸啲汁係用啲食水，嗰啲食水有問題，佢可能唔係啲食物有問題嘅嘞，冇諗過嘅？

答：如果佢中毒，...

主席：你 E. coli，你水都有㗎嘛，係咪？

答：係。

主席：你八個 parameters，其中一個 mandatory 添喇，啱唔啱呀？

答：係。

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主席：你 E. coli 中毒，當然佢可能係食咗啲生嘅菜，如果係食沙律嘅話，不過你洗菜啲水都可能有機會嚟啲？

答：因為我哋每年有萬六組嘅水辦都係全港性咁去抽樣檢查。

主席：其實你萬六組，老老實實就好少嘅啫，因為我都 roughly 除過，係咪？你三百六十五日，你唔係萬六，你話十六萬呀？十...

答：唔係，全部就係十六萬，但係如果你係講水龍頭，就係萬六。

主席：十六，你啲水龍頭我都睇過，基本上就係啲商場、公廁或者一啲即係...

答：管理處，學校。

主席：係囉，管理處啲啲咁樣樣嘅地方，即係你哋 easily accessible 啲啲地方就去做啫。

答：其實個問題就係我哋舊年 7 月開始，我哋有啲水龍頭抽水辦就驗鉛，我哋去過一啲私人屋苑，佢基本上真係唔畀我哋入去。

主席：唔係，佢唔畀你入去，我明白。

答：所以係有個困難嚟度，不過我就...

主席：唔係，因為我成日喺度講，其實你哋食水安全同食物安全其實係息息相關，你明唔明呀？因為你食物安全，即係個問題係咁樣樣，如果你一般人--即係好老實，如果啲食物運到嚟，用你哋啲 lot boundary，原來運到去，譬如咁講，落馬洲，跟住之後有冇毒--有冇毒都唔關我事，就係你哋閣下嘅事，咁樣樣就唔 acceptable to 一般嘅香港市民，啱唔啱？

答：唔，所以我...

主席：即係換句話嚟講，其實就返番去我之前所講，你真係可能要行多一步，你唔可以話「我好 content 去到個 block boundary」，因為如果你認真啲，食物安全同食水安全有咩嘢分別，食物安全同食水安全完全有分別。

答：我哋每年有萬六組係喺個內部供水系統啲度驗啲菌嘅，其實啲度係睇到--因為我哋過去咁多年做咗好多測試，係睇到整體嚟講，香港私人啲個內部供水系統究竟啲個微生物啲個風險有幾高嘅。

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主席：係呀，係咪？

答：係。

主席：衛生署可唔可以話「我哋唔管理嗰啲」--我唔知喇，食環署又好，衛生署又好，即係一般嗰啲--總之你過咗你屋企個門口，就算你裏面有啲咩嘢問題，好嚴重，我哋都可以唔管，或者有啲咩嘢細菌都可以唔管，唔得㗎嘛。

答：係，我哋其實現時就有做嗰個--根據世衛，主要都係微生物風險評估，所以我萬六組嘅水龍頭嗰啲水...

主席：因為呢個 risk 係好緊要，係咪？

答：係。

主席：因為睇勻全世界度地方--應該咁講，大部分地方，衰嘅地方都係微生物多，係咪？

答：係。

主席：同埋死得人最多嘅就係微生物。

答：所以我哋喺呢方面就擺得多。跟我同事講，如果跟世衛嘅標準，以香港嘅人口應該係二千幾，如果我有記錯，應該二千二百四十個數目就足夠，我哋而家係用萬六，萬六組應該係比起英國嗰個就差唔多，英國都好似係--如果以我哋人口嚟講，佢都係大約萬六。

主席：好，唔該。

問：好，跟住我就想睇睇嗰個物料監控嗰度，同埋點解喺驗水嘅時候--即係發生事件之前，點解驗水辦嘅時候冇驗到重金屬呢個問題，因為呢個都好似好多人好關注。你琴日畀證供嘅時候都話根據世衛嗰度，就係主要就係驗呢個微生物嘅，如果係重金屬嗰方面，就係通過物料監控，我就有想兩段畀你睇睇，可能主席都已經睇咗，但係我就想睇一睇啫。C19.1 嘅 10589。

答：係，見到。

問：Okay, 而家睇喺 3/3/3 之前嗰段，即係“Operational monitoring”

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之前嗰段。

答：係，睇到。

問：嗰度就講，“Unless there is strong evidence that particular chemicals are currently found or will be found in the near future, at levels that may compromise the health of a significant proportion of the population, the inclusion of those chemicals in drinking-water monitoring programmes is not justified, particularly where resources are limited. It is often more effective to maintain an ongoing programme of pollution control and risk assessment in the catchment.”，你見到，係咪？

答：係，見到。

問：呢個就係其中一個你認為世衛嗰度就話應該物料監控嗰度，係咪？

答：係。

王先生：主席，我想睇多一段，就喺同一個文件檔案，10642，10642。

主席：不過嗰個係講緊個 general water 嘅 qualities 咋喎，即係講緊一個最高層次嘅嘢嚟嘅咋喎。

王先生：係，係，我知道，我知道。

問：10642，如果你睇 10641 就係 8/4 就係“Distribution systems”，就係講緊嗰個 distribution systems，佢嗰度講好多種 heavy metal 嘅，係咪？

主席：唔係好多種咋喎。

王先生：三、四種。

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主席：係呀，但係三、四種裏面，篇幅最多嘅就係講 lead 啎。

王先生：係。

主席：係囉。

問：好喇，如果我想睇 10642，10642 有一段 begin with “Lead”嘅，
“Lead can also be present if lead solder is used in
the installation of copper piping.”，見到嘛？

答：係，見到。

問：係咪？“A control measure in this case would normally
be to avoid the use of lead solders for applications
involving drinking-water.”，見到嘛？

答：見到。

問：唔該。好喇，下一段最後個句，佢講完 PVC 之後個句，“However,
chemical monitoring of drinking-water is not normally
considered to be appropriate and the most suitable
method of management is by product specification, as
indicated above for other materials.”，呢個亦都係其中
一段，即係你講世衛係用 material control 個個依據，係咪？

答：係，冇錯。

王先生：我相信主席你都睇過㗎喇。

主席：睇過好多次喇。

問：好喇，我哋而家講番 material control 個度，所以我哋喺呢個事
件發生之前，即係 before 有 concrete evidence 之前，你哋都
係驗水嘅時候都係驗個八個都係微生物嘅，而關於重金屬，就通過...

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主席：八個其實唔係 strictly speaking 微生物嚟嘅，係咪呀？

答：應該係四個。

問：四個。

答：四個微生物，...

問：係，四個。

答：...四個係啲物理化學。

問：我哋就講一講嗰個重金屬就通過嗰個 material control，係咪？

答：（沒有可聽到的回答）

問：琴日有一個題目就何大律師問你嘅，今朝都有人問過你嘅，就係話關於嗰個 material control，就業界就依賴水務署，就要水務署做推動，要依賴水務署嘅指引，然後佢哋先知道嗰個 material control 關於呢個水喉工程安裝點樣做嘅，你記得有呢個題目嘛？

答：係。

問：好喇，我就想簡單咁問下你，即係我哋唔好咁離地，因為我哋而家講緊嘅純粹就係講緊呢個含鉛嘅焊料啫，係咪呀？即係唔係好複雜嘅事件，即係唔係話其他嘅 chemical，其他建築商唔知，如果話倚賴水務署嘅指引，話呢個焊料要用唔含鉛嘅物料，呢一樣嘢你覺得水務署畀嘅指引足唔足夠？通過咩嘢方法...

主席：再講多次，唔該。

問：Okay，如果嗰個要求係話水務署要畀啲指引，關於嗰個焊料個呢個物料個成分要唔含鉛嘅，呢一個你認為水務署畀業界嘅指引是否充足？

答：其實喺我哋嗰個嘅規例裏面就講咗英國嗰個標準嘅要求，第一日嘅聆訊，我聽到有水務署嘅同事都去參與職訓局一啲會議，提醒就係要教

人用呢個錫焊嘅時候係需要無鉛錫焊，用喺食水嘅系統嗰度，亦都知道商會都自發，喺九幾年，佢哋自己有提醒嗰啲嘅會員佢哋個持牌水喉匠喺食水嘅系統裏面係唔准用呢個有鉛嘅焊料嘅。我知道其實業界都各自都做緊一啲嘅工作，我亦都知道無論係政府自己個建築署嗰啲合約，房署嗰啲合約都好清楚寫明嗰個嘅要求嘅。

主席：咁即係咩嘢意思呀？

答：即係就個要求大家都清晰嘅。

主席：即係你認為你哋已經畀咗足夠，係咪咁嘅意思？

答：我哋認為大家都知道嗰個要求，問題個重點就係話喺採購呢啲物料嘅時候有冇出錯，又或者就係去監控真係用呢啲物料嘅時候，有冇一個足夠嘅監管，呢個我哋睇番無論係世衛嗰個嘅指引，又或者係我哋作供嗰陣時候開始講，喺2001年，建造業嗰個檢討委員會都提出建出《建業圖新》就係話都真係要靠就係各持份者喺採購同埋用呢啲物料嘅時候要做一啲嘅工夫，因為如果去到好後期我哋先至去監控，就算係發生事好似而家咁樣，其實你要成個水喉鏈係將佢除去嘅，其實啲承建商同我哋講，其實佢關注嘅點解唔係之前做好呢方面嘅工作。呢個響咗個警號之後，大家都知道其實應該最好嘅做法唔係最冠先係去check下究竟有冇問題，而係喺之前嗰個購買個物料同埋用嗰個物料嗰陣時要做工夫。

香港個情況仲比外國嚴重，因為香港嗰啲樓好多時都好高，如果你要真係換晒嗰啲水喉，係一個好艱辛嘅工作嚟，特別係如果你已經入咗伙之後。外國似乎就佢都比較矮啲嘅樓，真係換呢，相對容易，但係問題佢哋個數量係好多，所以點解有人提到就話用一個orthophosphate去處理佢哋嗰啲問題，就係因為嗰啲問題太過廣泛。

所以我都喺呢度提出，就係話技術上你搵部門作為一個監督，喺最冠嘅時候派大隊人去巡去查，呢個喺技術上唔係唔可行，但係問題喺個資源分配上，我都係覺得應該喺源頭嗰度開始要做呢個工作，因為如果只係承建商或者發展商係倚靠我哋水務署最冠先至去同佢所謂守尾門...

主席：佢唔係倚靠你去守尾門，佢唔係純粹倚靠你守尾門，佢係話「如果有啲乜嘢嘢我哋要關注嘅，你應該一早就話畀我哋聽。」守尾門係其

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中一項。佢就另外一樣嘢，佢就話「既然你負責守尾門，你都唔話畀我哋聽我哋要關注嘅嘢，我哋點樣樣去做呢？」啱唔啱呀？

答：唔知睇下頭先提啲關注，即係我哋譬如喺職訓局或者係商會，我知道發展商亦都有要求承建商...

主席：如果你話--如果我有聽錯嘅，商會--你都唔知點解商會出嗰份...

答：其實我哋要求商會--好多時，我哋都同佢講，自發就同佢哋啲會員同埋持牌水喉匠協會係提醒佢哋要...

主席：唔係，你而家唔知道點解人哋 98 年發嗰一份嘢，係咪？

答：係。

主席：即係唔好將人哋發嗰份嘢就因為你哋通知，係咪？冇...

答：唔係我哋通知，我意思即係話其...

主席：話 exactly, 好喇，跟住呢個修改 syllabus, 如果我有記錯嘅話，你當時就有個大前提嘅，就係話「我哋 management 係唔知道有呢一個 problem, 點解改呢，就似乎係 down to individual engineer 囉嗰。」你又唔可以話「咁係因為我哋水務署。」啱唔啱先？只不過 so happen, 你而家見到啲 papers 係咁樣樣啫，老老實實，係咪？即係又有個 disconnection 喺度，又唔可以歸功你哋水務署，係咪？你唔可以將所有嘅嘢都歸功晒你水務署得嚟而家。

答：唔。

王先生：哦，唔係，唔係，唔係。

主席：係咪？你 by chance, 因為你都話冇，係咪？我當你講嘅係真嘅。

答：係，因為我唔知道，你話...

主席：Exactly。

答：係，我唔知，但係之前會唔會有人處理咗，我唔肯定。

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主席：如果真係有人知嘅，咁就真係麻煩，係咪？

答：唔。

主席：如果嗰個 engineer，嗰個 senior engineer 2002、2004 佢都知嘅，係咪？咁即係換句話嚟講，你哋就應該知喇，如果嗰兩個咁低級都知，因為而家其實就好得意嘅，反而每一個部門低級嗰啲就全部都知，高級嗰啲個個都唔知。

王先生：或者我 follow up 主席你個問題，關於業界話佢哋要關注啲乜嘢，就係要由水務署去知會佢哋關注啲乜嘢，係咪呀？

主席：係呀，係呀。

王先生：咁就...

主席：因為水質，老老實實，就算你睇番 Water Safety Plan，就算你睇番嗰啲 for buildings 或者 role and responsibilities of 嗰啲 individual stakeholders，你講 architect、講 building commissioners，講 services engineer，et cetera，et cetera，得嗰一段咁多嘅之嘛，係咪？成份嘢其實都係畀水務署嚟嘛，我有冇講錯？

王先生：唔係，我有話你講錯，但係我想講個關注，我哋收窄少少，關注啲乜嘢先？喺呢個聆訊入面，我哋嘅關注係嗰個焊料唔含鉛呢一個關注，唔係其他一啲好 wide ranging 嘅關注。

問：我就想問關於呢一個特別嘅關注，關注焊料要用唔含鉛呢樣嘢，你認為水務署有冇足夠嘅通知知會業界焊料要用唔含鉛嘅？

答：其實我哋喺個規例都寫得好清楚嗰個要求嘅。

主席：除咗個 BS standard 囉，除咗...

答：係，不過你話我哋有冇話一個聚焦去提醒，其實就要睇下個風險程度，因為除咗鉛，有好多其他嘅物料都有機會釋放喺個供水系統，我覺得

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就係要睇一睇嗰個風險評估...

主席：實際上係冇，過往有冇咩？就住重金屬或者就住...

答：唔係，即係如果有事發生，我哋...

主席：冇做過咩嘢？

答：係，如果有事發生，譬如我上次提到嗰個例子就係鉛水喉嗰個例子，有啲事故我哋係知道嘅時候，我哋係會做一啲跟進同埋甚至去到一啲改例嘅工作。

主席：譬如今次咁，Michigan 轉咗個 source water，就搞到咁大件事，水務監督咁你哋又做咗啲咩嘢呢？

答：我哋睇咗嗰個情況，就主要佢係用咗另外一個水源，嗰個水源就係將嗰個供水系統係腐蝕咗嘅，所以就我哋好緊張個源頭，即係你擺咩嘢水係好重要嘅。

主席：其實係講到係--如果咁樣樣講嘅，可能係個 alkalinities of 嗰啲水，就 rather than 係個 source water 本身裏面係有 lead，啱唔啱？可能係個水質，可能係你哋--譬如好簡單，你哋八個 parameters 裏面嘅其中一個，嗰度要睇緊啲，因為 alkalinities，即係...

答：你講個 pH 嗰個酸鹼值？

主席：pH 囉，係咪？pH 咪...

答：所以我哋而家驗嗰八個參數係有嗰個 pH 喺度嘅。

主席：係咪？

答：唔。

主席：仲有冇嘢問？

王先生：有，有，有，有。

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問：你頭先講到有一個文件《建業圖新》嗰度，關於嗰個 regulator 嘅責任，我想請你睇下 C21 嘅 18779 頁，C21 嘅 18779 頁，呢個其中一個水務署嘅證人嘅口供嚟嘅，佢就引用咗一段，就係個 construction industry Review Committee 嘅 report，18779，paragraph 33。

佢嗰度咁講嘅，“Given resource constraints, all regulators face the same challenge of how best to target their enforcement action. We recommend that our regulators should explore with the industry, whenever appropriate, ways for industry participants to assume a greater responsibility over their behaviour through a degree of self-regulation. The regulator will continue to police the system, but with greater emphasis on those particularly at risk and with appropriately raised stakes for those who attempt to abuse the regulator’s trust”，呢個就係你喺證供入面幾次講到嗰個文件喇？

答：係。

問：同埋嗰個 regulator 個 approach，啱唔啱？

答：係。

問：好喇，琴日就問你嘅時候，有個問題就係話關於係咪水務署守尾門，喺工地施工嘅時候，可唔可以派一隊人去檢查下，睇下嗰個 licensed plumber 做得好唔好、睇下嗰啲物料是否符合呢個 BS standard，即係有一個咁嘅提議，我就想同你研究下個 regulator 嘅角色同埋呢一個提議。

我記得你琴日個答案就係話係可以嘅，唔係話唔可以組織一個部門，請多啲人去做呢個工作，但係就有個 resources 嘅 constraint，係咪？

答：係。

問：其中主席就提到話唔一定要咁嘅，你可以叫 LP 喺個工程進行期間寫多幾份 report 畀你，就話「我 certify 我而家個進度如何。」你記得你有個咁樣嘅建議嘛？

答：係，係。

問：我而家就想睇睇嗰啲 certification 同埋嗰個派駐人員呢兩個做法喺加強監管方面可以起到嘅增加嘅成效，你畀啲意見喇。首先講一講派駐嗰個水務署自己嘅員工去做多個抽樣嘅檢查，而家嗰個制度，我個理解就係首先嗰個 plumbing subcontractor，即係水喉嗰個承建商佢自己就有 foreman，佢自己有 licensed plumber 喺現場做監工嘅，即係正確 proper 嘅 licensed plumber，唔係講嗰啲失職嗰啲，咁樣啱唔啱？

答：即係佢有自己嗰啲一班嘅人，除咗承建商，發展商亦都有佢自己嗰啲嘅顧問同埋一啲督察嚟到去監管嗰個工程。

問：好喇，除咗呢樣之外，仲有第二浸，第二浸就係嗰個 main contractor 佢哋自己亦都會有人喺地盤嗰度做 continuous supervision 嘅，啱唔啱？

答：係，係。

問：然後就有第三浸，就由個 employer 或者係嗰個業主就係會派人去做呢個 periodic supervision 嘅，啱唔啱？

答：唔，唔。

問：喺咁樣嘅制度之下，我哋探討下改革喇，喺咁嘅制度之下，你覺得由水務署再成立一個部門，再有一 team 嘅人去做呢個 plumbing work 嗰個抽樣嘅調查，對嗰個監控個制度入面起到嘅正面嘅作用有幾大？

答：我自己覺得相對--其實喺我個補充詞都講咗，相對其實呢個作用唔大，喺經濟效益嗰方面唔高，因為你睇到好多時，譬如物料嘅採購，你要係喺好初期嘅階段，逐一張單嚟到去跟嘅，至於佢用到咩嘢物料，譬如如果係焊料，佢已經用咗喺個水喉裏面，其實唔係之前係監控住個物料同埋派啲物料畀工人，嗰個唔把守得好，你再落去睇，我覺得睇唔到。

問：好喇，我哋而家就研究第二個課題，就係關於或者考慮下叫 licensed plumber periodic --即係間中咁樣 submit 啲 report 畀呢個水務署，就做一啲聲明關於佢哋嘅工程嘅進度呢一個建議。其實就喺嗰個開工之前，即係喺嗰個 plumbing work 開工之前，個 LP 同埋 AP 都要簽一份 WWO46，就同你哋講--即係我唔再搬番個頁紙，我哋睇過好多好多次㗎喇，就係要同你哋講佢哋嗰啲用咗嘅或者將會用嘅物料

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就係符合嗰個英國標準嘅，啱唔啱？

答：係。

問：佢哋簽咗嗰個，你哋先至係准許佢開工㗎嘛？

答：佢哋簽咗一個，我哋都要睇一睇佢嗰個附件嗰啲嘢啱唔啱，我哋就畀佢開工。

問：畀佢開工，好喇，到你哋去呢個做完工，佢要求你哋供水，我一陣間會帶你睇一睇有另外一張 form，就 WWO132 嘅，我哋琴日許大律師帶你睇過，就話嗰個係去水嘅啫，係咪？

答：（沒有可聽到的回答）

問：我一陣間會睇一睇嗰張文件嘅。但係基本上佢哋亦都要同你哋確定用嘅物料係符合英國標準，你哋先決定供水，啱唔啱？

答：係。

問：好喇，而且你哋亦都要喺嗰個 connection points 嗰度抽水辦驗嗰八個參數，滿足咗，然後你哋先供水嘅，而家個制度係咁樣樣？

答：係，如果係最新，喺鉛水之後，我哋基本上喺個內部供水系統都要求就係抽水辦驗十二個參數，加上喺所有嘅--如果用錫焊料，我哋抽樣去驗嗰個鉛嘅。

問：好喇，如果我哋話而家制度創新，要求做多啲，行前一步，要求個 LP 喺嗰個建築期間就入多一張 form，或者入多幾張 form，就話譬如每個月一張，就 certify 佢而家用緊嘅物料係正確嘅，你覺得咁樣對你嘅監控、監管係一個有咩嘢好處同埋有咩嘢唔好處呢？

答：當然，亦都有個疑問就係即係佢--因為佢嗰啲都係佢要交一個進度報告畀我哋，如果佢話佢喺起樓，每一層每一層上嘅時候，佢直情會驗所有嗰啲嘅焊料，或者佢會有一啲報告畀我哋，呢個可能會再加強咗嗰個監管，但係會製造咗其實好多係文件上嘅嘢嘅。

我哋其實都有喺鉛水事件同過一啲嘅認可人士開會探討過個可行性，呢個都係研究緊，因為嗰個大家牽涉個資源都係好龐大，係咪真係要去咁樣做，我哋要同佢哋去研究下呢個做法係咪好。佢哋都有建議過嘅，會唔會係佢哋每一層樓上嘅時候，一路起水喉，就驗到嗰啲嘅焊料嗰啲嘅資料會提交一個報告畀呢個水務監督，我哋呢度都要

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同佢哋傾一傾，呢個亦都牽涉到發展商，即係佢哋對於呢一個嘅做法係點樣。

我哋會一併其實喺今次嘅檢討裏面，我哋會研究下每一樣嘢嘅可行性，亦都會參照外國嗰啲嘅經驗，睇下咁樣做法對喺香港現時我哋要面對嘅問題係咪最有效益嘅做法。

問：Okay，我問多一個問題就離開呢個範圍。現時你哋就要求--喺 1982 年嘅時候，除咗要求個 LP 喺嗰張 WWO46 就要簽署確認用嘅物料係正確嘅，根據英國標準，1982 年嘅時候，你就加多個要求嘅，因為你有權--人哋申請供水或者申請，係你有權唔畀佢哋嘛，你就加多個要求，個要求就係要個 AP，authorised person，都要 confirm 用嘅物料係符合英國標準嘅，點解喺 1982 年嘅時候要加呢個要求呢？想達到咩嘢目的呢？

答：我記得 82 年嗰陣時曾經有一個問題出現，就係因為 82 年之前嗰啲我哋指定嗰啲水喉裝置全部都係要經水務署批准，甚至要蓋印嘅，嗰個情況就係用嘅時間好長，當時業界就有個聲音，就話使唔使要經過咁嘅程序去處理呢，會唔會搵一個專業人士佢去做咗呢個工作，即係話佢確認咗嗰啲指定嘅裝置係滿足個規例，咁就唔需要水務署每一個裝置佢自己搵一個印喺度，呢個我相信就係業界同我哋--當時我理解就同水務監督傾嘅，就由呢個認可人士承擔呢一個嘅責任。

問：好喇，你覺得呢個認可人士承擔呢個責任對於你哋成個制度保障物料監控呢一個環節嚟講，係咪一個重要嘅環節呢？

答：呢個都重要嘅，因為我哋因為有咗個認可人士去作一個確認，我哋就取消咗由水務署就住我哋指定嗰啲裝置要每一樣去搵印、去驗，呢個做法喺某程度上就係持份者對成個嘅供水監管系統係起咗一個好重要嘅角色。

問：同埋嗰個 authorised person，除咗相對水務署有責任之外，佢對嗰個 Building Authority 佢都有責任，因為佢監管成個建築，係咪？

答：唔。

問：佢都要簽一啲文件畀 Building Authority，啱唔啱？

答：係。

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問：好喇，琴日何大律師有帶你睇過 regulation 6(3) of 嗰個 Waterworks Regulation，就應該喺 C2 1156 嘅，我唔知個頁數啱唔啱，regulation 6。

答：得。

問：Regulation 6，係喇，佢就帶你睇 6(3) 嗰度，佢就話 “No pipe or fitting forming part of a fire service or inside service shall be used or covered up until it has been inspected and approved by the Water Authority.”，你記得佢問你就話「你水務署就守尾門，係咪呀？你既然批准得到嘅，你即係滿足咗，我符合規格嚟囉嗎，係咪呀？」即係佢講話因為有 6(3)，regulation 6(3)，所以水務署就守尾門，你記得佢咁講嘛？

答：唔，唔，唔。

問：好喇，我想問你，喺個 final inspection 嘅時候，你哋會唔會係建基於呢個業主或者 AP 有同你簽過文件，同你講話「我哋用啲物料係啱嘅。」你哋先批呢？

答：嗰個會係其中一個因素我哋去考慮。

問：好，唔該。橫掂都係喇，我想同你睇睇嗰個 consumer 嘅責任，因為何大律師都有講過呢一方面嘅責任，嗰個就係 section 6，可唔可以幫我睇 section 6 of 嗰個 Waterworks Ordinance -- sorry，section 7？

Section 7 of Waterworks Ordinance，呢個就係 “Approval of consumer and agent”，subsection (1) 就咁講嘅，“The Water Authority may approve, as the consumer of a fire service or inside service in any premises, any person who -- (a) occupies the premises; or (b) is responsible for the management of the premises or any part thereof; and (c)”，佢要 gives an undertaking，“gives an undertaking, in such form as the Water Authority may specify”

(i) 就係 “to pay any charge due in respect of the fire service or inside service; and (ii) to accept responsibility for the custody and maintenance of the fire service or inside service and the custody of any

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meter pertaining to the fire service or inside service.”，你見到嘛？

答：見到。

問：Subsection (3)，“A consumer or agent may at any time apply to the Water Authority for cancellation of an undertaking given by him under this section and the Water Authority shall, if all charges due from the consumer or agent have been paid, cancel the undertaking whereupon he shall cease to be the consumer or agent.”

Consumer 係有定義，個定義就係喺嗰個 section 2 嗰度嘅，係咪？“‘Consumer’ means a person who is approved under section 7 as a consumer of a fire service or inside service”。

你覺得 consumer，如果一個人係 consumer 嘅時候，佢對於嗰個 inside service，佢有咩嘢責任？

答：其實呢度就睇咗佢有個 undertaking，就係話佢接受就係--呢度就寫就係保管同埋保養內部供水系統。

問：仲有頭先主席都提過你，就係嗰個 consume...

主席：呢啲唔係 clarification 嚟㗎，我唔想...

王先生：我想 clarify undertaking 啫。

主席：呢啲唔係 clarifications 嚟㗎，呢啲，冇嘢 clarify 嘅。

王先生：好，okay。我淨係想睇一睇嗰個-- okay。

問：Okay，得，我問多一樣嘢，關於呢個 regulation，你記得琴日何大律師就問過你其實水務署嗰個權力好大概，佢就帶你睇過 section 8、9、10，你記得你 section 10 嗰度就話你可以係斷水嘅，disconnection 嗰度嘅，係咪？你記得佢問過你呢方面嘅？

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答：係，係。

問：我就想問下，佢就話你權力好大，係咪？我就想問，我哋而家用呢個例子，啟晴或者葵聯，呢十一條嘅 affected estate 有事喇，你就發現佢用啲物料可能都唔符合規格，你有一個權，但係你呢個行使個權都要合理，係咪？作為一個水務監督，啱唔啱？

答：係。

問：你哋喺咩嘢情況之下先至會話「我斷水，我唔供水畀你。」試過未呢？幾何會咁樣用？

答：比較多啲就係我頭先都提過，地下水管漏水，啲漏水漏到就係佢直情啲水湧上嚟，浸得好犀利，亦都好多人就投訴，我哋通常做法就係搵咗個住戶或者個管業處，就請佢儘快就係維修啲個嘅漏水嘅水管，好多時都好多合作嘅，但係亦都有啲情況底下，佢哋好耐都有做任何嘢嘅時候，我哋都話畀佢聽就如果指定時間內佢唔維修好，我哋就會出另外一個嘅通知，就係會截水。

好多時我哋會出咗個通知書之後，有一部分嘅會拿拿聲就處理好啲個--修理好啲嘅水管，但係有啲如果唔得嘅時候，我哋都可能會截水嚟到去處理呢個問題。不過呢個我哋都係盡量嚟唔可能嘅--即係我哋盡量唔希望影響到市民啲個供水，但係如果有需要，我哋都會執行。

問：好，唔該。我就想睇一睇--琴日何大律師都帶你睇過一個文件，喺 A2 嘅，A2 嘅 1256，佢就帶你睇 2.1.7 嘅，啲個文件，如果你睇 1230，就係世衛啲個“WATER SAFETY in BUILDINGS”嘅，1230 就係第一版。

答：係。

問：1230 第一版，佢就帶你睇去 2.1.7，就係 1256 嘅。

答：係。

問：佢就帶你去睇個 regulators 嘅 role，我唔讀喇。但係我又想帶你去睇另一段，喺同一份文件嘅度，如果你去睇 1249，1249。

答：係。

問：其實呢段就係講緊個 roles and responsibility of stakeholders 嘅，即係個持份者啲個 water safety in

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building 入面係扮演唔同嘅角色。

答：係。

問：佢淨係帶你睇 regulator 嗰段，我就想帶你睇下其他各段，如果你睇 2.1 嗰度...

主席：唔使睇，你想問咩嘢問題，問，唔好浪費時間，重複又讀一次出嚟。

王先生：好。

問：如果你自己睇 2.1 嗰度...

主席：問問題。

王先生：係。

問：其實如果要嗰個保障嗰個--即係我而家探討緊所謂行前一步，即係話 beyond connection point 嗰度，是否如果要達到嗰樣目標嘅話，係要各持份者共同努力...

主席：呢個唔使問，我都知道要喇，梗係要喇，唔係點做呀？

王先生：係。

問：而且如果你睇 1250，under “Developers” 嗰度，其實佢又咁講㗎，世衛係講...

主席：唔好讀，講。

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王先生：係。

問：世衛講就係話最終個責任其實係喺發展商嗰度，見到嘛？

答：係。

問：即係 regulator 起嘅作用就係 regulate，但係個 drinking water 個 safety 最終個責任就係喺 developer，builder 嗰度。

主席：唔好敲檯。

王先生：哦。

問：你同唔同意？

答：係，呢度。

王先生：唔好意思，主席。

問：好，我就再想睇睇嗰個持份者呢個--或者我想咁講，或者我睇一睇嗰個持份者嗰個--如果你去 C2，C2 1307。

答：係。

問：我想問，如果你睇 C2 1307 嘅左手邊最後嗰段，最後嗰句，佢就講到有一個 Water Safety Plan，但係 for buildings 嘅，你見到嘛？

答：係。

問：好喇，如果係要行前一步，即係話要保障香港市民食水，喺水龍頭出嚟嘅水都係安全嘅，你是否同意其實每一個 building 其實都應該有自己嘅 WSP，自己嘅 Water Safety Plan？

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答：呢個係即係如果跟世衛嗰個嘅指引，呢個係好嘅一個做法嚟嘅。

問：而且呢個 Water Safety Plan 係應該係由個業主同埋唔同嘅持份者共同制訂每一個 building 嘅 Water Safety Plan，你同唔同意？

答：呢個好重要，因為執行都係由呢個管業處同埋住戶...

主席：執行梗係佢哋自己執行喇，不過你有 role 呀？你而家係咪講 WSD 有 role 呀？

王先生：唔係，唔係，唔係有 role，唔係，我話我哋都係持份者之一。

主席：咁咪係囉，你唔講要做 WSP，邊個會走去睇下個世衛標準啫？

王先生：或者我...

主席：啱唔啱呀？你唔帶頭，邊個會去跟呀？WHO 個 guidelines 有幾多個人睇過呀？

王先生：可以，可以，或者我 clarify 一下，好唔好呀？

主席：咪係囉，你而家好似講到全部--你而家基本上講到--你頭先嗰啲所謂覆問講到基本上有權有責，水務署。

王先生：唔係，我唔係咁嘅意思，即係...

主席：係咪？

王先生：唔係，我唔係咁嘅意思。

主席：「乜都唔關我事，唔關我事，人哋」。

王先生：主席，呢個唔係我...

主席：你嘅覆問呀。

答：不過我覺得我哋而家喺大廈優質食水計劃嗰度其實就係向緊呢個方向做嘅，都同呢個--所以我哋同管業處有定期大家多啲溝通，都係需要

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我哋一齊畀啲指引，一齊去做，我哋睇緊呢一方面，舊年我哋有加強到，喺呢一方面，我哋員工走去做...

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主席：佢唔行前一步，邊個行前一步？佢唔帶人哋行前一步，唔通大發展商行前一步？

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王先生：唔係，主席，我會繼續針對呢個問題，我會跟進嘅。

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問：嗰個關於嗰個 WSP 嗰度，我哋琴日睇過，其實你就講咗你嘅目標，嗰個第一個係一個內部文件，即係關於嗰個水務署自己嘅 WSP，亦都睇過，我哋都唔再睇，有啲就係希望個目標，係希望可以 ensure，用個字，就係 water quality 去到 consumer tap，啱唔啱？

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答：唔，唔。

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問：好喇，如果要達到嗰個目標，即係話其實水務署都有諗過行前一步，係咪？希望可以達到嗰個目標嘅...

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主席：你頭先唔係嗰，對唔住嗰。

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王先生：唔係，唔係，唔係，即係我係一步步嚟嘅，如果有誤會嘅，如果有誤會，希望主席你諒解。

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問：好喇，你哋嗰個 WSP 個目標係希望行前一步，希望係嗰個 drinking water from 個 consumer tap 都係安全嘅。

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答：唔。

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問：好喇，如果要達到嗰個目標，你哋內部，當時水務署自己有討論過 adopt 一個 WSP，你哋當時有冇諗過即係 recommend 或者係強制或者通過立法，即係全港嘅 buildings 都要有個 WSP，有冇咁...

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主席：你講幾時呀？

王先生：吓？

主席：你講幾時呀？而家？

王先生：唔係，呢個鉛水事件發生之前。

主席：冇喇，唔使講喇。

王先生：唔係，即係佢哋當時有冇諗過咁樣，即係事實上係冇做，但係...

主席：梗係冇做喇。

王先生：唔係，但係我想係問佢...

主席：佢 Water Safety Plan beyond lot boundary 都有咯，你仲點樣 expect 人哋去做呀？自己 individual 每一個 building 做呀？

王先生：唔係，我唔係-- sorry，或者我問得唔係好清楚，我再問過。
主席，我係想問，...

問：即係你哋當時有冇考慮過，即係我知道後就--而家係通過自願式嘅方式，通過大廈優質食水計劃，呢個係個個結果。我想問嘅係當時有冇考慮過，有冇考慮過，即係好似主席咁講，帶頭叫其他嘅業主，即係當然水務署有一個 role to play，但係當時有冇考慮過話其他 buildings 全部都有個 WSP 咩，或者強制佢有 WSP 咩，抑或當時係考慮過，但係決定係用大廈優質食水計劃呢？當時個個考慮，個個政策上嘅考慮，個 policy consideration 係咩嘢呢？

答：我自己本人有參與，不過我見過一啲文件，譬如喺水諮會，喺 2001 年嗰陣時都有討論過，因為佢哋嗰陣時都想就係水龍頭嗰啲水係可以飲用，佢哋都喺個討論過程裏面有啲委員提過可唔可以就係有啲強制性嘅要求，就係喺個水龍頭嗰啲水辦，我哋必須要由每一個住戶佢有一啲化學同埋呢個微生物學嗰個嘅測試，但係都好擔心，就係如果呢個係全香港一個強制性嘅要求，會唔會第一個要考慮到就係有冇足夠嘅化驗所去做呢一樣嘢，同埋嗰個價錢都幾犀利嘅。

當時嘅討論就係話我哋不如用一個自願性嘅嚟到做法，睇下係咪

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可以就係鼓勵到啲業界做，但係係咪一定要強制性做每一樣嘢呢，呢度最主要嗰陣時嘅討論就係關於測試啫，但係我唔係好記得佢哋有冇講埋話要強制性，幾耐要清洗喉管，幾耐要清洗呢個水箱，我知道而家發展到，我哋就喺 2002 年推出嗰個自願計劃，當時個反應都相當好嘅，而家都有四成半，我哋喺呢方面...

主席：不如你答佢個問題吖，我哋睇過嗰個 ACQWS 嘅 paper，佢個問題就係你哋有冇考慮過 WSP plan for building。

答：唔係完全係講呢樣嘢，但係有相關嘅。

主席：得，冇，即係冇喇，冇諗過 WSP。

答：係，冇，嗰個我哋唔係叫 WSP，冇。

主席：係囉。

問：我而家就想問另外一個題目，就關於嗰個 WWO46 嗰度，入面有啲 standard，即係 refer to 嗰啲 standard，就唔係最 update 嘅 standard，喺張表嗰度。

答：係。

問：就有兩個題目，或者兩個 area concern 就提出嚟，第一就係點解唔每一次，如果有一個 BS standard，咁我就譬如畀業界六個月或者一年嘅適應期，然後就 update 嗰個 WWO46 嗰張表，你記得問過呢個問題？

答：係。

問：因為嗰個人面有啲重要嘅物料，嗰個表入面有三樣係 update 咗，係最 update 嘅，其他嗰啲就係冇 update 嘅。

主席：三樣 update 呀？可能係嗰三樣冇 update 過，所以咪 update 囉。

王先生：唔係，唔係，唔係，唔係，唔係咁樣樣。

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主席：因為嗰三樣就有 update 過，所以咪 update。

王先生：唔係，唔係，唔係，主席，主席，唔係咁樣。

主席：唔好理，總之繼續，你想問咩嘢問題？

問：其中有一個講法，就係話你要畀業界適應期，就六個月或者一年之後，就要求佢哋「你跟個最新嘅 BS 嗰度，用嗰個物料喇。」咁樣樣，係咪？

答：唔，唔。

問：呢個就係第一個 concern，琴日嘅，你嘅 concern 就係話你嗰個條例就話要用最新標準嘅，係咪？

答：係。

問：但係就如果我睇你個 WWO46，就你就有 update 到嗰個 BS standard，所以就有一個 concern，就話「咁我無所適從㗎，我唔知道究竟係跟新嗰個吖，抑或跟舊嗰個。」你知道琴日有兩個 concern，係咪？

答：唔，唔，唔。

問：我想逐個逐個講，第一，就係你琴日都講過，嗰個 BS standard 嗰個改變係有程度分別嘅，如果嗰個 BS standard 嘅改變係重大嘅，譬如由含鉛 50 個 per cent 去到不含鉛嘅，咁嘅情況之下，你哋會採取啲乜嘢措施，關於嗰個 BS standard？

答：我哋如果係對於嗰個物料嘅重大改變係影響嚴重嘅，我哋會跟最新嗰個標準。

問：Okay，如果嗰個物料嗰個 BS standard 係個改變係好少嘅，譬如由 let's say，百分之十變咗百分之 9.5 咁樣，嗰個影響係好細嘅，你哋會唔會係出通告就話你業界雖然 order 咗或者製造番一批物料，嗰啲物料係 10 嘅，但係因為而家個 BS standard 係 9.5，雖然對水質有乜影響，但係你都會要求佢哋一年之後或者六個月之後要更改，用晒新嘅 standard，你哋係點樣考慮？

答：其實正式嘅運作，所有嗰啲嘅有關嗰個裝置嘅供應商，佢如果係要我

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咁去接受佢嗰個嘅物料，佢就會去化驗所嘅，化驗所就會睇住就係嗰個英國嘅標準，如果個英國標準係更新到去譬如 9.5，到時佢會--當時即係實際嘅運作，佢會同我哋討論，即係究竟係咪跟呢個最新嗰個英國標準，因為我哋都睇到有啲困難，就係喺唔同嘅情況底下，有一啲新嘅標準所要求嗰個測試嗰個嘅裝備都可能會有啲唔同嘅，如果係喺本地...

主席：我哋唔好講咁虛無縹緲嘅，用番含鉛焊料，用番不含鉛焊料。

答：如果含鉛焊--因為含鉛焊料就唔喺呢度--因為基本上我哋喺個表格裏面就有列明呢個，我哋主要係 terminal fitting 嘅，但係如果即係整體嚟講，如果係...

主席：唔係，你用番 864，你用番 864。

答：即係如果係講呢個喉管，喉管嘅時候，我哋基本上如果係更新咗另外一隻，譬如係--而家呢個係 BS EN 1057，我哋係用新嗰個嘅，如果我哋發覺有一啲喉管可能佢唔係跟新嗰個，用舊嗰個，我哋就會睇實際嘅情況嚟到去處理嘅。但係喺最近，我哋直情將我哋嘅要求清楚啲擺喺個網頁嗰度，好過就係個別有實際嘅情況嚟到去同呢個化驗所或者同嗰個持牌水喉匠或者供應商嚟到去...

主席：唔需要持牌、供應商，我唔係好明呀，譬如...

答：因為嗰啲喉料基本上係供應商，佢會搵我哋嚟到去批准嘅，佢先會就係搵嗰啲化驗所，所以化驗所就會問我哋嗰個英國標準...

主席：唔係，你嘅意思即係...

答：我哋基本上會跟最新英國標準。

主席：唔係，我知，即係你嘅意思就即係話你哋係會跟新嘅英國標準，不過究竟改唔改就純粹取決於嗰個 supplier，「如果佢話畀我哋聽『我哋呢啲係 major 嘅改動』」，你哋就會改，如果唔係好 major 嘅改動，你哋就唔改，係咪咁嘅意思？

答：呢個由我哋去決定，即係究竟個 major 影唔影響到...

主席：照計冇理由㗎㗎，冇理由更改法例係要由供應商嗰邊去主導㗎㗎。

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答：唔係更改法例，個法例仍然都係...

主席：你要 upgrade 啲嘛，你 regulations 嗰度？

答：係，regulation 嗰度，上次主席提，就係話如果個 regulation 寫住 BS 一個舊嘅版，其實我哋應該要去番立法會嗰度去更新最新個版，...

主席：個 regulation，係吖。

答：...呢個我哋就--我上次都提咗，呢方面我哋要注意嘅，就係點樣去立法會去更新嗰個最新個版，我係講緊呢個表格，因為呢個表格就係譬如佢有啲嘅喉料嗰個--喺我哋嗰個規例...

主席：你講 WWO annex 1 嗰個？

答：係，佢而家係講緊--你係咪講 WWO46 嗰個？

問：Annex，annex，係。

答：即係如果喺個規例裏面基本上冇提嗰個物料嗰個英國標準，如果係有提嗰個，就主席提，就係話最正確個做法應該係去立法會嗰度去更新嗰個嘅英國標準，呢個我哋係喺呢方面有啲地方，我哋係而家嗰個規例係冇跟到嘅，但係如果係喺個規例，基本上佢唔係每一個英國標準都提晒嘅，我哋就話係跟最新嗰個英國標準。

但係個別，我諗頭先大狀提到，就係有一啲嘅物料，有啲裝置佢喺個規例裏面有特別註明係邊一個英國標準，但係我哋就係話所有嘅物料就會用英國標準嘅，咁變咗嗰個化驗所會同我哋傾，就係話究竟應該係咪用最新嘅標準嚟去做，我哋就會話畀佢聽原則上，跟個法例就用最新嘅標準，但係如果係實際上有一啲嘅困難，或者係譬如話嗰個--頭先我諗大狀講嘅意思就係個轉變好少，我哋要考慮下嗰個對個業界影響有幾多，亦都會睇下如果我哋係認為重要啲嘅轉變，我哋會要佢跟最新嗰個嘅做法，但係有啲可能唔係一啲好重要嘅轉變嘅時候，我哋係會有一個嘅考慮，即係我主要係澄清呢一個，原則上係跟最新嗰個，但係實在上，如果運作上有啲嘅更改其實係影響唔係好大嘅時候，我哋會睇實際嘅情況嚟到去處理嘅。

呢個做法其實都好慣常喺其他一啲嘅物料裏面去處理，唔係每逢

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一個新嘅標準出現嘅時候就立即係會跟佢嘅，我哋都會睇一睇實際嘅情況。呢個我哋而家會有一個嘅技術委員會同業界--包括有商會同埋呢個學會，同埋呢個嘅化驗所等等，去研究下點樣去處理一個新嘅標準嘅時候嘅做法嘅。

問：好，唔該。我想問第二個問題，就係話如果有新舊嘅標準同時--即係譬如你嗰個英國標準改咗，我而家一啲 minor change，有一個新嘅標準...

主席：喺邊一度改呀？你講緊乜嘢？改乜嘢嘢？你講緊喺個 regulations，喺個 ordinance 裏面講嗰啲 British Standard 抑或你嗰啲 form 裏面上高講嗰啲嘢？

答：Form 嗰啲喇，因為 form 佢列咗嗰啲裝置嗰啲 BS 未必一定喺個 regulation 有嘅。

主席：Form 嗰啲我唔 interested。

答：哦，okay。即係法例嗰啲我哋就基本上跟新嘅，如果喺個而家嗰個規例，其實係--唔係擺最新嗰個，最正確嘅做法應該係立法會去更新。

問：Okay，好，我問最後一個 topic，我想你睇一睇嗰張 WW0132 嗰張 form，琴日何大律師帶你睇過嗰張，喺 B4.3 5084。

答：係。

問：我哋琴日睇咗，何大律師嘅講法，就係話呢個就係同呢個水務署講嗰啲飲用水係冇關係嘅，因為佢話呢個係 under 個 Building Ordinance 嘅，你記唔記得？

答：係。

問：好喇，我想帶你去睇呢張 form，呢張 form 嗰度，其實佢就係 address 就係畀水務監督嘅，“To: The Water Authority”，見到嘛？

答：係。

問：好喇，然後佢喺右手邊有兩個選項嘅，一個係“Potable Water”，

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一個“Flushing Water”嘅，係咪？

答：係。

問：兩個都剔咗嘅，係咪？

答：係。

問：再睇下面，section II，“Connection to Water Supply”，同時有兩個選項嘅，一個就“Potable Water”，一個就“Flushing Water”，你嘅理解，potable water 係咪即係指飲用水，係咪？

答：係，即係食用水，係。

問：好喇，如果係食用水嘅，你再睇下佢下面，佢話“I confirm that the plumbing fittings and pipes used in the captioned project are in full compliance with Waterworks standards and requirements.”，你嘅理解，佢畀呢張 form 你，係咪同你講如果係關於飲用水嗰 part，佢都係符合咗 Waterworks 嘅 standard 同埋 requirements 㗎？

答：係。

問：好，唔該。再睇埋下面嗰頁，後面嗰頁，5085，5085。

答：係。

問：5085 嗰度就係嗰張 form WWO1005，呢個就係水務署出嘅，嗰度就批咗兩樣嘢嘅，一個就係“POTABLE WATER SUPPLY”，一個就“FLUSHING WATER SUPPLY”。

答：係。

問：個 potable water supply 都係滿足咗佢哋同你講話符合咗水務條例嘅要求之下，你哋先供呢個批准佢 supply 呢個 potable water supply 畀佢，係咪？

答：係，係。

王先生：好，主席，我有其他問題。

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主席：唔該。唔該晒，可以離開。

答：好。

王先生：主席，我知就有少少證人嘅調動，由於我哋比較緊張嗰個取水辦嘅方式，所以我哋就同委員會嘅律師商量，就係先傳召陳健民 chief chemist。

主席：好呀，好呀。

王先生：主席，如果係可能嘅，我想係由陳大律師代為宣讀嗰啲文件。

主席：好呀。

陳樂信先生：Mr Chairman, while Mr Chan is coming in, can I just double-check that the intention today is to sit today until 5.00 and not beyond?

主席：Yes.

陳樂信先生：It's just a matter of time. Yes. Thank you.

水務署第二證人：陳健民（水務署（總水務化驗師））以本地話宣誓作供
陳樂信先生主問

問：Mr Chan, what I am going to do is read in succession four witness statements, which I understand document the evidence you intend to give to this Inquiry. After I do that, for formality's sake, I will ask you to confirm the content of those statements. So please bear with me as I do that. Each statement will appear on the screen in front of you.

COMMISSION OF INQUIRY ON EXCESS LEAD IN DRINKING WATER

APPOINTED PURSUANT TO SECTION 2 OF THE COMMISSION OF
INQUIRY ORDINANCE (CHAPTER 86) ON 13 AUGUST 2015

WITNESS STATEMENT OF CHAN Kin Man

I, CHAN Kin Man, Chief Waterworks Chemist, Water
Supplies Department ("WSD"), at 45/F, Immigration Tower,
7 Gloucester Road, Wan Chai, Hong Kong, do say as follows:
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1. I am a Chief Waterworks Chemist of the WSD. My
duties include, amongst other things, overseeing the
quality and treatment of water resources, the control of
pollution in gathering grounds and the ecology of
impounded waters and to ensure that the potable supplies
conform to satisfactory and internationally recognised
standards of quality in Hong Kong; supervising the
management and operation of laboratories and radiation
screening centres; and monitoring the implementation and
maintenance of quality assurance systems of the Division.

2. I make this Witness Statement pursuant to the
request of the Commission of Inquiry into Excess Lead Found
in Drinking Water ("**the Commission**"), conveyed in a letter
from Messrs Lo & Lo to the Department of Justice dated
12 October 2015 ("**the 12 October Letter**"). Save where
otherwise appears, the facts deposed hereto are within
my personal knowledge or are derived from office files
and records and sources to which I have access, and are
true to the best of my knowledge, information and belief.
Save as otherwise specified, this Statement adopts the
same abbreviations and nomenclature as in the 12 October
Letter.

3. This Witness Statement addresses paragraph iii of
the 12 October Letter, which states as follows:

"1. describe and provide a summary of the test
results, if samples of Plumbing Materials and
water samples have been taken by the WSD for
testing after the discovery of lead in drinking

water, and identify the locations of all the samples taken;

2. state and explain what conclusions may be drawn from these test results."

Taking of samples by WSD

4. Since the discovery of lead in drinking water, WSD has taken samples of Plumbing Materials and water samples for testing in two separate contexts:

(a) To assist the Housing Department ("HD") to take water samples and samples of Plumbing Materials for examination by the Government Laboratory (except plumbing materials of Kai Ching Estate which was sampled and tested by a laboratory engaged by the HD) in order to identify which public rental housing estates/developments are affected; and

(b) Separately, the Task Force of WSD arranged sampling and testing for its own investigations.

Summary of test results

5. In connection to (a) above (i.e. assisting HD to take samples for testing), the water samples taken were tested by WSD's laboratory and the Government Laboratory jointly. According to WSD's record, a total of 937 water samples were collected from the 11 Affected Estates (Kai Ching Estate, Kwai Luen Estate Phase 2, Wing Cheong Estate, Lower Ngau Tau Kok Estate Phase I, Shek Kip Mei Estate Phase 2, Tung Wui Estate, Hung Hom Estate Phase 2, Yan On Estate, Choi Fook Estate, Un Chau Estate Phase 2 and 4, and Ching Ho Estate Phase I) for lead testing. Of the

937 water samples taken, 91 were found to exceed the World Health Organization's Provisional Guideline Value of 10 ug/L set out in the 4th edition of "Guidelines for Drinking-water Quality" promulgated in 2011. As at 22 October 2015, WSD has also taken 4,976 water samples outside of the 11 Affected Estates, from a total of 126 estates. None of these other water samples were found to have exceeded the said Provisional Guideline Value.

6. In addition, on-site X-ray fluorescence tests of the household units with water samples exceeding the Provisional Guideline Value in relation to 124 selected pipes and 139 pipe joints at the Affected Estates, as well as chemical tests on 23 samples of solder joints taken from vacant flats or non-domestic units taken from the 10 Affected Estates (except Kai Ching Estate), were conducted.

7. There are now produced and shown to me marked as "**Annexes I-III**" (i) a summary of the test results of water samples taken from the 11 Affected Estates with sampling location and details, (ii) the Government Laboratory XRF reports (please note that the first two Government Laboratory XRF reports are titled "The Report on On-site Rapid Screening of Lead in Plumbing Components in Public Estates" whereas the remaining 6 reports adopted an other presentation format and are titled "Analytical Reports"); and (iii) Analytical Reports from the Government Laboratory for testing results of lead content in solder joint using acid digestion method. The locations of the samples taken by WSD and Government Laboratory are identified in these documents.

8. In connection to (b) above (i.e. the taking of samples for testing by the WSD Task Force), please refer to the Witness Statement of Mr. WONG Chung Leung, Deputy Director of Water Supplies and Chairman of the Task Force, dated 26 October 2015, which is submitted to the Commission together with this statement, for the Task Force's preliminary findings announced on 25 September 2015. I

understand that, as at the time of this Statement, the Task Force's findings are pending endorsement by the experts of the Task Force.

Conclusion drawn from test results

9. For test results in connection to (a) above (i.e. assisting HD to take samples for testing), from July to August 2015, HD had in parallel held inter-departmental meetings with representatives from WSD (including myself or my representative), the Department of Health and the Government Laboratory to review, discuss and determine: (i) if the test results were adequate to draw a conclusion or if further sampling/investigation would be required; and (ii) what follow-up actions would be required if the test results were confirmed to have exceeded the WHO's Provisional Guideline Value for lead. Once the test results of a particular set of water samples were confirmed in a meeting, a joint press conference would be held to identify to the public which public housing estates yielded water samples exceeding the WHO Provisional Guideline Value for lead (i.e. the Affected Estates), and what follow up arrangements would be carried out. Eight such press conferences were held. There are now produced and shown to me marked as "**Annex IV**" copies of the transcripts of the remarks made by different officials at those joint press conferences.

10. In relation to the conclusions drawn from (b) above (i.e. the taking of samples for testing by the WSD Task Force), please see the preliminary findings of WSD's Task Force attached to the said Witness Statement of Mr. WONG Chung Leung. I understand that the Task Force will in due course publish its Report, in which a set of conclusions with more details and elaborations will be provided.

11. I confirm the contents of this Witness Statement to be true to the best of my knowledge, information and

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belief.

陳先生：Mr Chairman, I don't know if this would be a convenient time to pause, for me to pick up the second witness statement tomorrow morning?

主席：似乎睇落，佢哋都好劫，我哋聽日 10 點鐘繼--對唔住，九點半繼續，係，九點半。

王先生：Chairman，我有一樣嘢想向你匯報嘅，就係我同委員會嘅大律師商量過，因為我哋而家 finalise 緊嗰個 expert report，咁就可能需要陳健民先生同我哋啲 expert 有個溝通，去傾傾個 expert report 啲嘢，呢個就我同委員會嘅大律師商量過，佢哋都有問題嘅。

主席：冇問題嘅，係，好呀，聽朝九點半。

2016年2月3日

下午4時57分聆訊押後

C Wednesday, 3 February 2016 C

(9.32 am)

D (Transcript of simultaneous interpretation D

E except where otherwise specified) E

F MR ENOCH LAM TIN SING (on former affirmation) F

G Cross-examination by MR LEE (continued) G

CHAIRMAN: Mr Lee.

H MR LEE: Good morning. H

I Yesterday, I was going to show you something. There
J are actually two documents. Did you read them? You
haven't been given them? I apologise.

K I'll try not to show you too much today. K

L You have two documents with you. Please read line 1
M of the first one. It's 11 July. Can you see that, the
first line? The other one, there is a bracket,
N "10 August"; can you see that?

A. Yes.

O Q. I want to ask you about the one dated 10 August. It's
P a small point. Do you see this is a press release --
can you see that?

A. Yes.

Q. It's a special meeting of the house committee, the
R opening speech of the CS for A, Chief Secretary for
S Administration. It says:

T "Chairman, Mr Andrew Leung and members", she said T

"Thank you", and then she said:

"On 10 July there was the incident of excessive lead in water in Kai Ching Estate. It's been three months and I have chaired a cross-departmental high-level meeting. There have been 17 meetings to co-ordinate the co-operation among departments, to follow up, and there will be three principles, as I have said: that is transparency, people-based, and comprehensive investigation."

This is the stance of the highest echelon of the government; do you agree?

A. Yes.

Q. She continued to say:

"(1) There was excessive lead in drinking water in public housing estates built after 2005. It's about 2 per cent of the total."

Can you see that?

A. Yes.

Q. The second paragraph, just glance through it. Schools, nurseries, those under six.

Then (3): to assist the 11 affected estates, because that's already three months after that, so 11 affected estates have been identified.

Then paragraph (4), blood tests.

Paragraph (5), about the soldering joint containing

lead. At the beginning -- the first document is also from the CS for A, who chairs an interdepartmental meeting to follow up on excessive lead in drinking water in Kai Ching Estate. It says:

"Today, 11 July, in the morning, the CS for A chaired a cross-departmental meeting to discuss follow-up work in relation to excessive lead in drinking water in Kai Ching Estate."

Attending the meeting are the Transport and Housing Bureau, Development Bureau, Food and Environmental Hygiene Bureau, Housing Department, WSD and Health Department. It goes on THB, DB, HD, WSD, DoH and the Hospital Authority holding a press conference.

What happened on 10 July? There is this press conference on the 11th. Do you remember what happened on the 10th? Is it the case that the government had conducted tests on the Kai Ching Estate and they found problems? Excessive lead in drinking water.

A. It says:

"There is a morning meeting on the 11th to discuss about follow-up work on excessive lead in drinking water in Kai Ching Estate."

Q. The day before, the government -- starting on 3 July, there were some test results and problems were found and there was a press conference.

A. I don't remember the date clearly. It was around that time.

Q. It's not fair to ask you to recall everything. It's just what you can remember, roughly.

You say that secretary for the THB, Prof Anthony Cheung, says the government attaches a lot of importance on the incident, especially in relation to the suspected non-compliance of licensed plumbers, and also actions to be taken to deal with it, to control risk and to ensure safety of drinking water, to give peace to the public.

At a very early stage, you have already identified that the problem may lie with licensed plumbers. It was a very early stage; right?

A. I remember that, well, it says about the Housing Department that after releasing the test result of drinking water of the last batch, there was some systematic sampling work done. I remember that after we had taken water sample in relation to Kai Ching Estate, it was found that there was excessive lead in drinking water. Immediately afterwards, we looked at soldering materials, to see if there were any problems. I remember that the HD had done some tests, and if the soldering material was found to be containing lead, that would be the responsibility of the licensed plumber.

So there was a suspicion that there was

non-compliance on the part of the LP.

Q. Some groups, media, newspaper, TV stations made reports that government PRH estates -- for these estates, there was excessive lead in drinking water; is that right? You were not the one to identify this. The questions were raised by members of the public?

A. I recall that there were some views saying that there were some water sample tests done in relation to Kai Ching Estate. The HD and us looked into it in these suspected excessive lead in drinking water estates, and we took water samples.

Q. So, at a very early stage, after this incident was revealed, your government participated at a very early stage?

A. I remember it was around that time.

Q. So it was after the incident had been made public?

A. If you are talking about water sample, I think --

Q. No, I'm not talking about this result. I'm talking about water tests being done by civic bodies and the samples were found to have excessive lead, and they contacted the government. In the end, it was made public, the whole thing.

A. Well, as far as I recall, the major participation started in around July. I don't know whether you are talking about before that. Then for that, I'm not sure.

Q. But you should know that it's not that the government found it in the first place, and it was some civic bodies who found that and then the incident was made public.

A. Let me put it this way. In my view there were some tests done by some civic bodies, saying that the level of lead present in drinking water has exceeded the WHO standard, and we conducted tests to see if that's correct. The test result depends on a number of things, as I have said many times. The professionals who took the sample, the procedure, and everything was important. That's why we had to do the work. We had to conduct a comprehensive test, to see if there was indeed safety problems with the drinking water in PRH estates. It was only after, when we got the result, that we announced them.

So the chronology should be -- well, there were some tests done by civic bodies, and we conducted water tests with professional methods, and when we had the result we took the initiative to announce the results.

Q. And that resulted in the press conference?

A. Right.

Q. Let me ask you -- at the beginning, when you conducted water tests, prior to that there were some water test results shown to you by civic bodies. These tests were

done by civic bodies.

A. I don't know remember if I have actually read the reports, but I am aware that there were some figures released by civic bodies, say for example the level of lead in the tests.

Q. And they said that it had exceeded the WHO standard?

A. I recall that is the case.

Q. Then you conducted tests. You could not just take their word for it and accept their report; you conducted your own tests. I agree with that because that's a responsible way to do it. At a very early stage, what sample did you take when you were taking samples of the tests?

A. The methodology?

Q. No. The collection of samples, say for example let the tap run for two minutes, five minutes, or the water has been sitting in the pipes overnight?

A. We were aware that the public were concerned about safety of drinking water, and if we are talking about 10 micrograms per litre, that is the WHO standard, that would be the water sample, and under ISO 5667-5, in order to find out whether it complies with the WHO standard of 10 micrograms per litre, it will have to be after the tap has been running for two minutes.

Q. Yes, that is your answer, but you could make it a lot

shorter. In fact you could have just answered me first and supplement later, because this is what we all know, and it's my turn to ask you questions and I stand to be corrected if I'm not familiar with the area.

So then you decided, at the time of taking water samples, that there should be flushing for two minutes before samples were to be taken?

A. Yes, and then it was found to be in exceedance of the level. For Kai Ching Estate, I recall there were several water samples exceeding the 10 micrograms per litre standard.

Q. So, from your point of view, to take samples from water sitting in a pipe overnight would be inaccurate?

A. No. Our methodology is this. Basically, our colleagues have been using this method for a long time. It's not specially designed for this estate.

Q. This method has been used for a long time? This is the first time I heard about it. For how long?

A. All along, when we conduct assessment of water quality, we have been adopting this same method.

Q. So even before you assumed this post, you have already been adopting this method?

A. In my recollection, yes.

Q. Because of preparing to make this statement, have you checked some records to see when the methods began to be

adopted?

A. Well, I haven't checked the documents, but I heard from colleagues that this method has been used for a long time. I don't know when it began because the Water Supplies Department a long time ago started conducting water quality assessments. It must be before 1994-1995, when we undertook to comply with the WHO standards.

So before 1994 we have been conducting tests on water quality, and I understand that the same method was used, because the key is to see if the test results comply with WHO standards, and if we want to make comparisons with WHO standards, we must use the same method, that is to flush for two minutes.

Q. But do you know, in setting the standard, the WHO also adopts the method of flushing before sample is taken?

A. If you want to compare the sample results with WHO standards, the samples must be representative, and the WHO recommends ISO 5667, that is to use the flushing samples to check the water quality.

Q. What do you recall this in Chinese?

A. It should be French. I think it's an international standard, an international organisation.

Q. So you knew about the standard, the ISO requirements, when you talked about ISO 5667?

A. That is what I learned from my colleagues.

Q. So do you know that there are other requirements on the ISO? Do tell, because -- you were talking about this 5667, and it's in bundle V1, page 1. We should turn to page 6.

You have read this document before; right?

A. Page 6? Are you talking about the Commission's expert report?

Q. Yes. We asked you about the report before. The second paragraph:

"(In English) The International Standards Organisation standard (ISO-5667-5) on sampling techniques of drinking water from treatment works and pipe distribution systems states that 'If the effects of materials on water quality are being investigated, then the initial draw off should be sampled. Samples may also be taken after a specified period of stagnation to provide information on the rate at which materials affect quality or the maximum likely effect.'"

Then it talks about the UK standards, the Japanese standards, and so on and so forth.

You explained why you needed to flush the pipe before taking samples for tests, that is to comply with ISO 5667, but in fact, for part 5 of 5667, it clearly states that it should be the initial draw-off.

A. Let me clarify. The expert quoted 6.4.1 in part 5 of

ISO 5667, but he only quoted it partially. You were reading out the part about the maximum likely effect.

Q. You want to start with 6.4.1, "General"?

A. No, I just want to carry on with the next sentence, start with "maximum likely effect":

"(In English) If the quality of the water as supplied to premises is to be checked ..."

That is "(In English) quality of water as supplied to premises is to be checked":

"(In English) ... then the faucets [taps] should be cleaned and flushed at a uniform rate for 2 min to 3 min or longer if necessary to achieve constant temperature before samples are collected."

We should look at the next paragraph, because if we want to find out about the water quality supply to the premises, then it should be flushed at a uniform rate for two or three minutes or longer, in order to achieve the optimum temperature for tests. That is to say if you want to conduct an investigation, and if the water quality is being investigated, initial draw-off should be sampled, but if water quality supply to the premises is to be checked, then things are different; you should use the flushed sample.

Q. The purpose of taking samples for testing is because some PRH tenants had been affected. You knew at

an early stage that it had to do with pipe joints and licensed plumbers, and that is why the first sentence is important. That is, if the effects of materials on water quality are to be investigated.

A. Let me talk about the sequence of events. When we test for soldering materials, it wasn't done until we completed water tests. For example, for Kai Ching Estate, after Kai Ching Estate, we performed tests on other estates as well, and we couldn't launch investigation into every estate then.

CHAIRMAN: Why not? Why not at the outset conduct your investigation based on draw-off samples after a specified period of stagnation? All along you talked about your investigation being confined to one thing, that is, that the pipes should be dismantled. That is, the invasive method must be used, destructive method must be used, in order to regard this as an investigation. Any other methods of collecting samples would not be regarded as an investigation.

A. Our main aim was to look at the water quality supply to the premises. That is why we took the flushing sample first. If it showed that it complied with the WHO standard -- well, at that stage, it wasn't an investigation, and if for flushing sample we can compare the results with the WHO standard, which is

10 micrograms per litre.

CHAIRMAN: But subsequently, when it was found to be problematic in Kai Ching, did you take water samples again?

A. No.

CHAIRMAN: Exactly. Why not?

A. Because there are different ways of investigation. My colleagues can elucidate on that, but basically my understanding is that one way to investigate is to collect water samples for testing. The other way is to find out the costs -- there are different ways of investigation and some ways are not really feasible.

For example, in Kai Ching Estate, because the pipes are exposed, and it would be easy to take out the components for testing, which would be accurate.

Subsequently we did take samples from the water supply chain, and that involved a number of things, including immersing the components in water for testing.

CHAIRMAN: I know what was done subsequently, but the question is why didn't you start with the easier way, and after dismantling parts from the system, to check for lead -- well, I understand that, but it is not as simple as trying to find if there is lead in the system, but the extent of the problem. Shouldn't you use the stagnation method instead? But you haven't done it at

all.

A. Extent of the problem, what does that mean?

CHAIRMAN: Let's say if what you said were true, you conduct the first round of tests to assess the water quality, following the WHO's recommended methodology, and then you find that the results were in exceedance, you should proceed with the next stage, that is to take down components instead of taking stagnant water.

A. Because we already knew --

Q. But lead was present. You would like to know the extent, wouldn't you? Wouldn't you like to know how much lead was in exceedance? Wouldn't you want to know how many residents were affected?

A. Well, perhaps if I may be permitted to lay out the logic of our methodology.

MR LEE: Yes, I would like you to talk about your logic.

But you don't need to repeat your answer for the sixth time.

CHAIRMAN: The question has been put for the sixth time.

A. I just want to give you the whole picture. Our philosophy is this. Say for a particular estate, not just Kai Ching Estate, if you want to find out if the water quality is safe, then the standard we use is the WHO standard, that is 10 micrograms per litre. This is the reference for comparison. Then we ask ourselves

what should be the method of collecting water samples.
For making this comparison, if we adopt the WHO's
recommendation to use ISO standard, as I said, we should
take flushing samples, because only by taking flushing
sample would we be able to compare with the
10 micrograms per litre standard. Then, adopting this
method, we then checked the level of lead in water, and
we have been able to do that, taking flushing samples
for comparing with the WHO standard. That's the first
point.

And is it safe for drinking in that estate? This is
the method we should use in comparing the results with
the standard.

Q. Have you finished?

A. So we need to have a set of standards and a methodology,
to proceed with the test.

Q. I understand you, but the problem is this. You just
read out this sentence from the report. Under normal
circumstances, perhaps if the government would like to
take a people-based approach and the government would
like to see if water is safe for drinking, so water
tests are performed territory-wide, then what you said
in the latter half of this paragraph would be true. So
the pipes should be flushed first and it should be cold
water, because the government is the supplier, the

government supplies water, so to reassure the public, water samples should be taken to reassure the public that the water samples comply with international standards.

You also found as well, it's not just specific bodies, that even flushing for two minutes, there is still excessive lead. You should be shocked, because -- if you are people-based, you should be shocked. So you need to find out what went wrong, because a responsible government, especially one that is people-based, should find out what happened and how many estates have been affected, and no matter how many estates, there should be replacement.

A. Yes.

Q. The problem started in the past, but it doesn't really matter. You have to solve the problem. You need to know -- well, there may be 11 affected estate, so you should not just follow the first few lines of what this expert said, because if you want to find out the effects of the material on water quality are being investigated, then that is exactly what you were doing. So you have to follow the logic and do the first draw.

So, of course, in general, you have to test the water quality, and if the quality is good, that's fine, well and good. But now something happened and you knew

that there was lead, so you needed to find out the effects of the presence of lead in water. So you do need stagnation and that is abundantly clear.

I am not familiar with this. I've read it and I understand it. There's no reason for you not to.

A. We have to approach experts for advice.

Q. It's not the case. Whatever the experts say, you may find different experts with different opinion, but you are in this position. You have to use your judgment to make a decision. You should not just ignore what the other expert says simply because one expert said one thing, whereas the other -- the other expert says something that is perfectly reasonable and in line with ISO.

I think it is not just your problem. I think the government deliberately did not want to know about the extent of the problem, because the more extensive it is, more people will be affected, there will be more people having their blood tested and more people would take the government to court.

You are a government official and you are selected to come to explain the stance of the government. I feel sympathetic toward you. That's why I said to you, relax, just tell the truth and we would all understand. I just hope that you won't be too defensive because it's

not your problem. It's not personal. It's the problem of the government and you are under oath. So please just say what you have in mind.

CHAIRMAN: But just now someone was sent to prison for that.

A. Thank you. First of all, I don't agree that the government has tried to deliberately conceal something.

When you asked me whether I agree when you read the report, the government attaches a lot of importance on this incident. The first point you said is that we should immediately look into how many estates have been affected. I would like to take the opportunity to say that since July, we have sent a lot of colleagues, some retired, to collect samples. You may not know the work involved in taking of samples.

MR LEE: Yes, but why not take one more step to take one more sample?

A. You said we were anxious to find out how many estates were affected, but we are talking about the entire procedure to see if the estate has been affected. Please be aware of the complexity of the procedure. We are talking about say six blocks in an estate. We have to make arrangements to gain entry. There are many blocks in many estates.

Once you have collected the water sample, it doesn't mean you get the result immediately. You have to take

it to the laboratory for tests, which itself is very professionally done. Our colleagues worked throughout the week, long hours.

I want to illustrate with the information that the government attached a lot of importance to the incident and would like to find out as soon as possible.

Q. Okay, using your example, the same amount of work, the same level of manpower, you can test fewer flats, but for each flat you will test first draw, or only first draw and nothing else, because when you test first draw, I think the test time will be the same as that done for a two-minute flush?

A. If fewer flats are tested, there will be other problems.

Q. That may be right, but it would be better than now. There may be many estates and many blocks. That means many people live there. If you and the government insist on ignoring the view of international experts and not following ISO 5667-5, the health of a lot of people may be seriously affected. Have you considered it in this perspective: it's people-based and not government-based?

A. I agree, yes, it's people-based. When we talked about ISO 5667-5, it sets out clearly that if we are looking at the safety of drinking water, it is suggested to use a flushing sample.

Q. No, it's not the safety in general. But this is a very important question: do you know that people who live in PRH units or private housing, the habits, will anyone first thing in the morning turn on the tap, fill the kettle and use the boiled water throughout the day?

A. Of course, we have to conduct a survey on that. But if you say there is one person who does that, I wouldn't say none of them.

Q. I am talking about most people. Most people, when they wake up, they will fill the kettle and use the boiled water for breakfast. You expect them to use the water when they wake up to mop the floor? I am sure that a lot of people, it may not be the majority of the people but a lot of people, not just one or two people, would do this. Don't you think that the health of people are important, the health of children?

A. We have to do a survey.

Q. You don't need a survey.

A. To find out whether it is the majority or not.

Q. But even if it's a minority, we are talking about health, it's very important.

A. It's about drinking water throughout the day, and it's not just the drinking water collected during that day.

For 1 litre, no more than 10 micrograms, it's about the representative water used throughout the day, not

just a particular point of time in the day. For
ISO 5667-5, this method is suggested and not first draw.

Q. No, talking about -- it applies to the general
condition, and if you want to know whether the water
quality is good in general in Hong Kong, then you use
this.

A. Yes.

Q. But now you found out that there is lead in drinking
water and you want to find out the effect, you will have
to test first draw. That's what it says here.

A. If we conduct extensive tests on the safety of drinking
water in public housing estates, I agree it will be the
sample after flushing.

Q. No. I have read your reports, and they said that if --
well, it's not accurate to take stagnant water, because
you only collect water that is closest to the tap and so
it's not representative.

A. That's one of the reasons.

Q. It's exactly the reason that this first draw will hurt
your health most. If I live in a public housing estate,
in Kai Ching Estate, and if you told me that the water
is very safe because we have tested the water, we
flushed it for two or five minutes and it complies with
international standards, so it's very safe. But then
I will ask, "In the morning, when my wife wakes up, she

will fill the kettle immediately, so is that safe?",
then what would you say?

A. Then you won't use the standard of 10 micrograms.

CHAIRMAN: Please, Director, repeat.

A. For 10 micrograms per litre.

CHAIRMAN: So you say, in that case, a person consuming

1 litre of water and if it contains less than
10 micrograms, that's fine?

A. No, we're talking about first draw.

CHAIRMAN: We're talking about that particular example and
is that what your answer means?

A. My understanding is that the standard of 10 micrograms
per litre is over a long period of time, on average. If
you just take the lead content in the first draw to
represent the average of a month or a day, that is not
the indicator of the WHO.

MR LEE: But everyone has a different habit. My wife wakes
up earlier than I do.

CHAIRMAN: Well, if I follow your logic, Director, that
means I take 25 today, tomorrow I take 5, the day
afterwards I have 25 or 100, and then after that 0 -- in
any event, on average, as long as it's under 10, that
will be fine; is that right?

A. That will be for the expert.

CHAIRMAN: No, that is not for an expert to answer, because

you are the Water Authority. In the end, it's for you to decide. If that is the figure, if these are the figures, and you, as the Water Authority, think that that is -- you will decide whether that is safe and whether that is good for Hong Kong people?

A. If you are talking about sample after flushing, and if lead content exceeds the standard -- well, we say the water is not safe, so I want to see -- what happens in other countries, for reference, say in the UK, they use different ways to test the water. They wouldn't immediately say that the water in that block is not safe. They will have to do some investigative work.

CHAIRMAN: I do understand. You talk about the individual factors. That's why we are doing it your way. Mr Lee said that, "My clients will fill the kettle immediately when they wake up", and the lead content would exceed the standard, and you told us about 10 micrograms, the WHO standard, but that 10 micrograms is the weight of the person over a long period of exposure, and that's why the WHO set this standard of 10 micrograms. You said that may not be harmful as long as, in the long run, there is no exceedance.

A. I do understand that, but I would like to say that when it's found that the water sample of a particular estate contains excessive lead, what should be done.

CHAIRMAN: That is not the question. The question was --
you don't even test first draw.

A. Let me explain. If you refer to 6.4.1, if you want to
know about the water quality --

CHAIRMAN: Well, Mr Lee, I think I will only give you ten
more minutes on this topic, because I don't think he
will change.

MR LEE: All right, so I still have ten minutes to go.

Just now you said -- I understand, say, that for
somebody turning on a tap, then you can take the
average. I recall that Dr CH Leong even said it would
be safe to drink directly from the tap, but that was ten
years ago. Say, for somebody who takes a sip, say for
rinsing, for gargling, and then the person drinks
another sip of water, then yes, the reading would be
low. But now the problem is we have evidence that some
residents are affected. That's the result of some blood
tests. That is because they used the first draw water
straight from the tap for filling the kettle for
cooking.

So you knew there was a problem. You knew the
problem. How can you still say it's complying with the
WHO standard and hence safe? Maybe in a day, apart from
the first draw, or the first few litres coming from the
tap, the rest of the water was safe for residents, but

that is not the answer. For water tests in an estate, would you agree that you should test for water in a pipe left overnight? Do you agree or not?

A. Let me respond.

Q. That means you disagree? I only have ten minutes. If you want to respond, that means you disagree. Agree or not?

A. Earlier you said --

Q. Agree or not? You can say "disagree" first.

A. Maybe you can repeat the part that you ask if I agree about, because I agree to part of it.

Q. There is clear evidence that for some residents, some households, they have been affected, because the way they use water is this. They use water straight from the tap, first thing in the morning, for filling the kettle.

A. You are talking about affected estates; right? We agree these are affected housing estates, and of course there is a problem there.

Q. In case there is something wrong with water in a household, that means a problem with the whole estate.

A. Now, if we find a sample in exceedance in a particular unit, then we would recommend residents in that affected estate not to continue to drink water from the system.

Q. Right, so that's an affected estate, as you call it. So

if excessive levels of lead is found in blood of these residents, and also excess lead in drinking water found through water tests, then you would regard it as an affected estate?

A. Let me put it this way. We compare the water test results with the WHO standards, and if it's in exceedance we would recommend residents not to drink water from the water supply system of that estate. That is why the Housing Department had arranged for bottled water and water tanks for those residents.

Q. Now, you know there are 11 affected estates. For other estates, do you believe there's no problem? "yes" or "no", a simple question; "yes" or "no"?

A. We don't see any problem with other estates. So no problem with other estates.

Q. You can say that there is no problem with other estates, because that's the result of water tests, that you take a two-minute flushing sample; "yes" or "no"?

A. Yes.

Q. Then, according to your test results, it complies with the WHO standard?

A. Right.

Q. So you say these estates are not affected.

My question is this. For any of these estates which you consider to be safe, had you taken first-draw

samples, the consequence would have been very different.

A. You mean to say the lead content would be very different?

Q. It would be in exceedance.

A. What is meant by in exceedance? We should not use 10 micrograms as the reference value.

Q. So what standard?

A. No reference value. You cannot use 10 as the basis for comparison.

Q. Of course you can't, because if you use it, it would definitely be in exceedance.

A. No, that's not what I mean. I want to say that I am not an expert in this area, but I know that there is a philosophy behind setting the value at 10 micrograms. That is, if you take water samples from water left in the pipe overnight, and then you compare with the 10 micrograms WHO standard to say it is in exceedance, then this is problematic.

Q. I think you're problematic because if you use -- because according to the WHO standard, if it goes above 10, then it's not safe.

A. That is adopting the method of flushing.

Q. We are talking about drinking water; right? So if you drink water containing more than 10 micrograms of lead, it would be unsafe. If you take samples from the

drinking water and find it to be above 10 micrograms per litre, then it is unsafe; right?

A. Well, there is a method of taking water samples.

Q. Let's not talk about sampling. Do you agree that there is this WHO standard?

CHAIRMAN: Using your method.

A. The WHO recommends ISO 5667.

CHAIRMAN: Well, taking your method to be right, would it be unsafe to have a reading above 10?

A. Yes, using a flushed sample, after flushing, then the result would be problematic if it is above 10.

MR LEE: It is problematic, because it is for drinking. If it's only for taking a shower, then of course there is no problem.

A. True.

Q. Thank you for giving me a simple answer.

So it would be all right for other users, not all right for drinking, but it's also the habit of many people to drink from the tap with water left overnight?

CHAIRMAN: But that's not a fair question, because some people may take water from a well for drinking, knowing very well the risks involved. There is only one standard, and what I am trying to say is this.

Of course, the 10 microgram standard should be a universal standard for testing all sorts of water,

including water from a well. But indeed there are some who would like to take a risk by drawing water from a well instead of going to somewhere further away, to drink from a tap.

MR LEE: Let's not talk about that. There are two scenarios in 6.4.1. Under normal circumstances, to test whether water is safe throughout the day, you can use the better method, that is to test whether under normal circumstances the water is safe for drinking.

But under the circumstances where you need to investigate, then you need to take samples of water left in the pipe overnight, because it's for drinking. Do you see the logic? Drinking water, or water for drinking, that's important.

A. I just want to repeat my point.

Q. You can just say "nothing to add". That's what you said in LegCo anyway.

So the question is very simple. We are talking about drinking water, and I'm talking about residents living in these estates, not only residents drinking water from home in the afternoon, but residents drinking water very early in the morning. Do you have to take care of them as well?

A. But in determining whether drinking water is safe --

Q. Then you use the 10 micrograms standard. For first-draw

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 51	
C	sample, you can't really tell.	C
D	A. What I am saying is you can't say, simply by the first cup of water, but the water drunk throughout the day.	D
E	Q. (Chinese spoken).	E
F	A. If you follow the WHO standard, it is based on the average value.	F
G	Q. You are not familiar with the public health aspect of the matter.	G
H	A. (Chinese spoken).	H
I	Q. (Chinese spoken). I just want to tell you that the WHO standard is representative on two levels.	I
J	A. Well, allow me to explain about what we did.	J
K	(Chinese spoken) --	K
L	Q. I know what you did. Let me tell you -- about your method of collecting water samples, did you discuss it at the interdepartmental meeting?	L
M	A. That was not the focus.	M
N	Q. But did you discuss it?	N
O	A. No, not as I recall.	O
P	Q. Not at all?	P
Q	A. Because the interdepartmental meeting focused on WHO and international standards.	Q
R	Q. So they also wanted to know if drinking water in Hong Kong is safe or not. Otherwise, they wouldn't have put their heads together in a meeting.	R
S		S
T		T
U		U
V		V

A. That was their concern.

Q. So did you tell them that the drinking water was safe, apart from these 11 affected estates; did you say something like that?

A. We told them about the test results, and once the test results were known, according to the WHO standard, they would be regarded as within limits.

Q. That means safe. So they relied on you?

A. (Chinese spoken).

CHAIRMAN: So everybody relied on the water testing method of the WSD?

A. Of course.

CHAIRMAN: But of course you are not familiar with the method. It's your chemist, Mr Chan, who suggested the method for testing water? At the same time, he would also check some standards.

A. Right.

CHAIRMAN: But initially, you would not recommend a method; you would heed the recommendation of him.

A. Yes, but it's based on some recommendation.

CHAIRMAN: Right. Of course, he would have referred to the ISO 5667 and the WHO Guidelines before making this suggestion.

MR LEE: In the end, it was up to you to take his suggestion, Director.

A. Now, if I was shown the documentation, I would not see any problem.

Q. About the sentence I read out?

A. About testing water quality.

Q. But we were talking about the sentence before that.

CHAIRMAN: I think time is up.

MR LEE: So, for interdepartmental meeting, apart from having a meeting, how did you communicate with each other? By phone? I mean involving the six bureaus, three departments and Chief Secretary for Administration.

A. I don't quite understand what you mean. Do you mean in the meeting?

Q. No, after the meeting, for follow-up work, would you discuss it over the phone?

A. I personally seldom did that, but I don't know; perhaps other colleagues followed up with other departments.

Q. What about you? How did you follow up on it? By memo?

A. Well, if follow-up was necessary, I would use email or by phone, if necessary. But basically, for follow-up action, the role of the WSD was to perform water test as soon as possible, to test for drinking water, and I believe that for frontline work, say residents' meeting, some co-ordination work was required and there would be communication amongst departments.

A	<i>Annex: Realtime English Transcription based on floor / Simultaneous Interpretation</i>	A
B	Commission of Inquiry into Excess Lead Found in Drinking Water	Day 51 B
C	Q. When the expert report was published, was it discussed in the interdepartmental meeting, this report?	C
D	A. Because --	D
E	Q. No, not "because". "Yes" or "no"?	E
F	A. Well, no.	F
G	Q. Don't you think that is important?	G
H	A. The expert report suggested an alternative method.	H
I	Q. No, they said you are wrong.	I
J	A. I don't know whether it actually says we are wrong, we are all wrong. I have the expert report here and it says, in the penultimate paragraph:	J
K	"(In English) Fully flushed samples on their own may serve the purpose of assessing the general quality of a drinking water as supplied ..."	K
L	And it says here, the wording --	L
M	Q. Go on and read the next line, "general".	M
N	A. This is talking about "(In English) concentration of lead or other metals from the internal distribution system to which the consumer is exposed."	N
O	It's talking about extent.	O
P	Q. General quality of drinking water, in my view, is from the source, Dongjiang water or whatever, after treatment, to public housing estates. I do agree it's the general quality of water, and when it reaches the public housing estate, because of problems with the	P
Q		Q
R		R
S		S
T		T
U		U
V		V

joints of the pipes, the water quality is substandard. That's how you should look at it. Your English is very good and I am sure you can understand it. There's no reason for you not to.

"(In English)... will not give a representative assessment of the concentration of lead or other metals from the internal distribution system to which the consumer is exposed."

That's what we are concerned with. 6.4.1, you only look at the lower part, and this, you only look at the upper part. That's not the way to do it.

A. We want to know about the water quality.

Q. Parents would like to know the water quality drunk by their children, not general water quality. You may say that the water quality in Hong Kong is very good, it scores full marks, but it serves no purpose. What about their children?

The last paragraph:

"(In English) Based on the above, data from fully flushed samples are not likely to be representative of the extent of lead exposure."

What the COI is looking into is the extent of lead exposure, because there are a lot of people affected. However, this report was not shown to Mrs Carrie Lam. Was she shown it?

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A. You asked whether it was discussed in the interdepartmental meeting.

Q. Did you give her a copy? She is the chairman.

A. I am sure she is aware of this report.

Q. But it is for you to give it to her.

A. Well, my colleague would. Paragraph 2 here says about ISO 5667-5. So I'm not only looking at the last bit. They talk about the standard to take water sample, and what I have read, it says if the quality of water is used for a check, that's the method we have used.

Q. Don't insult our intelligence, please.

A. That's not my intention.

Q. It says very clearly here. How can you say otherwise?

A. I have nothing to add.

Q. But I have something to add. But not about this point.

Tell me if I am wrong. Your practice is that in PRH units, if you find, in a particular flat, exceedance in the drinking water, that is in relation to the WHO standard, there will be blood tests; is that right? Is that the order?

A. I think it's selective.

Q. So water quality problem, and then some children, pregnant women, lactating women, these groups; right? For those with chronic illness, they did not have or they won't have any blood tests arranged for them?

A. I'm sorry, I'm afraid I can't answer you.

Q. Never mind. So for these three groups of people, there will be blood tests. So in their flat, a problem with the water quality, and if the three groups are present in this group, of course there will be blood tests?

A. It's on a voluntary basis.

Q. Of course you won't force them. The government will help them. And if there are problems with their blood, then you will give them treatment; is that right?

A. I know there is some follow-up work on the part of the DoH.

Q. And if you think that there is an affected estate, you will take samples?

CHAIRMAN: But there has been water quality tested.

A. But there has been water quality tested.

MR LEE: I'm talking about the others. And you will test more?

CHAIRMAN: No.

A. Because we will ask the entire estate residents not to consume the water.

MR LEE: So no more tests done.

CHAIRMAN: So there will be tests done for the three high-risk groups, and there won't be any tests done on people other than these three groups, to see if there is any exceedance in their blood.

MR LEE: So the most important thing is to test water, to take water sample, because that will affect your plan.

CHAIRMAN: So taking water sample, it's back to that point.

MR LEE: That is very important, the taking of water sample. You have to seek expert advice, because otherwise you would not be able to find the extent of the problem.

A. Taking water sample is one of the important areas but our remedial measures are equally important, because if we find there are problems with the water of a public housing estate, we needed to identify the source of the problem, and if it's something to do with the soldering material, from the information I have read there are different approaches, one of which is that, if possible, problematic fittings and pipes and solder material will be replaced, and if you refer to overseas practice and if they find problems, the difficulties they encounter.

Q. I'm not concerned with what happens overseas.

A. That's for reference. The most effective way is to stop that source.

MR LEE: There is already a decision, you have already made a decision that your department will, no matter what, not test first draw; is that right, "yes" or "no"? That was definitely not done because you said it was not effective and not accurate.

A. That's not what I said. That is not accurate.

Q. So, in relation to the lead problem, your department will definitely not test first draw; "yes" or "no"?

A. You talk about --

Q. There is a policy. There has always been a policy that is being followed now, that when it comes to lead content, you will definitely --

CHAIRMAN: I think you need to ask the other way around.

So as at today, you still find your water sampling method correct? Unless there is some change, you will continue to use the same method.

MR LEE: What will happen to cause a change? The COI? If the COI says that your sampling method is wrong, then you will change?

A. We will listen to different views. That's the most important thing, for you to listen.

Q. You say -- they will only listen to you but there's no guarantee that they will hear you.

A. Well, the COI will make some recommendations. We will look into the recommendations.

Q. Of course, you are a civil servant and you have to take into account the decision of your superior. That's fair.

A. I know that some water quality experts will give evidence, and they will give a clearer explanation.

Q. But you are aware of the experts. They are your experts

and their views will be the same as yours.

A. Of course, they have taken into account our approach.

Q. So their views will be the same as yours?

A. More or less.

Q. I have to be very fair to Chan Kin Man as well. The government's stance is that a water sample will be taken after flushing for two minutes. Is it the case that they influence you? You just fully adopt their view, or you have exercised independent thinking and share his view?

A. As I said, this is not a recent approach. It's been the established practice and is fully justified.

Q. But has it ever occurred to you that it may be wrong?

A. Yes, I have considered it, but that's based on --

Q. That is fully supported by evidence.

CHAIRMAN: Let's move on to a different point.

MR LEE: Let me tell you that when it comes to the excessive lead in drinking water, the government, including you, deliberately did not want to know the seriousness of the problem.

A. I do not agree.

Q. I will explain to you why I said that, because the government, including you, know that if you test first draw, you will have to do a lot more work, because a lot more estates will be affected estates. As was suggested

to you, there are some borderline cases. If you test first draw, there will be exceedance, and you don't want to see this consequence and that's why you point-blank refused to test the first draw.

A. I do not agree.

Q. The government is aware that if they are not happy with the result of the test of certain samples, then you would just ignore these tests.

CHAIRMAN: Please repeat.

MR LEE: Well, water samples have been taken by your government, and even after -- even they are flushing samples, and in some cases some of the findings will be discarded.

A. I do not agree.

Q. Let me give you some examples. C19.7, tab 160, page 15517.

On page 15517, there is this table. Please take a look. For public rental housing developments, "(In English) Total No. of samples taken by WSD for lead and result issued", then "(A)=(B)+(C)+(D)+(E)". Then "(In English) No. of samples tested by WSD for lead and result issued", and then subcolumns, "(In English) No. of sample exceeding the WHO PGV for lead", and then (B); and then for 11 affected PRH developments; next, unaffected, "(In English) completed in or after 2005".

That's the second row. Then the third row,

"(In English) Unaffected PRH Developments completed before 2005", and then some columns with figures.

WSD and the Government Laboratory, the two departments were responsible for testing water. So you have two separate columns. For (B) and (C), these were sampled tested by the WSD, and then (D) and (E), tested by GL.

Then over the page, page 15518 -- then affected developments, on the left-hand side, eight estates, in the first column -- do you see that?

A. Yes.

Q. The second column, counting from the left, "(In English) No. of samples taken by WSD for lead and result issued", and "(A)=(B)+(C)", and then a column of figures. And then across, "(In English) No. of samples tested by WSD for lead and result issued". The first sub-column, "(In English) No. of sample exceeding the WHO PGV for lead", (B1), "(In English) No. of sample with lead within WHO's PGV", (B2), and total number of samples, then another column of figures. Then further across, "(In English) No. of samples tested by Government Laboratory", then (C1), those exceeding; (C2), those within; and then "Total No. of samples".

Let's look at samples tested by your department,

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

B Commission of Inquiry into Excess Lead Found in Drinking Water Day 51 B

C those exceeding, and then I read from the column: 7, 5, C

D 1, 2, 0, 1, 16, 4, those exceeding. Then (B2), within, D

E another column of figures. E

F It's done by random sampling; right? You didn't F

G take samples from all units? G

H A. Right. H

I Q. Then "(In English) Total No. of samples", that is I

J "(B)=(B1)+(B2)", the first one, 93, and then J

K a footnote 1; do you see? K

L A. Yes. L

M Q. Footnote 1: M

N "(In English) Apart from the 93 samples, the test N

O results of 6 samples were not issued ...". O

P So some samples not issued by the department -- why? P

Q What possibly could be the reason for not issuing the Q

R test results? It's either in exceedance or within the R

S PGV. Can you think of any reason why? S

T A. I don't know. T

U Q. All right. Just say you don't know. U

V Please look at footnote 5. Footnote 5 is from the V

last column on the right, "(In English) Total No. of

samples", and then you see "59"; do you see that?

A. Yes.

Q. Then the footnote, that is for Shek Kip Mei Estate

Phase 2. Then footnote 5, please read it:

"(Partially in English) Apart from the 59 samples, the results of two samples of [Government Laboratory's] Lab Nos. [and then the numbers] were discarded after detailed investigation and resampling. The sample [of one of them] contained a visible black particulate. It was observed that the abnormal test results of [this one and the next one] were probably caused by non-repeatable, sudden transient surge of accumulated lead containing deposits in water, whilst the [other sample] might also be affected by suspected environmental contamination. Both were discarded as unrepresentative after detailed investigation by the WSD."

So, if there was a sudden surge of accumulated lead, then this should be important. Why was it discarded? Let's say if you take a sample now, in a container, and then you subsequently found that the sample has been interfered with, you will discard it? Fair enough.

Let's say if some children have tampered with the sample, then it will be discarded, not tested. Fair enough.

But because of a sudden surge of accumulated lead and that is not representative, all samples should be taken and compared at the same time. So now it's not accurate.

A. I can't answer you, but let me clarify or point out one thing. Professionals such as the chemists, they have their own professional conduct. It's their professional of judgment to set out this fact, because this estate had already been declared an affected estate. I don't think they have the intention to deliberate tamper with or change the test results, because the estate had been declared as affected. Then I trust my colleagues and I believe the chemists in the Government Laboratory also have professional standards to uphold.

I don't think they are trying to hide test results which might lead to undesirable consequence, but if you ask me for details, I don't think I can answer you.

Q. So who should I ask? Who should know?

A. I think the government chemists should know. But in the past there have been instances when, after taking a water sample, air got in. It's a form of environmental contamination, as I know.

As for the details about footnote 1 and footnote 5, I can't answer you.

Q. Footnote 5, the last sentence:

"(In English) ... might also be affected by suspected environmental contamination."

But suspected environmental contamination would always exist.

A. I recall that one sample was taken from the management office, but I recall that the ventilating fan was very dirty and the dust might not be visible, because for 10 micrograms we are talking about a very minute quantity.

Q. But I'm talking about this reason. All samples might be affected by suspected environmental contamination.

A. Not necessarily. It depends on the environment, like the management office I mentioned.

Q. All right. Then footnote 6. That refers to "(B)=(B1)+(B2)", "(In English) Total No. of samples". Then the small number 6 next to 74, that is Hung Hom Estate Phase 2. 74 and then footnote 6; do you see that?

A. Yes.

Q. Then let's read footnote 6:

"(In English) Apart from the 74 samples, two samples were discarded by WSD due to unrepresentativeness after detailed investigation."

A very general statement, and you had no idea?

A. I can't answer you, but I think if they were trying to deliberately hide something, they wouldn't need to put this in a footnote. They had no idea what the test results were. They only said that the samples were discarded.

CHAIRMAN: But definitely it would be in exceedance for the sample to be unrepresentative, otherwise they wouldn't have written it down. But that's the logical conclusion.

MR LEE: Let's turn to page 15520. "(In English) Table No. 2 -- Unaffected PRH Developments completed in or after 2005".

Let's turn to page 15524. Do you see that page?

On the left, you see "(In English) PRH Developments" -- Lok Fu, et cetera -- and next to it, "(In English) Total No. of samples taken by WSD for lead and result issued". Then there's a subtotal, 3,780, and then footnote 12; do you see that?

"(In English) Apart from the 3,780 samples, the test results of 102 samples were not issued by HD or discarded for various reasons, of which 73 were tested by WSD, 29 tested by GL."

Do you know under what circumstances the Housing Department would not issue or would discard the samples?

A. I can't answer you.

Q. Then page 15525. "(In English) Table No. 3 -- Unaffected PRH Developments completed before 2005".

Then page 15532. Again, the first column, "(In English) PRH Developments", and then, "(In English) Total No. of samples taken by WSD for lead and result

issued". Then the total, 2,634, footnote 13. Then, at the bottom:

"(Partially in English) Apart from these 2,634 samples, the test results of 9 samples were not issued by [the Housing Department] or discarded for various reasons, of which 1 was tested by WSD, 8 were tested by [Government Laboratory]."

I assume that you are going to give the same answer, that you don't know?

A. I don't know.

Q. Shui Chuen O Estate isn't an affected estate; is that right?

A. That's according to my recollection.

Q. So let's turn to A2, item 31, page 915. In this table, "(In English) [Public rental housing] developments with lead in water samples complying with WHO's provisional guideline value". So those in compliance.

Then, on the left-hand side, "(In English) Name of ... development", and then entry number 4, "Shui Chuen O Estate Phase 1". Do you see that?

A. Number 4, yes.

Q. Then across, "(In English) Main contractor", "(In English) No. of samples taken", "(In English) No. of samples with excess lead", zero, and then there is this note.

Let's go to the note. Page 917. It says:

"(In English) One sample taken from a vacant unit at Hei Chuen House of Shui Chuen O Estate was found to have a lead level of 14 micrograms per litre, which slightly exceeded WHO's provisional guideline value. The water samples taken from the rest of the three domestic blocks did not exceed the value. WSD took more water samples from Hei Chuen House for testing to ascertain the situation. After analysis, it was concluded that the water sample which exceeded the value might have been affected by the environment."

So water samples were taken, and it's found that there was exceedance and more samples were taken, and the conclusion was that it might be affected by the environment and, as a result, the entirety of the tests were rejected, and so it says zero here.

I'm afraid you won't be able to explain.

A. May I try? I remember that we have explained. If I could remember correctly, for Shui Chuen O Estate, it was the beginning of the population intake and a lot of flats were undergoing decoration. I heard from my colleagues that the environment was not ideal.

Q. Actually, there is some document.

CHAIRMAN: Perhaps you just tell us what the document says without showing that to us, Mr Lee.

MR LEE: It's the director for WSD, and it's a press conference speaking note, in relation to follow-up actions of the exceedance of lead in drinking water.

Lam Tin Sing said in the press conference -- it is his opening speech:

"Yesterday, I announced the 43 samples taken from Shui Chuen O Estate, and one was taken from Hei Chuen House, a vacant unit. There was a lead level of 14 micrograms per litre, which slightly exceeded the WHO's guideline of 10 micrograms per litre. And for the other samples taken at Hei Chuen House, they all conform with the WHO Guidelines, so we think that the one exceeded sample was maybe contaminated by the environment. Today we take water samples systematically in the same supply pipe. We will also take samples in different units from the same floor, and on different floors test results say that the lead level all conforms to the WHO standard. After analysing the one exceeding sample, we conclude that that sample may be affected by the environment, resulting in the slight exceedance."

A. I have a recollection of that.

Q. So you can expand on that; right?

A. Well, you read out what I wanted to say.

Q. Contaminated by what?

A. As I said, there are a lot of flats undergoing

decoration; it is practically a construction site. The environment was quite appalling. So there was a need for us to conduct more in-depth analysis, not just in that flat, but in other flats on the same floor, in the same supply chain, to see if there is any lead exceedance.

From what you have read, we have also taken samples from other floors. If I remember right, we have collected more than 10 samples. There's one sample that shows exceedance, and we have taken 10 more samples.

Q. That was 15 July last year, 2015. That was the press conference. 15 July.

A. (Nodded head).

Q. On 14 July, that is the day before -- let me show you something.

CHAIRMAN: Mr Lee, I want to know what your questions are about.

MR LEE: That is, Shui Chuen O Estate may be an affected estate.

CHAIRMAN: I can tell you, though, the Commission has visited Shui Chuen O Estate. You may know the result today or shortly afterwards.

MR LEE: So I have to be short on this?

CHAIRMAN: Yes.

MR LEE: C19.1, item 107, annex II, page 9978. Page 9970.

C Page 9976. Please read the introduction. You asked C
the Government Laboratory to assist in conducting
D "(In English) ... on site investigation of lead in D
E plumbing components ... [Government Laboratory] employed E
F X-ray fluorescence (XRF) method which is a fast and F
reliable screening technique ..."

G Do you see that? G

H A. Yes. H

I Q. It continues to say: I

J "(In English) ... for lead on the surface of the J
plumbing components. The on site screening of lead is
K based on a portable XRF analyser ..."

L And there is the model number. L

M (In English) The screening limit of lead is M
N 1 per cent ..."

O What is "w/w"? O

P CHAIRMAN: Weight over weight. P

Q MR LEE: The date, the second one, 14 July; can you see Q
R that? R

S A. Yes. S

T Q. To the right: T

U "(Partially in English) Responsible officer. WSD. U
V Government Laboratory". V

V Venues: on 14 July, Shui Chuen O Estate, four vacant
flats.

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 51	
C	"(In English) 1. Exposed water pipe(s) in the water inlet outside the flat.	C
D	2. Soldering points at the joints of the exposed water pipe(s) in toilet, kitchen and outside the flat.	D
E	3. Screeners of the water taps in toilet and kitchen of the flat."	E
F	"	F
G	Can you see that?	G
H	A. Yes.	H
I	Q. Page 9978. The heading:	I
J	"(In English) 2. Date of examination: 14 July 2015 (Laboratory Number ...)	J
K	Address: Site I.	K
L	Estate: Shui Chuen O Estate.	L
M	Building: Hei Chuen House.	M
N	Flat number ...	N
O	Location: Kitchen.	O
P	Examination points: The soldering point" -- not detected. That is under "(In English) Detection of lead by XRF".	P
Q	"(In English) 2. The screener of the water tap" -- in the kitchen, it is detected.	Q
R	What is "screener"?	R
S	A. If you loosen the tip of the tap, it's kind of like a strainer, trapping debris.	S
T	Q. So the nozzle?	T
U		U
V		V

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 51	
C	A. It's the tip of the nozzle.	C
	Q. (Chinese spoken).	
D	A. Yes, I understand that to be the case. You can loosen	D
E	it.	E
F	Q. It strains and traps debris, solids. So if you take it,	F
	it can be green?	
G	A. You have to regularly clean it.	G
H	CHAIRMAN: Plastic ones may be green.	H
	MR LEE: So there's this screener. You test it.	
I	CHAIRMAN: XRF analyser.	I
J	MR LEE: Is that supposed to be accurate?	J
K	A. You talk about XRF?	K
L	Q. Yes.	L
M	A. To a certain extent, because after XRF -- and this is	M
N	a rapid test. If you want to be accurate, you have to	N
	dismantle it and use a scientific method for	
O	examination.	O
	Q. The introduction says it's "(In English) a fast and	
P	reliable screening technique".	P
Q	A. Yes, but you won't be able to get the actual figure.	Q
R	Say the lead content, I understand that you may not be	R
	able to count on it. You can only find out the presence	
S	or otherwise.	S
	CHAIRMAN: No, that is not the case, Director. We have	
T	looked into it; we know about the percentage.	T
U		U
V		V

C A. You mean by XRF, you learned about the percentage? C

CHAIRMAN: Yes. You use it and you know.

D A. But I have asked the Government Laboratory, and we were D
E told that we won't be able to get a figure; it will be E
F a ballpark figure.

F CHAIRMAN: I know that it is not an accurate figure. We F
G know that it's only a ballpark figure, and I think it's G
H a matter of how accurate you want it to be. But if you H
I use it, it will tell you what is the zinc content, I
J copper content, and it will give you a percentage.

J It's all right for screening, but if you want it to J
K be accurate, of course the Government Laboratory will K
L use spectrometry, X-ray, more advanced equipment for L
M that. But my understanding is that it's hand-held and M
N it's easy to use. It will tell you the percentage, not N
O just a "yes" or "no". That's my understanding.

N MR LEE: And in the toilet: N

O "(In English) 3. The soldering point" -- not O
P detected. For the screener of the water tap in the P
Q toilet, it's detected.

Q In the toilet, it is not a big problem, because you Q
R won't use it as drinking water, unless you are taking it R
S from the tap.

S Then "(In English) Outside the main door", 5 and 6, S
T both not detected.

C Then site II, Shui Chuen O Estate, the same building
with a different flat number. Kitchen:

C

D "(In English) The soldering point at the joint of
the exposed water pipe under basin" -- not detected.

D

E The screener -- detected.

E

F "(In English) 4. Toilet. The screener of the water
G tap" -- detected. Then "(In English) Outside the main
H door", and then site III, a different flat, not detected
I in the kitchen, on both points. Toilet, number 4,
screener -- detected; right?

F

G

H

I

J Over the page, let's jump to the conclusion. The
conclusion is on page 9980:

J

K "(In English) In the three-day investigation,
L a total of 47 examination points were checked in 10
flats of 5 public estates ..."

K

L

M Then the names.

M

N "(In English) Positive XRF (detected) results for
O lead were found at 17 points in 3 estates (Kai Ching
Estate, Shui Chuen O Estate and Kwai Luen Estate). In
P Kai Ching and Kwai Luen Estates, lead was detected in
Q the soldering points between plumbing connections while
R in Shui Chuen O Estate, lead was detected in the
screeners of the water taps."

N

O

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S So how would you comment on this?

S

T CHAIRMAN: How would he comment? He would repeat what he

T

U

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V

V

said in the press release.

MR LEE: Is that right?

A. You mean why lead was detected at the screener? If

I remember correctly, the screener is kind of an alloy
which itself also contains lead, and in my recollection
there is no requirement that it should be lead-free.

Q. But would it be able to collect lead found in water?

CHAIRMAN: No, but because it is using XRF analyser, which
doesn't test water, it tests the metal, if XRF was used.

A. Right.

MR LEE: So, if the metal contained lead, then it would be
possible that the water coming out might also contain
lead?

CHAIRMAN: It's possible. That's why the WSD conducted
tests on the components, on the leaching rate and the
source of leaching.

MR LEE: Chairman, I have two areas to go. It won't take
long, but why don't we take a short break?

CHAIRMAN: Let's break for 20 minutes.

(11.17 am)

(A short adjournment)

(11.47 am)

MR LEE: Chairman, thank you for taking the mid-morning
break earlier. I think I can finish my questions in
half an hour. Because of your ten-minute time limit,

I won't repeat the questions, but I have one point that I would like the witness to clarify.

Yesterday, Mr Khaw asked a question in relation to the HD's participation in conducting water tests, and the chairman asked you this. The HD relied on your effort and your professional knowledge in water test, and you said the HD knew there were different methods to achieve different objectives. That is in relation to collecting water samples. Different methods would lead to different objectives being achieved. Do you remember saying that?

A. What I meant was this. When the HD asked us to take water samples, the objective was to see if water quality was in line with the WHO standard. So we followed --

Q. That means you are repeating the answer you gave earlier this morning. Did the HD know about the ISO, the two paragraphs read out?

A. Not necessarily.

Q. Did you discuss it?

A. In July, I did not take part in this personally. The HD might not know all the details. The HD only wanted to know whether the water quality was in line with the WHO standard.

Q. So your understanding was that they wanted to know if the water quality was compliant with the WHO standard.

So have you considered whether they knew the difference between overnight stagnation sample and first-draw sample?

A. I can't answer you this now.

Q. But now your evidence is very clear. You say there is a difference.

A. Well, at the time when samples were taken in July, they might not know, and I did not take part in it. It was urgent at the time, because samples had been taken by civic bodies, and the same WHO standard was compared, and I don't want to repeat the method.

But naturally, if you want to make comparison with the WHO's reference values, you needed to use that method.

Q. Just now, you clearly said that they were not aware of it in July, but subsequently did they know?

A. Because subsequently there were comments on why we hadn't used the overnight stagnation samples, and also at a meeting in LegCo some members also raised the same issue, so I suppose they heard about it.

Q. So about LegCo's debate on this issue, the HD also had representatives in attendance?

A. Yes. But it happened subsequently.

Q. So the interdepartmental group should also send representatives to the council to attend the meeting?

C A. Basically, the bureau chiefs were there. Let me try to
D recall. Either the secretary or undersecretary for
E bureaus were present.

F Q. So, on the same point, whether the HD knew that there
G was a difference between taking flushed samples,
H first-draw samples and overnight stagnation samples. As
I far as you can remember, when the first international
J experts' report was released, did you give them a copy?

K CHAIRMAN: Please repeat your question. Do you mean whether
L the international experts read the task force report?

M MR LEE: No, I mean the joint expert report, whether a copy
N had been given to the Housing Department.

O A. I don't know whether we gave the Department, but
P I reckon the Housing Department would have got a copy
Q elsewhere.

R CHAIRMAN: They should know because it's been uploaded on
S the internet. The Commission, we, the Secretariat, have
T uploaded it online.

U MR LEE: So they must have received it the first day when it
V was released, when it was uploaded.

A. In July, to find out if the water quality was complying
with the WHO standard, we adopted that method of
sampling. I did not take part in it personally, but
I guess, for the Housing Department, they might not know
all the details and requirements of the investigation.

Q. So am I right to say this: in July, in mid-July, they relied on you?

A. Basically, we knew their requirements. Well, because the civic bodies made comparisons with the WHO standard, that is 10 micrograms per litre, and then we refer to the WHO Guidelines to check water quality and hence the five-minute flushed sample.

Q. The chairman just now confined me to ten minutes.

You knew that there were different results coming from different ways of taking samples. Do you think that the Housing Department knew about it?

A. I think, at least subsequently, when there were discussions, they must have heard about it. Even in LegCo there was a discussion on different sampling methods.

Q. I would like to refer you to a motion, debate in the Legislative Council. You understand that members' motions are not binding on the government; right?

A. Not binding, but we do provide progress reports.

Q. I am going to show you a document, motion debate held on 28 October last year, in relation to the motion legislating for the safety of drinking water. The honourable member was urging the government to enact legislation for safe drinking water. (Handed).

You can read the title, "Legislative Council meeting

on 28 October 2015, a motion moved by the honourable member Dr Kwok Ka Ki on legislating for safe drinking water".

I am not going to read the whole paragraph, but it begins:

"Safe drinking water is key to people's livelihood", and then the following:

"The council urges the government to roll out the following measures", and then number (1):

"To waive the water charges and rental of all affected tenants in PRH estates.

(2) To take drinking water samples from affected households which have installed filters to ensure that the filters are effective.

(3) To widen the scope of taking blood tests to members of households below the age of six, at the time of population intake.

(4) To give a clear account to affected PRH tenants on replacement of pipes and a timetable for doing so and the relevant arrangements in progress and to help the affected tenants in filing claims.

(5) To submit a proposal on assisting affected schools and hospitals in replacing problematic pipes and fittings."

The council subsequently passed a motion as amended

by Mr Andrew Leung.

It was quite unanimous, which is quite rare,
a motion agreed by almost all political parties in the
council. Do you remember this?

A. Yes.

Q. During the debate, the government's representative who
spoke didn't come from your department but

Dr Ko Wing Man from the Food and Health Bureau. I am
going to read to you a number of paragraphs in the
LegCo's Hansard, that is AC1/15, starting from page 253.
It starts with "Mr President" -- let's go further down:

"Secretary for Food and Health. He first of all
explained the absence of Mr Paul Chan. He was in
a meeting in Beijing."

Then the last sentence:

"The interdepartmental team of the SAR government
would fully take part in the process to listen to views
and suggestions of members."

You were there?

A. No.

Q. Then the fourth line. The three principles. They have
been handling this incident based on three principles,
that is openness and transparency, people-based and
comprehensive investigation.

Let's pause here. In handling this incident, in

your opinion, do you think that you and your department have been able to uphold these three principles?

A. I believe so, or at least we have tried to uphold the principles.

Q. Then the following page, page 254, paragraph 2:

"In relation to the Waterworks Ordinance being outdated, I would like to point out that the existing version or the current version of the Waterworks Ordinance and Waterworks Regulations have been amended a number of times after 1975, such as the amendments in 1992, 1995 and 2006."

Do you see that?

A. Yes.

Q. "As a result, the government has been reviewing the legislation on its appropriateness. Earlier, the Secretary for Development spoke in the closing speech, in relation to the motion proposed by Mr Gary Fan and Ms Cyd Ho. Based on LegCo's P&P Ordinance, we agree that it is necessary to review the current legislation based on social development and the changes in safe drinking water standards and to implement suitable administrative measures to alleviate the problem before legislative amendment takes place."

In relation to legislative revisions of the WWO and the WWR, has your department started the work?

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A. Yes.

Q. Is it the case that you find they are fraught with inadequacies?

A. Let me put it this way. We do find a need to conduct a review and we have to look into various issues. We have to take reference from the practice of ensuring water safety of overseas countries.

Q. Do you think that in Hong Kong it's rather backward?

A. That depends on what you mean. Times change. The secretary has made it very clear here that it has to change taking into account the changes of social development and also standard of drinking water quality.

Q. You follow the BS but now there is an EN, that is European law.

A. If there is EN, then we will adopt EN.

Q. But the law uses BS.

A. If I remember correctly, it's BSI, which includes EN.

Q. It's BS and then EN?

A. Right.

Q. But the law only states BS.

A. No, I don't think it says "BS", it says "BSI".

Let me refer to it. My understanding is that it includes those after BS, that is when they changed to EN.

Q. Did you consider changing it? Because currently the law

follows BS.

A. Here is what the law says:

"(In English) BS means the latest revised edition of the specification issued by the British Standards Institution."

My understanding is that BS EN or ISO follow EN, so we actually follow it.

Q. But is it included in the law that BS includes that?

A. Well, as to BS includes BS EN, we will look into that.

Q. Then, in relation to Dr Kwok Ka Ki's motion to urge the government to legislate for water safety, he said that he would like to talk about some practice and legislation on this issue in other countries, including the US, Europe, Australia and Singapore. As he understands, for some developed countries, including the US, UK and Singapore, they have already legislated for drinking water safety to ensure quality water for people.

Apart from that, for some cities, they will have a licensing regime to specify the responsibility of water supply bodies, and there are five common points. Basically it says that there will be an independent water quality regulator. This is independent from water supply bodies, to regulate the water quality and to enforce the law.

A. We have started looking into that. The WSD is the water supply body. Under the drinking water safety scheme, we take water samples, and as I said, we liaise with the Department of Health.

For other countries, there are two types of bodies. One is related to EPA, environmental protection, and in the UK, there is DWI. For some countries, they use health, say in Canada. These are countries that we will take reference from.

Q. But in any event, it's an independent body, otherwise you are just investigating into one of your own?

A. We will strengthen communication.

Q. But on this issue you agree?

A. That is one of the areas we will look into.

Q. (3), that's about other countries, and (3) says:

"Usually, the water supply body will be required to take water sample regularly and test the water sample, to test the water quality from source to consumer taps."

You agree with that; right?

A. For some countries, as is mentioned here -- I think you have to read it with one -- in the US and Singapore, there is a water quality standard in their law, and that quality includes inside service. If you want to find out whether water is supplied in accordance with the requirement, one of the ways is to test water sample.

In Australia, my understanding is that they may not take water sample at the tap. So it depends on the country.

Q. But you have a positive attitude on this point?

A. Yes. As I've said, every year, there are 160,000 water samples. Recently, the water sample taken at taps, the number has been increased. From July to now, we have tested 900 water samples for lead. We have expanded or increased the number of water samples at the tap, and that started in July.

Q. Now it says some countries set a standard. For America, it's 90 per cent, and Australia and New Zealand are 95 per cent.

If Hong Kong adopts the same approach, you will not object to that; right?

A. We really have to look into it. We have spoken to experts from different countries. In Hong Kong, if one sample shows deviation, we will treat 100 per cent. For the US, the standard is 90 per cent. It's called an action level, not a standard. If over 90 samples out of 100 are proved to be problematic, some actions will be taken.

Q. But what about Singapore?

A. I don't remember whether there is an actual figure.

Q. Will you disagree with this direction?

A. We have to look into it. That is, whether we aim at 100 per cent.

Q. 100 per cent will be perfect. It doesn't say how much. It's just that there is a goal. But you wouldn't think that you would start with 100 per cent.

A. We will look into it.

Q. Now, page 257, the penultimate paragraph:

"So far as water appliances, say for example wall-mounted water kettle, there should be a prescribed standard on water quality, and that is in relation to WWO and WWR. These water supply appliances are not part of an inside service, because these wall-mounted kettles are used in, say, canteens or restaurants. We understand the public concern about wall-mounted kettles. Secretary for Development has given direction to the WSD and other government departments to conduct investigations, and previously the WSD has already promulgated a guideline to the public on the use of wall-mounted water kettle."

When there is an investigation finding, you will follow up, but currently this is not under your purview?

A. Currently, there is no specific piece of legislation on the safety standard of wall-mounted water kettle. We will look into quality of water in exceedance of lead. In relation to wall-mounted water kettle, we find that

administrative measures or guidelines will tackle the problem.

For catering departments, they will have to follow certain requirements, say for example there are ways to test the water quality in wall-mounted kettles.

Q. Because there may be metals in the water in the wall-mounted water kettles? Say, for example, it is used in a restaurant or in a canteen, then if people consume it, they will take in the metal.

A. I find that for some soldering materials, in relation to wall-mounted water kettles, then it may be leaded. It may be more dangerous because it will actually boil.

Q. In overseas countries, migration test is used. Have you heard about that?

A. In relation to wall-mounted water kettles, overseas legislation, I hear that some colleagues were following on that, but I don't know whether -- I don't know anything about migration tests.

Q. Do you support legislation for that?

A. We have to look into it. We agree that we will have to do some studies.

Q. So you don't want to see any legislation or you haven't made a decision?

A. We have an open mind.

Q. Just an open mind?

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 51	
C	A. We may legislate.	C
	Q. I think it's whether you are proactive or not.	
D	A. Of course.	D
E	Q. Do you think your department is proactive or passive?	E
	A. I don't think we are passive.	
F	Q. I do hope that you are proactive.	F
G	Lastly, we know that our problems with pipes -- let	G
H	me talk to you about resolving this problem. I have	H
	recently come into contact with some German companies.	
I	There is something called Tersa Aqua. It's a product.	I
J	Have you heard about this?	J
	A. You have recently mentioned it and it was then that	
K	I knew about it.	K
L	Q. It's a kind of solvent that would go into water.	L
M	A. I remember the English term. It's called	M
N	orthophosphate. In the US, in the UK, in a lot of	N
O	countries, they use orthophosphate in water treatment	O
P	plants. The addition of this chemical will form	P
Q	a protective membrane on pipes, and it's common practice	Q
R	in the US and the UK. In relation to the brand you just	R
S	mentioned, apart from orthophosphate, there is also	S
T	silicate.	T
U	Q. Orthophosphate is (Chinese spoken), the Chinese name.	U
V	Through chemical additives, there is a fine membrane,	V
	forming a lining inside the pipe.	

So even when there is a crack on the outside, there would not be a leak because there is a protective lining inside. So the flow will increase, without increasing the pressure. If you want to replace the pipe, it doesn't have to be done soon, because it protects the pipe from leaks.

A. I have heard about this.

Q. This is silicate. It will fill up holes inside the pipe. Subsequently, there will be a thin inlaid membrane, and this will resolve the problem, because lead will not leach into the water. In Germany, over 90 per cent of the pipes have adopted this method. Do you know?

A. I don't know about the percentage in Germany. In two countries, that method has been used.

Q. In the US and the UK.

A. I am not an expert in this regard, but I have spoken to my colleagues. This orthophosphate, if it's used in water treatment works -- well, you have to take into account the Hong Kong situation. If you add a chemical to water treatment works, it will affect everyone in Hong Kong, all the users. You may resolve one problem but it may give rise to others.

I understand that for orthophosphate, the problem may not be very serious in other countries with colder

weather, but in Hong Kong the chemical may cause the generation of other chemicals which may affect the nutrients of water; that is, the ecology may be affected. My colleagues may elucidate on this point later on. That is to say, in Hong Kong, is the problem so extensive as to make us add this additive in the water treatment works? We need to be very careful about this.

In other countries, the weather may be colder and they may also use lead pipes, and it may need a lot more work to replace all lead pipes. In the UK, the pipes only ceased to be used in the 1970s, and in the US in the 1980s. So we need to be very careful and study this.

Q. You mean to do it actively?

A. To consider whether this chemical is suitable to be used in Hong Kong.

Q. To be studied by whom?

A. The chemist, Mr Chan Kin Man.

MR LEE: I have no further questions.

CHAIRMAN: Thank you. Other questions?

Cross-examination by MR D HUI

MR D HUI: Chairman, a very short one.

Mr Lam, apart from you attending the Hong Kong Plumbing and Sanitary Ware Trade Association's annual

meeting in 2014, how many civil servants from your department, the WSD, also attended?

A. I can't tell you the exact number, because it was an anniversary banquet.

Q. Not the exact number. Do you know how many civil servants from the WSD attended that dinner?

A. I can't tell you the exact number.

Q. I'm just asking you whether you know --

CHAIRMAN: But your question contains two questions.

A. I don't know?

CHAIRMAN: Perhaps you can be more specific. Ask him if he knows who attended.

MR D HUI: Can I ask you this question, Director?

A. You talk about the 2014 dinner. I know some colleagues attended, but I can't tell you the exact number. I may be able to go back and find out about some of them.

Q. That's the same for the anniversary dinner in 2015?

A. Because when there are a lot of similar activities, colleagues from different teams would attend. I can't tell you exactly who.

Q. On Monday, after lunch, the chairman asked you about the pH value of the taps, which is 8.2, quite high, and perhaps you can clarify for me. You seem to have said that the high pH value had to do with not the metals but the fittings. Am I right to say that?

A. No. I may not be able to tell you the details, but in relation to the pH value of drinking water in Hong Kong, it's a bit higher than the WHO's recommended value. The WHO's is 8.0 to 8.5, but our value is 8.2 to 8.8. One of the uses had to do with the metal being released in the pipes and fittings.

MR D HUI: Thank you, Chairman.

Cross-examination by MR LI

MR LI: Before the lead in water incident happened -- and I'm not very concerned about your department's role. On the other hand, I am concerned about the stakeholders' view of your department. They relied on your department's measures and policies in making business decisions, as to what is important and what is not. Do you agree?

A. No. Our role is one of monitoring. The stakeholders are required to observe the regulations and standards. They are required to observe the standards.

Q. So they are required to comply with the guidelines issued by the WSD?

A. Yes.

Q. And also recommendations in WSD circulars?

A. Yes.

Q. Do you agree that after reading the circulars, the stakeholders would focus on your requirements?

C A. Well, usually we issue circulars for particular reasons. C
D For example, in recent circulars issued, before issuing D
E the circulars we had meetings with the stakeholders' E
F representatives in the trade, to consult them and to F
G heed their views before issuing circulars. We also G
H invited professional institutes to the meeting, to H
I explain to them our requirements, and you could say that I
J the focus is on compliance with our recommendations. J

K Q. The VTC and CIC, these organisations, about these K
L organisations, the WSD also sent representatives to talk L
M to them about the core syllabuses? M

N A. Basically, because the VTC organises a course for N
O licensed plumbers, we have therefore participation in O
P it. P

Q For the CIC, as I understand, the courses are mainly Q
R for training plumbing workers, and we also have R
S representatives to their meetings. S

T So basically, these two organisations, VTC and CIC. T

U Q. Just now, counsel asked you about the Hong Kong Plumbing U
V and Sanitary Ware Trade Association, which invited you V
and your department to their anniversary dinner. Do you
agree that they depended or they relied on the
guidelines and circulars issued by your department, as
shown by the fact that you were invited to their
anniversary dinner?

A. Well, I agree that we communicate with the trade, and you can say that we have a close relationship as partners. As I mentioned just now, for recommendations in the WSD circulars, usually we would consult the industry, and usually the association would share views with members.

Q. But ultimately the WSD would play the role as a leader for the industry?

A. Agree.

Q. I would like to refer you to a 2012 circular in bundle C3. It's just an example. Page 2222. This is the 2012 circular in relation to the eight parameters. I suppose you also have some impression?

A. Yes, I know about this circular.

Q. If you read this page:

"(In English) Additional parameters may be tested if there is any sign of suspected contamination."

Do you see that?

A. Yes.

Q. That means apart from the eight test parameters, if there is any sign of suspected contamination of drinking water, additional parameters may be tested?

A. Yes, I see that.

Q. So is it an example for the industry, that is to say now we have set down eight parameters, but if there is any

risk in the future, you may have additional parameters?

This is the message to stakeholders; do you agree?

A. Yes.

Q. In the past few days, from the evidence we have seen and from the testimonies heard in relation to your system -- and I stand to be corrected. It's just a general topic -- your policy direction is material monitoring, in relation to soldering materials. Apart from monitoring soldering materials, other counsel already asked you this question, on other ways, such as inspection and other ways of monitoring to ensure that plumbing workers and licensed plumbers would not use non-compliant materials.

A. Before last July and afterwards, we have adopted different practices. For example, we rolled out new measures after the incident.

CHAIRMAN: You don't have to talk about that.

MR LI: Before July 2015.

A. Right. Basically, we adopted the policy of material monitoring.

Q. And in 2002, when the Housing Authority tried to promote the use of copper pipes over GI pipes, the Housing Department also consulted the WSD; right?

A. I heard from colleagues about this.

Q. For example, Ms Ada Fung, from the Housing Department,

also provided a memo showing that the HA consulted your department, but received no reply.

A. I heard from colleagues that the HA would like to use copper pipes. According to our regulation, copper pipes had been in use for a long time. Even before the year 2002, in the private sector, copper pipes had been in use for a long time. So we don't see any problems. Perhaps public housing estates were then beginning to use copper pipes, but in the private market they had been in use for a long time.

Q. (Chinese spoken).

A. (Chinese spoken).

Q. Also, your measures before last July, do you agree that your department sent a message to stakeholders; that is, your focus wasn't on soldering materials as such, as you should have?

A. I don't agree. The law stipulates very clearly the requirements, and the HD also expressly provides that lead-free solder should be used. In some cases

I understand that there were sample submissions of solder to the HD, but I don't know whether certificates were issued to the contractors.

Q. Now, the question is on the lack of focus on soldering materials. There could be hundreds of materials.

A. I don't know whether every material requires sample

submission for HA's approval. Some may be sundry materials. But it's a question whether there was any focus on it.

Q. Well, after the excessive lead in drinking water incident, did you think back and say that there should be a more stringent approach when it comes to material inspection, when you look back; do you agree?

A. Looking back, if we had been able to identify that lead is high-risk and some people have used non-compliant materials -- well, looking at our system, apart from licensed plumbers' and authorised persons' confirmation, there are also contractors and developers who are responsible for monitoring as well.

We also rely on complaints about the presence of, say for example, lead, and we don't have any information showing that there are problems. That's why we are not aware that in our system there are problems with the use of leaded material.

Recently, we have taken a lot of samples, say for example PRH units, nurseries and kindergartens, we have taken about 10,000 samples, and we found that the problem is not too extensive, because for government departments and also kindergartens, it's 100 per cent compliant. For HA estates, overall speaking, 99 per cent of the estates conform with the WHO

standard. Starting from July last year, we have been taking random samples from taps for lead. There have been 900 samples and none of them were found to have exceeded the WHO standard.

So, prior to July last year, there was no information showing that the risk was so high. You mention the 2014-2015 dinner. I read the two articles again. They talk about fittings and not solder materials.

Some other countries, they were aware -- those countries include the US -- we follow BS standards, and 46 per cent of lead is allowed, but some overseas countries, they use a different method to calculate lead content. The method used is the surface area that is in contact with water. They used a weighted average. But it doesn't mean that a certain fitting, say the faucet, has to be reduced to 0-point-something per cent, because the contact surface area is small. The one with the bigger contact surface area is a pipe, and if you take into account the sheer contact area, the weighted average is not as significant.

But when it comes to the Hong Kong context, well, whenever we have new rules, we will talk to the industry to see how much it will impact them before we make a decision.

MR LI: Thank you. I have no other questions.

MR KHAW: In relation to some answers about the roles of the WSD, we have checked the legislative changes and we would like to ask some questions.

Further cross-examination by MR KHAW

Q. Mr Lam, you may recall that yesterday we asked you about the relationship between licensed plumbers and the law. We have also looked at the relevant circulars issued by the WSD. Do you recall?

A. I remember.

Q. Let me refer you to information of legislative changes, and I have something to ask you. Please go to A3, tab 47. Page 2536. Cap 102, it says 1950. Do you see that?

A. Yes.

Q. I think it's the 1950 version. The earliest version is the 1938 one.

If you refer to section 2 on page 1 -- page 2, you see that the interpretation for "licensed plumber", it says:

"(In English) ... includes any person or persons or corporate body licensed by the Water Authority to construct, alter or repair inside services or fire services connected with or to be connected with the waterworks".

C This brings me to a point, corporate body, and if we
D look at the transcript, in answer to the chairman's
E question, you mentioned that you recall there is
F a practice, there was a practice in the past -- there
G were some plumbing companies, they were classified as
licensed plumbers and they could get workers -- they
could delegate works to workers. You remember that?

H A. Yes.

I Q. In relation to the 1950 version of the law, indeed what
J you said was mentioned: corporate body may be a licensed
plumber.

K Let's look at the change in the law. The 1974
L version. A3, tab 48. Please, page 2549. It's page 5
in this document, page 2550.

M On page 5 we see a new version. The interpretation
of "licensed plumber" says:

N "(In English) ... means a person licensed under this
O Ordinance to construct, install, maintain, alter, repair
P or remove fire services or inside services, and a person
deemed under this Ordinance to be a licensed plumber".

Q There are two points here. First, Mr Lam, please
refer to this interpretation on page 5.

R CHAIRMAN: Have you read this before?

S A. Yes, I have.

T MR KHAW: It seems that the interpretation of "licensed
U
V

plumber" here does not include corporate body that's mentioned previously. In its stead, there is one more. It's "a person deemed under this Ordinance to be a licensed plumber". So there may be people who have become a licensed plumber not through the official way but under the law they are deemed to be a licensed plumber. Are you aware of that?

A. Yes.

Q. When it comes to the deeming provision, let's see how it operates. Let's refer to A3, page 2522. Sorry, it's in the same document, A3.

Before we look at the regulation, let me ask you -- yesterday, Mr Lam, you mentioned about an old approach. There are some corporate bodies who are licensed plumbers, they are companies and they may engage workers to carry out the plumbing works. In the 1970s, that changed. Companies are no longer licensed plumbers. You are aware of that?

A. Yes.

Q. If we look at this version, it's the 1989 edition. It's the deeming provision. Section 38 says:

"(In English) Any person, not being a licensed plumber, who --

(a) carries on business of plumbing for the purposes of the Ordinance; and

(b) employs any licensed plumber for the purposes of such business, shall be deemed to be a licensed plumber."

It seems that if you refer to page 2519, starting from section 33, if you want to apply to be a licensed plumber, the procedure, the eligibility, qualifications, they are set out in these sections.

Section 38 talks about people who did not go through the proper channel and become licensed plumbers. But the law says that if they carry out a plumbing business and if they employ licensed plumbers to carry out such work, then the law will deem them to be licensed plumbers. You are aware of that; right?

A. Yes.

Q. The regulation may not be clear. I say that because if you refer to section 2 of the regulation --

A. You are talking about the regulation?

Q. Yes, the regulation. Page 2509.

If you look at regulation 2, "Licensed plumbers", it means "(In English) ... a plumber's licence issued under regulation 34".

38 is not mentioned but 38 is a deeming provision.

If you refer to 38, there's actually a paragraph, page 2522. It says:

"(In English) Every person who is deemed to be

C a licensed plumber under subregulation (1) shall, within
D 14 days after the end of every year, submit to the
E licensing authority the name of every licensed plumber
employed by him."

F So it says here, it seems, that whether you are
G an individual or a company, if you view yourself as not
H a licensed plumber but you employ a licensed plumber,
then you automatically will become a licensed plumber.

I Regulation (2) says that within 14 days after the
J end of every year, submission will have to be made to
K the licensing authority on the names of every licensed
plumber employed, and if that is not done, it will be
L a non-compliance.

L If you refer to page 2526.

M "51. Penalty":

N "(Partially in English) (1) Any person who
O contravenes regulation [so and so, including 38(2)]
shall be guilty of an offence."

P So here there is no longer the corporate licensed
Q body, but there is a deeming provision; someone can be
R deemed to be a licensed plumber. Do you know the
meaning of including this provision, this deeming
provision, at the time?

S A. I am jogging my memory. For a corporate to be deemed
T a licensed plumber, in terms of pinning down liability

to a corporate, it might be more problematic to make
a corporate liable than an individual.

Even if somebody hadn't gone through proper
training, as long as the company was in the plumbing
business and employed a licensed plumber, then it could
be deemed it would be all right.

Q. That's from your memory?

A. Yes, and I read some documents.

Q. Let's look at G1.

A. Please, let me add -- at that time, for somebody not
trained, I believe that the person would engage other
trained workers to do the work, instead of doing the
hands-on work himself, and the person would employ at
least one licensed plumber. Actually, licensed plumber
has a long history in Hong Kong, and in fact the change
was only from a corporate licensed body to
an individual. In the same regulation, in 14 and 15,
the same applies. For waterworks, a licensed plumber
should be engaged.

Q. You are right, because if we turn to the 1974 version,
if we look at section 15 -- for section 15, page 2555 --
the wording, actually, is the same as the current
version, apart from "works of a minor nature". Apart
from works of a minor nature, all other works should be
carried out by a licensed plumber.

But if we look at A3, page 2525, the deeming provision provides that if an employer employs somebody, and then if the person is in the plumbing business, then providing that he meets certain criteria, he would be deemed a licensed plumber. But the person employed should be a licensed plumber.

A. No, not necessarily all employees, but at least one should be a licensed plumber. Because it says here "employs any licensed plumber", so "any" means at least one, and it also explains subsection (2), that is within 14 days after the end of every year, to make a submission, because from documents that I read, the problem was identified. That is, the deemed licensed plumber, there was a question mark on whether the deemed licensed plumber had continued to employ the licensed plumber.

Let's say if somebody started up a company and employed a licensed plumber, he must inform the Water Authority or the licensing authority at the time that he had employed a licensed plumber, by submitting the name or perhaps the certificate of a licensed plumber employed by him. Then this person in the business would be a deemed licensed plumber.

Then years might have passed and there is no idea whether the person so employed in the company would be

continued to be employed by the company. If by then there was nobody in the company who had gone through training as a licensed plumber, then the person would lose the status as a deemed licensed plumber. That is why this subsection was added.

I understand at the time there were many plumbing workers in Hong Kong, so I believe that the employees of the deemed licensed plumber might not all have undergone training as licensed plumber.

Q. Your understanding is that for the deemed licensed plumber, he was only required to employ at least one licensed plumber?

A. Yes, at least one or it could be more.

Q. For this person to be a deemed licensed plumber, he should employ at least one licensed plumber. How --

A. I am just reading from the English text, because in English "any" means at least one.

Q. That's your conclusion based on your reading of the text, or have you explored this issue before?

A. No.

Q. Also, subsection (2), "(In English) submit to the licensing authority the name of every licensed plumber employed by him". That is, he is required to submit the name of every licensed plumber, not just one.

A. I understand what you mean but it is not difficult to

C check, because for the person carrying on the business
D of plumbing, whether this person can be a deemed
E licensed plumber, I think the logic is actually the same
F as the previous requirement for a corporate licensed
G body. That is, as long as the company employed at least
H one licensed plumber, the company would be a deemed
I licensed plumber.

H Q. Perhaps we can look at how the regulations evolved. G1,
I page 287. That is the current version.

I Let's look at regulation 38 on page 287. It was
J repealed in 1992, I mean the deeming provision was
K repealed in 1992. Do you know that?

K A. Yes.

L Q. Do you know why it was repealed?

M A. I recall having seen some documents. This method was
N adopted to check whether the deemed licensed plumber had
O continued to employ a licensed plumber. But the method
P wasn't quite solid.

O CHAIRMAN: What does that mean?

P A. Because in a year, you could only check whether he had
Q employed a licensed plumber once every year. That's
R just my conjecture. Let's say if a person submits the
S name of a licensed plumber to you and the licence can be
T renewed, but then we had no idea whether the following
U day the licensed plumber had left the company.

So in essence we don't know whether the person had continued to employ the licensed plumber, and if the person abused his status and took up plumbing work, then in effect, in the company, no licensed plumber was working in this company. So that is why the deeming provision was repealed, to make sure that the licensed plumber would be engaged. But I believe that there was still a group of such persons.

MR KHAW: But just by looking at the regulation, and generally speaking, repealing regulation 38 was to make sure that workers involved in the works must be licensed plumbers?

A. To ensure that the person taking up the project should be somebody who possessed knowledge, because for the licensed plumber or the deemed licensed plumber, it could be possible that the deemed licensed plumber might have employed a licensed plumber who had subsequently left the company.

Well, in 1992, when the deeming provision was repealed -- I might be a bit too bold -- for sections 14, 15 --

CHAIRMAN: I'm sorry?

A. In 1992, when the deeming provision was repealed, at that time I believe that everybody knew that in fact some plumbing workers helped these companies in

C undertaking projects. So in 1992, when there was C
D a change for licensed plumbers to be directly engaged in D
E the works instead of ordinary plumbing workers, there E
F should be a very clear change in policy, and the F
G industry should be informed. G

H The legislative revision was done in 1992, and if -- H
I and I have read some documents, and if there was a major I
J policy change, stopping non-licensed plumbers from J
K taking plumbing works, then first of all a large number K
L of licensed plumbers would have to be employed, and L
M secondly the industry should be consulted on the M
N proposal of allowing only licensed plumbers to take up N
O plumbing works, and the industry might be concerned O
L whether there would be adequate manpower. L

M Thirdly, in consulting the industry, there was no M
N mention of this change. So I believe that the intent N
O back then was not to allow only licensed plumbers to O
take up plumbing works after 1992.

P MR KHAW: I understand that in the actual hands-on work, P
Q there were plumbing workers who were not licensed Q
R plumbers directly engaged in the works. But this R
S practice is somewhat in conflict with your enforcement S
T of the law and the law at that time, because for the T
U 1974 edition, in paragraph 15, 1974 edition, very U
V clearly, 15(1): V

"(In English) ... no fire service or inside service shall be constructed, installed, maintained, altered, repaired or removed by a person other than a licensed plumber ..."

Then subsection (2), even clearer:

"(In English) Alterations or repairs to a fire service or inside service which are, in the opinion of the Water Authority, of a minor nature ... may be carried out by a person other than a licensed plumber ..."

That is to say, apart from work of a minor nature, which may be carried out by a person other than a licensed plumber, for other works, they should be carried out by none other than the licensed plumber. That should be the spirit of the law.

A. But there was still a deeming provision in 1974. That means the licensed plumber himself -- well, as I explained, the deeming provision refers to someone who carries on a business, a plumbing business, plus a licensed plumber is employed, then that company will be deemed a licensed plumber.

In the 1974 edition, under section 15, the person may construct, install or carry out plumbing works, but when it comes to practical terms, not all workers who participate in the project are licensed plumbers. So my

understanding is that licensed plumbers don't necessarily have to personally carry out the work.

Q. In 1992, this deeming provision was repealed, and in the relevant discussion --

CHAIRMAN: Perhaps we will continue after lunch. We will come back at 2.30.

(1.01 pm)

(The luncheon adjournment)

(2.31 pm)

CHAIRMAN: Please continue.

MR KHAW: Mr Lam, before lunch, we were talking about regulation 38, the deeming provision. You see that the deeming provision has been repealed.

We also found some information, some LegCo papers about the repeal. There is a LegCo brief about the change.

Please refer to A3/6, item 49, page 2565 onwards. Page 2566 is the brief. Starting from the first paragraph, "(In English) The problem":

"(In English) The Waterworks Regulations provided for the issue of licences to plumbers. The system for the application and issue of licences was not satisfactory."

It seems that the system itself was not ideal.

"(In English) The Waterworks Regulations stipulated

C that the installation of water meters should be by the C
D Water Authority. This arrangement could not always cope D
E with the demand for meter installations due to surges in E
demand in output of large private housing developments.

F Some minor ambiguities and irregularities in the F
G Waterworks Ordinance and regulations therefore need G
amending."

H Then it went on to say about the different grades of H
I licensed plumbers. That's paragraph 4.

I Paragraph 5 talked about an examination. Then it I
J goes on to say about the pass rate. It says: J

K "(In English) ICAC had recommended that the K
L examination system should be replaced by a qualification L
recognition system. The recommendation was supported by
the Water Supplies Department."

M We know that there were changes, that a licence can M
N be obtained through the official channel, that you have N
to take the courses.

O Paragraph 8: O

P "(In English) If a certificate holder fails to apply P
Q for a plumber's licence for 5 or more consecutive years Q
R after obtaining the certificate, or similarly fails to R
S renew his licence, the Water Authority may require the S
T applicant to be tested before a licence is issued or T
U renewed. The new system will ensure that plumbers U
V

C receive proper and up-to-date training before they are
licensed."

D Then 9:

E "(In English) To strengthen control over licensed
plumbers, the following arrangements have also been
F made --

G (i) grade II licensed plumbers are being phased
out ...

H (ii) licensed plumbers are required to collect their
I licence in person ..."

J (iii) is what we are talking about:

K "(In English) the provision in the Waterworks
L Regulations has been removed which provides for any
person, not being a licensed plumber, to be deemed to be
M a licensed plumber by virtue of his business."

M This is a LegCo brief, and we can see that on the
N face of it, the purpose of repealing the deeming
O provision is to enhance regulation of licensed plumbers.

P Are you clear about this, Mr Lam, about the point of
repealing of the deeming provision?

Q A. Well, what the paragraph says is to enhance regulation.
R In my recollection, at that time, the problem was if you
S are deemed licensed plumbers without proper training,
T that is you are deemed a licensed plumber through your
U business and the employment of a licensed plumber, if
V

the licensed plumber leaves the company --

CHAIRMAN: Could you please speak up.

A. I'll start again.

You read out paragraph 9 of the LegCo brief, that is the repealing of the deeming provision, the removal of the deeming provision is to enhance regulation of licensed plumbers, because by virtue of the deeming provision, an untrained person who carries out a plumbing business will be deemed a licensed plumber when he employs a licensed plumber. However, if the licensed plumber employed leaves the company, and hence --

CHAIRMAN: Please say it again.

A. The untrained person, by virtue of the employment of a licensed plumber and the carrying on of his plumbing business, may apply to the WSD to be a licensed plumber. This is a deemed licensed plumber.

After the deemed licensed plumber has obtained a licence, and if the licensed plumber under his employment leaves him, the WSD would not be in a position to know, because if all the licensed plumbers have left the employment of the deemed licensed plumber, then the licence will be taken away, but the control is not very effective in this way. That is just my guess.

The person who carries on a plumbing business should

C at least employ one licensed plumber, someone who has
D gone through proper training. But if that licensed
E plumber has left, then there would be no one with proper
F training to do the work. That is not a very effective
G regulation, regulatory regime.

H MR KHAW: In short, the removal of the provision will take
I away the situation under which an untrained plumber
J would be able to get to take on our project.

K CHAIRMAN: I don't really understand. Please say that
L again.

M MR KHAW: The purpose of the removal of a deeming provision,
N in short, is to prevent untrained plumbers to
O participate in plumbing projects, because if you are
P a licensed plumber then you are a real licensed plumber,
Q not just a deemed licensed plumber.

R CHAIRMAN: But the director talked about a situation, if
S a licensed plumber leaves, then there is no fully
T qualified person. Even with a licensed plumber, you
U will not be a deemed licensed plumber, because the whole
V thing is taken away. So even if you are compliant, and
you employ a licensed plumber every year to be one of
your employees, you will no longer be given a licence.

MR KHAW: So, if the employer who hadn't undergone proper
training, who is a deemed licensed plumber, employs
a licensed plumber, this entire system has been removed;

right?

A. My understanding is that at that time the WSD felt that some people were not compliant fully with the requirements, and there was no way to find out whether the deemed licensed plumber indeed had employed a licensed plumber. That is not a very effective regulatory regime.

Q. So the removal of this provision is to ensure that plumbing projects will be carried out by licensed plumbers, someone with proper qualifications?

A. Correct.

Q. The 1974 edition, tab 48.

Please refer to tab 47. That is the earlier edition, 1950 edition. Enactment 1939. So it's 2540, section 10, "(In English) Inside services". It says:
"(In English) Any consumer may arrange with a licensed plumber to construct an inside service in premises for the supply of water from the waterworks. The construction of the inside service and the nature, size and quality of the materials and fittings shall be in accordance with regulations and on the completion of the service to the satisfaction of the water authority it shall be connected by the water authority to the waterworks subject to payment of the charges for such connection as prescribed by such regulations and subject

C to the consumer giving the undertaking required by
section 5."

D That was in relation to the inside services at that
E time, that is a consumer may arrange with the licensed
plumber to construct an inside service.

F It seems there were no clear provisions about who
G actually carried out the work. If you look at the 1974
H edition --

H CHAIRMAN: 10 only says "may". "The consumer may". So it's
I not an obligation.

J MR KHAW: If you refer to the 1974 edition, tab 48,
K section 15, page 2555, the regulation has been
strengthened. It says:

L "(In English) ... no fire service or inside service
M shall be constructed, installed, maintained, altered,
N repaired or removed by a person other than a licensed
plumber or a public officer authorised by the Water
O Authority."

O It says "(In English) Shall be constructed".

P A. At that time there was a deeming provision.

Q Q. We will go on to that later.

R "(Partially in English) (2) Alterations or repairs
to a fire service or inside service which are, in the
S opinion of the Water Authority, of a minor nature ...
T may be carried out by a person other than a licensed

plumber or a public officer authorised by the Water Authority."

That is of a minor nature, then such may be carried out by a person other than a licensed plumber, or a licensed plumber.

This morning I asked you -- it means to the effect that work that is not of a minor nature shall be carried out by a licensed plumber, to which you agreed.

A. I participated.

Q. So if you look at this edition of the law, setting aside the actual operation, as far as the provisions are concerned, the provisions allow plumbers who had not undergone formal training as a licensed plumber to take part in the works, and this is the deeming provision.

But then the developments were that now we do not have the deeming provision. So do you agree with me that the trend is that there is -- more is done to make sure that only licensed plumbers can carry out plumbing works?

A. That happened in 1992, when the deeming provision was repealed.

Q. 1992, right, when the deeming provision was repealed.

A. In 1974, I reckon that apart from licensed plumbers, there were a lot of plumbing workers. I mean back in 1974 because of the deeming provision, those untrained

C could become deemed licensed plumbers as long as they
employed licensed plumbers. C

D So I reckon that at that time, a lot of plumbing
workers would be employed to do the hands-on work, and
E I think society was developing at the time, so workers
F would work for either the licensed plumber or the deemed
G licensed plumber. G

H CHAIRMAN: If that was the case, it could be included in the
LegCo brief, because if you read paragraph 3 of the
I LegCo brief, it says "(In English) minor ambiguities and
irregularities", with the emphasis on "minor". J

A. I think there was a clear change to set up regulation. J

K CHAIRMAN: But here it says "(In English) ambiguities". At
L the time, the issue was not discussed. L

M Well, anyway, I won't ask my question. Please go
on. M

N A. I think, in 1974, before 1992, there were plumbers in
the plumbing business, and when the deeming provision
O was repealed in 1992, that was a drastic change,
P involving a major policy change, and training must be
Q given -- Q

R CHAIRMAN: It might not be a policy change. It might be the
fact that your predecessor, as director of Water
S Supplies, had interpreted the provisions wrongly. S

T A. The interpretation was those who were not licensed
U
V

plumbers.

CHAIRMAN: But I find it peculiar because if we look at 14 and 15, 14 basically sets out the framework. That is, no one shall be permitted to perform such work. Then 15 is the exception, that is except certain persons. Then 15, "no fire service or inside service shall be", and so on and so forth, and then "(In English) by a person other than a licensed plumber", "by a person other than a licensed plumber".

A. Then at the time, the licensed plumber was a deemed licensed plumber and he himself would definitely not know how to do it. He might need to engage others.

CHAIRMAN: But that's the case throughout. "(In English) No inside service shall be constructed by a person other than a licensed plumber".

A. So, in 1974, there was a deeming provision.

CHAIRMAN: If your interpretation were correct, or if your predecessor's interpretation was correct, then it should be "(In English) no inside service shall be constructed by a person other than a licensed plumber or by a person under the supervision of a licensed plumber".

A. I agree there is an ambiguity.

CHAIRMAN: You need to read so many words into the provision.

A. The actual situation at the time is that the deemed

C licensed plumber did not have the knowledge and he
employed others to take up the work. C

D In fact, I agree with chairman that there is
an ambiguity here. D

E CHAIRMAN: No, not an ambiguity. For me, it's very clear. E

F A. I think the original meaning is that when you undertake
G plumbing work, it must be done by a professional. As to
H whether hands-on work is actually done -- H

I CHAIRMAN: Because when your counsel asked witnesses, he
I also used a WSD circular. That was your counsel's
J understanding, that plumbing work can be carried out by
K workers under the supervision of a licensed plumber, and
L it wasn't until you gave evidence that we first heard
about this version. L

M A. Because if we amended the legislation in 1992, according
N to normal procedure, the legislative exercise would
O begin in 1990. Then if we required licensed plumbers to
do the hands-on work, then the circular in 1992 would
P seem strange. Anyway, the original intention is very
Q clear. The licensed plumber could engage workers under
his supervision, and I believe in 1992 there must have
R been ample discussion. I can only say that the drafting
S doesn't reflect the original intention, and that it
should be rationalised. S

T MR KHAW: Let's look at C3, page 2422. T

U

U

V

V

C This is circular No. 2 of 1990, which we went C
D through yesterday. It talks about the incidents that D
E you mentioned. That is, licensed plumbers withdrawing E
F from plumbing work. Then here, it emphasises that if F
G you are not a licensed plumber, you must not shift the G
H work to somebody who isn't a licensed plumber. H

I Then paragraph 3: I

J "(In English) So long as you remain to be the J
K licensed plumber of a particular job for which you have K
L signed Waterworks Form G, you may employ workers who are L
M not necessarily licensed plumbers to assist you in M
N carrying out the work. But under no circumstances N
O should you use your licence to enable non-licensed O
P persons to undertake plumbing work without involving P
Q yourself in the supervision of the work." Q

R That's your understanding, as you mentioned just R
S now, which may not entirely tally with the legal S
T provision. That is, your understanding is that you T
U could employ workers to assist you to carry out the U
V work. That's the 1990 version. V

Then in 1992, we just now discussed that the deeming
provision was repealed. You agree with me that one of
the objectives of repealing the deeming provision was to
ensure that the licensed plumber would actually take
part in the work?

A. To ensure that the person undertaking plumbing work should have professional plumbing knowledge.

Q. And that has all along been your interpretation?

A. Yes, all along --

Q. In 1992, regulation was stepped up to oversee licensed plumbers and the deeming provision was repealed. At that time, did the WSD consider revising this circular No. 2/90?

A. You mean in 1990 or 1992?

Q. That is, after the deeming provision was repealed in 1992, did the department consider whether anything should be done to this circular to set up regulation?

A. I don't think I can answer you on this, that is whether there was any particular measure in relation to this circular after the deeming provision was repealed in 1992.

Q. Turning back to circular No. 4/2015, the same bundle, C3, page 2199. We have a Chinese version at 2200.1. That's the Chinese version.

We discussed this but I didn't show you the document yesterday. In the Chinese version it reads:

"To avoid queries, all plumbing works involving soldering of copper pipes should be subject to written permission of the Water Authority and carried out by a licensed plumber in accordance with sections 14 and 15

of Cap 102 of the Waterworks Ordinance."

Here, it very clearly says that the licensed plumber should undertake the work, and that's not your understanding, that workers could be employed?

A. I think the term is "undertaking", as I read from one of the documents earlier. I think it's 2/90. The word used was "undertake".

Q. 2/90, that's the circular that we just looked at, page 2422.

A. Right. I see that now.

"(In English) But under no circumstances should you use your licence to enable non-licensed persons to undertake plumbing work ..."

I agree the translation isn't very clear. In this circular, to avoid ambiguities for jointing copper pipes by soldering, licensed plumber must be engaged. So as to avoid misunderstanding, sometimes work may be of a minor nature.

But we want to clarify that for jointing pipes by soldering, special skills are required and that the work is not of a minor nature. That's the emphasis.

Q. So, in other words, the emphasis is that -- it said soldering copper pipes is not work of a minor nature. But you also agree that this circular doesn't clearly say whether the works should actually be done by

a licensed plumber or that other workers can be engaged.

A. Right. I agree. This circular basically emphasises the first part.

Q. Turning to WSD's website. A4. Please look at A4, page 2739.

The first item, WSD circular 4/2015. It says here -- 2739. Please enlarge it.

It's a WSD circular, and the purpose of the circulation -- it says apart from changes that are minor in nature, apart from repair, construct or installation of water supply system -- well, approval has to be obtained by the Water Authority.

The department issues circular No. 4 of 2015 to remind relevant parties that plumbing works using soldering of copper pipes will have to be covered by an approval of the Water Authority in accordance with the regulation, and it is to be carried out by licensed plumbers. And if need be, the LP may be assisted by workers.

The purpose of the issuance of this circular -- did we read it from the content of the circular or from the website?

A. After the issuance of circular 4/2015, we have received some enquiries saying that it is not very clear. As a result, more information is disseminated. The content

C of the circular has been mentioned, but there is
D an additional line. The two reading together is to
E clarify the purpose of the issuance of circular
No. 4/2015.

F Q. You said you received enquiries from the industry after
G the issuance of the circular. They asked you whether
H the work is to be carried out by LP or can another
worker be engaged to carry it out.

I A. I wasn't the one who personally received these
J enquiries, but I heard that people from the trade would
K like us to elaborate on the purpose of the issuance of
the circular.

L So this is in relation to minor alteration, the word
M "minor", and there was an elaboration saying that, if
N need be, workers may be engaged to assist.

O Q. Well, about work of a minor nature, say in 2015, before
P the excessive lead in water incident, the understanding
Q of the WSD in relation to soldering of copper pipes, is
R it of a minor nature?

S A. On the website and in some manuals, we talk about minor
T works, and it says that if they are works that don't
U specialised skills -- if it's soldering, then you need
V specialised skills, not a -- an untrained worker would
not be able to do it.

Q. The issuance of circular 4/2015, on the website you

specifically say that the use of soldering is not of a minor nature and has to be carried out by a licensed plumber. You wanted to make it clear.

A. I agree that when the circular was issued, it wasn't detailed enough, and that's why there is an explanation.

Q. The elaboration, is it the result of the concern that there may be possible confusion that soldering work may or may not be of a minor nature?

A. That is possible. We have not clarified as to what was specialised skills, and this circular was issued after the lead in water incident. So we want to say that soldering work is not of a minor nature. We wanted to strengthen the message.

MR KHAW: No other questions.

CHAIRMAN: Please continue.

Re-examination by DR WONG

DR WONG: Director, a point I would like to explore is water sampling, and also the WHO standard.

I heard a lot about the purpose of water sampling and the WHO standard. First, about some conceptual points. A WHO document. C2, page 1244. You were referred to this document yesterday, and I would like to go straight to the point.

Page 1258. On the right-hand side, paragraph 2:

"(In English) There are few chemicals for which the

contribution from drinking water to overall intake is an important factor in preventing disease. One example is the effect of fluoride in drinking water in protecting against dental caries. The Guidelines [that is WHO Guidelines] do not attempt to define minimum desirable concentrations for chemicals in drinking water."

Of course, practically it's zero, but the WHO standard does not specify the minimum concentration; is that right?

"(In English) Guideline values are derived for many chemical constituents of drinking water. A guideline value normally represents the concentration of a constituent that does not result in any significant risk to health over a lifetime of consumption. A number of provisional guideline values have been established based on the practical level of treatment performance or analytical achievability. In these cases, the guideline value is higher than the calculated health-based value."

Can you see that?

A. Yes.

Q. So, about the exceedance that we have been talking about, exceedance of what standard? The WHO standards in relation to safety of drinking water, so the public concern of drinking water inside their flats, the

C standard is over a lifetime consumption; is that right? C

CHAIRMAN: What do you mean?

D DR WONG: That is an average, an average over -- D

E CHAIRMAN: Can you tell me what does it mean in real life? E

DR WONG: Lifetime consumption --

F CHAIRMAN: Can you tell me, in a lifetime -- can you F

G explain? I don't know. I'm a layman. Please explain. G

H DR WONG: My understanding is that -- the chemist will H

I elaborate -- there is a formula to calculate the body I

J weight of a person and the total intake of water over J

K a lifetime. I am not a scientist but I know there is a K
L formula.

CHAIRMAN: You mean I drink water all through my life, of

L 10 micrograms of water, and it's only then that there L

M would be a problem? M

DR WONG: Yes.

N CHAIRMAN: (Chinese spoken). N

DR WONG: No, only when it exceeds that.

O CHAIRMAN: Okay, exceeding 10 micrograms? O

P DR WONG: So, on average -- P

Q CHAIRMAN: As long as it's under that limit, then it's all Q
right.

R DR WONG: (Chinese spoken). R

S CHAIRMAN: So it's 10 micrograms per litre, and if S

T consumption of a lifetime, then there is a problem. T

U

U

V

V

Please explain.

DR WONG: I may be wrong.

CHAIRMAN: If you're wrong, then don't tell me.

DR WONG: That's my understanding.

CHAIRMAN: Let me tell you, Prof Fawell also wrote this as well.

DR WONG: Let's clarify some concepts first.

CHAIRMAN: I have to know what your concept is before I can understand what you are trying to ask the director.

DR WONG: If it's health-based, and we are talking about total consumption, the average daily intake over a lifetime of over 10 micrograms per litre, and it's in this case that your health will be affected. That is according to the WHO standard.

CHAIRMAN: Is that really the case? Did you hear Bellinger?

DR WONG: My understanding of what Bellinger said is also a lifetime consumption.

CHAIRMAN: Not really. That means a child does not need any treatment.

DR WONG: But if you are older, that's different.

CHAIRMAN: No. But you see -- well, the blood level of children, it's not that much. But the fact is that there is an exceedance, and it's only a short time, two or three years and it exceeded the standard. Are you actually telling me that these children are all right?

DR WONG: No, I dare not say that.

CHAIRMAN: If that is the case, don't say it.

DR WONG: My understanding --

CHAIRMAN: My understanding, whether it is Kai Ching Estate or not, the exceedance is not significant, and the children were not drinking the water for too long, at most two to three years. However, the lead level in their blood exceeded the limit quite significantly.

However, now you tell me that you have to consume over 10 micrograms over a lifetime before there is a hazard. Is that really the case?

DR WONG: Chairman, this is --

CHAIRMAN: Sorry, but you are asking in the capacity of an expert of the witness who is also an expert.

DR WONG: I just want to clarify on that concept.

CHAIRMAN: Director, if you are not an expert on the WHO Guidelines, then you had better say that you don't know about it.

A. Let me get the question first.

CHAIRMAN: Honestly, that's what I am telling you.

A. I am not an expert in this regard. But of course, that depends on the question.

CHAIRMAN: You asked a question and I used my common sense and applied logic, and I find that question to be problematic. If you say, "Chairman, you will only

suffer in your health if you drink water over the limit,
over a lifetime" --

DR WONG: (Chinese spoken).

CHAIRMAN: Well, if you want to try, you can go ahead, try
first.

DR WONG: Chairman, let me try another way. Let's say if
the water contains 9 micrograms, and you drink this
water on a daily basis, according to the WHO standard
you would be fine. It will be fine. That is, it's
within safety limits, according to the lifetime
consumption concept.

CHAIRMAN: I don't know how you do the calculation. I just
know that if it's 10 micrograms, it's above the limit.
I don't know how it's come by. I'm not the expert.
I only had a science degree that I obtained 30 years
ago. But from your explanation, I get this impression,
that according to you, Mr Wong, I will be all right even
if it's 9.9 micrograms.

DR WONG: Right, according to the WHO standard.

CHAIRMAN: Even for lifetime consumption?

DR WONG: Yes, my understanding.

CHAIRMAN: What if your understanding is wrong? Have you
asked anyone else whether it should be understood this
way?

DR WONG: Yes, I have.

CHAIRMAN: Who?

DR WONG: Maybe I won't go further into this point.

CHAIRMAN: That means you haven't asked anyone.

DR WONG: Then I will continue.

Director, about the objective of water sampling, the Commission's expert relied on ISO 5667. According to ISO 5667, there are two ways. One is first-draw, the other is flushed for two to five minutes.

Let's look at the joint experts' opinion. V1, page 6. The first paragraph:

"(In English) The sampling protocol to identify whether lead is present in the pipework or fittings of drinking water systems in buildings is important in assessing the risks of lead contamination in drinking water."

So is it your understanding that the purpose of taking first-draw samples is to answer this question; that is, to see if drinking water contains lead?

A. I think it's referring to the pipework or fittings, the water supply system, that is the level of lead in the system. It may not be in the water, because it says lead is present in the pipework or fittings of drinking water systems.

Q. About getting first draw, it cannot represent the general quality of water supplied; is that right?

Because if you want to refer to the WHO standard, that is the value based on lifetime consumption --

CHAIRMAN: Please don't refer to lifetime consumption.

DR WONG: I'm just following the document.

CHAIRMAN: So what is your question? I am still not sure.

I accept, if you just want to test for general quality drinking water, then I agree it may be wrong to use stagnation sample.

DR WONG: Chairman, I just want to clarify a concept. The concept is this. The WHO standard, 10 micrograms -- in relation to that, you cannot determine whether it complies with the WHO standard or not by taking first-draw sample.

CHAIRMAN: I agree. Correct. You are right.

DR WONG: I thought we had a misunderstanding.

CHAIRMAN: No.

DR WONG: So it seems that we are having an issue over water sampling. So let's talk about the logic.

Let's talk about the two steps. Say if we take --

CHAIRMAN: I'm sorry, what's the purpose of taking water samples?

DR WONG: The purpose is to prove or to check if the drinking water complies with the WHO standard. So, if I'm going to find out if the water quality complies with the WHO standard, that is 10 micrograms, then, director,

should we take a first-draw sample or flushed sample for two to five minutes?

CHAIRMAN: Let me answer it. Flushed sample.

DR WONG: All right. Let's take it a step further. Having flushed for two to five minutes, why didn't you walk the extra mile and take a first-draw sample? Say if you have taken a flushed sample for two to five minutes, and the test result shows it complies with the 10 micrograms WHO standard, then Director, is it necessary to take first-draw samples from the same estate again?

CHAIRMAN: He already answered. He didn't think so, but then some others believed there was an ambiguity.

DR WONG: (Chinese spoken).

A. (Chinese spoken).

CHAIRMAN: No, I know what he was talking about. Please don't think I don't understand.

DR WONG: Chairman, I thought there was a misunderstanding.

CHAIRMAN: No, no ambiguity whatsoever. I totally understand the WSD's position.

DR WONG: All right. Director, when the incident happened in July, when the Department took water samples, how much time did you spend on collecting water samples from all the housing estates, that is samples taken after flushing for two to five minutes?

A. All the estates, I know it took about five months to

complete the whole procedure of sampling and testing.

Q. Did you consider taking two steps, that is to take the first-draw samples?

CHAIRMAN: What do you mean by that? You can do both at the same time; right?

DR WONG: And did you consider at the time that two tests could be conducted at the same time? Why didn't you do it? What was the reason?

A. As far as I remember, the objective was to check the safety of drinking water, whether it complies with the WHO standard.

CHAIRMAN: Right. I understand. Compliance you emphasise many times.

DR WONG: Chairman, because there was a question in relation to why he hadn't walked the extra mile and took another sample --

CHAIRMAN: Well, I can answer that. It can be done at the same time. You can go there and take a sample at 8 in the morning and then go there again later, flushing for two to five minutes. But there would be increased costs for testing and manpower. But we would only be talking about more time. The testing would be done not manually but by a machine.

A. Well, Chairman, but if overnight stagnation samples were to be taken, we had constraints in relation to time.

I think we wouldn't have been able to complete the work as quickly as we have.

CHAIRMAN: I understand, because the Commission did go back to some of the estates to conduct tests, including stagnation samples, because we needed to go through the Housing Department to enlist the help of residents in water sampling.

DR WONG: I'll leave the area after asking one more question, Director. When you collected water samples, what was the key concern?

A. Safety of drinking water.

Q. I will move to another area. Risk assessment. That is especially in relation to leaching of lead into drinking water.

In the unique circumstances in Hong Kong, the risk of leaching of lead into drinking water, because going back to the WHO document, page 1251 -- page 1251, on the right-hand side, a number of bullet points. The third bullet point from the bottom says:

"(In English) ... providing guidance on identifying local priorities and on management".

So when you conduct the risk assessment, because of resource constraints, you need to conduct the risk assessment based on local priorities.

A. Page 1251, the third bullet?

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

B Commission of Inquiry into Excess Lead Found in Drinking Water Day 51 B

C Q. From the bottom. C

Do you see that?

D A. Yes. D

E Q. Next, a document on identifying priorities. That's in E

F bundle C19.1, page 10552. That's another WHO document, F

G "(In English) Chemical safety of drinking water: G

Assessing priorities for risk management".

H Do you see that? H

I A. Yes. I

J Q. Please turn to 10585. J

K A. Yes. K

L Q. 3.1, "(In English) Identifying priority chemicals in L

a drinking water supply".

M A. Yes, I see that. M

N Q. Then the first paragraph, the fifth line: N

O "(In English) Consequently, it was important that O

P countries identify those chemicals of concern according P

to local circumstances. Chemical contaminants in Q

drinking water should be prioritised to ensure that Q

R scarce resources are not unnecessarily directed towards R

S management of chemicals that pose no threat to health S

T and do not affect the acceptability of drinking water." T

R Do you see that? R

S A. Yes. S

T Q. Then the next paragraph: T

U

V

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

B Commission of Inquiry into Excess Lead Found in Drinking Water Day 51 B

C "(In English) As it is neither physically nor C

D economically feasible to test for all chemical D

E constituents in drinking water, monitoring efforts and E

F resources should be carefully planned and directed at F

G significant or key parameters." G

H Do you see that? H

I A. Yes. I

J Q. Next: J

K "(In English) The process outlined in this K

L publication provides guidance to assist water supply L

M utilities, in collaboration with public health M

N authorities, to identify those chemicals that are likely N

O to be present in an individual water supply, and may O

P represent a potential public health risk." P

Q Do you see that? Q

R A. Yes. R

S Q. The next paragraph: S

T "(In English) In assessing the chemical quality of T

U a water supply, it is important to include the four U

V priority chemicals ..." V

Q The four are identified by the WHO based on their Q

R experience. Do you see that? R

S A. Yes. S

T Q. "(In English) ... before assessing the water supply T

U system for chemicals of local concern. Extensive U

V V

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 51	
C	international experience has shown that these four	C
D	chemicals produce adverse health effects as	D
E	a consequence of exposure through numerous water	E
F	supplies around the world."	F
G	It continues to say:	G
H	"(In English) Two other commonly occurring	H
I	constituents, iron and manganese, are of high priority	I
J	because they can give rise to significant discoloration	J
K	of drinking water, making it unacceptable to	K
L	consumers ..."	L
M	CHAIRMAN: I correct your pronunciation. It's manganese.	M
N	DR WONG: Thank you.	N
O	"(In English) ... making it unacceptable to	O
P	consumers, who may turn to supplies that are more	P
Q	aesthetically acceptable but may be microbiologically	Q
R	contaminated."	R
S	Do you see that?	S
T	A. Yes.	T
U	Q. "(In English) Once priority chemicals within	U
V	a particular drinking water system have been identified,	V
	a management policy should be established and	
	implemented to provide a framework for the prevention	
	and reduction of these chemicals. Appropriate	
	monitoring programmes should be established to ensure	
	that the chemical quality of drinking water remains	

within appropriate national standards."

That is the WHO has identified priorities, and are
you aware of it?

A. It's the first time that I see it.

Q. Yesterday, Mr Ho, if you turn to page 10581 --

CHAIRMAN: What's the relevance, when you've read the entire
paragraph?

DR WONG: I want to say that lead is not a high-priority
chemical according to the WHO.

CHAIRMAN: I accept that. There is no problem with that.

Chemical in drinking water in the entire system.

DR WONG: Yes.

CHAIRMAN: The problem is that there is a Water Safety Plan
of the WSD and there is the general -- and treatment
plants, I have seen them, reservoirs, pumping stations,
they have identified hazards and preventions. I accept
that. But when it comes to after the boundary lot, it's
no longer in place, and in the inside service, whether
there is leaching or anything, there is no risk
assessment done, not by the Water Authority.

DR WONG: Right.

CHAIRMAN: I understand that, so what are you talking about?

DR WONG: I want to say -- my point is, according to WHO
literature --

CHAIRMAN: Yes. That depends on the situation. Say, for

example, if next to Hong Kong there is a lead mine, then of course. It would be different, and you would have to prioritise.

DR WONG: In general, it will not happen.

CHAIRMAN: I understand. There is no problem with that.

DR WONG: But this has something to do with the relevant body.

CHAIRMAN: I understand that. The problem is that you should have known about the risk, because there were some early warning signs about such risk, but nothing was done. Whether I know or not is a different matter.

DR WONG: I agree with you, Chairman. But what I want to say is that, first of all, in general, according to the WHO publication, lead is not high-risk.

CHAIRMAN: I completely accept it. The WHO also says that there is no need to constantly monitor heavy metals. There is no need to take water sample for that. If there are problems, a specification will be important, because metal concentration fluctuates greatly. I fully understand that.

DR WONG: But that is about heavy metal.

CHAIRMAN: Yes. You don't have to get so worked up when you point that out.

DR WONG: No, no, no, I wasn't worked up at all. I was only taking it step by step.

I will then move on to Hong Kong. In general, lead is not high-risk.

CHAIRMAN: Well, I've seen the concentration of the Dongjiang water. It is very small. So generally speaking, it's fine. Prior -- I have looked at the figures. Before July, when the incident happened, to afterwards. Don't assume that I haven't seen anything.

DR WONG: All right. I just don't want to bring up this point, and chairman, you are aware of it.

CHAIRMAN: Fine.

DR WONG: I didn't know that you know.

Let's go back to the Hong Kong situation, about risk assessment of lead leaching into drinking water. In 1938, Hong Kong law banned the use of lead pipes. Do you agree that there must be a discussion about the risk of lead just prior to the ban?

A. Yes.

Q. 1938, there was a ban on the use of lead pipes, and all the way to 2015. From WSD information or your personal knowledge, has anyone used lead pipes?

A. I have never heard about such incidents.

Q. Then would it affect your view of risk assessment with lead leaching into drinking water?

A. We do think that the risk of lead leaching into water is low.

Q. Where there is the law, there is a risk that someone may break it. Did you assess the risk of someone breaking the law?

A. We will look at the objective situation. We are concerned with the monitoring system of material, and there is the added safeguard of the requirement of a licensed plumber.

Q. And in the 1980s, Hong Kong started using copper pipes?

A. Copper pipes were in use at a very early age. I don't know whether it's the 1980s. I don't remember which year.

Q. In 1987, the WWO was amended. Basically, leaded solder material was banned.

A. Right.

Q. The introduction of BS standard to ban the use of leaded solder material -- at that time, I believe there was an internal assessment about the risk.

A. We are talking about the 1980s. I wasn't party to it. But I guess that that was the British Standard.

And the 1984 standard, in my recollection, the lead content exceeded 50 per cent. In around 1987 the standard was reduced to 0.1 per cent.

Q. Prior to July 2015, was there any record in the department or was there awareness within the department that lead-free solder material has to be used, and did

C you know of any case that someone used leaded solder
material? Was there any record? C

D A. There is no such record, and from the information of D
E complaint about water quality, there is no such
information. E

F CHAIRMAN: But when a layman complains about water quality, F
G they wouldn't know to complain about lead. G

H A. But there are overseas cases -- H

I CHAIRMAN: But we are talking about very serious cases where I
J your hair falls out, because lead is odourless and
colourless. If someone complains about lead, then you J
K will know; you get an idea about the Michigan case.
Children, the hair of children has fallen out. K

L A. (Chinese spoken). L

M CHAIRMAN: I'm sure you have read the document of Bellinger. M
N If it reaches the stage of clinical symptoms, it's very,
very serious. It's usually chronic, subclinical. N

O DR WONG: In 1987, there was a ban of leaded solder O
P material, and all the way to 2015 there has been no
record or knowledge. P

Q CHAIRMAN: What you mean is that there is no record or Q
R awareness that Hong Kong people suffer from lead
contamination from drinking water. R

S DR WONG: Right. S

T But did you do any risk assessment -- T

U

U

V

V

CHAIRMAN: There was none whatsoever. They have never identified that to be a risk. There is no need to say whether it's a high risk or low risk.

You said you would have to identify it to be a hazard first, but that wasn't even the case. That is in respect of inside services, that's what I'm talking about, of course, and that's never been done.

Yesterday, the director said he believed that not to be a problem because in general, the pH value of our water is quite high. As a result our pipes are safe because there won't be any corrosive effect. We apply common sense. In effect, has there been any exercise done to identify lead to be a hazard, and subsequently assess the risk to find out whether it is severe, minor, like the WSP plan. That wasn't done.

DR WONG: I agree.

CHAIRMAN: Exactly.

DR WONG: There is no detailed systematic WSP.

CHAIRMAN: Right, you are only talking about in general.

DR WONG: I was only asking about the general awareness within the department about leaching of lead into drinking water.

CHAIRMAN: They said they did not know.

DR WONG: That's right. Well, that is the result of no such incidents after 1987, since after the ban.

CHAIRMAN: I accept that. There is no need for clarification. But the Commission lawyer said that you should have known.

I would like to ask, if that is the case, then cadmium, nickel and chromium have been enhanced, whereas in the first place there was no risk assessment at all.

A. I have asked and the reply was that these metals are most likely to leach into the water supply system. For nickel, there is like the plating of some appliances.

CHAIRMAN: Yes, for cadmium, it's in brazing, but all along there is no incident of exceedance. So nothing is supposed to be done, and now it leads to high risk. So I want to ask, there must be some rationale behind when you conduct risk assessment. How come, in the past, without any incident, you did not identify that to be a problem and all of a sudden it becomes a high-risk element?

A. I'm afraid I can't answer you that. Maybe my colleagues would be in a better position to answer.

DR WONG: Another question, based on what I asked about local legislation. Have you ever considered sitting down to devise a detailed plan, to have a low, medium and high-risk assessment on the leaching of lead in drinking water in Hong Kong?

CHAIRMAN: He already answered. The answer is no.

DR WONG: I know the answer is no, but the reason behind it.

CHAIRMAN: Right. He wanted to know why the answer is no.

A. I think I need to ask my colleagues, because for Water Safety Plan or the related risk assessment, I just know that for water supplied by us, we have the plan, but if it goes beyond the boundary, then I'm afraid you need to ask my colleagues.

DR WONG: I am moving on to another area then.

CHAIRMAN: In fact, the regulation or the Ordinance at present only requires that water in the inside service is to be clean, as Mr Khaw said yesterday. Did you consider, apart from being clean, what other qualities should there be?

A. We are reviewing the legislation to enhance the quality requirement of drinking water. At present, the legislation is quite simple. So, on water quality, we are stepping up regulation. Apart from our water supply system, in relation to the public's maintenance, repair and cleansing of the inside service water supply system, we need to review the legislation.

CHAIRMAN: Right. You understand that in the UK, they use a term "wholesomeness", and that, apart from being safe, its appearance should be acceptable.

A. In the past, there were complaints from the public on water quality and we found that water tanks were poorly

maintained, and then we wrote up the Quality Water Scheme in buildings, and we are considering whether to make it a mandatory requirement.

Another point not directly related to this but somewhat related is water seepage or leakage. The water leakage in pipes in private estates is quite serious, and we are considering whether to introduce a mandatory inspection scheme for these pipes.

CHAIRMAN: On food safety, have you considered this? For example, when children have lunch in school, sometimes they have food poisoning, and have you ever considered the possibility of food poisoning caused by water?

A. No.

CHAIRMAN: Why not? Because if the food or the soup may be prepared using water, which may be problematic. Have you considered that?

A. (Chinese spoken).

CHAIRMAN: For E.coli, it's one of the eight mandatory parameters. E.coli also exists in water. But of course, E.coli could come from raw vegetables. But you also use water to rinse vegetables.

A. We have 16,000 groups or clusters.

CHAIRMAN: In fact, I have done some rough calculations.

Over 365 days, it's just a small proportion.

A. Altogether, 1600,000. But for water taps, just 16,000.

CHAIRMAN: Basically, these taps are situated at easily accessible places such as shopping malls and management offices.

A. In fact, since last July we have been taking samples from water taps and we have tried to have access into some private housing estates, to no avail.

CHAIRMAN: I understand the difficulty, because drinking water safety is very much related to food safety. Frankly, using the concept of lot boundary, let's say if food is delivered to Lok Ma Chau and then whether the food is poisonous or not, it would have nothing to do with me. Then this would be against the interests of the public.

So, going back to my point, you should not say that you are content with checking water up to the boundary. You should go further, because drinking water safety is no different than food safety.

A. We test for microbes every year, in the 16,000 taps, because we want to assess annually the risk of having microorganisms in taps managed by private premises.

CHAIRMAN: I don't know which department but there is a saying that once it goes beyond the lot boundary, even if the problem is serious, it is beyond the control of the department.

A. Basically, we have the risk assessment based on WHO

Guidelines.

CHAIRMAN: Because water is very important. If you look at examples around the world, mostly the problem lies with microorganisms.

A. According to the WHO standard, based on Hong Kong's population, we could just take samples from 2,200 or so, but now we have taken samples from 16,000.

DR WONG: The next question, on material monitoring, and why heavy metals had not been tested before the incident took place. That seemed to be the concern of many people.

For heavy metals, yesterday you said it was done through material monitoring. I just want to briefly take you there. C19.1/10589.

A. Yes.

Q. The paragraph before 3.3.3, "(In English) Operational monitoring"?

A. I see that.

Q. "(In English) Unless there is strong evidence that particular chemicals are currently found or will be found in the near future, at levels that may compromise the health of a significant proportion of the population, the inclusion of those chemicals in drinking water monitoring programmes is not justified, particularly where resources are limited. It is often

C more effective to maintain an ongoing programme of
pollution control and risk assessment in the catchment."

C

D Do you see that? D

E A. Yes. E

F Q. This is one of the paragraphs relating to the WHO's
material monitoring. F

G A. Right. G

H Q. Another paragraph, page 10642 -- H

CHAIRMAN: But that was about the general quality of water.

H

I It's at the highest level. I

J DR WONG: Yes. J

K Page 10642. Page 10641, 8.4, "(In English) K

L Distribution systems". It talks about a lot of heavy
metals. L

CHAIRMAN: Not a lot of heavy metals. Three or four types.

L

M Three or four heavy metals -- but a large paragraph on
N lead. N

DR WONG: Page 10642, one paragraph beginning "Lead".

O

O

P "(In English) Lead can also be present if lead
solder is used in the installation of copper piping.
Q A control measure in this case would normally be to
avoid the use of lead solders for applications involving
R drinking water."

P

Q

R

S Do you see that? S

T A. Yes. T

T

T

U

U

V

V

C Q. The next paragraph, final sentence, after PVC: C

D "(In English) However, chemical monitoring of D
E drinking water is not normally considered to be E
F appropriate and the most suitable method of management F
is by product specification, as indicated above for
other materials."

G That's also one of the paragraphs on WHO's material G
H control; right? H

I A. Right. I

J DR WONG: Chairman, I suppose you have heard about that. J

K CHAIRMAN: Right, many times. K

L DR WONG: Again, on material control. Before the incident L
K happened, before there was concrete evidence, when you K
L conducted water tests, you also tested for the eight L
parameters involving microorganisms?

M A. No, not strictly. Not eight parameters relating to M
N microorganisms. Only four. The other four had to do N
with chemicals.

O Q. Now, I covered heavy metals material control, and O
P yesterday you were asked some questions, and today you P
Q were asked the same question by another counsel, about Q
R material control. The industry relied on the WSD, on R
S WSD's guidelines, to know what should be done in S
relation to installation of pipes and fittings.

T Do you remember the question? T

C A. Yes. C

D Q. Right. I would like to focus on lead. It's not very
D complex, we're not talking about other chemicals. D

E Do you think the WSD -- E

F CHAIRMAN: Please repeat your question. F

G DR WONG: If the requirement is that the WSD should give
G some guidance on solder materials, and that it should be
H lead-free, then do you think that the WSD has given
H sufficient guidelines to the industry? H

I A. In the regulation, we talk about the UK or the BS I
J standard, and on the first day of hearing I already said J
K that we had colleagues engaged in the VTC training K
L programmes, teaching students that lead-free soldering L
M materials should be used in drinking water systems, and M
N in the 1990s the trade association also reminded N
O licensed plumbers that lead-free soldering materials O
O should be used. I understand that there had been effort
P made in the industry. As far as the ASD and HD's
P contracts are concerned, there are clear stipulations. P

Q CHAIRMAN: What does that mean? So you believe that you
Q have given sufficient instructions? Q

R A. We all understand the requirements. The problem is R
S whether anything has gone wrong in procurement of R
S materials and the use of materials, whether there has
T been sufficient monitoring. T

C Based on the WHO Guidelines and also the Review C
D Committee, in 2001, also pointed out that stakeholders D
E also needed to make an effort in the procurement of E
F materials, because if an incident arose at the F
G monitoring stage, the whole system -- pipes in the G
H system would have to be dismantled, and contractors were H
I concerned why nothing had been done earlier. I

J The best practice is not to check it at the end, but J
K at the time of procurement. And Hong Kong's situation K
L is more serious than overseas because we have high-rise L
M buildings. Re-plumbing will be difficult work, M
N especially after population intake. In overseas N
O countries, the buildings are lower, so re-plumbing will O
P be easier. But still we are talking about a vast P
Q number. Q

R Some people suggested use orthophosphate to deal R
S with the situation because that would be easier. If you S
T ask a department to check at the end, then it's not T
U possible, given the resources, because we are talking U
V about a large number of work, and if developers or V
end --

R CHAIRMAN: No. They don't just rely on you to keep the gate R
S at the end. If there is anything of concern, you should S
T have told us a lot earlier. Keeping the gate is T
U
V

a different thing. Since you are the gatekeeper, and you did not tell us what we should be concerned with, then what are we supposed to do?

A. That's their stance. When it comes to chambers of commerce and also the CIC --

CHAIRMAN: So, if I understand you correctly, you don't know why the chambers of commerce issued that document?

A. We remind members of these associations.

CHAIRMAN: Well, you don't know why that statement was issued in 1998. Don't tie that with your notification.

There is a change of syllabus. If I remember right, at that time -- well, you said that the management did not know about the change, so it's down to individual engineers about the change. You can't say that it's because of the WSD. It just so happens that that happened at the same time. You can't just claim credit. The WSD can't claim all the credit. It's just by chance. You said no already, assuming that you are telling the truth.

A. Well, I don't know.

CHAIRMAN: If indeed someone knew, then it would be a thorny issue. If the senior engineer, back in 2002-2004, knew about it, that means you should have known, if the two junior officers knew. What is strange is that junior staff all knew about it; it's only the senior ones who

don't know anything.

DR WONG: About what the industry should be concerned, you have to be notified by the WSD.

CHAIRMAN: Right. If you refer to the Water Safety Plan, for, say, individual stakeholders, for buildings, roles and responsibilities -- safety building services engineers, it's only a small paragraph, so the entire document is for the WSD; am I right?

DR WONG: I am not saying that you are wrong, but I want to narrow down the issue. It's about lead-free solder material and a number of other issues.

About this particular concern about lead-free solder material, do you think there is sufficient notification by the WSD to the industry?

A. Well, it's clearly stated in our regulations. Apart from the BS standard, but if you ask whether there is a focus, a reminder, that depends on the risk assessment, because apart from lead there are also other heavy metals that may leach.

CHAIRMAN: But the fact is there is none in relation to heavy metal.

A. Nothing has happened. If something happened, it's just like the example I quoted about lead taps. If we knew, then we would do something.

CHAIRMAN: Say, for example, Michigan, they changed the

source of water, and there was a huge problem, and if it's the place of the WSD, what would you have done?

A. We would look into the source. We are very concerned about the source because that would make it completely different.

CHAIRMAN: So you are talking about alkalinity of the source water, the water quality. Say for example one of the eight parameters, you have to keep a closer look, because of alkalinity, that is because of pH value?

A. Well, pH value is one of the eight parameters.

CHAIRMAN: Really. Any other questions?

DR WONG: About the responsibility of the regulator, that is in the 2001 report, page 18779 of C21. This is a witness statement of the WSD, and it has quoted a committee report of the construction industry. It's a Review Committee report. It says:

"(In English) Given resource constraints, all regulators face the same challenge of how best to target their enforcement action. We recommend that our regulators should explore with the industry, whenever appropriate, ways for industry participants to assume a greater responsibility over their behaviour through a degree of self-regulation. The regulator will continue to police the system, but with greater emphasis on those particularly at risk and with appropriately

C raised stakes for those who attempt to abuse the
regulator's trust ..."

D That is a document you mention a number of times,
E the regulator's approach.

F Yesterday, a question was asked -- well, the WSD
G being the end gatekeeper, whether a team can be sent to
H the site to check, to see if the licensed plumber has
I properly carried out the work, whether the material
conforms with the BS standard -- the suggestion. I want
J to talk more about the suggestion and the role of the
regulator.

K You said it's not impossible to get more people to
do the work, but there are resources constraints.

L A. Right.

M Q. The chairman said that it doesn't have to be done this
N way. If the LP gets you a few more reports certifying
the progress during the construction period, that would
do. Do you remember the suggestion?

O A. Yes.

P Q. Let me refer you to the certification and sending a team
Q to enhance regulation. Let me ask you for your view
first. Sending WSD staff to conduct tests.

R My understanding of the current system is that first
S the plumbing subcontractor has their own licensed
T plumbers and foremen to supervise the work. We are

talking about qualified licensed plumbers.

A. They have their own team. Apart from the contractor,
the developer also has their own consultant and
inspectors to supervise the work.

Q. There is also a second tier, that is the main
contractor. They also have their team to carry out
continuous supervision; right?

A. Yes.

Q. There is the third tier. The employer or the owner, who
will send someone to conduct periodical inspection?

A. Yes.

Q. Under this system, if the WSD forms a team to carry out
inspection of plumbing work, how much positive impact
would it have on regulation?

A. In my supplementary information, I said that there would
be very little economic benefit, because when it comes
to procurement, he will have to verify that at the very
stage, one by one. And if the material procured is not
properly checked, and if delivery is not properly
checked, it would be too late.

Q. So you would consider asking licensed plumbers to
periodically submit reports to the WSD certifying the
progress of work. Prior to commencement of the plumbing
workers, LP and AP will have to sign WWO46, saying that
the material used or intended to be used conforms with

the BS standard, with BS, before you give approval.

A. We have to check the information thereon to see if they are correct, before we approve commencement of work.

Q. After the work is done and when they ask for water connection -- I will take you to WWO132 shortly.

Basically, they have to confirm with you that the material used conforms with the standard before there is water connection, and you will have to take water sample at the connection points for the eight parameters.

A. After the lead in water incident, for inside service, we would test for the 12 parameters, and on soldering material we will take sample tests, random tests, on lead.

Q. So you take one step forward and require the LP to submit a few more forms, say for example one every month, certifying the material used is compliant. What are the merits and demerits of this in regulation?

A. That would be the question. It's going to be a progress report. When they work their way up, they furnished us a report in May, to strengthen the regulation, but it will generate a lot of paperwork.

Subsequent to the lead in water incident, we have had meetings with authorised persons. If we are talking about resources, we have it look into whether there is any benefit, there will be any benefit. When they work

their way up, about furnishing report and information of the material tested to the Water Authority, we have to talk to them. This also involves the developer as well and their view of this suggestion.

In the review, we will look into the possibility of everything. We will also draw reference from overseas experience and decide whether it's most beneficial to the Hong Kong situation.

Q. One last question on this area. In 1982, apart from requiring the LP to sign on WWO46, to confirm that the materials used are in compliance with the BS standard, there was another requirement added subsequently, for applying for water supply connection, that is for the AP, for the authorised person, to confirm that the materials used are in compliance with the BS standard.

What was the purpose of adding this requirement in 1982?

A. In 1982, I recall that there was a problem. Before 1982, WSD's approval was required for all waterworks or plumbing systems. That took a long time and the industry at the time asked whether the whole procedure was required, or whether somebody in the industry could confirm that the designated installations were in compliance. That is, to spare the need for the WSD to fix the stamp and give the approval. That is, at the

time, the responsibility would fall on the shoulders of the AP.

Q. So do you consider it to be an important element to your monitoring effort?

A. It is important, because with the AP confirming that we then scrap the requirement of checking and approving every installation, and that played a very important role in monitoring the industry.

Q. The AP was in charge of overseeing the whole construction project, so he is responsible to the WSD as well as the ASD.

Yesterday, Mr Ho walked you through regulation 6(3). It's in bundle C2, page 1156. Regulation 6. Then 6(3):

"(In English) No pipe or fitting forming part of a fire service or inside service shall be used or covered up until it has been inspected and approved by the Water Authority."

So you should remember that he asked you that the WSD is the final gatekeeper, that is, if the WSD is satisfied, then it is in compliance. Do you remember him saying that in relation to regulation 6(3)?

A. Yes.

Q. So, in the final inspection, would you give the approval on the basis of the AP signing and submitting the form confirming the correct use of materials?

C A. That will be one of the factors for consideration. C

Q. All right. Then moving on to consumers' responsibility.

D Mr Ho also walked you through that. Section 7 of the D

E Waterworks Ordinance. "(In English) Approval of E

F consumer and agent". Subsection (1) reads: F

G "(In English) The Water Authority may approve, as G

H the consumer of a fire service or inside service in any H
premises, any person who --

I (a) occupies the premises; or I

J (b) is responsible for the management of the J

K premises or any part thereof; and K

L (c) gives an undertaking, in such form as the Water L
Authority may specify --

M (i) to pay any charge due in respect of the fire M
service or inside service; and

N (ii) to accept responsibility for the custody and N
maintenance of the fire service or inside service and
O the custody of any meter pertaining to the fire service O
or inside service."

P Do you see that? P

Q A. Yes. Q

R Q. Subsection (3): R

S "(In English) A consumer or agent may at any time S
T apply to the Water Authority for cancellation of T
U an undertaking given by him under this section and the U
V

Water Authority shall, if all charges due from the consumer or agent have been paid, cancel the undertaking whereupon he shall cease to be the consumer or agent."

There is a definition for "consumer" in section 2.

"Consumer' means a person who is approved under section 7 as a consumer of a fire service or inside service".

So if somebody is a consumer, then what is his responsibility towards the inside service?

A. Here, it says there is an undertaking. Here, it says to have the custody and to be responsible for the maintenance of inside service.

Q. Just now, chairman reminded you --

CHAIRMAN: But this is not a clarification.

DR WONG: I just want to clarify the undertaking.

CHAIRMAN: This is not clarification. Nothing to clarify.

DR WONG: Okay. Another question on this regulation.

Yesterday, counsel asked you about the wide scope of duties of the WSD, and he walked you through sections 8, 9 and 10. Section 10 talks about disconnection. Do you remember these questions?

A. Yes.

Q. He said that your department, or you, have a lot of powers. For Kai Ching or the 11 affected estates, in relation to the affected residents, when non-compliant

materials are found to have been used, and as the Water Authority, you need to exercise your power reasonably.

Under what circumstances would you consider disconnecting the water supply?

A. Well, as I mentioned just now, leakage of underground pipes causing flooding on the ground level, and complaints from the public, and usually we would contact the property management office or the owner, urging him to repair the leaking pipes. Usually, the owner would co-operate, but sometimes, if the problem is left for a long time, then we would issue another notice of disconnecting water supply if the problem is not rectified within a certain period of time.

After issuing the notice, some owners would very quickly repair the pipes, but in some other cases, if the problem remains, we will disconnect the water supply. We try not to affect water supply to the public, but there are these instances.

Q. Let's look at a document in A2. Page 1256. 2.1.7. Then page 1230 is "Water safety in buildings". That's the first page.

A. Yes.

Q. 2.1.7, that's on page 1256. The role of regulators -- I won't read it out -- but I would like to take up to another paragraph in the same document.

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

B Commission of Inquiry into
Excess Lead Found in Drinking Water Day 51 B

C Please turn to page 1249. This section is about C
D roles and responsibilities of stakeholders, the D
E different roles of stakeholders in water safety in E
buildings. E

F I would like to take you to other paragraphs, other F
than the one read by counsel yesterday. F

G CHAIRMAN: Don't take him to other paragraphs. Don't waste G
H time. Just tell us what the question is. Don't waste H
time reading it out again. H

I DR WONG: 2.1 -- I

J CHAIRMAN: Ask your question. J

K DR WONG: Now, we need the joint effort of stakeholders in K
order to achieve the objective. K

L CHAIRMAN: The answer is definitely yes. No need to ask L
this question. L

M DR WONG: Also, page 1250, under "(In English) M
N Developers" -- N

O CHAIRMAN: Don't read. Just tell us. O

P DR WONG: It says: P
Q "(In English) Developers are ultimately Q
responsible ..."
R Do you see that? R

S A. Yes. S

T Q. So the department's role is a regulator, but developers T
U are ultimately responsible? U

V

C CHAIRMAN: Don't knock on the table, please. C

DR WONG: Do you agree?

D A. Yes. D

E Q. So let's look at something about stakeholders. E

Bundle C2, page 1307.

F A. Yes. F

G Q. On the left-hand side, the last paragraph on page 1307
H of bundle C2, the last sentence:

"(In English) [Water Safety Plan] for buildings ..."

I Do you see that? I

J A. Yes. J

K Q. So, if you want to walk the extra mile to ensure that
L the water coming from taps is safe for people of
L Hong Kong, do you agree that there should be a WSP for
every building?

M A. Following the WHO Guidelines, this is the appropriate
N method. N

O Q. And the WSP should be jointly devised by owners and
O every stakeholder, that is WSP for every building?

P A. This is very important -- P

Q CHAIRMAN: Of course, the plan is to be implemented by
Q individual owners, but you have no role in it.

R DR WONG: But we are one of the stakeholders. R

S CHAIRMAN: If you don't require WSP, who would read the WHO
T Guidelines? Right? If you don't take the lead, who
T

U

U

V

V

would follow? How many have actually read the WHO
Guidelines?

DR WONG: Let me clarify.

CHAIRMAN: The questions in your re-examination seem to
suggest that the WSD can go scot-free; no responsibility
at all.

DR WONG: No, no. This is not my intention, Chairman.

CHAIRMAN: That is, I'm talking about your re-examination.

A. I think, for the Quality Water Scheme for Buildings, we
are heading in this direction. We are jointly devising
guidelines, and last year we stepped up our effort.

CHAIRMAN: If the department doesn't walk the extra mile,
then who would? If the department doesn't take the
lead, then should developers take the lead?

DR WONG: I will follow up on this.

About WSP, you talked about the objective, the WSD's
WSP objective. The objective is to ensure water quality
at the consumer's tap. That is, the WSD did consider
taking this extra step to meet this objective.

CHAIRMAN: No, sorry, you didn't say that.

DR WONG: Chairman, apologies. There was
a misunderstanding.

So the objective of your WSP is to ensure safety,
even at consumer taps. If you are to achieve this goal,
there must be some discussions within the department

about the WSP. Did you consider legislating, mandating
the WSP?

CHAIRMAN: When are you talking about? Now?

DR WONG: Prior to the lead in water incident.

CHAIRMAN: Definitely not.

DR WONG: Yes, I know that it wasn't done.

CHAIRMAN: Of course that is the case.

Water Safety Plan stops at the lot boundary. Then
how do you expect the individual buildings will take
that on?

DR WONG: Perhaps my question wasn't clear.

What I want to ask is that, well, were there any
considerations? I know that now there is the voluntary
scheme, but, at that time, was any consideration given
to ask owners? Of course the WSD has a role to play,
but did you give any consideration to it at all? What
was the policy consideration?

A. I personally did not participate, but I have seen some
documents. Say, for example, in the Water Resources
Advisory Committee, back in 2001 there was a discussion,
because at that time they wanted tap water to be potable
they considered whether there should be some mandatory
requirements requiring individual owners to submit water
samples for tests.

But this would be a territory-wide requirement and

C they had to consider whether there would be sufficient
D laboratories doing the work, and the price would be
E high. Instead, they considered using a voluntary
F scheme, to encourage owners to do it. The discussion at
G that time was about tests. I don't remember whether
H there was any requirement about regular cleaning of
I tanks and pipes.

H The 2005 voluntary scheme was quite well received.
I 45 per cent --

J CHAIRMAN: Please answer the question. We have seen the
K ACQWS paper. The question was whether you have
L considered applying the WSP plan for individual
M buildings.

N A. It's not entirely about that, but it's related.

M CHAIRMAN: In effect, it means no.

N A. It wasn't called WSP.

O DR WONG: Now I will move on to a different topic, about
P WWO46. There are some standards, but they are not the
Q most updated standards. There are two areas of concern.

R First, if there is a new BS standard, why didn't you
S give, say for example, a six-month grace period for the
T industry to adapt and update WWO46? Because there are
U three materials on the list that have been updated.

S CHAIRMAN: Three updates? Maybe because the three haven't
T been updated at all.

DR WONG: No, no.

CHAIRMAN: Never mind. Continue. Please go straight to
your question.

DR WONG: There is one saying, that the industry should be
given six months or a year's grace period so that they
can change to the latest requirement. That's your first
concern.

And the second one was that the Ordinance requires
the latest standard, but if I read your WWO46, there was
no mention of the BS standard, so there was a concern
that they wouldn't know what to do, to follow the
updated version or the one before that.

Yesterday, you talked about the BS standard change.
If it's a significant change, say from leaded
50 per cent to lead-free, what measures would you take
in relation to the BS standard?

A. If it's a significant change, we would follow the most
updated standard.

Q. And if the BS standard for the material is small, say
10 per cent to 9.5 per cent, a small change, would you
issue a circular, requiring the industry to adopt the
new standard, say for example after one year, because it
changed from 10 to 9.5 per cent?

A. Suppliers of fittings would go to a laboratory if they
want us to approve the material, and the laboratories

would use BS standard. If the standard has been updated to, say, 9.5 per cent, there would be some discussions as to whether the latest standard is to be followed.

In different circumstances, the tests of fittings under the updated version might be different.

CHAIRMAN: Just don't be so abstract. Talk about leaded solder material or lead-free solder material.

A. In the form, it's a terminal fitting.

CHAIRMAN: Just use 864.

A. For pipes, if there is an update, say BS EN 157 will use the new one, and if some pipes don't follow the updated version, we will take into account the situation when we deal with it.

We have uploaded our requirement onto the website, to make it clearer.

CHAIRMAN: I don't understand -- what is it to do with the licensed suppliers?

A. In general, suppliers would approach us to get approval, but first they have to go to laboratories, and the laboratories will ask us about the latest BS standard.

CHAIRMAN: So what you mean is --

A. We follow the latest BS standard.

CHAIRMAN: So you mean you would update the BS standard, but as to whether there would be any change, it depends on the supplier. If they said that there is a major

change, then they would change, but if it is not a major change, then they won't change.

A. Its for them to decide.

CHAIRMAN: There's no reason, when there is a change in the law, the suppliers would decide whether to adopt it or not. You have to upgrade it or update it.

A. Well, if the law says it's a BS outdated version, we have to go to LegCo to get it updated. We are talking about this form, say some pipe materials.

CHAIRMAN: You are talking about WWO annex 1?

A. If the BS standard of the material is not mentioned -- well, if it's mentioned, the correct way is to go to LegCo to get an update. But the rules or the regulations don't follow it entirely. If there is an update, yes, in theory the latest BS standard should be followed; but for some fittings, under the regulation there is no specified BS standard, and we said that all materials have to conform to the British Standard. The lab would talk to us and ask us whether they should follow the latest version, and I would say to them that in principle, yes.

And I think what counsel is saying is that it depends on the extent of the change, and we will consider the impact on the industry. If it's a significant change, we would require the industry to

change, but if it is not, we will consider it.

In principle, we follow the most updated version, but if it is a small change, we will take into account the situation before we proceed.

That's the usual practice, in relation to all materials. It is not necessarily the case that we will change when there is an update. We will take into account the situation. There is a technical committee, with chambers of commerce, institutes and laboratories as members. They look into the way to proceed, where there is a newer standard.

DR WONG: So if the BS standard changes and it's a minor change --

CHAIRMAN: What? Change of what? Where is it changed? In the regulations, in the Ordinance, the British Standards or the form?

A. It's the form, because the materials are listed.

CHAIRMAN: I am not interested in the form.

A. For the law, we follow the most updated version. The correct way is to go to the LegCo, to get the law updated.

DR WONG: My last question. Please refer to WW01(3). B4.3, page 5084.

Yesterday, we went through this. According to counsel, it had nothing to do with the WSD's drinking

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C water standards, because this -- look at the form. C

D There is this address, to the Water Authority; right? D

E Then, on the right-hand side, two options, potable water and flushing water? E

F A. Yes. F

G Q. And both boxes were ticked? G

H A. Yes. H

I Q. Then "(In English) Connection to water supply" in section II. Again, two boxes, "(In English) Potable water" and "(In English) Flushing water". I

J A. Yes. J

K Q. Potable water means drinking water; right? K

L A. Yes, drinking water. L

M Q. If it's drinking water, then let's look at the paragraph: M

N "(In English) I confirm that the plumbing fittings and pipes used in the captioned project are in full compliance with Waterworks standards and requirements." N

O So is it your understanding that for potable water, it's in compliance with Waterworks standards and requirements? O

P A. Yes. P

Q Q. Thank you. The following page, page 5085. That's WWO1005, the WSD form approving two things, potable water supply and flushing water supply. Q

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C For potable water supply, the WSD is satisfied that
D the standards have been met for potable water supply
E before giving this approval.

E A. Yes.

F DR WONG: No other questions, Chairman.

F CHAIRMAN: Thank you.

G Thank you. You may be excused. G

H DR WONG: Chairman, I understand that there's been a change
I of sequence of witness. Because of our concern over
J water sampling method, I am going to call Mr Chan
K Kin Man first, the chief chemist.

K Chairman, if I may be permitted to ask Mr Chan to
L read the statements.

L MR A CHAN: (In English) Mr Chairman, while Mr Chan is
M coming in, can I just double-check that the intention
N today is to sit today until 5.00 and not beyond?

N CHAIRMAN: (In English) Yes.

O MR CHAN KIN MAN (affirmed)

O CHAIRMAN: Please be seated, Mr Chan.

P Examination-in-chief by MR A CHAN

Q (All questions from Mr A Chan were in English)

Q MR A CHAN: Mr Chan, what I am going to do is read in
R succession four witness statements, which I understand
S document the evidence you intend to give to this
T Inquiry.

C After I do that, for formality's sake, I will ask C
you to confirm the content of those statements. So
D please bear with me as I do that. Each statement will D
appear on the screen in front of you. E

(1st statement read in English)

F Mr Chairman, I don't know if this would be F
G a convenient time to pause, for me to pick up the second G
H witness statement tomorrow morning. H

I CHAIRMAN: It seems you are getting tired too. So let's I
resume at 9.30 tomorrow morning.

J 9.30. J

K DR WONG: Chairman, I would like to report one matter to K
L you. I have discussed with the other counsel and we are L
M finalising the report. Mr Chan Kin Man may need to M
discuss with other experts on the report. I have
N discussed this with the Commission's counsel and he is N
fine with it.

O CHAIRMAN: All right. 9.30 tomorrow. O

(4.57 pm)

P (The hearing adjourned until 9.30 am the following day) P

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