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2015 年 12 月 3 日

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上午 10 時 04 分恢復聆訊

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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

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

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何沛謙資深大律師及殷志明大律師，由羅夏信律師事務所延聘，代表香港房屋委員會

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王鳴峰資深大律師、陳樂信大律師及羅頌明大律師，由律政司延聘，代表水務署署長

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

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林國輝大律師，由孖士打律師行延聘，代表瑞安承建有限公司

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譚俊傑大律師及吳宗鑾大律師，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

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許佐賓大律師，由的近律師行延聘，代表保華建築營造有限公司

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許偉強先生：主席、委員，喺傳召程先生作供之前，我都想宣布一下，就係呢個 Professor Bellinger 個專家報告就已經做好咗喇嘞，咁我哋都係擺咗喺我哋嘅文件夾嘅“v”個文件夾度嘅。

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主席：係。

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許偉強先生：我知道秘書處嗰邊今日下晝亦都會將佢擺上網嘅。

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主席：係。

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許偉強先生：唔該。

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主席：好呀。

黃小姐：主席、劉委員，我哋今日會 call 程熾輝，熾熱個「熾」。

有關有利建築有限公司（總承建商）的第五證人：程熾輝（明合有限公司的 Senior Engineer（安達臣道 Site E 地盤））以本地話宣誓作供

主席：請坐，請坐，嘎。

係，Ms Wong。

黃小姐：係。

黃小姐主問

問：程先生，你而家係喺明合有限公司做緊 Senior Engineer，係咪？

答：係。

問：你亦都係叫「輝哥」？

答：係。

問：你幾時加入明合嘍？

答：大約 07 年，2007。

問：07 年幾多月，記唔記得？

答：八月。

問：八月？

答：嘎。

問：你工作範圍其中之一，係咪包括同有利去協調就材料送交界房署審批呢個程序嘅呢？

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答：係。

問：而當中亦都包括好多水喉嘅配件，係咪？

答：係。

問：而我就想問嘞，有關安達臣道 Site E，E 區呢個地盤，咁我哋而家知道佢起工嘅日期大概 2013 年初。咁你而家都係做緊呢個安達臣道 Site E，即係 Anderson Road Site E 呢個地盤㗎，係咪？

答：係。

問：我就想問嘞，「送審時入樣辦」，其實個意思係邊度呢？

答：我哋遞交嗰啲樣辦呢，就係畀呢個房署去批核嘅，咁我哋遞交--因為我哋會遞交啲文件，咁房署亦都有要求要埋個實辦㗎度啫。

主席：要遞交文件同埋咩嘢話？

答：個樣辦。

主席：係。

問：所以即係入咗個樣辦之後，其實個原意係要嗰地盤用番㗎，係咪？

答：係嘅。

問：若果話轉第二隻，咁個情況會點呢？

答：都需要遞交過畀房署去批核。

問：所以就唔可以立亂自己話轉第二隻就第二隻？

答：唔會隨便咁樣去換。

問：好嘞，咁明合當時嘅分判水喉商，就住水喉工程呢個工程呢，係批咗畀永興嘅莫海光先生㗎，係咪？

答：係。

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問：咁你所理解，莫海光或者永興喇，係同明合係咪已經合作咗好多年？

答：好多年。

問：所以有好長嘅合作關係？

答：係，係，yeah。

問：咁佢亦都係知道送審材料畀房署批核個意思喺邊度，係咪？

答：會知道呢個。

問：亦都知道話送咗審批嘅材料唔可以話自己立亂轉㗎喇？

答：會知道係。

問：好嘞，我哋去番就呢個安達臣道 Site E 呢個地盤，咁有利當時嘅 AQCC 係 Leo Tam？

答：係。

問：咁 Leo Tam 係咪有聯絡過你，就住有關送審材料嘅事呢，就住呢個地盤？

答：有嘅。

問：咁而聯絡呢，最主要因為明合當陣時候係有利水喉工程嘅承判商，係咪？

答：係。

問：佢打畀你傾材料送審嘅事，咁你記唔記得嗰陣時佢問你啲咩嘢呢？

答：佢就叫我呢，就話有啲物料要擺個樣辦畀房署去批嘅，就嗰啲咁嘅-- 如果係講銅喉嗰面，佢哋話我哋要求呢就要有啲啲焊接物料畀佢，個樣辦畀佢，於是乎我就打畀我哋嘅判頭莫海光，咁就叫佢擺啲樣辦呢，就符合番房署規格嗰啲，就擺番去畀房署--畀 Leo Tam，就遞交番畀房署去批核。

問：係。你係打畀莫海光，係咪？

答：係呀。

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問：親口同佢講？

答：係。

問：你打畀佢嗰陣時，其實有冇講明話要遞乜嘢牌子嘅材料呢，...

答：牌子...

問：...就住焊接物料？

答：牌子我有講嘅，因為即係佢都遞開房署好多物料，咁我都話畀佢聽，就話「遞交番房署認可嗰啲要求」。

主席：遞交番房署咩嘢話？

答：房署要求嘅。

問：我哋睇睇文件先喇，I1, 294 頁。我哋睇到呢份 form 呢，就 "SAMPLE SUBMISSION AND APPROVAL FORM" 嘅，睇唔睇到？

答：係。

問：左上角就寫住 "Contract Title"，安達臣道 Site E 第一同第二期嘅，係咪？

答：係。

問：咁個日子亦都係 2013 年 6 月 14 號。

答：係。

問：呢個 form 呢就係有利遞上去嘅，我哋亦都見到喺 (e) 嗰個 "Supplier" 嗰度，如果你睇睇，就係有明合公司嘅。然後我哋揭去第二頁呢，就係 Leo Tam 遞上去送審畀房署嘅，見唔見到個簽名？

答：係。

問：而家我哋再睇落去第 297 頁呢，就係當陣時候送審上去嗰兩個焊接物料，左邊就係松香膏，右邊就係綠色嗰罌...

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答：係呀。

問：...無鉛焊接物料。我哋再睇番轉頭，或者第 295 頁，咁睇到佢個批核日期--房署個批核日期係 2013 年嘅 6 月 24 號嘅，睇唔睇到？

答：係。

問：當陣時候你收到呢個批核之後，有利嘅 Leo Tam 有冇同你溝通過呢？

答：佢有通知我哋呢，咁...

問：有通知你？

答：嘎，嘎。咁...

問：記唔記係通常嘅做法係點樣嘅，當時？

答：通常我收到佢通知呢，如果係有關係公司嘅物料係要採購嘅，咁我哋就會係喺公司嗰面會通知番喇。如果係關於有判頭去負責購買嗰啲，我都會打電話通知番佢，「喂，已經係批咗，你可以用呢啲咁嘅材料」。

問：係。咁講番呢個情況先，譚生就話咗畀你聽已經批咗㗎嘞？

答：係。

問：咁你又冇通知畀莫海光先生，有關呢個焊接物料嘅批准咗呢，房署已經批准咗呢個？

答：有通知過。

問：有通知佢？

答：嘎。

問：你係自己親自打？

答：打電話，親自打嘅。

問：嘎。咁你記唔記得大概幾時？

答：佢七月嘅喇。即係...

問：七月嘅？

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答：嘅。

問：我有另一個範疇想問問你嘅，程生。咁就關於喺發展地盤呢，係咪有兩類辦房？第一款就係叫「木板房」，英文就叫“timber mock-up flat”？

答：係。

問：第二類就係樣辦 flat，即係叫做“sample flat”咁樣喇？

答：係。

問：我想問問嘞，「木板房」嘅目的係咩嘢呢？

答：個目的主要就係就因應番啲啲房署出畀我哋啲啲施工圖，就喺嗰度做個樣辦出嚟，就去睇下啲啲留窿嘅位置。主要嘅目的就係想留窿嘅位置，確認咗啲啲位置，然後之後去做呢啲啲咁嘅預製件呀，咁起樓嘅時候可以根據番呢啲啲資料去做囉。

問：咁「木板房」，就即係顧名思義喇，就用木板做，就唔係話石屎做，就咁搭間木屋出嚟，係咪？

答：係嘞。

問：所以釘咗個模型之後，其實最主要目的係咪定啲啲位、度位、定尺寸呀？咁所以其實唔係話翻啲實物上去嚟，係咪？

答：件實物都會擺喺度嘅。

問：係。

答：但係就即係愛嚟因啲啲咁嘅位置，但係就通常啲膠喉都唔會翻膠水呀，啲銅都唔會焊接住咁樣。

問：係，即係啲喉...

答：因為方...

問：...唔會焊接住嘅？

答：嘅，因為方便隨時去因應則師嘅加改咁去做嘢。

問：明白。咁呢個做法當然就同 sample flat 有分別喇，係咪？

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答：係。

問：Sample flat 就直情係要做間屋出嚟，翻晒啲焊料、喉咁樣？

答：係呀，會完成晒所有嘅工序。

問：好嘞，我想畀你睇睇蕭健煌嘅口供，O1。

主席：喺呢個--離開呢一度之前呢，我想問一問，係咪事實嚟嘅呢？呢個安達臣路（道？）雖然唔係我哋今次受影響嘅十一條屋邨，因為我今朝早睇報紙睇到，呢個安達臣道呢一期嘅公屋，就話因為啲水喉都出現有問題，要更換過晒，係咪咁呀？

答：都係會，係。

主席：係咪咁呀？

答：嘎。

主席：即係而家係換緊佢啲水喉？

答：已經處理咗。

主席：已經處理咗嘞，係因為又係啲焊料出現問題？

答：係呀，後期發現到有。

主席：唔，但係就未入伙嘅？

答：未入伙。

主席：唔，得。

黃小姐：麻煩你，主席。

主席：繼續吖，嘎。

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問：我想帶你去睇睇蕭健煌口供 01，第 11 頁。第 9 段嗰度，嗰度就提及到--第三行嗰度。第 9 段，第三行。咁佢就提及到「『木板房』內的水喉管、水渠等均需裝好，全部銅喉亦需要焊接好，但不用接駁水源進行試水。」就話「『木板房』會先經明合、有利審批，再由房屋署批核。」

答：係。

問：咁你對呢個講法，話就算係「木板房」，都要將銅喉要焊接好呢個講法，有咩嘢睇法呢？

答：我哋一般做--因為呢個彩福呢個做「木板房」嘅時候，我就有參與呢個邨呢個嘅。

問：係。

答：但係一般我接觸到嗰啲板房，就係冇經焊接嘅。

問：係。咁最主要原因係因為純粹「木板房」係用嚟度位嘅啫，鑽窿呀咁。

答：係嘞，嘎。

問：所以啲物料...

答：同埋...

問：...要隨時拆番出嚟㗎？

答：係，同埋會有好多因應加改嘅隨時。

問：唔。

答：即係要--所以你就唔會--方便咗去修改呢，就唔會焊實喇。

問：係，麻煩晒，程生。

黃小姐：主席，我完成主問。

主席：唔該。

黃小姐：唔該。

許偉強先生盤問

問：程生，你剛才講你 2007 年就入職明合嘅時候，就當時係咪都係已經係高級工程師？

答：唔係，係工程師。

問：係工程？

答：嘅。

問：明白。我想問下，你就住而家涉事嗰六條邨嚟講，我就睇到伍克明嘅口供入面就有提到，你就喺牛頭角下邨、同埋彩福邨，當時你都係負責地盤即係監管...

答：係呀。

問：...嘅人事嚟嘅，係咪？我都想問一問，就係就住呢六條邨嚟講，我哋而家如果就咁講牛頭角下邨，同埋彩福邨咁講喇，咁當時你係工程師喇。你對於嗰個合同嗰個制訂，即係講緊嗰個外判合同--即係同水喉嗰個外判嘅合同，你有冇參與嗰個制訂嘅工作㗎？

答：係呀，有參與。

問：冇嘅。我想知道，就係你知唔知道有關嗰個水喉外判合同呢，就住呢啲咁嘅焊料要達到啲咩嘢要求，有啲咩嘢規格，你自己有冇認知㗎？

答：我知道係要--有認知嘅，呢樣嘢。

問：係咪？你係咪知...

主席：你知道咩嘢話？

答：知道係要用無鉛啲嘢嘅。喺房署嗰個規範嗰度有講過嘅。

主席：唔。

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問：咁你講唔講得出其實係要有啲咩嘢規格呀，對於嗰個焊料？

答：佢焊料就係主要講話嗰個鉛嘅度，即係喺嗰條錫料唔可以含鉛嘅。

問：錫條唔可以含鉛，咁我想問一問你，就係你知唔知道嗰個錫條，你剛才講錫條喇，...

答：錫料。

問：...同埋錫線嘅分別呀？

答：我哋冇特別去分別，因為我哋見到都係一卷卷嘅錫--即係捲住嗰啲無鉛嘅錫線。

問：即係你哋見到嗰啲都係捲住嘅，係咪？

答：係呀，我又冇見過啲係一條條嘅。

問：好。咁我想問一問你，知唔知道就係話要用無鉛嘅呢啲焊料呢，嗰個目的係乜嘢呀？

答：我主要嘅--即係知道都對個身體有害嘅，即係都要係由嗰啲咁嘅資訊度知嘅。咁喺嗰個規範度講到明，就係唔可以用含鉛嘅錫。

問：唔。即係你話對呢樣嘢係--可能對身體有害呢樣嘢喺某啲資訊度知道喇，但係呢樣嘢你就係你當時負責牛頭角下邨、同埋彩福邨嘅時候，你都有知道呢個問題，係咪？

答：嗰陣時我又唔係好記得係冇冇知道呢樣嘢，嗰個。

問：唔係好記得知唔知，但係即係最近就更加清楚嘞，係咪咁嘅意思呀？

答：係，係。

問：就住呢兩條邨嚟講先喇，我想問一問你，就係如果我哋講下牛頭角下邨先。牛頭角下邨，當時如果要向房署--你哋應該係講你哋準備好啲啲--你哋需要準備嗰啲物料去呈交界房署呢樣嘢呢，牛頭角下邨喺呢個步驟嘅度，你有冇參與㗎，當時？

答：都有參與。

問：都有參與嘅？

答：嘅。

問：我想你睇一睇有關嗰個文件，B15.3，39419。呢個我哋見到都係當時就住牛頭角下邨呢，嗰一啲物料，同理關於一啲物料嘅文件就做咗一個呈交嘅咁。

答：係。

問：我哋呢度呢，如果程先生你睇一睇有關 1 嗰度個 “General Information”，我哋都睇到有 “Copper Pipes and Fittings”；下面都講話 “Cold & Hot Water Supply Installation”咁樣嘅。我哋見到呢樣--就住呢一個呈交，我想問一問你，就係當時係有利係咪特別有邊一位職員先同你聯絡，係叫你準備有關呈交嘅工作㗎？

答：冇特別，唔。

問：冇特別嘅？

答：係。

問：即係有冇特別邊個人話通知你「啊，需要呈交嘞」？係咪房署職員咁定係邊一位通知你？

答：冇特別嘅，因為我哋因應番嗰個時間，用料去--因應番嗰個需要去做 submission 嘅。

問：啊，咁你幾時--即係大概--你點樣去知道喺咩時候要做呢個呈交呢？

答：通常我哋都係睇番--即係預計番材料要訂幾耐喇、批幾耐喇，咁去計算番嗰個 submission。

問：計算番個時間，係咪？

答：係。

問：好。咁就作呢個呈交嘅時候，我咁樣講啱唔啱呢？係咪你都有聯絡番莫海光先生呢，就叫佢做--即係準備有關方面嗰個樣本個呈交㗎？

答：呢個就我哋係會話番畀佢聽，就因為要喺嗰個樣辦房度呢，就叫佢派人去做一個即係施工。即係做一個程序畀佢--點樣去做呢個焊接嘅，即

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係房署有要求，喺個樣辦房嗰度。

問：係--唔係，我係講緊話--即係唔係講緊話點樣做焊接嗰個工序。

答：唔。

問：我係講緊就係話，因為你要呈交呢啲物料個樣辦呢係去房署㗎嘛。咁我想知道，就係係咪你本人聯絡莫海光先生，就叫佢擺啲有關嘅樣辦畀你睇㗎？

答：係嘅。

問：係咪？

答：嘅。

問：你係打電話畀佢定係約佢見面㗎？

答：我打電話畀佢嘅，即係...

問：打電話畀佢嘅。咁就你當時就打電話畀佢嘅時候，你同佢講咩嘢㗎？

答：就住呢個牛頭角下邨嚟講呢，咁因為就係喺 submission 嗰陣時，嗰個房署冇要求到呢--即係通知我哋去擺個樣辦--即係呢個樣辦，就要求我哋喺個辦房度呢做一個 demo，...

問：係。

答：...連埋啲啲焊接物料喺嗰度做咁樣。

問：哦。咁即係最後佢就...

主席：等一陣先。牛頭角下邨係咪你而家講緊？

許偉強先生：係。

主席：唔，繼續吖，嘅。

許偉強先生：係。

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問：咁牛頭角下邨，你就--咁你嘅意思係咪即係話，就牛頭角下邨，就莫先生就有特別話就住呢一個焊料嘅樣辦呢係提交咗畀你哋嘅？有嘅？

答：冇，冇特別。

問：冇嘅？

答：嘅。

問：就只係當時就喺個樣辦房，咁佢就啲工人示範用呢一隻--即係你講嗰隻捲起嗰隻物料嚟做示範咁樣？

答：係，係。

問：係咪咁呀？

答：係喇。

問：我想知道，就係呢個做示範之前，你話你有打過電話畀莫海光先生喇。

答：係。

問：你有冇同佢講話「喂，用啲咩物料做示範」，咁有冇講呢？

答：都係講，用番房署--合規格房署啲啲。

問：房署合規格嘅，係咪？

答：係。

問：咁我就想知道呢，就係話房署合規格嘅物料咁。你有冇--當時--睇下你記唔記得喇，因為呢樣幾緊要嘅。就係你當時記唔記得，你--唔好意思，你而家記唔記得，你當時有冇真係好清楚同佢講呢，係要攞無鉛嘅焊料嚟㗎？

答：呢個唔係好記得。

問：唔係好記得。就你嚟講，你當時覺得重唔重要呀？即係同佢去講話呢樣嘢--「你攞嚟嘅物料係要無鉛呢樣嘢」，你覺得重唔重要，呢樣嘢？

答：對於無鉛嗰個，我就冇特別去諗呢樣嘢，我只係覺得佢需要遞交番--用番房署嗰個標準就已經無鉛㗎喇。

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問：係。我想知道就係話，你憑乜嘢去相信你就咁講咗話係房署需要嘅物料，佢就知道係無鉛呢？

答：因為佢喺佢公司做咗都相當耐嘅，有呢個經驗，喺呢個房署。佢做咗好多房署嘅地盤。咁佢不嬲呈交畀我哋，都係呈交呢啲無鉛嘅焊料畀我哋去 submit 嘅。

問：係，係。呈交嗰個焊料，呈交邊一隻就一回事。

答：一捆無鉛啲。

問：一捆無鉛，嘅。

答：嘅，嘅，嘅。

問：例如我想亦都知道呢，就係你同佢除咗講話房署要求嘅，你會唔會特別同佢講話係一卷卷、定係一條條、定係點啲？

答：冇特別講呢啲。

問：冇特別講嘅？

答：係。

問：你剛才講就話，因為佢都一路交出嚟嗰隻，就係呢隻喇，即係一卷嘅。

答：唔，嘅，嘅，嘅。

問：你哋知道亦都係無鉛嘅，你哋自己，嘅。

答：唔，嘅。

問：因為而家人哋個說法呢，就係話「喂，但係我唔知我淨係可以用無鉛個嗰咁--我唔知道我淨係可以用無鉛嚟到用個嗰。」所以我就想問一問你，就係你有冇曾經同莫海光先生嘅交談入面，除咗喺下牛頭角話叫佢擺焊料嚟做示範等等喇，有冇同佢講過話「喂，你要擺無--你淨係可以用無鉛嘅焊料」呢？

答：冇特別提過呢個。

問：冇特別提過嘅？

答：係。

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問：例如就住彩福邨嚟講，彩福邨嚟講，就應該係有遞交到嗰個焊料個實物畀房署嘅。

答：處理嗰個部分嗰陣時，就唔係--即係我唔記得係咪我去處理嗰個。

問：唔係你去處理，好，唔緊要。咁我就亦都想同你講一講就係話，嗰個--你剛才講安達臣道嗰個地盤。

答：係。

問：咁就係你同佢講話--你同莫先生就講話需要擺嗰個焊料個樣本過嚟畀你嘅咁。

答：唔係，唔係，因為就擺上去畀有利。

問：擺上...

答：嘎。

問：佢直接擺咗上去畀有利嘅？

答：係，直接遞交界 Leo Tam 嘅。

問：好。咁你當時同佢講話叫佢擺上去畀有利嘅時候，你話係透過電話㗎，係咪？

答：係，係。

問：咁亦都係有特別同佢講有關嗰個焊料，無鉛呢樣嘢有特別講嘅？

答：係，冇，冇，呢個。

問：亦都有特別講話係一卷卷咩，定係邊一種形狀嘅？

答：冇㗎，冇特別講。冇嘅。

問：冇嘅。就住你喺明合嘅工作嚟講，我咁講啱唔啱呢？就係話你同水喉分判商喺處理呢一個呈交焊料樣本嘅過程之中，你有特別做任何嘢去確保對方係知道好清楚必須用無鉛焊料呢樣嘢㗎，你同唔同意呀？

答：我遞咗之後，就會睇到佢嗰啲焊料係咪合乎房署嘅規格㗎喇嘛。

問：我係講緊你同個水喉分判商㗎。

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答：嘅。

問：嘅，嘅。

答：分判商囉，就係莫海光嗰度囉。我哋就係--佢遞交嘅時候，佢畀到我哋睇到㗎嘛，即係會知道咗呢樣嘢係咪已經合乎房署嘅規格囉。

問：係。佢遞交嘅時候，你會知道佢係咪合乎房署嘅規格。

答：嘅。

問：我係想問一問，你本人係點樣去確保對方，即係呢個水喉分判商，佢自己本身係知道呢一隻物料係無鉛嘅？有冇做過任何嘢呀？

答：因為以往都係一樣，佢都係畀咗呢隻無鉛，所以我哋冇特別去做呢樣嘢去再講番。

黎先生：我可唔可以簡單問你一個問題就係，嗰個程序上係咪譚生就係通知你，叫你搵莫生交嗰啲嘅焊料，或者係嗰啲 sample 嗰啲樣辦，交嗰陣時呢，就係--莫生交嗰陣時，直接交番畀房署，定係交界譚生？

答：交界譚生先嘅。

黎先生：交界譚生？

答：即係任何嘅嘢我哋都唔會係直接聯絡房署嗰方面。

黎先生：咁即係事實上，你由--整個過程嚟講，只不過係一個通知你，你通知第二個，你係打電話？

答：係。

黎先生：即係你喺嗰個過程入面，純粹就係中間人？

答：嘅。

黎先生：係冇見過嗰啲物料嘅交收嘅？

答：最後去到嗰陣時，我哋都有落地盤嘅，咁落地盤嗰陣時會見到。

黎先生：即係去到已經係交咗之後，落咗地...

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答：係，係，之後會見過。

黎先生：...--係已經去咗地盤，擺咗上辦個陣時你先見到？

答：係，嗰時會見到。

黎先生：Okay。

問：最後我想問一問你，就係嗰啲物料--當時送達大批嘅物料喇，我哋講緊焊料先喇。送達地盤現場嘅時候，明合嚟講，就係冇要求嗰個水喉外判商通知你哋收貨㗎，係咪？

答：冇。

問：冇要求嘅。咁就你哋都在場係冇人簽收㗎嘛？

答：我唔--未必會喺在場囉，即係佢--冇我哋嘅員工，冇，冇簽收嘅，我哋同事。

問：你哋冇員工會簽收㗎，係咪？

答：冇，嘎，嘎。

問：咁就亦都你哋員工係唔會保留任何有關嘅購買嘅單據嘅？

答：因為嗰啲係佢提供嘅嘢，我哋冇攞單據嘅。

問：冇保留嘅？

答：冇嘅。

問：係。

許偉強先生：冇其他問題。

主席：有冇人有問題呀？Ms Wong，嘎。

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黃小姐補問

問：或者唔嫌我譚贅呢，我就想重申番有一、兩條覆問。頭先盤問嗰陣時，你都講咗好多次話要遞啲符合房署合規格嘅料。咁我今朝都帶你去睇過一份文件係 I1，297 頁。你見唔見到綠色嗰卷嘢？

答：係。

問：其實一路都係講緊呢卷嘢，即係？

答：係，應該係見過呢個。

問：過程中係冇講過第二--或者係講緊係第二嚟唔同呢個種類嘅焊接物料，係咪？

答：係呀。

問：而你亦唔知道話，呢樣嘢都係莫海光一路畀開你哋嘅物料，或者知會你哋會用嘅物料，係咪？

答：係呀，呢隻係。

問：係。

黃小姐：冇覆問嘞，主席。

主席：唔該。

黃小姐：唔該。

主席：或者我哋應該問一問莫先生，莫先生。請問你有冇問題想問呢位先生？

莫海光先生：我有。

莫海光先生主問

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問：我想問問你呢，你話批咗，通知咗我呢係咩嘢？有冇工作指引呀，或者有乜嘢呀，嗰份嘢交過我呢？如果呢...

主席：哦，哦，你等--你個問題係問咩嘢話？即係審--批咗之後...

莫海光先生：我話--佢話審批--房署審批--批准嗰啲--譬如嗰啲錫條或者錫膏，係，佢要--佢話通知咗我咁嘛，我問佢有冇畀過嗰啲工作指引呀？佢平時都成日都有工作指引畀我咁嘛，有冇工作指引畀過我咁？我印象中好似冇通知過我。

主席：等一陣先。

你明佢個問題咁嘛？

答：明。

主席：咁你答咁，嘎。

答：嘎。因為呢啲係你派嘅材料呢，我哋--你遞交咗呢，我哋慣性都係好多時就係--譬如做嘅嘢呢，都有直接出一個工作指引，即係用--慣咗用一個電話聯絡嘅方式，或者喺地盤見到嗰時講嘅方式囉。

問：咁我又唔認同囉，因為你每樣嘢--啖我做每樣嘢呢，連圖則喇--更改圖則呢，全部都要工作指引咁嘛，要我簽收㗎嘛。

主席：即係佢而家個問題就係話，「啊，喺，你--我--叫我交咗呢啲嘢上去喇，咁但係你有話過畀我聽，我以後就一定要做呢--做燒焊嘅時候，就一定要用呢一隻焊料個喎，你有呢啲白紙黑字話番畀我聽嗎。」咁你點回答呢？

答：咁我哋不嬲做嗰個--喺，我--亦都咁樣講，我打電話畀你去做一個 submission，我就都有話白紙黑字咁寫畀你咁。即係好多嘢我哋都係喺地盤夾，都係會即時去處理嘅，唔會寫張紙先至去處理㗎嘛。

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問：反正我印象中就話--好似未聽過話通知房署係批咗呢隻㗎嘛。

主席：得。佢嘅意思你明喇，係咪？佢嘅意思就即係話，「因為你有講過畀我聽，啊，原來呢隻係審批咗，所以我跟住之後用邊一隻都得。」唔，咁你呀點回答呢？

答：我打咗電話畀佢，咁佢講話冇打咗，我都--又係--嘎。

主席：我想問一問嘞，喺呢一度，因為我哋都知道有好多實際上用咗喺呢個即係受影響屋邨嗰啲呢，就係冇盒、冇招紙，乜都冇嘅，一紮紮咁樣樣嚟嘅啫。即係冇牌子、冇標籤、冇盒裝住嘅，就一紮咁樣樣就錫條。咁如果你--即係莫先生即係嗰啲地盤原來就係用嗰啲，咁如果你見到實際上原來係用呢啲完全都係咁樣樣嘅--即係嚟--嚟咁樣樣嘅狀態嘅錫條，你哋又會點樣樣做呢？

答：我哋冇見呢啲咁嘅錫條喺度。

主席：我知，如果有呢啲咁樣樣嘅錫條係實際上係用喺呢啲咁樣樣嘅屋邨，咁你又會點樣樣？

答：如果有，我哋即係知道嘅，即刻當時會了解咗個情況，去即刻禁止佢用喇。

主席：唔。

答：嘎。

主席：仲有冇嘢問呀？

莫海光先生：大致上都有喇。

主席：大致上都有呀？

莫海光先生：唔。

許偉強先生：啊，唔好意思，主席，可唔可以問多一條問題？

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主席：你想問喇，問喇。

許偉強先生進一步盤問

問：我想問一問，就係程先生，剛才你都講話彩福邨嗰度，你就冇負責係有關物料樣辦遞送嗰樣嘢嘅？

答：關於呢個項目，因為我哋--即係我後期啲入去，佢有啲工序已經做咗嘞，咁...

問：係。因為我知道嗰個屋邨呢，有關個水喉分判商就係蕭健煌先生嘅。

答：係，係。

問：我想問下你，有冇曾經就係同蕭健煌先生係有談及過呢一個焊料有關樣本遞交呢樣嘢嘅情況？

答：冇。

問：冇，唔該。

主席：請坐，嘎，坐。

唔該你，畀完口供㗎嘞，可以離開㗎，程先生，唔該晒，嘎。

答：哦。

主席：跟住下一個證人就係莫海光先生。莫海光先生，不如你就坐埋去嗰度。蕭先生，你坐上嚟阿莫海光先生嗰個位嗰度。

永興水喉渠務工程公司（“永興”）（明合的分判商）的證人：莫海光（（永興擁有人）（元州邨第二及四期、清河邨第一期、彩福邨、欣安邨、牛頭角下邨第一期和石硤尾邨第二期））以本地話宣誓作供

主席：請坐吖。想你畀證供嘅時候大聲少少，因為我哋呢度，第一，就呢度嗰個音響就真係麻麻地嘅啫，啲音好散嘅；第二，就希望所有嘅人都聽到你嘅證供，咁所以就麻煩你就大聲少少。同埋有一樣嘢，就係希望你畀證供嘅時候，就講慢少少。

答：慢啲。

主席：因為有陣時我都唔係好聽到你所講嘅說話。慢慢啲講，等我哋明白，就唔需要--咁就唔會要你重複又重複番同一遍嘅說話。

鄭小姐：係，主席、委員，委員嘅律師早前係向莫海光先生提取咗一份證人供詞嘅。

主席：係。

鄭小姐：係喺文件夾 M1 嘅第 9 頁開始。我而家會先將莫先生嘅證人供詞讀出。

主席：你慢慢讀出嚟。

鄭小姐：得，冇問題。

鄭小姐主問

食水含鉛超標調查委員會

莫海光之證人供詞

1. 本人莫海光，地址為香港筲箕灣愛禮街 2 號愛蝶灣 6 座 23 樓 D 室，現謹向食水含鉛超標調查委員會陳述如下：
2. 本人為永興水喉渠務工程公司（「永興」）的東主。本人於國內就讀中學，直至中二程度。本人能看懂中文，但不諳英文。本人大約由 1979 年開始便從事水喉行業，於 1998 年起擁有「建造業大工牌」。現附

上本人的建造業技能測試證明咭之複印本為**附件一**。根據永興的商業登記查冊紀錄，永興於1994年9月8日註冊成立，主要業務為一般的水喉維修及安裝工程。現附上永興的商業登記查冊紀錄之複印本為**附件二**。現時永興仍然有承接水喉項目。

3. 本人並沒有就水喉管工程（包括焊接工序）修讀過任何課程，相關的知識是由師傅所教授及經驗累積所得的。據本人理解，香港於80年代起開始使用銅喉作熱水供應。當時已是用焊接的方式接駁銅喉，所以當時本人有跟從師傅學習焊接銅喉。
4. 在本人考取「建造業大工牌」的時候，考生不需要上課或讀筆記，但需通過筆試及手工試才可獲發牌。根據本人所記得，筆試的內容主要是考核施工的安全知識，並沒有關於焊料的問題。手工試則要求考生在限時內根據圖則接駁好食水喉管，其中包括焊接，並要通過水壓（俗稱谷水）測試。考試時本人是使用建造業訓練局提供的焊接物料，但現在已不太記得當時焊接水喉管用的是內含焊料的駁口「錫曲」還是錫條。手工試考核並不容易通過，本人記得考試當天的十數至二十名考生中，只有數名能合格並獲發「大工牌」。

受影響屋邨項目

5. 是次鉛水事件所牽涉的公共屋邨項目，包括牛頭角下邨第一期、石硤尾邨第二期、欣安邨、元州邨第二及第四期和清河邨第一期（「**受影響屋邨項目**」），有利建築有限公司（「**有利**」）是上述受影響屋邨項目的總承判商；明合有限公司（「**明合**」）是第二承判商；而永興則是負責食水喉安裝工程的第三承判商。大約自1995年起，永興和明合已有合作關係。明合曾向永興分判公營房屋項目的食水喉安裝工程。最初是經相熟判頭介紹，進而承接明合的水喉工程項目。
6. 在受影響屋邨中，牛頭角下邨第一期、石硤尾邨第二期、欣安邨和元州邨第二及第四期的食水喉安裝工程從頭到尾均由永興負責。清河邨第一期的食水喉安裝工程本來由「森記水喉渠務有限公司」（「**森記**」）負責，至項目尾段剩下數個月時，明合才邀請永興接手完成剩下的工作。
7. 本人不清楚為何清河邨第一期項目要中途轉換食水喉安裝工程承判商；明合作為第二承判商，應會較清楚轉換分判商的具體原因。但本人知道永興接手時，清河邨第一期水喉工程的進度已經嚴重落後，如果再延遲有可能會阻礙交樓。永興接手清河邨第一期項目後的工作包

括在單位廁所進行安裝、安裝外牆鐵喉及藏地鐵喉等，當中應該亦有牽涉到焊接銅喉的工序，但由於現在事隔數年，本人已不記得有關清河邨第一期項目的具體工作細節。

分判合約

8. 現附上受影響屋邨項目的食水喉安裝工程分判合約複印本如下，惟有若干頁未能找到：

| <u>附件</u> | <u>分判合約</u> | <u>「小五金」 相關條款</u> | <u>備註</u> |
|-----------|-------------|-----------------------|--------------------------|
| 附件三 | 牛頭角下邨第一期 | 第 71 條 | 欠第 20, 39 頁 |
| 附件四 | 石硤尾邨第二期 | 第 71 條 | 欠第 20, 39 頁 |
| 附件五 | 欣安邨 | 第 71 條 | 欠第 1, 19-21 頁 |
| 附件六 | 元州邨第二及第四期 | 第 70 條 | 欠第 1, 17-19, 23, 25-27 頁 |
| 附件七 | 清河邨第一期 | 第 70 條 | 欠第 23 頁 |

9. 本人現在翻看合約（**附件六**），才記得於元州邨第二及第四期項目前，明合會負責購買及向永興提供「小五金」物料。當永興需要「小五金」物料時，便會向明合落單，要求提供有關的物料。自元州邨第二及第四期項目起，明合會要求永興自行購買「小五金」類物料，包括石油氣、士黏膠布、錫線及焊料等。這新做法適用於上述五個受影響屋邨項目，其分判合約中的相關條款見上表第三欄。

10. 就受影響屋邨項目而言，明合從來沒有告知或指定永興購買任何一款「小五金」物料的品牌或規格，亦從未曾提議本人從哪裡購買小五金物料。對於當年明合為何會改變購買「小五金」物料的做法，本人並沒有印象。本人及永興並不曾向有利或明合反映或要求改變該做法。事實上，本人一直比較主張的是以往的做法，即由明合負責購買及向永興提供「小五金」物料。

11. 至於食水喉安裝工程中需要使用的喉管、閘制和潔具等，均由明合購買及提供，永興只負責安裝，而不需參與訂購過程，也不會深究它們的品牌或規格。

安裝食水喉管的過程 - 「木板房」及「辦房」

12. 於地盤動工興建地基時，有利會先於地面搭建「木板房」，並由永興在內安裝好廚房及廁所，以在使用石屎起樓前，先替喉管試位及確定「留窿」的位置，並讓房屋署批核。「木板房」內的水喉管、潔具等均需裝好，全部銅喉亦需要焊接好，但不用接駁水源進行試水。根據本人的印象，一般公共屋邨的興建工程都有搭建木板房的工序，但不肯定元州邨第二及第四期項目有沒有這工序。
13. 待樓宇興建至約十多層時，房屋署會指定一層低層作為大樓的「辦房」。「辦房」樓層會優先完成所有建築工序，包括安裝食水喉管、焊接銅喉及試水等，以作為餘下其他樓層的樣辦。「辦房」通過批核後，其他所有樓層即可根據「辦房」繼續建造。根據記憶，「辦房」通常是位於三或四樓。
14. 在興建「木板房」和「辦房」時，房屋署的職員不會特別要求工友示範焊接銅喉。在其他樓層興建時工友有否向房屋署示範燒焊，本人並不記得。但如果在工友焊接時，有房屋署的職員巡經並觀看到其工作，則並不出奇。
15. 本人不記得明合有否要求本人購買、或跟本人討論過搭建「木板房」或「辦房」所需使用的「小五金」物料（包括焊料）的牌子或規格。

安裝及焊接食水喉管的工序

16. 在進行食水喉安裝時，工友會先安裝走廊水喉，再安裝單位內的水喉，最後安裝外牆及天台的水喉。整個食水喉安裝工程須跟隨預設的進度進行，共需時約一年半左右。
17. 在上述受影響屋邨項目中，本人偶然會親手進行部份工序，包括焊接銅喉。為了方便工作，工友會預先一次過在位於同一單位的食水喉的各個焊位清潔及搽上松香膏，然後即日一次過進行焊接工序，而不是搽一次焊一次。焊接時，工友會一隻手拿著火槍燒熱附近的喉管，燒熱後另一隻手拿著焊料放上接駁位，以讓焊接位上的焊料逐漸熔化，然後沿著接駁位移動焊料，直至焊料在喉管的接駁位熔成完整的一圈。工友在焊接位於外牆的食水喉管時，需要在吊船上工作。由於吊船十分安全和穩妥，於吊船上進行上述的焊接工序並沒有問題。

18. 每一個焊接位要使用多少焊料是視乎技工的習慣而定，並沒有既定的標準。技工在進行水喉焊接時，亦很難以肉眼觀察有沒有焊料滲入水喉。實際上有沒有焊料滲入喉管，很視乎個別技工的手勢。

19. 決定焊接喉管是否合格的大原則為不滲漏。完成安裝食水喉管後及準備交樓時，喉管需要進行「谷水」測試，只要在加大水壓後沒有發現喉管漏水，焊接位便合格。就漏水的焊接位而言，因為「谷水」後的喉管已濕透，難以再進行焊接，所以需要鋸掉該節配件重新安裝。就本人所知，「谷水」測試是對水喉焊接位的唯一測試。

20. 關於接駁銅水喉管時使用機械方式還是燒焊方式，這完全視乎於明合提供予永興工作作用的物料種類而定。永興沒有權決定使用何種接駁方法。

錫條作為焊料

21. 在受影響屋邨項目中，永興以錫條作為食水銅喉的焊料為多，但也有於錫條缺貨時使用卷裝錫線為焊料。本人從不知道焊料可能會含鉛，又或者焊料有含鉛及不含鉛之分。據本人所知，行家均一直沿用市面上的錫條作為食水銅喉的焊料。永興在做受影響屋邨項目的「木板房」和「辦房」樓層，以及其他樓層時，也是使用錫條為多。本人沒有於受影響屋邨項目中使用過內含焊料的駁口配件。而常用於焊接水喉的松香膏只有一款，行內稱為「黃罐」。

22. 在鉛水事件前，本人沒有想過亦不知道錫條和卷裝錫線的成份，以及兩者有沒有含鉛。本人也不知悉任何有關英國標準等指標。據本人了解，一般行內的工友也沒有「焊料是否含鉛」這方面的概念或認知。

錫條和卷裝錫線的比較

23. 永興主要購買錫條而非卷裝錫線作焊料，是因為這是行內普遍的做法，而且同業工友一般認為錫條比卷裝錫線更便利於工作。同業工友亦有指出錫條較易熱熔，焊接位漏水的機會較微。卷裝錫線則較難熱熔，焊接位漏水的機會相對較大。根據工友反映，兩款焊料在不是大風的情況下使用分別不大；但於走廊或外牆等較大風的位置進行焊接時，錫條比卷裝錫線較易控制，主要亦是因為錫條較卷裝錫線易熔。

24. 對於一個單位的食水銅喉安裝牽涉多少個焊接位，本人沒有很確實的印象，估計在每個單位內應有數十處焊位；而就每個單位外的公眾地方的銅喉，亦有數十處焊位，兩者加起來應有不多於一百個焊位。在一些較大的喉位（例如水錶位）會使用較多焊料。就每個單位的銅喉（包括單位內及公眾地方的焊位），焊接時需使用大約 20 條錫條。使用錫條會出現較多的浪費情況，因為錫條燒剩較短時，工友難以拿著焊接，會把短錫條丟掉。

25. 根據鉛水事件後本人與工友的討論，使用錫條而非卷裝錫線作焊料應該並不能節省成本。本人不記得受影響屋邨項目進行時焊料的價錢，但知道卷裝錫線現時約港幣 160 至 170 元一卷；錫條現時則約港幣 9 元一條。根據本人所知，約 8 條錫條為一磅。但如上所述，錫條較卷裝錫線快熔，浪費的物料亦較卷裝錫線多。工友估計使用一卷卷裝錫線大約和使用 20 條錫條可完成的焊接差不多。整體來說，使用錫條來焊接甚至可能比使用卷裝錫線還要貴，但價格差距並非顯著。而相同的焊槍可以用以燒熔錫條和卷裝錫線，但於大風的環境下，有時工友會使用較強力的焊槍及大支裝石油氣燒焊。

錫條的訂購

26. 在受影響屋邨項目中，永興曾向兩間供應商購買錫條，分別為雋景建材有限公司（「雋景」）及和興製品廠（「和興」）。雋景為三個屋邨的焊料供應商，分別是元州邨第二及第四期、清河邨第一期和欣安邨。和興為其餘兩個屋邨的焊料供應商，分別是牛頭角下邨第一期和石硤尾邨第二期。

27. 如前所述，元州邨第二及第四期項目前的「小五金」物料（包括焊料）均由明合負責；自元州邨第二及第四期項目起，則由永興自行購買。據本人所記得，當時供應水喉「喉碼」的代理商為雋景，本人因而得知雋景的聯絡資料，並決定向雋景購買焊料。本人有想過向和興購買焊料，但當時得知和興沒有售賣焊料。元州邨第二及第四期的工程項目是永興首次向雋景訂貨。

28. 與雋景交易的手續其實較和興繁複。雋景要求以現金交易，否則會先要求買家開立戶口及出示商業登記證等。本人一向與和興較為熟絡，和興會容許賒帳而手續亦簡單，且後來和興亦有售賣焊料，所以永興便轉為向和興購買焊料。

29. 永興向雋景及和興購買焊料時，由本人或其他工友以電話落單。一般

情況下，本人或工友會聯絡和興的劉小姐，或雋景的 Ben。特別情況下，例如手頭上沒有和興辦公室的電話或焊料缺貨，則會直接聯絡和興的老闆呂先生，請他幫忙。永興一般會要求購買錫條，數量都是以百磅計，份量可多達數百磅。印象中供應商如果沒有錫條供應，則可能會建議提供卷裝錫線作替代。而永興會接受以卷裝錫線作代替品，以防影響工程進度。訂貨時只需在電話中說明要訂購錫條的份量及工地所在就可，並不需要指明錫條的牌子、型號或用途。由於落單時永興會一併購買其他水喉工程所需物料，所以供應商一般都清楚了解錫條是用於水喉焊接，故此永興不用說明，供應商亦不會特地詢問。

30. 雋景及和興供應的錫條外觀相似，均以一束束紮好送達工地。錫條每條長約兩尺，並無以箱或袋包裝，亦無列明任何牌子。錫條在送達至工地後存放於「架步」，而工友會於進行焊接工程前自行取用錫條，毋需登記。因為錫條在到貨時已是條狀，所以工友毋需將錫條再剪段。卷裝錫線送達地盤時，是包裝在原廠的四方盒內，送達地盤後會被存放於「架步」的當眼地方。本人不清楚工友使用錫線時會否把它剪段，但在本人偶然親身進行焊接工序時，則會拿取整卷使用。

31. 本人或其他工友會在焊料送達工地時簽收有關送貨單。由於「小五金」物料（包括焊料）的訂購都是由永興全權負責，所以本人不會、而明合亦從來沒有要求本人告知訂購的「小五金」已到達地盤，或要求本人遞交任何送貨單據予明合作記錄。當「小五金」物料送達地盤的時候，供應商就會提供送貨單予永興，列明「小五金」物料的數量及價錢。本人或其他工友支付有關價款後便會簽署送貨單，一式兩份，一份交由本人保管於地盤寫字樓，一份交回供應商。另外，供應商亦會於本人付款後發出一正式收據，本人會存於家中。惟此正式收據並無注明貨品種類，只有付款日期和款額。本人曾使用大部份收據作報稅用，其後並無特作保留，所以不清楚是否已遺失。

32. 因事隔數年，且保存單據的寫字樓在工程完工後亦已拆除，永興現已找不到上述一式兩份的送貨單據。鉛水事件揭發後，永興曾經應明合的要求向雋景及和興索取購買焊料的送貨單據副本。雋景表示因事隔太久而沒法提供，和興則提供了有關焊料送達牛頭角下邨第一期地盤及石硤尾邨第二期地盤的送貨單據副本，見附件八及附件九。從和興的送貨單上所見，有關的錫條稱為「幼錫條（高溫）」或「高溫幼錫條」，單價一般為港幣 88 元一磅。

33. 本人曾於事發後多次致電雋景及和興，追問它們賣給永興的焊料有沒有含鉛。雋景的職員 Ben 及和興的呂先生初時也表示不知道。後來在本人再三追問下，雋景的職員 Ben 告知本人，雋景向其供應商查詢

後，才知道涉事的錫條含鉛量為 50%。

34. 本人事前亦不知道錫條含有鉛份。事實上，本人更換自己家中的食水喉時，都是使用錫條作為焊料的。如本人或永興知道錫條含鉛並曾經焊料進入食水，是絕對不會把其用作焊接食水喉管的。本人無法解釋為何很多屋邨單位應該均有使用涉事的錫條作焊料，卻只有部份單位的食水含鉛量超標。

房屋署審批焊料

35. 本人知道明合需要把某些水喉物料呈交房屋署作審批，但並不知道審批的標準或內容，亦不知道焊料是否需要接受審批。本人並不記得永興曾否被要求呈交、或主動呈交任何有關焊料的樣辦，亦不記得曾否提供卷裝錫線給有利或明合。本人及永興並沒有呈交過證書或測試報告供審批用。本人及永興並無概念何謂「符合房屋署要求」的焊料。

36. 如果本人及永興事先知道房屋署審批了並規定需使用特定的無鉛卷裝錫線作焊料之用，本人及永興是必定會跟從有關規定的。

樣辦板

37. 本人知道明合於工程期間會製作一塊「樣辦板」，但不清楚製作「樣辦板」的確實目的為何，亦從未參與製作「樣辦板」。本人僅知道「樣辦板」完成後會交予房屋署，存放於其在地盤的一個房間內。本人亦曾見過地盤現場的「樣辦板」，但不記得「樣辦板」有否陳列如松香膏、卷裝錫線等物料。本人並不記得永興曾否被要求呈交、或主動呈交任何有關焊料的樣本以製作「樣辦板」之用。

食水喉安裝技工

38. 以本人所知，各個受影響屋邨項目的食水喉安裝工程均準時完工。由永興接手後期工程的清河邨第一期項目雖然需要較多人手，但亦於限期前完成水喉工程。一般而言，在水喉工程的初期人手需求較少，在地盤的技工也較少。在水喉工程的中段開始，各項安裝所需的技工人數多達數十人。

39. 作為永興的東主，本人在受影響屋邨項目中會就各種食水喉安裝的工作聯絡工頭，透過他們招聘人手。一般的食水喉安裝工程都會交由其他工頭負責跟進，唯較重要的項目，例如安裝藏地喉、淋花喉，則多數由永興的工友親自工作及跟進。

40. 就水喉工程有關的焊接工序而言，永興亦會將大部份焊接工作下判予其他工頭負責，相關工頭俗稱為「四沙」或「四判」，由其聯絡所需人手。招聘的技工一般須為已考取建造業「大工牌」或「中工牌」的合資格技工。本人知道合約有註明的「大工」及「中工」的比例，所以會根據有關規定聘用人手。

41. 焊接的工序一般只會交予持有「大工牌」的工友負責。惟行內亦有部份年資較深，已全面掌握焊接技術的師傅，他們沒有考取「大工牌」，部份則從沒考取任何相關牌照，但有時亦會幫忙進行水喉焊接。

42. 工友在地盤初上工前會先就工程詳情及安全守則上堂，並把有關牌照（如平安卡、大工牌等）及身份證明文件影印及呈交予有利的安全主任。在工程開始後，工友進出地盤工作時亦須於地盤閘口使用其工作證「拍卡」或簽名。

分判合約費用

43. 根據合約及工程完成進度，明合會每月向永興支付合約費用，而永興則負責向其轄下的工頭或工友支薪。永興從明合每月收取的費用不一，主要視乎工程的整體進度。例如在工程後期，如果有關工地需求的人手較多，永興每月收取的費用亦會較多。就一個公屋項目，永興從明合收取的費用可達每月港幣數十至一百萬左右（未扣除開支）；該筆款項則再由永興分發於工頭或水喉技工。

44. 事實上，永興承接這些公屋項目並不是每次都可以賺得利潤，也曾經試過要「倒貼」。因為永興收錢後會先發薪予相關工友及工頭，但試過完工後才發現剩下的金額抵不上其他預付的開支，例如購買工具及「小五金」的開支，這時虧損就要全數由永興承擔。

持牌水喉匠的監督

45. 根據本人所知，持牌水喉匠伍克明是各屋邨項目的工程經理，負責申

請「水紙」、水錶和呈報完工等職務。本人曾數次看見伍克明在相關工地視察進度，估計他在每個屋邨的工地大約會視察數次或十數次不等，確實次數沒有印象。本人並不瞭解伍克明如何監工或檢查的準則，亦不清楚他在監工時是否有檢查過食水喉的焊位。伍克明從未向本人或永興查詢或提及過有關焊料的任何資料。

房屋署的監督

46. 房屋署於每棟屋邨樓宇均設有負責人，亦會不時派員檢查水喉安裝的進度和手工，如發現有問題，房屋署的職員會去信有利或明合要求改進，或直接與「科文」（foreman，即明合駐地盤的管工）溝通。於各個受影響屋村項目中，科文曾提出過一些不合規的地方，但全都已作出相關的跟進及修正，而且都與焊料無關。

屬實申述

本人相信本證人供詞所述事實屬實。

莫海光
代表永興水喉渠務工程公司

日期：2015年11月27日

問：莫先生，咁剛才我就將你嘅證人供詞讀出咗，你確唔確認供詞嘅內容係事實呢？

答：確認。

問：咁你是否願意將呢一個供詞作為今次聆訊嘅證供？

答：願意。

問：係，麻煩你坐喺度，許大律師會有啲問題向你澄清。

許偉強先生盤問

問：莫先生，你有律師代表喇，咁但係就委員會個律師團隊幫你錄取咗剛才嗰份口供，咁就...

答：多謝晒。

問：雖然我哋唔係代表你，但係就想就住你口供入面，有某幾個範圍想同你澄清一下嘅啫。

答：唔。

問：首先就我想你睇一睇，就係你嘅口供嘅--就住呢一個文件夾嘅第 14 頁，M1 第 14 頁，即係 23 段。你睇一睇 23 段。

答：係。

問：23 段，睇到嘛，莫生？

答：係。

問：咁就上面，我哋就睇到係寫住，有個係「錫條和卷裝錫線的比較」，見到嘛？

答：見到。

問：咁就 23 段嗰度，我哋就睇到你講呢就話，你哋公司，即係永興喇，主要都係購買錫條，就唔係嗰啲卷裝錫線嘅。

答：係。

問：咁你就講話「因為呢個就係行內普遍嘅做法」咁樣講，我想問下你呢，就係即係你從何得知呢一個行內普遍嘅做法呢咁？

答：因為好多嗰啲工友呢，就周不時就--周不時呢就係呢度做幾個月呢，就到嗰間公司做幾個月，嘎，周不時都有嚟嘞，流動性好大嘅嗰啲人。做呢--做水喉呢行呢就十分大嘅流動性。

問：係。

答：所以呢個講，嗰個講，我咪知囉，大家傾開偈咁講囉。

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問：即係大家傾偈...

答：係嘞。

問：...就知道你話呢一個--呢個錫條嗰個即係普遍使用呢樣嘢，你講？

答：係嘞，係嘞，係嘞。

問：你下一句呢，你亦都係講話「而且同業工友一般認為錫條比卷裝錫線更便利於工作」咁樣講。

答：係嘞。

問：可唔可以解釋下呢樣嘢？

答：因為呢...

問：點樣更便利？

答：...嗰個卷裝呢就--成網呢就比較重啲嘅，攞住，個手呢就有咁方便用呀，佢係一--嗰啲錫條呢，就一條條呢就方便啲咁解嘅啫。

問：即係嗰個主要係因為重啲，係咪？

答：係嘞，係嘞，最主要重啲，加埋嗰啲熱度要大啲，大啲先可以燒得熔嗰啲㗎嘛。啲熱度大啲。

問：熱度--即係另外就係熱度又要高啲先至可以...

答：係嘞，係嘞。

問：...燒得熔嗰啲卷裝嗰啲？

答：係嘞，係嘞。

問：係咪呀？

答：係。

問：喺你 25 段，我哋睇一睇。25 段你就講下話即係關於嗰個係唔係就係用呢啲錫條而唔用錫線呢，就係會即係慳咗啲成本，咁你解釋咗少少嘅。呢度 25 段，我哋睇一睇，就係最後嗰句，你就話但如上述--「但如上述，錫條較卷裝錫線快熔，浪費的物料亦較卷裝錫線多」，嘎。

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答：嘅。

問：你呢度咁講，可唔可以解釋下呢，呢度又？

答：因為啲錫線呢，佢一綑綑呢，一條就好長嘍，十分長嘅，因為燒焊呢就攞住佢呢，就唔會話--起碼到尾嗰度先話唔要嘅啫，到到差唔多到咁長啲唔要嘍，因為好熱咩嘛，焯到好燂，熱咩嘛。原來用個手攞住啲嘛，就熱，就唔要嘍。你如果一條條啲錫條呢，佢用得咁多咩嘛，數量一條一條一條好多咩嘛，所以佢就燒剩咁多，太熱嘍，驚焯個手嘍，咁咪就咪唔要囉，咪掉咗佢。

問：同埋佢--你呢度講話同佢呢個「卷裝錫線快熔而浪費嘅物」...

鄭小姐：呢度較。

問：嘅，即係你呢個「錫條較卷裝錫線快熔」，即係快啲熔，而因為咁呢，你就話「浪費的物料亦較卷裝錫線多」咁。

答：係。

問：呢個同--即係你話浪費啲樣嘢同埋呢個快熔，有冇咩嘢直接關係呢？

答：有，佢因為佢呢隻--嗰隻鉛--而家稱話嗰隻有鉛嗰隻錫條呢，就含水份比較大嘅，水份比較大呢，佢一火到呢，佢就有時一過去嗰個錫條，就好多係滴落下面，就變咗冇用嘍，滴晒--滴落下面咁嘅意思。

問：咁跟住我哋睇一睇第 29 段，跟住嗰頁。最尾嗰度，29 段，就係講緊你對啲錫條嘅訂購嗰個過程。

答：係。

問：嘅。29 段你就咁講嘅，就係話即係你向雋景、和興呢買料嗰陣時，買啲錫料嗰陣時，就用電話落單嘅，一般嚟講。

答：係嘍。

問：咁你到--睇睇第--呢段嘅第三句最後嗰度，「永興一般會要求購買錫條，數量都是以百磅計，份量可多達數百磅。印象中供應商如果沒有

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錫條供應，則可能會建議提供卷裝錫線作替代。」呢度咁講喇。我想知道就係話，如果你剛才講，就話一般嚟講，就係攞錫條，如果唔夠貨嘅，就會買錫線。

答：代替咩，代替。

問：就錫線，就係剛才我哋講一卷啲喇，如果佢供應商唔夠錫條嘅時候，佢會先--會唔會先同--打電話畀你，話畀你聽「喂，唔夠嘞，用第二隻咩。」會唔會咁樣做法嘍？

答：都會嘍，佢話「冇嘞，冇嘞」--佢就唔會，佢話「冇嘞，我」--佢話「冇貨，暫時冇貨，要隔幾日先有嘞。」咁我話「而家等住用，因為太多工人嘞，停咗工，就擲--好犀利嘞，啲啲人工。」我就話「啊，你睇下有咩嘢代替呢隻錫條可以攞過嚟喇」，咁佢咪跟住攞過嚟。

問：呢啲都係電話嗰陣時講嘅，係咪？

答：係嘞，係嘞，係嘞。

問：我就畀你睇一睇即係有關文件就 S1。我想你睇一睇就係雋景建材，即係雋景嗰間供應商。

答：係。

問：噏，即係畀我哋有啲文件，就關於你訂貨嘅，我想同你即係傾一傾。

答：噏。

問：喺第 60 頁，呢一張，就係其中一張發票嚟嘅。

答：唔。

問：就即係雋景嗰度畀你嘅。

答：唔。

問：咁就寫咗，你見到有你嘅名喇，「莫海光」喇。

答：係喇。

問：咁就如果我哋睇下右邊嗰度，日期 2007 年 4 月 20 號嘅。

答：唔。

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問：見到嘛？嘎。咁就如果你睇去嗰個貨品個名稱嗰度，第一項，第一項。

答：唔。

問：就係講緊英國 FRY 個無鉛錫線有幾多咁樣，即係 20 網咁樣喇，咁就講出個價錢。咁就呢個係去--擺去元州街嘅，見到嘛？個送貨地址喇。

答：唔，知道，知道，一模一樣。

問：咁我想問下，就係呢一張單就寫到明係無鉛錫線㗎。

答：唔，唔。

問：咁呢個同你剛才講話「喂，有時佢哋唔夠貨，用無鉛錫線」，呢一張單係點解會用咗無鉛錫線，你仲記唔記得？

答：我就唔記得㗎。因為通常都唔係--所有單呢都唔係我去簽--未必係我一個人去簽收呀，點呀啲啲㗎，佢反正呢畀幾多錢，我就找數。因為我訂咁多，我呢一個和興，一個雋景，從來冇啱佢報價嘅，擺--從來冇報過價目，幾多錢呀，幾多錢呀，從來冇嘅。

問：冇報價？

答：冇報價嘅。

問：係。

答：啱--大家相熟，啱佢嚟，我就信佢，信佢，咪擺乜嘢嚟就擺咩嘢嚟，就找數囉。

問：等等先吓。你講話，例如你個公司咩，永興喇，如果同例如雋景訂貨咁。

答：係嘞，係嘞。

問：咁就除咗你之外，你本人之外呀，仲會有邊位人呀--即係邊位人士呀，會負責，喂，去收貨呀呢樣嘢㗎？

答：有幾個㗎。

問：吓？

答：有幾個人呀。

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問：有。

答：佢又有話負責話咩嘢身--因為我唔在地盤嘅時候呢，通常佢哋都係打電話。佢哋打電話畀啲工友呀，其餘有幾個人都負責收貨嘅。

問：有幾個人嘅，嘎？

答：係，反正邊個方便在地下，就邊個收貨咁咋。

問：係你--係你...

主席：等等，等等，等等，等陣先。你--佢快，你唔使快嘅。因為你記住，樓上仲有人要翻譯，記住。

問：咁係你公司啲同事嚟㗎，係咪？

答：嘎，公司同事，係。

問：如果你睇一睇，就係呢個文件夾裏面，如果第 67 頁。

答：67。係。

問：第 67 頁呢，有張送貨單嘅。

答：唔。

問：咁張送貨單就講出咗，就係呢一個都係雋景建材有限公司發出嘅一個送貨單嚟嘅。

答：係，係。

問：咁佢入面寫住「聯絡人」，見唔見到呀？

答：係，見到。

問：「聯絡人」。

答：見到，見到。

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問：咁有你莫海光喇。另外，就寫咗叫做莫--好似叫莫偉忠㗎，係咪呀？

答：係，係，係。

問：你呢個係邊一位人士㗎嘍？

答：係我在元州邨嗰個打理嘅，有幾個打理嘅。其中管理呀，幫手管理嘅。

問：即係你剛才講你公司啲其中一位同事㗎嘍？

答：係，其中一位同事。

問：我哋又睇一睇你嘅證人口供嘅第 35 段。35 段嗰度係咁講嘅，就係有關話同房署，就係話去批--審批嗰啲焊料嗰個情況。

答：唔。

問：35 段入面就係咁講嘅--即係你就係第二句嗰度就係咁講，你話「本人並不記得永興...」，即係你哋公司喇，「...曾否被要求呈交、或主動呈交任何有關焊料的樣辦」，睇到嘛？

答：係，睇到。

問：係嘞。咁我就呢方面就想問一問你，你尋日都有聽到即係有有利嗰方面，有啲職員畀口供喇，咁就其中有一個就係講關於嗰個安達...

答：係，就係安達臣。

問：...臣道嗰個地盤。

答：係。

問：咁就嗰位同事，都話係即係佢當時就係知道，就係呢個明合入面有職員，佢就係講有一位輝哥，就係剛才嚟作供嗰一位人士，就有問你擺焊料遞交樣本嘅。呢樣嘢你而家係同意㗎，係咪？

答：嗰樣同意。係安達臣同意，安達臣我記憶上係交過。

問：係。

答：係交過。

問：明白，唔該。我想問一問，就係當時就住安達臣呢一個地盤，明合叫

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你--即係輝哥叫你去交呢啲焊料樣本的時候，佢點同你講要交啲乜嘢呀？可唔可以講下？

答：咁又有乜印象，真係。

問：有乜印象？

答：唔記得嘞，唔記得嘞，真係。

問：唔記得？

答：係，太耐。

問：唔記得佢同你講過要交啲乜嘢，係咪？

答：係嘞，唔記得。

問：好。咁尋日就亦都有另外一位證人嘅，你都應該見過嘅，就係一位叫仇先生，係咪？

答：係。

問：佢亦都係就住欣安邨個地盤，就係話曾經都問過你擺--即係明合有問過你擺焊料嘅，呢樣嘢你而家聽咗呢啲證供之後，同意嘛？

答：應該就--我記憶就好似未擺過畀佢，其餘我啲工友擺過畀佢就唔出奇。

問：就唔出奇，係。

答：唔出奇。因為我唔記得嘞，太耐嘞，因為。

問：係。咁就尋日我哋聽阿伍克明先生嘅口供，即係上晝你未嚟之前，伍克明先生你都知道係個即係有關嘅持牌水喉匠喇。佢畀口供嘅時候，就曾經有提過，就係話呢個明合有一位潘先生，同埋有一啲前線嘅職員，都有曾經問你擺過焊料樣本嘅。呢樣嘢你仲記唔記得呀？

答：應該唔記得，應該印象中好似未試過。

問：印象中有？

答：冇，印象中。

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問：嘎。另外，伍克明先喺畀口供嘅時候，亦都咁同我哋講嘅，就係話佢喺--即係你同佢報價嘅時候，咁佢就會即係有啲所謂講解嘅，同你有啲講解嘅。就係話就住你要用啲咩嘢物料、要用啲咩嘢款式、有啲咩嘢規格，佢有同你講解嘅。呢樣嘢你同唔同意呀？

答：唔同意。從來未拉我講解過，只不過每簽一份合約呢，只不過係成份合約擺喺檯面嗰你自己睇嘅啫，睇完，簽個名，咁就搞掂㗎嘞。

主席：即係你嘅意思，即係上去同你講嗰個合約嗰陣時，就從來都唔同你講話要啲乜嘢料，用啲乜嘢料？

答：冇。

主席：有冇講話...

答：從來冇。從來冇。

主席：...施工期要幾耐？由幾時開始做到幾時收工呀？

答：冇，佢只不過係畀份合約你睇嘅啫。

主席：哦，即係佢就...

答：係，簽--畀份合約，成沓，嗰你簽名--嗰你睇完，就簽名咁嘅啫。

主席：睇完，就簽名？

答：係嘞。

主席：咁簽名係代表乜嘢呀？

答：簽名，即係代表嗰份合約，即係大家即係完成呢單工程幾多係我做嘅，咁咪知道嗰個銀碼係幾多，咁嘅意思啫。

主席：哦。即係事前就有講嘅？

答：冇，從來都有。

主席：就咁上到去，就簽名，簽完名，呢個 contract--呢個工程就畀咗你嘞，就係咁樣嘞？

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答：係嘞，係嘞。

主席：唔。

答：從來都有。

黎先生：你唔需要落標嘅咩？

答：吓？

黎先生：你唔需要落標嘅咩？

答：落標，落標，就寫落標咁嘛，有幾個人，佢通知咗你--即係個張標，有落標，有幾個人落標嘅，佢話「你--係，睇番你呢」...

黎先生：你頭先講過呢就係簽約啲--咪住先。

答：係。

黎先生：頭先講過呢就係簽約啲。

答：係喇，係嘞，係嘞。

黎先生：簽約之前呢，你要落標啲嘛？

答：要，要落標，係要。

黎先生：落標個陣時，伍克明先生有冇幫你介紹過，呢個標落咩嘢地盤，你要落咩嘢價錢，落咩嘢標，你需要用咩嘢材料，有冇幫你解釋過？

答：冇，冇。只不過係...

黎先生：落標，咁你點落標呀？

答：吓？

黎先生：咁你點落標呀？你唔知道，乜嘢都唔知，點落標呀？

答：落標只不過--落標只不過係佢係畀幾份啲啲大樓啲啲水喉圖則--啲啲圖則畀你自己返去睇，睇咗，其中你計番幾多錢嘞--成單工程需要幾多--幾多銀碼可以做得掂嘞，然後再報價畀佢囉。

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主席：即係佢淨係畀個圖你睇？

答：係嘞，係嘞，係嘞。

主席：就乜都唔講嘅？

答：係，冇講嘅。

主席：又唔講要用乜料、又唔講幾時開工？

答：冇㗎，從來冇㗎，從來冇。

主席：乜都唔講嘅？

答：係喇。

主席：睇完之後，「你自己落喇」，就係咁嘞？

答：係嘞，係嘞，係咁嘞，係咁。

主席：哦，唔。

黎先生：即係冇其--冇冇其他啲啲落標嘅人喺度㗎，其他公司？淨係--淨係得你嘅--你間公司嘅？

答：幾間呀。佢通常呢，我--明合就應該有幾個判頭嘅，唔係淨係我一個嘅，有幾個嘅，大家落標嘅。

黎先生：即係你哋幾個一齊見佢嘅？

答：唔係一齊，分開㗎。

黎先生：哦，分開見嘅？

答：係，佢唔會一齊㗎。

黎先生：分開見嘅？

答：係，唔會一齊㗎。

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黎先生：分開見咗之後，然後你先至落標？

答：係，自己先落標，寫下報價單咁上去畀佢睇，由得佢審...

黎先生：你落標嗰陣時，你嗰個計算價格嗰陣時你點做呀？因為你--譬如話你用嗰個焊料嘅價格嗰啲價錢，你點樣樣係訂你嗰個落標價？

答：噏，因為咁呢，元州邨我就冇諗住佢係畀我--要我包嗰啲小五金呀。

黎先生：噏。

答：係，以前上述嗰啲呢，從來唔包咩嘛，係元州邨先要。埋尾佢話--佢先話「唉，你要包埋嘞。」咁呀落咗價，佢話要包埋咁解。

黎先生：咁係因為你連工包料㗎嘛，你落標嗰陣時？

答：係，包小五金。

黎先生：包小五金㗎嘛？

答：係。

黎先生：咁你係計算你個落標價嗰陣時，你係點樣樣計算你嗰個係--譬如焊料嗰個價格係需要幾多嚟到落標嘅，係咪？

答：因為焊料嗰個價，就包埋小五金在內，一筆過嘅，就有寫明話幾多錢。通常我哋報價計呢，都係計--睇完圖則之後，你每間，往後呢--即係往入面嗰啲水喉幾多錢喇、外牆水喉幾多錢喇、天台需要幾多錢喇、地下需要幾多錢，就計呢啲，咁報落去喇嘛。

黎先生：但係都要有個焊料嘅價錢喺度，價格喺度㗎，你都要計算嘅？

答：冇，冇。

黎先生：冇計算嘅？

答：冇嘅，好少。

黎先生：哦。

答：即係包--包--噏，包...

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主席：你咩嘢都唔計，唔怪之得你份口供裏面話有啲要蝕本喇，係咪呀？

答：係，有時我大意啲，有時。

主席：唔。

答：因為我哋呢啲都唔係識得計數嘅人嚟㗎。

許偉強先生：冇其他問題。

主席：好呀，咁我哋早休先喇。二十分鐘我哋休息，二十分鐘之後再繼續。

上午 11 時 32 分聆訊押後

上午 11 時 55 分恢復聆訊

出席人士如前。

許偉強先生：主席，唔好意思，我仲有少少問題。

主席：好呀。

永興水喉渠務工程公司（“永興”）（明合的分判商）的證人：莫海光（（永興擁有人）（元州邨第二及四期、清河邨第一期、彩福邨、欣安邨、牛頭角下邨第一期和石硤尾邨第二期））宣誓繼續作供
許偉強先生繼續盤問

問：莫先生，啱啱我哋休息之前，主席同埋委員兩位都有同你問過關於嗰個報價嗰個情況。

答：係。

問：我都想同你傾一傾，就係如果我哋睇一睇啲有關嘅文件。如果我哋睇下呢一個文件夾 M1 嘅 358 頁。385 頁就係講緊就係呢個粉嶺，即係我哋知道係清河喇，清河邨，嗰陣時你哋同明合嗰個合同，入面都有

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講就係話嗰個價錢方面嘅，...

答：係。

問：...呢度。呢度就有講到有啲咩嘢項目，八個項目喇，呢度。

答：唔。

問：咁就合共就有三百一十--三千一百六十七伙，每伙就係二千一百釐嚟到計嘅，咁總共幾多錢咁喇。睇到嘛？

答：係，睇到。

問：唔該。我想知道就係呢一個咁嘅--首先，呢一張，呢一份文件，呢一張紙，入面啲內容，係邊個準備㗎？

答：係明合。

問：明合嘅。

答：係。

問：當然你喺簽呢個...

答：報價，我--即係報價就我報，明合就做番--打番出嚟嘅。

問：你話畀明合聽，佢打番出嚟嘅？

答：係，我報價畀佢，...

問：你報價...

答：...寫報價單畀佢。

問：你報價，係。

答：係嘞，係嘞，係嘞。

問：即係話呢一個文件入面嘅內容就係根據你報畀明合嘅價，...

答：係。

問：...佢就打番出嚟喇，咁樣，係咪？

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答：係。

問：我就想問一問你，呢度就講出有幾多個伙數，...

答：係。

問：...另外就係每伙就用一個數目嚟做單位嘅，...

答：係。

問：...就呢個每伙嘅數目就係個價錢就係 2,100 釐嚟到計咁。

答：係。

問：我想知道呢一個 2,100 釐一個單位，你點樣計算出嚟嘍？

答：我將佢--因為佢外牆膠喉未做，潔具未裝咗嘛，天台未完成咗嘛，外牆嗰啲 DI，嗰啲落水嗰啲大喉未裝咗嘛，逐層每伙、每伙咁計做出嚟嘅，每層、每層咪有幾多錢。

問：我咁樣講啱唔啱呢，就係你如果每伙 2,100 釐嚟到計喇，...

答：係喇，係喇。

問：...咁但係呢個 2,100 釐就應該你係計算咗呢一個平均每一伙嘅工同埋料都包咗㗎嘞？

答：係嘞，係。

問：係咪？

答：係嘞。

問：咁...

答：係小五金嘅啫，包含呢啲，包含...

問：係嘞，即係小--淨係小五金，係嘞。

答：係。

問：我想知道就係呢一個 2,100 釐，你點樣去到計算呢？例如入面有幾多係例如係人工，幾多係嗰個小五金嗰個費用，即係嗰個成本呢咁。點

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樣計到出嚟嘅？

答：因為最主要係人工嘅啫，小五金嗰個數目係唔係好大嘅，又唔係大得好犀利嘅，最主要係人工嘅啫。

問：唔。

答：而家咪將佢計天台，佢完成幾多，有幾多未完成，單位嗰啲潔具，每伙要安裝臉盆、廁所、龍頭，嗰啲幾多錢，咁樣計出嚟囉，如此類推。

問：如果我哋咁睇，你嗰啲小五金，就即係作為你嘅成本嚟講，咁都一定係包括咗焊料㗎。

答：係。

問：係咪？咁嗰啲焊料，你有冇話就住特定邊一隻焊料嗰個價格嚟到因住，就係去計算呢個 2,100 釐？

答：咁又有嗎，冇嗎，真係。

問：我又想你睇下另外一張，就係 47 頁，同一個文件夾，47 頁。

講者（不能辨別）：主席。

答：係。

問：呢個就係牛頭角下邨嗰個--又係嗰個合同--外判合同嗰個計算方法。

答：係。

問：我咁樣講啱唔啱呢，就係就住呢一個文件嘅內容，牛頭角下邨嘅呢個判價，就係都係你報咗價，然後明合就打番出嘅，都係咁樣嘅？

答：係嘞，大樓嗰啲係，大樓嗰啲係。

問：大樓嗰啲係？

答：係嘞。

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問：你呢度，如果我哋睇第一段，就係講緊「淨工安裝 5 座大樓(合共 4,238 伙)，每伙\$3,900 之來去水喉，渠務同埋潔具安裝工程」咁樣。

答：係嘞，係。

問：呢度就同剛才嗰個都有啲唔同。即係剛才我哋講緊--睇過係 2,100 釐一伙嚟到計，呢度就用來\$3,900，即係多咗唔多嘅，呢度。你可唔可以解釋下嗰個分別喺邊度？

答：因為佢點解咁少呢？因為好多--多數好多佢係做咗嘍嘛，以前上手嗰個判頭完--完成咗嗰啲工種咁嘛。

問：即係你講嗰個就係森記，係咪？

答：應該係嘞，我就唔知佢咩嘢記喇，我--係。

問：即係你講緊啱啱嗰個清河邨嗰度，你講？

答：係呀，係呀，係嘞，係嘞。因為好多係佢做嘅，佢做咗嘅，大部分係佢做咗嘅。

問：係。我就想問一問，就我哋都知道喺元州邨之前，即係你都有同明合有合作嘍嘛，係咪？

答：係，係，係。

問：嗰陣時就係明合就係提供嗰啲咁嘅--所有嘅材料，包括小五金都係佢哋提供嘅？

答：係。

問：我想知道當時喺呢個元州邨之前，明合提供嘅焊料，你記唔記得係邊一隻？

答：應該唔記得嘞，冇乜印象我，太耐嘞。

問：冇乜印象，好。

答：係喇，因為十幾、廿年嘞。

問：好。如果我哋純粹--如果睇下實物，睇下會唔會你--即係可以幫助你記憶。嗰陣時元州邨之前，係咪--明合係咪提供呢一隻，你記唔記得？

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答：應該都唔係記得咁清楚嘞。

問：定係呢一隻呢？有冇印象？

答：都有，都講係成廿年前嘅事嘞。

主席：唔記得清楚，係。

問：唔記得清楚，得。

答：唔記得，記唔清楚。

主席：係，第二條問題。

許偉強先生：係。

答：太耐唔記得。

問：同埋我就想問一問你，就係就住尋日有兩位有利嘅職員上嚟畀口供，咁就第一位譚先生，就住安達臣嗰個地盤，咁佢都有講出就係話明合就有叫你去攞就係有關嘅焊料嘅樣本。咁今日我哋聽到剛才嗰位程先生，阿輝哥，就講話佢當時同你講嘅情況，就係話要你攞一啲符合房署要求嘅焊料嚟咁樣。我就想問下你，你係咪確認你當時，就住安達臣地盤，你攞上去嗰啲焊料個樣本，就係嗰啲我哋睇到一卷卷嗰啲樣本咁嘅，係咪？呢個你同意㗎嘛，就係呢隻？

答：同意，佢要--佢--我--佢就--我就唔認同佢話符合房署嘅要求，但嗰我攞呢隻焊料上去畀佢，畀有利。我係畀過安達臣，我有啲印象係畀過，因為唔係好耐咁嘅，因為幾年--兩、三年前嘅事咁嘅。

問：你話佢叫你攞呢隻呀？定係點呀？

答：冇指定嗰隻。嗰我攞啲--攞啲焊料喇，...（聽不清）咁過去囉。

問：攞焊料，係嘞

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答：係。

問：咁佢冇指定邊隻，我就想知道，咁你又點樣知道係擺呢一隻上去畀佢哋呢咁？

答：因為我就係有啲地盤就啱啱搬，即係唔係我親身咁樣，因為我喺地盤用剩咗啲材料就去嗰度，係，咁樣，欸，嗰啲，叫伙記擺過去畀佢嘅啫。

問：唔係好明，你可唔可以解釋多一次？

主席：喺第二啲地盤用剩嘅，啱啱？

答：係，用剩嘅，係嘞，擺喺--因為我有個臨時架步咁嘛，用嗰啲鐵皮嗰啲貨櫃，嗰啲貨櫃車嗰啲貨櫃嗰啲，嗰啲貨櫃架步咁嘛。因為我都唔係專人去嗰啲地盤做嘢嘅，唔係成日上嗰度嘅，...

問：好。

答：...好少上去嗰度呀，嗰陣初期。

問：好。最後，就係尋日伍克明先生就曾經有提講，佢就話其實曾經以前就有要求過你哋公司，或者你本人，就係提供啲有關焊料嗰啲文件，我哋唔係講緊實物，嗰啲文件，你有冇印象？

答：冇。

許偉強先生：冇其他問題。

主席：唔該。Ms Wong。

李先生：係，主席。

主席：係，Mr Li。

李先生盤問

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問：莫先生，我代表有利同明合嘅。剛才你話就住安達臣道你交呢隻綠色，許大狀畀你睇綠色個個焊線、錫線，你就話，啊，因為喺其他地盤用剩嘅。

答：係。

問：點解第二啲地盤會用呢隻錫線？

答：佢有時冇貨咪用呢隻代替，嗰隻錫條冇貨。有陣用剩，舊啲樓嚟咗嘞，有啲伙記又唔係幾喜歡用呢隻嘞，咁我咪剩番喺嗰度囉。

問：唔喜歡用就剩番。

答：佢嗰度如果剩咗--吓？

問：唔喜歡用就剩番咁呀？

答：唔係，佢唔--即係剩番喺嗰度，佢剩番喺架步，有啲工人就冇用呢隻，咪所以剩番喺嗰度囉。

問：唔明。

答：而家工程都完晒嘞，咁你仲有用咩嘢呢？擺嚟咩嘢用呢？我都唔明。

問：你話工人唔鍾意又好，工人咩嘢喺度--即係點呀？佢哋見到呢隻唔用，叫你訂過第二啲返嚟？

答：冇訂呀，嗰隻。嗰陣完咗工㗎喇嘛，第二個地盤係完咗工㗎喇嘛。

問：完咗工，係剩番呢隻？

答：係，嗰隻...

問：個個地盤都係咁樣？

答：嗰隻錫條都有，唔係淨係呢隻，嗰隻錫條都有。

問：唔。咁...

答：係，兩隻都有。

問：點解唔遞嗰隻錫條畀房署呀？

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答：吓？

問：都有剩㗎。

答：嘅，佢擺咗，佢話要一網網啲啲咁嘛。

問：聽唔到。

答：佢話要成網啲啲擺上去咁嘛，係呀。

問：邊個話畀你聽成網啲啲擺上去？

答：咪啲個 Leo 囉，即係有利啲個囉。

問：有利啲啲，佢哋--嘅。

主席：阿 Leo 呀。

答：係，有利啲個囉。

問：哦，有利啲個 Leo，唔該晒。

答：係。

主席：唔。

答：啲個係...

問：有利嘅 Leo。

答：因為佢畀我個電話佢打電話畀我擺上去，佢話「要一網網啲隻，咁你擺過去。」

問：咁過去啲啲咁嘅地盤，你都係擺呢隻綠色嘅上去嘅，係咪？

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答：咩嘢過去嗰啲地盤。

問：譬如話清河邨、元州邨、牛頭角下邨。

答：唔，都有。

問：而家牽涉...

答：隻隻都有。

問：...呢幾個邨，都係擺呢隻嘅，係咪？

答：唔係，都有錫條，又有啲錫線。

問：擺上去呢，擺上去畀房屋署審批呢？

答：我都有擺過。我有擺過嗰，真係。我記憶上係未擺過上去。

問：好嘞，即係昨天欣安邨嗰度，仇先生就話係都有要求你交呢啲焊料喇，你就唔同意嘅。

答：你自己睇番嗰張相，如果擺咗辦嘅呢，仲係一網網原裝嘍嘛，你而家嗰度得半--好少、好少呀，兩網，好少、好少，你睇番，擺番嗰張嘢嚟睇。我而家--我琴晚返去諗下、諗下都係--噏，如果你擺個辦呢，只係一網咁嘛，成網、成網滿晒嘍嘛，而家佢用剩好少咁嘛，唔係--好少呀，唔係好多嘍，兩網嘢呀。我琴晚諗下、諗下都係好似--諗番起呀。

主席：邊度呀，你講嗰啲相？你講嗰啲相呀？邊一度呀？我...

答：我擺番嗰張。

問：你講咩嘢相呀？

答：係呀，擺番嗰張，...

主席：嘎，嗰啲相呀，擺番啲相。

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答：...馬鞍山 submission 嗰張。

主席：係，sub...

問：好。P1，二百五十...

主席：欣安邨咩嘛，係咪你講緊？上辦呀，唔係呢度。Submission of material。

問：你琴日話見到啲相，係咩嘢相呀？啲人喺度示範，影番自己啲相？

主席：唔係，上...

答：唔係，佢有罐松香膏、有兩網啲錫條--錫線，係咪呀？係咪兩網啲啲呀？

問：安達臣道嗰度，係咪？

答：唔係安達臣。

主席：欣安邨。

答：係即係馬鞍山，即係欣安邨，係嘞。

問：欣安邨。等我一陣吓。欣安邨。15.3，39128，唔該。

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殷先生：係咪 11.3，28003？

李先生：11.3？

殷先生：28003。

李先生：B11.3，28008；11.3，28008，落到中間啲，唔該。

問：莫生，係咪呢啲？

答：係喇，係喇。

問：一網網呢啲？

答：係。

主席：呢度有咩嘢問題？你話「用咗太多嘞」咁樣樣，係咪咁嘅意思？

答：係喇。如果我擺--如果係我擺上昇佢呢，就原網嚟嘛。佢而家呢度得番好少咁嘛，唔係好多咁嘛。

主席：係。

答：唔係成網咁嘛。

問：即係你擺上去就會係新嘅，新簇簇嘅，唔會用咗咁多嘅？

答：係嘞，應該唔會用咗好多嚟嘛。

問：咁邊條邨你擺過上去，係一敕敕新嚟？

答：應該我未擺過，我記憶上--我而家都唔係咁清楚，唔記得。我好似記憶上係未擺過。

主席：呢個呀？

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答：未擺過上去。

主席：喺，我就有一網喺度，...

答：係喇，係喇。

主席：...新嘅。

答：新嘅喇，係。

主席：係咪？

答：係喇。

主席：咁...

答：係，比較下，睇下係咪？

主席：係喇，睇下你...

答：係咪啲少啲嘍？有冇...

主席：唔係啫。睇下你點樣樣影個相囉。

答：吓？

主席：如果你咁樣樣影呢就新嘅。即係呢度貼住喇，就梗係...

答：佢唔係新與舊呀，...

主席：唔係，你嘅意思，即係因為呢度有...

答：...而係多與少呀。

主席：我知呀，我明。咁樣影呢就好新嘅，因為呢啲就黏住呢度咁嘛，係咪？

答：係。

主席：但係如果你咁樣影呢，就呢度就有條罇個囉啫，就好似咁上下喇，明唔明？

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答：（沒有可聽到的回答）。

主席：我唔知道係咪真係呢卷係咪--因為我唔知㗎嘛，係咪？即係我話畀你聽，睇下個角度點樣影嘅啫。如果你咁樣樣影落去呢，咁呢度個罅位就多啲，咁你就會覺得係用過。如果你咁樣樣影呢，就呢卷就係新嘅。不過我哋都係講緊同一卷嘢，就睇下你點樣樣影嘅啫。你明我意思嘛？

答：係，明白，明白。

問：好嘞，點都好嘞。你就喺呢一件事件入面就牽涉喺五條屋邨入面，係咪？

答：係。

問：每次你投標，呢五條屋邨去報價，個過程，你都知道呢五條邨係房屋署負責嘅邨嚟嘅，係咪？

答：係。

問：咁亦都知道係政府起嘅屋，啱唔啱？

答：係。

問：你會唔會同意話幫政府起屋，好多嘢要制肘住，好多嘢要求㗎？

答：制肘住，要求？

問：唔。

答：嗰啲唔知㗎，唔係我嘅範圍㗎，嗰啲唔關我事，唔係我嘅範圍。

問：用料上有好多要求，你知唔知㗎？

答：吓？

問：用料上都有好多要求嘅，你知唔知？

答：唔知。

問：唔知？

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答：係。

問：但係你做開都係聽啲你對上嘅判頭話畀你聽點做，...

答：唔係。

問：...你就點做嘞，啱唔啱？

答：用開嘅要求就唔知嘅，因為嗰啲材料唔係我包㗎嘛，原先唔係我包㗎
嘛。你來乜材料，我咪做乜材料囉，就係咁簡單。

問：但係材料上，如果係上面包嗰啲，某隻材料吓，比起市面有啲材料嘅，
可能會有啲分別嘅，係咪？

答：點樣市面？

問：譬如話你嘅上判包咗條水喉喇，有啲水喉冇咁容易整，市面會比較啲
水喉易整啲嘅？

答：嗰啲我有乜感覺啲--冇乜印象啲，唔知會唔會啲，真係。

問：好嘞，...

答：因為我唔係完全、十足十落手落腳去做嗰隻，係偶然去做啫。

問：好嘞，你知道房屋署--譬如喺 13 年，安達臣道，嗰度你就話，啊，
我有上料，係咪？

答：係。

問：之前嗰啲係唔記得...

答：唔係上料，而係嗰隻焊錫膏係畀過有利，唔係我上嘅，嗰啲。

問：畀有利，因為有人...

答：係畀有利，畀過有利嗰個頭先--琴日做過口供嗰個，係，我承認係畀
過佢，真係。

問：係，呢啲聽到晒㗎嘞。

答：係。

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問：Okay。畀有利，係因為有利叫你畀啲料佢哋交界房委會、房屋署，啱唔啱？

答：佢嗌我擺上去，冇話交界房屋署啲，我唔知道。

問：你知道要交界房屋署嘅，啱唔啱？

答：我唔知佢咩嘢用途啲，真係。

問：知道有咩用途？

答：係呀，我唔知道交界佢係做乜嘢。佢嗌我擺上去畀佢，咁解嘅啫。

問：你唔明下佢要嚟做乜，呢啲料，咁常見？

答：咁通常我哋都好少問咁多嘢嘅。嗌乜嘢呀，咁咪擺畀佢，咁咪。

問：佢哋唔係新入行個囉啲，有利？

答：吓？

問：13年，都同你合作咗好多年喇，係咪？

答：係吖，係吖，所以咪好少問囉，好少過問佢啲啲有咩嘢用㗎，點解咁樣；擺畀佢囉。

問：咩嘢叫做「好少過問」，「擺啲料畀佢」？即係佢成日問你擺料，...

答：即係佢--係。

問：...佢次次都唔過問？

答：唔係呀，佢要我擺畀佢啲樣嘢，我就畀--就擺過去畀佢，就係咁簡單嘅啫，就有話問佢，「欸，你有咩嘢用途呀？用嚟做乜嘢呀？」咁係冇問呢啲嘢囉，好少。

問：琴日，你記唔記得呢，你唔係咁講嘅？

答：係。

問：琴日你話「啊，要審批，不過你又唔話畀我聽審批成點，咁咪照用囉咁樣。」記唔記得？

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答：唔係，而家佢話要審批，佢話--唔係，佢而家話審批咗，交咗，講咗畀我哋聽吓嘛。我話未聽過你審批，話審批，我未聽過。

問：咁你答我嘞，今日起計，...

答：係嘞。

問：...直至到今日，以往你有畀過料有利嘅，你係完全唔知用嚟做乜？

答：點樣？

問：以往...

答：我想你講多一次，聽唔係幾清楚。

問：...唔理你乜嘢地盤都好，你只要有交過料畀有利的話，你都唔知道交畀有利嚟做乜嘢？

答：係交畀佢有利，佢話呢隻錫條，我就唔知佢完全係話--唔係話做乜嘢呀，完全係話--係咪畀佢審批，我就唔知佢喇。

問：即係你唔知係用嚟審批嘅？

答：係嘞，係嘞。

問：定係有利八八卦卦攞啲料嚟睇？

答：咁呢層我唔知、唔清楚嘅。

問：好呀，呢個你嘅證據喇。好嘞，元州邨同清河邨啲時間就差唔多重疊住嘅，係咪？

答：唔係，應該係元州邨係交完樓先到清河邨嘅。

問：好接近，時間？

答：係，因為接--接近。

問：都係07、08年附近嘅時間？

答：點樣話？

問：都係2007年、2008年嘅時間？

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答：唔記得。

問：唔。

答：冇乜印象，唔記得。

問：我提下你，係差唔多嗰段時間？

答：係嘞，嗰段時間。

問：咁你幫幫手，諗番嗰陣時，記咁喺清河邨，你接手嗰陣時，森記已經喺你之前係做緊嘢嘍嘞？

答：係。

問：森記就因為可能係進度慢嘅問題喇，...

答：唔知呀，呢個唔清楚。

問：唔知道？

答：係，唔知佢係咩嘢原因。

問：口供你好似有提過話森記進度慢，係咪？

答：進度慢就只不過係個進度慢，就唔知道佢明合係咪因--進度慢，唔繼續做咗嘛。

問：好。

答：係喇。

問：咁你係咪見到森記佢哋清場呀？

答：吓？

問：有冇見到佢哋清場呀，喺個場嗰度？

答：見過。

問：清場嗰陣時有冇見到佢哋都包起啲工呀、料呀，嗰啲工具呀、料呀，去交番個場畀明合？

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答：嗰啲我又冇睇到。

問：你之所以見到佢哋清場，係因為伍克明先生帶你去個地盤度，去視察下個環境，啱唔啱？

答：唔係伍克明先生帶，係由嗰啲...

問：咁明合嘅人喇，好唔好？

答：係由明合其中一個科文帶。

問：好嘞，佢帶你去，都係視察環境，係咪？

答：係嘞，睇下佢邊啲有做，佢邊啲冇做咁樣嘅。

問：視察環境期間，係咪見到一卷卷綠色嘅焊料？

答：冇。

問：冇？

答：冇。

問：森記，根據一啲單據，就見到喺清河邨就係用呢一隻焊料嘅。

答：唔。

問：Okay。你自己係咪都係用呢隻焊料呀，喺嗰個地盤嗰度？

答：都有用，都有用嘅，...

問：Okay。

答：...應該我都唔係咁清楚嘞，太耐，唔係咁清楚。

問：都有用。點解你會用呢一隻料？

答：吓？。

問：點解你會用呢一隻焊料？

答：呢隻我啱嘅。邊隻方便咪邊隻囉，啱嚟景話有咩嘢貨，邊隻貨--「我要焊料呀，你擺一網網又得，錫條又得」咁囉，咪咁簡單囉。

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問：咁你有冇報價，叫雋景...

答：冇，冇，從來冇報價嘅。

問：從來冇叫佢報價？

答：係呀，係吖。

問：咁佢收你五百釐一卷都得個啲？

答：係相熟吖嘛。真係呀，你問番--將來你可以問番 supplier 吖，和興同雋景，睇下有冇報過價；從來冇報價嘅，我擺咗咁多貨。

主席：唔係，我想問一問，即係你呢度嘅意思，係咪你就打電話畀雋景，...

答：係嘞。

主席：...你就話要啲錫條，...

答：係嘞。

主席：...咁你就唔理佢究竟畀邊隻你嚟嘞，...

答：係嘞。

主席：...啱嘛？

答：係。

主席：你亦都唔知道佢哋個價錢嘅，亦都唔需要報價畀你知嘅？

答：唔需要，嘎。

主席：總之你就話要錫條，佢哋嚟乜嘢嘢，就任佢哋嚟；...

答：係嘞。

主席：...嚟咩嘢牌子、咩嘢貨，就任佢哋嚟嘞？

答：係，係。

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問：但係去清河，去訂呢啲錫條之前，當時你都入咗行好多年喇，係咪？

答：係。

問：所以咁多年嚟，你嘅講法，都係話打電話去雋景又好，和興都好喇，...

答：係嘞。

問：...淨係話「我要錫條」？

答：係嘞。唔係完全我打電話嘅，仲有我啲--啲啲工人喇。

問：係，工人都要聽你話㗎嘛，買幾多，係咪？冇理由買一噸返嚟㗎。

答：我有去特別話要幾多、幾多，有時憑啲啲工人嘅經驗，佢話訂幾多，又冇--都唔會話一次過㗎，訂乜嘢都唔會一次過㗎。

問：唔好理工人嘞。你自己呢，試過訂貨未呀？

答：試過，都試過。

問：咁你訂貨，點同雋景講呀？

答：我咪話要錫條囉。

問：要錫條？

答：係嘞。

問：好嘞，有冇話，啊，幾多、幾多條呀？

答：冇。

問：幾多、幾多紮呀？

答：有幾多斤喇--唔係，幾多磅喇，幾多十磅、幾多百磅咁計。

問：幾多十磅、幾多百磅？

答：係嘞。

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問：清河邨...

答：係清河邨，擺咗上去。

問：清河邨，我哋而家見到佢送嚟嗰啲就係一卷卷嘅、一網網嘅，...

答：唔。

問：...就唔係一磅嘅嘅？

答：我又唔記得嘞，真係。

問：咁你預期雋景幫你計埋條數嘅？

答：係。

問：要二十磅，即係等於幾多網，佢計埋數就送畀你？

答：唔使，佢訂幾十磅，你用完呀，跟住又打電話㗎喇嘛。

問：你唔明我個問題嘞，梗係？

答：係呀，係呀，唔明你個問題，唔明你個問題。

問：你打去雋景，你通常落單，就話幾多、幾多磅，係咪？

答：係嘞。

問：而家我哋睇到有啲情況，人哋係送一卷卷畀你嘅。

答：唔，卷卷？

問：嘎。咁你落 order 明明要磅，佢就擺一卷卷畀你，咁你點呀，預咗雋景覆...

答：我唔記得咁多嘞，太耐嘞，因為；因為太耐嘞，我真係記得唔係咁清楚。

問：不如你等埋我個問題先至答喇，好唔好？

答：吓？

問：等埋我個問題先喇。

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答：係喇，問喇。

問：你係咪預咗雋景會幫你計埋條數呀，...

答：唔係。

問：...一磅等於幾多網呀？

答：唔係喎。

問：唔係？

答：係唔計喎。有時我打電話，有時啲工打電話咁嘛。因為嗰陣啱啱接手呢係為比較亂，因為...

問：你唔好再卸落啲工人嗰度。

答：唔係卸...

問：我問緊你自己，落單嗰陣時嘅情況。

答：唔係卸呀，冇卸。

問：問緊你自己呀。

答：你問番雋景，你可以問番雋景，有時我打電話，有啲啲工人打電話，都唔係完全我...

問：唔使擔心雋景㗎嘞，...

答：吓？

問：...你答下我，你自己點樣做喇，好唔好？

答：吓？

問：好唔好呀？

答：我自己都有打，有時有要幾多。

問：唔。

答：係嘞。

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問：其實呢啲咁嘅錫料，喺雋景係供應畀你哋啲啲，其實得幾種嘍咋，啱唔啱？

答：幾種，應該係兩種嘅。

問：好易認嘅，綠色？

答：係，一隻...

問：係咪？

答：一隻一網，一隻一條，係喇。

問：係喇。有陣時你訂完一磅磅啲啲，人哋送嚟係一網網喇，你有冇打落去雋景問，「喂，點解會送呢隻嚟」？

答：冇問嘞，從來都冇問。

問：唔會問嘅？

答：冇問。

問：貴啲個嘞，一網網啲啲？

答：啱吖。相對嚟講，因為佢兩個價錢咁比較呢，都唔會爭得好遠價錢喇，加埋大家用量啲啲，所以我都從來都好少話...（聽不清）呢啲，呢啲又點樣比較，點樣比較呀，好少啲啲嘢嘅。

問：好嘞，你就話，喺你嘅證人供詞，第 M1，第 16 頁，唔該，第 29 段。嗰度第二行，見唔見到喺第二行，過咗七、八個字之後有個句號，跟住就話「訂貨時只需在電話中說明要訂購錫條的份量及工地所在就可，並不需要指明錫條的牌子、型號或用途。」見唔見？

答：係呀。

問：見唔見到？

答：係吖。

問：你同雋景都買嘢買咗好耐嘞，係咪呀？

答：係兩個地盤囉--三個地盤囉，應該。間中都有。

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問：唔。

答：都唔止...

問：雋景都知道你係做咩嘢工作㗎嘛，係咪？

答：吓？知道，佢知道我係做水喉。

問：你個名都--公司名喇，永興水喉。

答：吓？

問：係咪？即係雋景知你做水喉嘅？

答：係，知。

問：咁你就話唔使同佢講用途，其實雋景都知道你應該係有做食水--有食水嘅水喉工作嘅，係咪？

答：係。

問：如果雋景送咗啲錫條畀你，係因為你落 order 嗰陣時就話要攞錫條？

主席：再講清楚啲。

問：我應該咁問你，對唔住，對唔住，我應該咁問你。噏，...

主席：永興咩嘢話？

李先生：唔係...

主席：全乜名叫咩嘢？

李先生：永興水喉工程有限公司。

主席：係。

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李先生：係。

問：雋景就知你係會做食水水喉嘅，啱唔啱？

答：啱。

問：好嘞，你就話你落 order，落嚟都係落錫條，佢就...

主席：你做埋污水嘍嘛，係咪？去水你都做嘍嘛？

答：吓？去水，做去水，污水。

問：好嘞，和興呢，和興都知你係做水渠、水喉工程？

答：都知道。

問：好嘞，你喺個證供嘞，同一份口供入面，第 11 頁，第 10 段。第 10 段呢度咁講嘅，「就受影響屋邨項目而言，明合從來沒有告知或指定永興購買任何一款『小五金』物料的品牌或規格，亦從未曾提議本人從哪裡購買小五金物料。」見唔見到？

答：啱，啱。

問：另外嘞，喺第 35 段，17 頁，亦都講類似嘅嘢嘞，就係話「本人知道明合需要把某些水喉物料呈交房屋署作審批，但並不知道審批的標準或內容，亦不知道焊料是否需要接受審批。」見唔見到？

答：見到。

問：見唔見到？

答：見到。

問：第一句嗰度你就話嘞，「本人知道明合需要把...水喉物料呈交房屋署...審批」嘅。口供紙就話你知道要審批嘅，交界房屋署？

答：嗰啲銅料，嗰啲咪要囉，配件嗰啲。

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問：但係就唔知道焊料需唔需要審批？

答：乜嘢話？

問：但係就唔知道焊料要唔要審批？

答：係嘞。

問：係咪？咁即係有啲情況就係話嗰啲銅料又好，其他料，加埋焊料，一齊交界明合或者係有利？

答：唔係，應該清河邨未交過嗰啲咁嘅嘢個啲，接手。

問：清河邨，你用嘅，我哋見到啲單，就係綠色嗰隻錫料喇吓。

答：亦都唔係完全嗰隻，唔係完全嗰隻。

問：亦都唔係完全嗰隻？

答：唔係完全綠色嗰隻。

問：但係其實其實明合係叫你跟住森記...

答：冇叫。

問：...咁樣用綠色嗰隻...

答：明合冇叫過，從來冇叫我用乜嘢料，...

問：好嘞。

答：...清河邨。

問：好，剛才問過你，喺第 29 段嘅，16 頁。嗰度剛才讀過畀你聽嘞，就話你打電話落去就係要幾多分量同埋咩嘢工地就得嘞，就唔使講牌子、型號、用途。跟住你繼續講嘞，「由於落單嗰陣時永興會一併購買其他水喉工程所需物料，所以供應商一般都清楚了解錫條是用於水喉焊接，所以永興就唔使講明畀供應商聽，亦都供應商都唔會特別去問嘅。」見唔見到？

答：見到。

問：你去訂貨，你梗係知道呢啲焊料係用嚟做咩嘢㗎喇？

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答：係吖，焊錫囉，係吖。

問：係咪？啲焊錫，如果要係愛嚟接駁啲食用水嘅水喉...

答：係。

問：...會用嚟咁做㗎喇？

答：係。

問：係咪？你自己知唔知道，有冇聽過，鉛...

答：冇。

問：我未問完㗎。

答：你問我有冇聽過鉛吖嘛。

問：鉛你都未聽過？

答：唔係，你問我有冇聽過鉛吖嘛。

問：好呀，第一個問題，鉛，你聽過未？

答：係喇，問鉛喇，你問喇，問喇。

問：鉛，你聽過未呀？

答：鉛聽過，...

問：哦，而家聽過嘞。？

答：...（聽不清）鉛、...（聽不清）鉛、三鐵通啲啲咪試過囉。

問：鉛有毒，你聽過未？

答：吓？

問：鉛有毒，你聽過未？

答：咁我又唔知㗎，真係，有冇毒。

問：冇聽過？

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答：冇，鉛毒。

問：細細個有冇聽過，我媽咪就同我講過嘞，食得多皮蛋，因為皮蛋有鉛嘅，食得多會蠢嘅，...

答：唔知喎。

問：...有冇聽過呢啲坊間嘅講法？

答：唔知喎。可能你聰明啲喇，冇食，你...

問：冇聽過，好嘞。

主席：其實你有冇見過雋景送嚟啲錫條？

答：我呀？

主席：係呀。

答：有。

主席：有。佢送嚟嗰陣時候，55磅一盒個喎？

答：佢啲唔係。佢都有錫條，一紮、一紮。

主席：唔係，我即係話畀你聽，雋景，因為我見到啲單據次次都係訂 55磅、110磅，總之全部都係 55磅嘅單位上嘅，咁就 25 kg 就即係 55磅喇，因為一盒就 25 kg 嘅。

答：唔。

主席：我想問下你，即係有冇見過，送嚟嗰陣時候，雋景送嚟啲英國 50力係一盒盒，就唔係你所講，喺 30 段，一紮紮？和興啲就可能係一紮紮，但係雋景送嚟啲就一盒盒個喎。

答：雋景所送過咁耐畀我都係一紮紮，未試過一盒盒。

主席：Okay。

答：係喇。

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問：一紮紮，有大有細嘅？

答：吓？

問：有大有細嘅？

答：係喇，磅，你磅多，咪大紮啲囉；你磅少，咪細紮啲囉。

問：好嘞，剛才黎委員都問過下你㗎嘞，你就要去入標，係咪？

答：落標。

問：落標。落標嗰陣時，你就睇咗啲圖則、啲圖畫嘅，係咪？就畀你去計數。

答：係睇嗰張--佢所畀我嘅圖則係一張企身圖，喉頭企身圖、水喉企身圖、喉頭平面圖、水喉平面圖，係幾張嘢之嘛。

問：當中你會睇到究竟用幾多水喉通，要幾長或者幾多個駁口位嘅？

答：嗰啲冇對過，嗰啲。

問：幾多個駁口位，有冇睇過吓？

答：都冇計喇，唔計嗰啲嘢嘅，我哋。

問：咁畀你睇嚟做咩嘢？

答：行內嚟講，報價係唔報佢--唔計嗰啲嘅。

問：咁你會唔會睇住啲圖，睇下用幾多料，跟住計番條數...

主席：乜嘢料先？

問：應該咁問你。咁你睇完啲圖，你會唔會諗下，啊，要幾多個工人、幾多工去做？

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答：睇啲圖--我哋就唔係咁計法嘅，唔係話睇啲圖，有幾多工人，幾多料嘅。我哋即係單位，以前你做開幾多個單位嘅，係幾多錢一個單位嘅；單位，即係每伙，即係每伙，幾多錢一伙嘅，以前做開幾多嘅，喺，而家做番--而家，比如加咗人工喇，如此類推喇，咁就加番落去嘅啫，都。冇咁詳細，又有咁嘅精力去條條去度下幾多 met 呀，幾多 met 呀，冇嘅，我哋因為--做工程就唔係斷 met 計㗎嘛，因為做大樓啲嘅，全部都係逐個單位去計，逐伙計㗎嘛，唔係逐配--配件計㗎嘛。

問：每一伙有啲咩嘢，你係要諗嚟度放落條數入面？

答：冇嘍，我以前都係--以前做開，做開幾多錢一伙嘅，而家，比如咁，你加咗人工，又加番幾多落去咁計，咁樣計嘛。

問：小五金啲料呢，...

答：啲啲...

問：...點都有計啲落去嘅，啱唔啱？

答：啲啲從來冇計過，真係。

問：從來冇計小五金嘅？

答：從來冇計過。拉勻啲伙計㗎嘛，冇另外撈埋...（聽不清）做，就有另外小五金啲個銀碼嘅，係冇嘅。

問：啱啱有個小休之後，許大律師就問你嘞，「啊，點解清河邨啲度係咪計咗 2,100 釐一伙？」

答：唔。

問：跟住另外就畀過第二個文件你睇，就計到係 3,900 釐一伙嘅。

答：唔。

問：見唔見到？

答：見到。

問：我唔係好聽清楚你嘅講法，清河邨之所以係 2,000 釐一伙，係因為森記已經做咗一啲工作嘞，係咪？

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答：做咗大部分工作。

問：喺每一個單位都做起咗一啲工作，你就去執手尾？

答：係，好多單位做起咗。

問：好多單位做起咗喇，呢個第一喇。

答：係，係嗰啲做銅嗰啲，係除咗潔具，加埋外牆膠喉之外，好多都有啲做咗。

問：係咪每一個單位都有啲嘢要執漏、有啲嘢未做起？

答：唔--每一個單位就應該就係安裝潔具、外牆膠喉嗰啲，嗰啲間中有一、兩樣嗰啲未做起嘅啫。

問：咁你就入場睇完佢做剩幾多嘢就計條數嘞，係咪？

答：係喇。

問：咁你計數，又係點呀，諗嗰啲工友要幾多錢一工，咁就計條數嘞？

答：我咪諗一個單位，比如佢做咗幾多，我一個單位係要--個總銀碼係要幾多錢。你做咗幾多嘢嘅，減番個銀碼囉，加埋要執佢，加埋另外執番佢嗰啲手尾，要唔會漏水，點呀，點呀，加番嗰啲 per cent 落去囉，咪計囉。

問：元州邨就係第一個工程喇吓。

答：唔係第一個工程，係第一個包小五金嘅工程，應該係。

問：包小五金嘅工程，係，okay，07年、08年左右。清河邨，08年。咁呢兩個屋苑，我哋見到都有訂綠色呢個焊料，嘅單據嘅，...

答：咁記得嘞，我都。

問：...係雋景送貨嚟嘅？

答：真係唔記得。

問：我聽唔到你講乜嘢。

答：真係唔記得。

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問：唔記得。喺，畀你睇睇嘞。

答：因為太耐嘞，冇乜印象，真係。

問：S1，唔該，睇睇第 60 頁。60 頁，我哋見到嘞，上面，就左邊，「莫海光」，見唔見到你個名？

答：佢寫我個名，係。

問：係嘞。

答：係。

問：07 年嘅 4 月 20 號。落啲嘞，係嘞，我哋見到左下角，就「元洲街 UCS」，見唔見到？

答：見到，見到。

問：呢個就係有利--唔係，應該話明合搵你哋做元洲街嗰個地盤其中一張雋景發畀你哋嘅發票嚟嘅，係咪？

答：係。

問：我哋見到嘞，個「貨品名稱」嗰度，「英國 FRY 無鉛錫線 (500G)」，見唔見到？

答：呢度寫住嘅。

問：過往你見過呢個“FRY”，F-R-Y，呢幾隻字未㗎？

答：因為我又唔識睇啲啲咁嘅英文，就從來我啲啲嘢就--只不過係啲啲單就未必係我收貨嘅，個個都係。

問：呢個我明嘅，okay，你話你唔識英文。F-R-Y，呢三隻英文字，你見過未？識唔識讀？

答：唔識讀。

問：都唔識讀？

答：F-R-Y？

問：係嘞。

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答：F-R-Y，我唔知咩嘢意思。「無鉛錫條」，係咪，嗰啲字，啲英文呀--啲中文，係咪？英文...

問：中文，你識睇喇，係咪？

答：係，識，識，識。

問：如果你係收呢張單嘅，如果吓，你係收呢張單嘅人，你會望下，咦，送嚟二十緬，對一對先，睇下乜嘢嚟嘅先；你都會對㗎嘛，係咪？

答：冇對，...

問：唔會對？

答：...我直情唔會對呢啲嘢嘅。

問：即係佢送嘢嚟，收咗呢嚟錢，你對都唔對，就由得佢嘞？

答：收貨，擺低就走㗎嘞，佢。

問：擺低就走？

答：係嘞。

問：開嚟睇都唔會睇？

答：冇睇，好少睇。

問：一盒盒送嚟啲啲，開都唔會開？

答：如果咁多地盤、咁多種類，大大話話過萬類，你個個開咗嚟睇，大佬，你將來做貨差唔多。

問：唔。

答：嘎。

問：即係如果你自己...

答：因為嗰啲嘢好--我通常我都唔係--唔係我去管理啲嘢，做嗰啲咁嘅嘢咁嘛。

問：即係...

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答：你基本上又咁嘅時間嚟去樣樣咁細微去數啲咁嘅嘢。

問：唔明。即係你簽收的話，你數都唔數，望都唔望？

答：係，佢擺低就簽單畀佢嘞，係呀。

問：咁佢送錯嘢嚟，咁點呀？

答：咁送錯料，咪叫佢--送錯，咪到時--真係有啲樣嘢，佢畀錯咗嘛，咪打電話嗌佢換番咁囉，咪咁囉。

問：咁咪又拖延囉？

答：吓？

問：咁咪會拖延個囉嗎？

答：拖都有計嚟嘞，如果佢真係錯咗。

問：咁你唔係應該唔想拖延啲咩，啲工程？

答：係唔想拖延啫，啲啲係意外嚟啲嘛，因為--因為你--如果樣樣都咁--都有咁細緻、咁細微去 check 喇，因為我唔係啲啲驗貨員咗嘛。

問：你通常--啲陣時喇，07、08年，雋景買料都係現金交易嘅？

答：係，係。

問：畀現金佢。就如果你收錢，就你畀錢，畀現金佢？

主席：你收貨。

答：我收貨，我畀囉。

問：係，收貨。

答：我伙記收，伙記畀囉。畀咗，樓尾我擺番囉。

問：畀咗，就叫佢擺張單？

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答：唔係，畀--如果我啲工人畀咗錢，幫我畀咗錢，將來我畀番佢咁解。

問：將--工人或者我擺咗--錢，將來畀番佢？

答：喺，比如，比如，我唔在場嘅，係我伙記嗰度嘅啫，佢係寫我個名嘅，然後打電話畀我伙記收，咁咪佢要收錢，咪畀我伙記畀佢囉。

問：我講緊你自己收貨嗰陣時。

答：我收貨，我係畀佢。

問：你就...

答：咁我問定佢幾多錢，咁咪擺定嗰度畀佢。

問：好嘞，你訂開貨，你都知啲貨價係大概幾多啲喇，係咪？

答：吓？

問：你訂開貨，你都知啲貨價幾多啲喇？

答：唔知嘞。佢話幾多錢，...

問：即係...

答：...我就擺幾多錢畀佢嘅。

問：你做咗咁多年，每次去訂貨，譬如話，啊，我要訂 50 磅都好喇，我當你講嘅嘢係事實喇吓。

答：係喇。

問：啊，50 磅、50 磅。今次嚟係 2,000 釐，下次嚟 3,000 釐，你會唔會諗一諗，「咦，點解啲價會貴咗呀」，啲價格會有變動，會唔會諗㗎？

答：會，冇--冇留意嘞，因為睇--大家相熟㗎嘛。

問：相熟，就冇留意價錢幾多？

答：係嘞。係嘞，佢擺幾多。我可以問--唔信，你可以問番，將來你，畀口供，問番嗰啲 supplier 點，我有--冇從來畀佢畀過報價單我嘅，冇嘅。

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問：唔。

答：從來冇嘅。

問：好嘞，呢度我哋見到嘞，第 60 頁，就係元州邨，就用無鉛嘅錫線。我哋再睇下頁，61 頁，咁就見到嘞，係「粉嶺 36 區一期」嘅，就 07 年 7 月 24，呢個就清河邨嘅，咁就見到嘞，佢送嚟就係「英國 FRY 無鉛錫線 (50 {500?} G)」，「120 網」，跟住就「160」釵，「單價」；見唔見到？

答：見到，見到。

問：剛才畀你睇第 60 頁，都係講緊英國無鉛 FRY，個單價就係 100 釵，隔咗一年多少少嘞，又再送呢隻嚟嘞，已經變咗 160 釵嘞，我哋見到。

答：應該隔咗咁耐。

問：60 頁嗰張發票係寫畀你，莫海光先生喇，係咪？

答：係喇。

問：剛才睇過嘞，咁就英國 FRY 無鉛錫線，二十網，單價係 100 釵。60 頁，係嘞，呢個係你個面前，係 60 頁，見唔見到，嗰陣時係 100 釵嘅？

答：見到，。

講者（不能辨別）：呢度，係嘞。

答：係嘞。

問：係嘞，“160”釵，61 頁度。

答：係。

問：多咗 60 釵。呢一個 61 頁呢張單，你畀錢嘅，係咪，都係？

答：你亦都唔記得，應該係畀咗錢嘅，應該畀錢佢。

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問：你就冇問價喇，如果你嘅講法就話？

答：呢張單就有寫我個名，就應該都係--應該如果粉嶺嗰度，唔--係咪我，...（聽不清）現金就應該係我嘅。

問：08年清河邨，呢度就係。

答：係嘞。

主席：呢個多數都係找數㗎喇，二萬三千幾釐？

答：係呀，應該係嘅，現金呀，應該係嘅。

主席：咪係囉。

問：好嘞，後面嘞，63頁嘞，你想睇下自己個名咁樣，就畀你睇下。63頁，上面，見到嘞，個「送貨地址」就「粉嶺36區一期」，同一箇地方，...

答：唔。

問：...08年6月28號，「送貨單」，右下角見到你簽名嘅，係咪？呢個係你簽名咩？

答：呢個唔係我簽名。

問：呢個唔係你簽名呀？「莫海光」嗰，係咪？

答：唔係。

問：呢個唔係莫海光？唔噃。

答：我啲字跡冇咁靚，冇咁好呀。

問：咁你睇睇自己份口供嘞。

答：我啲字跡冇咁嘅程度呀，係。應該莫偉忠，可能嗰個寫我個名落去嘅，代簽名。

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問：你會畀你自己啲同事代你簽名？

答：冇乜所謂嘅，我。

問：係。

答：因為畀錢，又唔係擺，又唔係話買，唔係啲--找數咁嘛，訂材料咁嘛。

問：唔。

答：係。

問：你自己份口供，第21頁，呢個M，係，M1，第21頁。

答：係。

問：呢個就係你嘅簽名嘞？

答：係嘞。係嘞，你睇番啲啲筆跡，大家都唔同喇。係呀，呢個同呢個，你話--你話係咪我我簽？

問：哦，好呀。咁就睇埋嘞，順便嘞，67頁呢？

答：67頁，係，呢個都唔...

問：67頁，下面，係咪有「莫海光 23-8-08」，係咪你啲字跡？

答：都有嘅，唔。

問：嗯？

答：呢個唔係我嘅簽名，都唔係我個名嚟。唔係我簽名。係我個名，唔係我親筆簽，咁簡單。

問：呢個唔係你簽名？

答：應該唔係。

問：應該唔係你簽名，唔。會唔會係呢個莫偉忠嘅簽名？

答：係嘞，係嘞，應該係佢代我簽名，代...

問：佢代你簽？

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答：代我簽名，係。

問：你畀佢代你簽嘅？

答：係呀。冇乜問題嘅，呢個。

問：佢係咩嘢職位呀，喺你公司？

答：吓？咪佢嗰度幫我打理，睇地盤，咁樣囉。

問：咁你啲支票簿會唔會都喺佢嗰度㗎，佢幫你簽？

答：你搞錯咗呀，我啲啲唔係找支票找數嘅，我畀現金嘅。

問：點都好喇，...

答：通常佢呢啲，佢收貨幾多，佢幫我代畀現金。

問：好嘞，我當佢簽都好喇，佢都要問你擺番錢嘅，係咪？

答：係呀。

問：咁你會唔會問佢擺單睇？

答：唔會嘅。佢話「欸，買咗嘢，幾多錢呀」，咁我就畀佢嘅。

問：哦，講個信字？

答：係，我。

問：即係佢從中擺多 100 釵、500 釵，難啲察覺到嘞，你都由得佢？

答：冇得對--冇對啲啲。我相信佢唔會。

問：哦，明白。

主席：咁啲單呢？

答：吓？

主席：：咁啲單據呢？

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答：吓。

主席：啲單據點處理呀？

答：啲單據我咪擺--擺番個個收貨個個櫃桶個度。

主席：哦，擺喺個櫃桶度？

答：嘎，擺喺櫃桶個度。

問：你唔係有啲單拎咗番屋企㗎咩？

答：吓？

問：你唔係有啲單拎咗番屋企㗎咩？

答：唔係，係單據，正式收據先擺番屋企㗎嘛。呢啲只不過係收--買嘢單
吓嘛。呢啲擺番--如果擺番屋企，點擺呀，咁多？一個地盤幾多單。

問：係，但係有啲你都可以拎到出畀有利嘅，記唔記得，喺9月份嗰陣時？

答：你--唔係我唔記得，而係可能你搞錯咗啫。因為嗰啲單唔係我直接畀
有利嘅，而係我打電話嗌和興，嗰啲供應商嗰啲，畀番畀--係畀佢嘅，
我係冇嘅。因為我啲架步搬咗，亂咗，個個地盤一清場，我就有嗰啲
大單，有呢啲咁嘅收貨單，只不過係有正式收據嗰啲，畀番嗰啲正式
收據嗰啲單佢啫。

問：好嘞，姚集祥，係咪你啲同事㗎嘅？

答：係我石硤尾嘅...（聽不清）㗎嘅。

問：有個叫張--姓張嘅，張黃偉（譯音）呀？

答：張黃錫。

問：張黃錫，唔噃。麥平？

答：係其中我牛頭角個度--唔係，而家--其中一個伙記㗎嘅。

問：喺呢幾個人入面，係咪莫偉忠同你最親密？

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答：都算莫偉忠親密啲。係，因為其餘啲啲都係幫開我十幾年嘅。

問：Okay。

答：幫我打工嘅，十幾年。

問：幾個都幫咗你打工十幾年？

答：係嘞，係嘞。

問：係咪？

答：係嘞。

問：但係你我淨係授權莫偉忠簽你個名？

答：我亦都有刻意咁話授權佢簽我個名。如果佢寫落我個名，我都唔反對咁解。嘎，冇乜問題嘅，啲啲，嘎。

問：好嘞，你認一認喇，第 M1，第 406 頁。

主席：即係其實佢唔簽你個名咁樣，簽「莫偉忠」，完全冇問題嘅？

答：都得嘅，都有問題嘅。

主席：係嘞。

答：都有問題嘅。

問：咁送貨啲人呢？送貨啲人會唔會知你就係莫海光，佢就係莫偉忠？

答：送貨啲人？梗係知喇，熟晒喇。

問：熟晒喇，係咪？

答：熟晒喇。

問：有冇聽過話「咦，點解你個同事阿莫偉忠會幫你簽咁得意嘅」？

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答：冇聽過，從來都冇。

問：冇聽過，好呀。406，見唔見到「張黃錫」，係咪？

答：係。

問：佢收貨，就佢自己簽，...

答：係嘞。

問：...就唔簽你個名嘞。

答：係嘞，係嘞，就冇。

問：後面嘞，407頁，「麥平」，又係佢收貨。

答：係。

問：408頁嘞，下面，呢個你簽名嘞？

答：係，呢個係我簽名。

問：唔噃。

答：係我簽名。

問：409呢？你簽名嘞？

答：都係我簽，呢張。

問：呢個簽名其實同剛才雋景嗰啲差唔多？

答：吓？梗係唔係喇。

問：唔，又唔係，好喇。410呢？

答：要攞番嚟比較至知。

問：「姚集祥」，係咪剛才嗰個姚集祥？

答：有講「姚集祥」咩？

問：見唔見到個簽名？

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答：見到，我見到「姚集祥」。

問：係咪？即係你成個公司入面，見到有簽名嗰啲人，淨係得莫偉忠就咁大權力就可以幫你簽嘅，係咪？

答：佢有時、周不時都幫我簽名嘅。

問：好呀。除咗簽呢啲之外，仲有啲咩嘢佢幫你簽名？合約會唔會佢幫你簽㗎？

答：合約就有，合約冇。

問：合約冇，嗰啲係自己簽？

答：冇。收貨就有。

問：好嘞，喺你嘅供詞入面就話，經常都講，就唔知道焊料含鉛嘅，係咪？

答：係，唔知。

問：剛才都畀過一啲單你睇㗎嘞，雋景發票，英國 FRY 無鉛錫線。呢啲單，你咁多年，你點都會見過下㗎嘛，係咪？

答：係。

問：揸起嚟睇，見到「無鉛錫線」呢四個字，你會唔會諗吓，「咦，點解咁寫嘅呢」？

答：冇喎，我又冇去深究喎。你比如咁計，你送嗰啲錫條嚟，即係嗰啲你話有--所謂你話有鉛嗰啲，啲單都有寫住話「有鉛錫條」喇。

問：係呀，但係冇寫「無鉛」吓嘛？

答：又有呀，又有寫「無鉛」，又有寫「有鉛」喇。

問：咁你有冇問下雋景、和興？

答：嗰陣如果未發生嗰啲鉛水嘅嘢之前，就大家都有深究呢樣嘢有鉛、無鉛喇，講句說話喇。

問：你話大家都有深究，係包括埋雋景、和興都有深究？

答：包括所有工人，我--即係幫我打工，或者香港嗰啲做水喉行業嗰啲，

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大部分嘅人都冇去深究。

問：好嘞，即係你見到無...

答：都有咁嘅認知。係，有八--香港嗰啲水喉，即係除咗有牌嗰啲知道，
嗰啲可能知道，但係無牌嗰啲普通嘅工人，如果百分之八十嘅人知道
有鉛、無鉛，應該冇咁嘅認知。

問：咁即係你對於啲錫料嘅認知，就得兩--得一個分別，...

答：錫條...

問：...一個就係一束束咁送嚟，...

答：即係高溫錫、低溫錫囉，啲錫條、錫條，錫線、錫條。

問：即係你心入面，錫條、錫條就好清楚兩樣嘢嚟嘅？

答：係嘞。

問：係咪？

答：錫條、錫線。錫線就一綑綑嘅，錫條就一條條嗰啲嘛。

問：唔。即係如果同你講話錫線同理錫條，你一定唔會搞錯兩者嘅分別嘞？

答：錫條、錫線，應該係。

主席：一定咩嘢話？

李先生：一定唔會搞錯兩者嘅分別。

主席：唔會，一定不會，嘎。

李先生：係嘞。

答：係喇，一定唔會。

問：一定唔會搞亂喇，係咪？

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答：唔會。

問：睇睇 405 頁，M1。

李先生：落少少，唔該，下半槓，嘅，下半槓，係，再落多啲，okay。好，唔該。

問：呢度下面就手寫字，「有關訂購錫綫，本人或員工每次用電話落柯打，並冇講貨單，當...」

主席：購貨單。

問：...--「並冇購貨單，當貨到地盤會即時分發工人施工，每期送貨單付款後只留發票存錄。」見唔見到？

答：見到，見到。

問：呢啲係咪你嘅字嚟㗎？

答：唔我嘅字。係我嘅簽名。

問：簽之前，你知道呢段字講乜嘢嘛？

答：係，即係佢話，即係講應該佢話有--而家有鉛水事件，咁就打張嘢嗌我簽名咁嘛，嗌我...

問：簽之前，你有睇清楚內容㗎嘛？

答：吓？

問：簽之前，你有睇清楚內容㗎嘛？

答：係，睇咗呢度，內容呢度，呢度。

問：上面講「有關訂購錫綫」嘅，「錫綫」呢兩個字，見唔見到？

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答：係。開始就擺呢啲嘞--打呢啲字畀我簽名；上面，打個啲字畀我簽面。後尾我就唔知點解無端端就而家下面都有寫個行字，就嗌我簽名咁解。

問：咁人喇...

主席：我唔係好明，你再講多一次。

答：唔。

主席：我唔係好明，你講多...

答：開始就--第一張用電腦，即係--即係而家當電腦喇，打一行字喇，我簽咗個名喇，寫咗個日期，個度喇。後期唔知係交番畀佢哋，還是乜嘢，咁佢話唔得嘞，唉，又要翻手簽嘞，咁咪又加多啲字，咁咪要我簽名嘛。

問：好呀。咁你有冇睇清楚先簽呀？

答：吓？我咪係咁攞下，就咁簽喇，係吖。

問：係咁攞下就簽名？

答：係呀，簽喇。

問：如果上邊話，啊--上面寫話鉛水事件你完全負責，咁你又簽落去？

答：如果咁寫，梗係唔會簽喇。

問：咁即係你有睇喇，啱唔啱？

答：梗係有睇喇。

問：好嘞，有睇，見唔見到佢寫係「有關訂購錫綫」？

答：「或員工」--係喇，係喇。

問：係咪？你自己唔覺得奇怪㗎咩？「欸，我明明都係訂錫條，你就叫我--承認我訂錫線。」你唔糾正佢？

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答：我嗰陣因為--因為可能或者大意啲喇，睇漏咗佢。

問：哦，大意啲，好嘞。下面，「莫海光」，係咪你簽名？

答：係，係。

問：呢個簽名，又係好似你唔認係你簽名嗰啲名嚟個嗎？

答：唔係，上面嗰個咪我簽囉，下面嗰個唔係我簽。

問：吓？

答：下面嗰個唔係我呀。上面嗰個我。嗱，呢度兩個字嚟嘛，你將...

問：係。我驚我誤會咗你吓。

答：你。

問：嗰條線嘅上面就係你嘅簽名，啱唔啱？

答：啱，啱，啱。

問：我咪就話呢個簽名，好似你唔肯認呀，嗰啲簽名？

答：冇嗎，搞錯咗嗎。你擺嗰--同呢張咁嘅樣，點會唔肯認。

問：明白。好喇，呢個交由...

答：你比較下囉。

問：...第二啲人去定奪嘞，呢一方面。

答：唔好嘅時間嘞，我畀清--搞清楚先問喇。

問：咩嘢話？嘅時間，搞清楚...

答：唔係，話比較清楚先，係嗰個送貨單嘅簽名同呢個係有咩分別，咁嘅意思。

問：唔，好喇，呢個你嘅講法喇。送貨嚟，你就話你有睇過啲貨，係咪？

答：係。

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問：嘎，因為你要答出聲嘅，我哋要錄音嘅。

答：係，係，係。

問：「無鉛錫線」呢四個字你就識睇嘞。

答：識。

問：係咪？

答：（沒有可聽到的回答）

問：喺呢件事發生之後，你都有問過雋景、和興發生咩嘢事㗎，啱唔啱？

答：係。

問：有冇揸住啲單問佢，「喂，點解你啲單上面有啲係寫『無鉛錫線』，有啲就寫『錫條』，係『幼錫條』、『高溫』咁樣」，有冇問佢嘞？

答：有揸住啲單。有問過佢，佢送啲貨畀我，有冇係含鉛嘅錫條，我話啟晴邨嗰度係驗到有鉛，就咁打電話畀佢囉。有打電子，唔係親身去，走去問佢。

問：咁佢哋都同你講，佢都唔知，啊，原來有啲有鉛、有啲無鉛嘅？

答：佢就話唔知，送畀我啲錫條係有冇含鉛，係話唔知，初時。

問：初時話唔知送畀你啲錫條有冇含鉛，係咪？

答：係嘞，係嘞，唔知。

問：咁有冇話「其實我送畀你啲英國 FRY 無鉛錫線係有鉛㗎」，有冇咁同你講？

答：我有問呢啲嘢。

問：你有問？

答：係，冇。

問：佢有冇講？

答：吓？

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問：佢有冇講？

答：佢都有講。

問：哦，即係就好簡單，「欸，點解啲錫條有鉛」，佢話佢都唔知，咁就有嘞，你哋傾完嘞，走嘞？

答：唔係傾完呀，打電話咁嘛，打電話問佢。

問：係嘞，即係喺個電話講完咁樣就走嘞？

答：係，佢話唔知咁嘛。唔知，咁你仲有乜嘢可以問呢。

問：咁你就罷休嘞，算嘞，唔問嘞？

答：係嘞，唔係點呀。

問：嗰陣時你都有呢啲單嚟手未㗎？

答：吓？。

問：嗰陣時你抄番啲單出嚟未？

答：冇。

問：冇嘅，唔。

答：冇。

李先生：主席，我將會去第二個議題。咁我見到個時間...

主席：咁我哋午膳先，晏晝兩點半再繼續，唔該。好，我哋休庭先。

下午 12 時 57 分聆訊押後

下午 2 時 30 分恢復聆訊

出席人士如前。

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主席：係，繼續，我哋。

李先生：好，唔該主席，唔該委員。

永興水喉渠務工程公司（“永興”）（明合的分判商）的證人：莫海光（（永興擁有人）（元州邨第二及四期、清河邨第一期、彩福邨、欣安邨、牛頭角下邨第一期和石硤尾邨第二期））以本地話宣誓作供
李先生盤問

問：莫先生，記唔記得午飯前主席都問過一個問題，就係話其實除咗裝食水啲銅喉之外，嗰啲水渠你都負責要裝，係咪？

答：係。

問：其實裝啲去水渠，廁所又好、面盆又好、浴缸底嗰啲去水位都好，用膠喉嘅，係咪呀？

答：係。

問：所以就唔使用焊料嘅嗰啲喉？

答：唔使。

問：唯一會用焊料嘅喉就係食水用嘅渠或者沖涼嗰啲喉會用焊料嘅，啱唔啱？

答：淨係食水喉啫，啲渠冇嘅。

問：點解會咁--唔係嗎，食水喉，咁沖涼嗰啲呢？

答：沖涼嗰啲都係膠管嚟㗎嘛，膠㗎嘛。

問：嗰啲膠嘅？

答：係。

問：廁所、洗手盆嗰啲呢？

答：去水都係膠。

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問：嗰啲都係膠，唔係喎，個水喉喎。

答：吓？

問：我哋洗手呀，嗰啲水喉。

答：嗰個龍頭，係咪呀？

問：係喇。

答：啲龍頭用膠--啲龍頭咪龍頭囉，我唔知佢乜嘢喎。

問：龍頭後面嗰啲水通呢，水喉通係銅喉嚟㗎嘛？

答：啲水喉通係膠喉，洗手盆嗰啲。

問：嗰啲都係膠喉？

答：係，上水--即係來水洗手嗰個上嗰個龍頭位嗰啲就係銅管。

問：Okay，好喇，...

主席：洗手都膠喉？唔係喎，畀廚房水龍頭嗰啲水呀。

答：哦，嗰啲銅喉，嗰啲銅喉，去水就膠喉。

問：去水就膠喉，係咪？

答：係，來水就銅喉。

問：洗手間嘅來水呢？

答：來水就銅喉。

問：銅喉，係咪？

答：係。

問：所以得呢啲咁嘅喉，來水喉或者廚房嗰個水龍頭嗰啲喉係需要用焊料

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嘅，啱唔啱？

答：係。

問：較早前今朝就畀你睇過元州邨同清河邨見到啲單都係用無鉛嘅焊料嘅，記唔記得？

答：呢度睇過，睇到，見到。

問：記得，好喇，你嘅講法就係咁啱用完錫條，就訂，所以就訂咗啲一卷卷嘅焊料，係咪呀？

答：唔係，如果啲錫條嗰時冇貨，佢就嗌佢擺住呢啲係代替品咁解嘅啫，代住嘅啫。

問：但係啲單，錫條啲單就擺唔到，就淨係搵到啲無鉛嘅單？

答：錫條單都有。

問：呢度我哋見唔到，最少，你又搵唔到，係咪呀？

答：吓？應該有，呢度有。

問：你係咪有嘢冇拎晒出嚟？

答：唔係呢個理由，你哋擺出嚟，都有㗎。

問：之前都畀你睇過，S1 第 60 頁、61。

答：有，呢度都有，點會有？

問：係咪？

答：呢度兩隻錫條都有㗎嘛。

問：60 頁，無鉛錫線，61 頁又係無鉛錫線，一個元州邨，一個就清河邨。

答：咁點呀？

問：就住呢兩條邨，你都有擺到其他單出嚟，係咪？當然呢啲單唔係你擺嘅。

答：唔係我擺嘅。

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問：其他你擺到嗰啲就有呢兩條邨喇？

答：我都唔清楚。

問：另外欣安邨就仇先生講過，係話講過你去擺啲料樣辦交界房委會，你就否認，呢個我知嘅，09年嗰陣時。

答：又唔係完全否認，即係自己嘅記--即係好似模糊，好似感覺上模糊啲喇。

問：感覺上咩嘢話？

答：即係唔係肯定有，又唔係肯定冇，我都唔記得喇，就唔係--我睇睇，好似睇--琴晚睇睇番，諗一諗，我就睇嗰隻好似唔係原裝一網咁樣嘅。

問：如果--你又唔肯定有，唔肯定冇，如果有的話，嗰隻料就係無鉛嘅？

答：嗰隻係，應該係喇，而家知道係無鉛。

問：你嘅講法又係喇，因為上一次嗰啲地盤用剩咗，就淨係呢隻，所以你就交界有利想交界房屋署，係咪呀？

答：你講邊個地盤？

問：你成日都話交界房屋署，點解交呢隻，因為用剩咗嘅？

答：唔係成日都話，係安達臣嗰個，係咪呀？

問：係囉。

答：你講邊隻呀？邊個地盤？

問：欣安邨，你而家又話記得可能有、可能冇，如果有的話，你之所以交隻綠色嗰卷嘢交界有利，你嘅講法係咪因為上一次嘅地盤用剩呀？

答：因為太耐喇，因為太耐喇，我都模糊--我都係有啲模模糊糊咁，唔係咁清楚，太耐喇。

問：安達臣道，你就話上一次嘅工作用剩，係咪？

答：係，記得安達臣，記得，佢嗰個貨櫃嗰度咗嘅。

問：個咩嘢話？

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答：即係啲工人換衫褲嗰度，即係個架步嗰度，俗稱架步嗰度。

問：架步嗰度用剩咗呢隻，咁你就順手就不如交呢隻？

答：唔係用剩，係有--在嗰度，嗰度有，有存貨嗰度。

問：但係你口供入面都話，其實好常用，你成日都話好普遍、好常用，就係錫條，係咪？

答：係，係。

問：咁啱就有用剩錫條，就用剩啲有咁普遍嘅綠色一卷卷嘅錫線？

答：唔係冇錫條，都有，都係嗰句，只不過佢係擺個隻過去咁解。

問：嗰隻重啲個喎，你擺啲輕啲嘅錫條都得㗎？

答：唔係，我即係--因為在架步嗰度又唔使買，又唔使點㗎嘛，嗰隻，即係擺咗過去。

問：你嘅講法係咪即係架步入面錫條又有，一卷卷嘅都有？

答：係喇，係喇。

問：點解你要揀綠色嗰卷，唔揀一條條嗰啲？

答：嗰隻，我又冇咁嘅心思研究擺呢隻、嗰隻喎。

問：好。你嘅口供紙，畀你睇睇，第 M1 嘅 11 頁，唔該。嗰度請你睇睇第 10 段，第三行嗰度--第二行，第二行尾，「對於當年明合為何會改變購買『小五金』物料的做法，本人並沒有印象。本人及永興並不曾向有利或明合反映或要求改變該做法。」見唔見到？

答：見到。

主席：第幾段？

李先生：第 10 段，對唔住，第 10 段。

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問：莫先生，你睇到喇，係咪？

答：睇到。

問：其實當時你係咪同明合或者伍克明先生講，就係因為次次用唔夠料，用晒，要求明合佢哋去訂料，就訂得好慢，嚟貨慢，所以就不如話「唔好喇，遲啲不如改做連工包料，等你哋可以去得快啲，啲工作快啲完成。」

答：我唔認同。

問：你唔認？

答：係，因為明合嘅慣例，每一樣嘢，訂單佢都要出合約，搵人報價，簽合約，搵啲 supplier，簽合約嘅，一落咗 PO，佢過幾日就嚟喇，好快手。

問：係呀，搵人報價，要簽合約，你問完佢...

答：係喇，明合嘅做法，我講明合。

問：所以咪耐咗囉，你自己喺地盤度或者你啲工友掌握到啲物料就快用完就同你講，你即刻去訂，親力親為就快過經...

答：唔係，咁又掌握唔到嗰，因為佢唔係個個工人即係用--啲啲料擺喺嗰度，有佢就--係用到有啲陣先講嘅，周不時都係嘅，甚至而家都係嘅，用到冇，佢哋先至出聲嘅，我打電話拿拿林去買，係咁簡單，佢明合嗰度訂，我哋落 PO，通常都係幾日都到嘅。

問：自己落呢？

答：吓？

問：自己落呢？

答：自己落，就應該係隔兩、三日嘅。

問：係囉，快啲喇，係咪呀？

答：兩、三日或者一日，有時一日都可以送到嚟，就係咁樣。

問：你唔好咁緊張，你聽我問晒問題先。

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答：唔係緊張，即係我--你見過世面咩，我有見世面，咪我緊張啲囉。

問：我其實未問晒，你又點答到我啫，成日都？

主席：等一陣先。聽清楚個問題先，係呀，唔使咁心急答佢。

答：係，得，得。

問：Okay，即係你呢個講法就話其實你自己落單點都快過經明合，啱唔啱？

答：係，係，我唔否認。

問：所以當年就有咁樣要求明合，就話不如你哋連工包料？

主席：所以當年--問清楚啲個問題，啲...

李先生：哦，所以大約喺元州邨之前嘅時候...

主席：唔係，係你嗰啲語句要問清楚啲。

李先生：知道。

問：所以你同唔同意喺之所以由你哋連工包料呢個做法開始之前，你係要求過明合就係話不如改變個做法，要你哋連工包料，就唔好由明合提供？

答：有咁嘅要求，有咁嘅要求。

問：喺你訂料，你就話用開普遍用嘅錫條，啱唔啱？

答：啱。

問：用到唔夠，要訂喇，而啲供應商就話冇貨，改一卷卷啲畀你哋，係咪？

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答：唔係話--佢話冇嘢，我話有乜嘢可以代替，佢咪擺一卷卷畀我咁解。

問：咪就係冇貨先要代替啫，冇貨都畀番錫條你，你嘅講法？

答：吓？

問：係咪？

答：咩嘢？聽唔清。

問：你個口供紙話要訂貨，如果冇晒錫條，就要改用一卷卷啲嘢，係咪？

答：係，係。

問：收到呢一卷卷嘅錫線，你有冇同明合佢咁講？

答：冇。

問：冇，係咪？

答：冇。

問：用完啲一卷卷，訂番做焊--啲錫條，你都有冇同明合講，啱唔啱？

答：冇，冇，啱。

問：元州邨就係第一個邨開始用連工包料嘅方法嘅，啱唔啱？

答：係。

問：喺你就住元州邨報價嗰陣時，你就知道而家開始要連工包料，係咪？

答：報價嗰陣就未知嘅，元州邨，因為我不鑿冇包開㗎嘛，佢其餘啲判頭有包開，佢就要我包開--要我包，包就唔係淨係錫條，仲有士黏膠布、膠水、錫條三樣嘢嘅，問佢，佢話「個個都係咁包，唔到你唔包。」咁，後來我話「唔掂嘢，你加咗條數咁大，同埋你」--佢又--我睇合約嗰度又加多 50 釐，加多 50 釐，佢話最...

問：即係你有考慮過因為小五金要自己包，所以就報價嗰方面都比起以前唔使連工...

答：唔係，報價之前冇講啲嘢，冇包小五金，我不鑿做開都冇包。

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問：所以我就話你做開都有包吖嘛。

答：係臨簽合約嗰陣，佢先話加番落去。

問：係喇，所以你喺個價錢度咪要加番上去，就住小五金嘅費用，啱唔啱？

答：每伙加番\$50 --唔係我加，佢加畀我，每伙\$50，原先我要求要 200 釐，佢話最多可以加到\$50 咁解。

問：呢個就...

答：我記憶就係咁，唔知有冇記錯。

問：呢個係元州邨定係清河邨定咩嘢？

答：係元州邨，係第一次。

問：咁第二次呢？清河邨。

答：第二次有講㗎喇，冇講㗎喇，你包開，佢就係咁寫落去，即係冇講啲啲嘢。

問：咁所以你比起以前唔使連工包料嘅年代，你嘅報價都加咗啲小五金嘅價錢喺入面，啱唔啱？

答：應該都唔會加得好多。

問：會加，不過唔加得多？

答：係喇，加都係加 100 釐啲啲咁之類，好多時啲啲。

問：你個口供第 30 段，等等，我問番你先，呢版可以留番喺度先，唔緊要。問番你剛才關於訂料，由明合訂料同理由你哋訂料，由你哋自己訂料，時間上嗰個分別...

答：你講咩嘢料先？

問：唔？

答：你講咩嘢材料？

問：訂焊料。

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答：焊料，同我哋訂料？

問：連工包料，訂料，你工程用，你要包嗰啲料咁樣講。

答：係喇，係喇。

問：Okay，你有冇同明合佢哋投訴過？

答：吓？

問：有冇同明合投訴過？

答：投訴咩嘢？

問：話如果經明合訂料太慢，阻住施工？

答：應該冇。

問：應該冇？

答：冇。

問：有冇試過因為明合訂料用咗一啲時間，令到啲工人冇得開工，同你哋投訴？

答：投訴就周不時訂料佢都係冇嘅，嗰啲都係遲嘅，因為合約之內，即係計數，如果--譬如你計每--幾多百支喉--幾千支喉管，你計條數畀佢，如果少咗，佢訂，又超過嗰個合約數，佢就慢好多嘅，而家周不時都停工嘅。

問：停工嘅話...

答：而家周不時都阻慢工程，以前我自己有錢，我咪「欸，你唔嚟，我咪自己直接打電話 supplier 買囉。」咪拿拿林起貨囉，而家有錢買，咁咪等囉，咪坐住嗰度等囉，都係咁嘅，啲工程。

問：但係你以往啲工人，你啲工程入面啲工人開工，係開工先有錢收㗎嘛，係咪？

答：吓？

問：開工先有錢收㗎嘛？

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答：係，開工有錢收。

問：你啲工友，係咪呀？唔係月薪㗎嘛？

答：唔係。

問：所以如果訂貨嗰陣時慢咗一日，佢哋就蝕咗一日人工，係咪？

答：又唔使完全停工嘅，只不過做啲嘢要返手咁解之嘛，因為你每做一樣嘢係幾十個配件，唔係淨係一個，係好多焊。

問：睇一睇第 30 段，16 頁，喺下面數上嚟第三行，你呢度咁講嘅，「卷裝錫線送達地盤時是包裝在原廠的四方盒內，送達地盤後會被存放於『架步』的當眼地方，本人不清楚工友使用錫線時會否把它剪段，但在本人偶然親身進行焊接工序時，則會拿取整卷使用。」見唔見到？

答：係。

問：你呢個講法係咪即係話啲錫線送到嚟，就會存放喺個架步嗰度嘅？

答：喎。

問：要用就去拎？

答：係喇，啲工人做到冇，咁就去拎。

問：錫條呢？

答：錫條、錫線都有。

問：如果...

答：都係當眼，冇收埋。

問：你又估到我想問咩嘢。

答：係，一入門口就知㗎喇。

問：如果啲工人去到譬如話四十幾樓，下面啲啲做晒，佢又做完晒，又落番四十幾樓落架步嗰度擺，就上番四十幾樓開工？

答：呢層我就冇咁清楚，或者佢冇，去嗰度坐，你都唔出奇㗎，唔做，就嗰度匿埋喺角你都唔出奇嘅，因為我就冇個個去跟嘅咁，通常講得

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擺，佢都係開工、食完飯開工咁樣擺嘅。

問：係喇，啲貨一嚟到之後，其實就係啲人好快散貨，各自擺到去自己...

答：都唔係好快，如果...

問：你...

答：睇你訂得多少喇，如果太多就有--成堆嘢嗰度嘅，周不時都係。

問：你聽我問埋先，好唔好？

答：好。

問：唔好心急，冇人趕你快啲嘅，okay。啲料送到去之後，啲工人就散貨，好快擺咗要嘅嘢，就各自去番將會施工嘅地方，方便佢哋容易啲擺啲料去開工嘅，係咪？

答：唔係，佢係每日擺幾多、用幾多，用剩，至多係第二日用嘅啫，佢唔會話擺一大--好大量上去嘅，散貨嘅，佢根本上擺咁大量，佢都擺唔到咁多，點擺得起，個個都唔願咁辛苦，一大柞咁馱上去，都係擺夠，跟住就做佢嘅工序咁樣。

問：咁點解--又畀你睇睇，又係睇番啱啱你睇過㗎喇，405 頁，呢個係 M1 嘅 405。

答：405。

李先生：下面半部，係喇，再落，落到去底，係，唔該晒。

問：呢個睇過，你就話唔係你寫嘅字，okay，呢度咁講「本人或員工每次用電話落柯打，並無購貨單，當貨到地盆，會即時分發工人施工」，見唔見到？

答：見到。

問：分發畀工人啫？

答：唔係分...

問：你簽嗰陣時你見到呢幾隻字㗎呵？

答：嗰陣或者大意，嗰度有--寫住「分發」，個個工友分發，分發到幾時

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呀？咁多人做。

問：你都好大意喎，...

答：吓？

問：...「訂購錫線」你又大意睇唔到，「分發畀工人施工」你又大意睇唔到，就成段你有嘢睇到。

答：唔係睇唔到，而係嗰個理解錯誤啫，可能。

問：理解錯誤呀？

答：可能理解有問題啫。

問：你當時理解「即時發工人施工」，咩嘢意思呀？

答：或者理解有問題。

問：即係呢幾隻字，你嘅理解係等於存放於架步中？

答：係呀，擺喺架步，冇分發，冇個個派，冇。

問：明白。

答：甚至而家做緊，都係冇派，咁多，派得幾多個，成百人，個個去派呀？淨係派嘢，都唔使做喇嗰啲人，都唔使開工喇。

問：仲有，唔單只呢份，其實剛才畀你睇牛頭角下邨、馬鞍山個欣安邨，你係咁樣去簽名個喎，譬如話，一、兩個例子，B11.5，第29981，29981呢個就係你簽名，講就話「附上有關地盤」，「購買錫綫/條之送貨單或發票」，咁就15年9月7號，見唔見到？

答：係。

問：呢個係你簽名，係咪？

答：係。

問：好喇，後面嗰頁，上面嗰度「本人莫海光未能提供馬鞍山地盤購買錫綫送貨單據」，係咪你啲字嚟㗎？

答：唔係。

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問：下面，「有關訂購錫綫，本人或員工每次用電話落柯打，並無購貨單，當貨到地盆會即時分發工人施工。」見唔見到呢幾隻字？

答：見到。

問：又係，當時理解錯咗，就簽名喇？

答：我解釋呢張嘢，開始就係呢度正面度嘅啫，有我簽名嘅啫，打到，可能--因為可能話--而家我個理解，就可能你哋嘅專業意見，要佢寫啲啲嘢，搵我再簽過一次，因為當時我都好煩，因為點解呢？啲啲鉛水嘢，啲啲屋邨，你係咁追單盛，日日係咁追我交個單，我又交唔到，同埋你嗌我授權嘅，你畀啲 supplier，去 supplier 嗰度擺啲啲送貨單，就所以導致有呢啲咁嘅簽名，係。

問：即係你劫得滯？

答：唔係劫得滯，係煩得滯。

問：煩得滯。

答：因為條條邨都係咁，大佬，做人啲嘢，你做到咁多條邨都係咁，人搞到成個人生不如死，你知唔知？你應該唔理解，係我自己心情先理解到，你以為可能我呀，搞到大眾都係咁，搞成咁，搞到人，係咪呀？搞到有利損失咁大，我真係良心過意唔去，嗰排搞到我--而家都成個人都落晒形，生不如死，你知唔知？

問：講完？

答：講完，到你。

問：好喇，你就話嗰陣時好煩，所以就睇見呢啲字，冇諗清楚，理解錯誤喇？

答：佢係咁追--唔係，佢係咁追你簽名，係咁追你簽名，你簽到你煩，上寫字樓嗰陣。

問：好，件事睇下你同唔同意...

答：吓？

問：我而家問一啲嘢，睇下你同唔同意...

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答：咩嘢同唔同意？

問：聽清楚...

主席：我想問一問先，你就話用開錫條，用晒冇貨，就先至會打電話去，人哋話畀你聽冇貨，咁先至送啲無鉛啲錫線嚟，係咪？

答：錫線，係。

主席：你元州--因為我哋而家手頭上有你從呢個雋景購買嘅無鉛錫線其實就唔係好多嘅啫，得好少嘅啫，我哋見到，我又想問一問，譬如好似好簡單，你呢個第 60 頁，S1 60 頁，嗰度就係我哋知道就係元州邨，你就 order 咗--訂購咗二十網，二十網即係 10 磅，10 磅冇乜用嘅咋喎，如果畀咁多工人分？

答：嗰陣可能--應該就唔--嗰陣唔係大手嘅，冇咁多人做嘢嘅，應該係嗰陣。

主席：吓？

答：唔係大手嘅。

主席：因為點解呢？你又揭前一頁，第 59 頁，第 59 頁其實就係講緊清河邨嘅，係咪？我哋唔好--你見到有兩個方格喺度。

答：唔。

主席：下低嗰三個--下低嗰個方格就有三張單，我哋知道嗰三張單就係森記嘅，就 07 年 9 月、08 年 4 月同埋 08 年 5 月，你見到 07 年 9 月森記就訂購咗五網，跟住 4 月、5 月就一百網、六十網，都唔係一個細嘅數目，上面啲啲，除咗第一個，因為第一個其實係元州邨嘅，跟住下面一、二、三、四、五，嗰五個訂購就係你訂購嘅，即係你哋貴公司訂購嘅。

答：係。

主席：就一百二十、四十、四十、三十，即係喺 6、7、8 月，講下講下，講緊差唔多成二百幾網嘅，係好多嘅，你明我意思嘛？

答：明。

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主席：即係我想問你，你元州邨嘅地盤，你話冇貨，你叫 10 磅嚟冇乜用
嘍咋喎，因為 10 磅可能--我都唔知，一日就用晒，或者兩日就用晒，
跟住嗰啲工人燒乜嘢焊呀？

答：佢元州邨嗰陣如果係 10 磅，就應該--嗰陣就唔係大--唔係趕工嘅交
工期嚟嘅，嗰陣可能做咩嘢，因為大坑東，大坑東，我做嗰個大坑東
嗰個男女廁嗰個球場嗰啲都係我做嘍嘛嗰度，佢元州邨嗰個合約就包
埋大坑東嗰度嘍嘛應該。

主席：大坑東呀又？送貨送去元州街地盤，係咪呀？因為嗰張我...

答：因為嗰個地盤...

主席：我唔知，我淨係睇單嘍咋。

答：係喇，因為嗰個地盤就好細嘅，大坑東，通常嗰啲嘢，嗰啲我哋訂嗰
啲料都係就元州邨嗰度擺過去嘅，佢同一張合約嘍嘛我哋簽，搭埋嗰
個位置，我就唔清楚，記唔到呀真係。

主席：哦，繼續。

答：記唔清楚，真係。

主席：唔緊要。

繼續問。

問：呢個剛才主席問，61 頁咁睇睇，61 頁，見到送去清河邨無鉛錫線就
一百二十捆，你見唔見？

答：係。

問：用好耐嘅，可以？

答：點呀？

問：係咪呀？

答：聽唔清，講多次。

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問：一百二十綑無鉛錫線係咪可以用好耐㗎？

答：應該就清河邨嗰度就唔係咁多銅喉做嘅，嗰個位置，因為一趕工--接佢手尾嘅都係多數都係做嗰啲膠喉、外牆膠喉，即係潔具，入面潔具，外牆 DI 喉，canopy 嗰度，平台嗰度搵定水，都係做嗰啲之類嘅，就唔係咁多銅喉做嘅嗰度。

問：咁所以唔使用咁多焊料？

答：係喇，唔係咁多嘅啫。

問：咁點解訂咁多，一百二十卷？

答：吓？

問：點解訂一百二十卷？

答：一百二十卷，佢--我擺，係呀，佢唔想擺多咁多次，唔使成日去擺咁解啫。

問：其實擺啲啲，等啲錫條到，有貨，都得㗎？

答：唔？咩嘢訂啲錫條到呀？佢係不嚟停係咁要做㗎嘛，做佢唔係咁多做啫，佢唔係等於冇--唔使做咩嘛。

問：唔明，你講多一次。

答：譬如你唔係--譬如你--三座嘢嘅，如果以前係趕工嘅，就每座要五、六個人做銅喉嘅，你三座，當你六個咁計，三六一十八，十八個人做，即係未做之前，嗰啲要咁多人做嘅，而家佢有啲大部分佢都做好咗，咪所以人少啲，做銅喉嘅人少啲。

問：咁咪訂少啲料囉？

答：係，訂少啲。

問：咁即係一百二十係多定少，你話？

答：吓？吓？

問：一百二十卷係多定少？

答：我又冇去統計話佢多或少，都可以用，佢有得用，人多你又唔--百幾

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卷又唔係咁多，咁咪照訂，訂咗用。

問：但係你落單㗎嘛？

答：吓？我落單都唔出奇，咁耐我都唔記得係咩嘢原因。

問：你話你落份量嘅之嘛，淨係？

答：吓？吓？

問：你打落去雋景「唔該一百二十卷。」係咪？

答：係，係，啞...

問：唔係一百二十卷磅，係一百二十卷。

答：一百二十卷咪即係 120 磅，有咩嘢分別啫？

問：即係你知道有...

答：一卷為 1 磅，咪 120 磅，有咩嘢分別啫？

問：明白，你都好熟悉，所以一卷卷同一條...

答：佢都係 1 磅㗎嘛，單度寫咗㗎喇。

問：好喇，最後問你，同唔同意你根本係知道焊料係要符合房屋署嘅要求，係唔可以含鉛嘅？

答：我就唔知道邊隻含鉛唔含鉛，因為焊料，即係講真一句，我真係唔同意。

問：你之所以交一啲冇鉛嘅焊料畀有利去交去房屋署度審批，係因為你有呢個知識，你知道係唔可以用一啲含鉛嘅焊料嘅，㗎唔啱？

答：梗係唔啱，我都講明一句，都唔知道邊隻係含鉛唔含鉛，從來如果未爆出水事件嚟，你問番咁多行家，有幾多個知道含鉛，除咗持牌水喉匠。

問：你係大工...

答：係唔係好多人--唔係好多人認知係話有鉛同無鉛嘅錫條。

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問：你係大工牌嚟㗎嘛，係咪呀？

答：係。

問：持牌水喉匠好似有千幾個，係咪呀？香港。

答：大工牌，考試嗰度都係嗰啲咁嘅錫條。

主席：持牌水喉匠千幾個。

李先生：水喉匠。

答：都係用嗰啲錫條，嗰啲錫要焊，又跟住加錫...

主席：即係你話大工同埋中工佢哋...

答：係喇，係喇，係喇。

主席：...都唔知道原來焊呢一個水喉就要用無鉛嘅焊料嘅，係咪呀？

答：唔係，佢唔知道邊隻係無鉛同唔無鉛。

主席：佢哋唔知道邊隻係有鉛冇錯？

答：係，都唔知道--唔係--冇諗到話呢隻錫條有鉛，就係咁簡單。

主席：咁佢哋知唔知道要用無鉛嘅錫條？

答：無鉛都唔知嘞，真係嘞，...

主席：都唔知嘅？

答：...即係你啲工人真係唔知嘞，啲工人。

主席：咁佢哋知唔知道用嗰啲松香膏要有呢個阿欖尼亞？

答：都唔知個嘞，冇呢啲咁嘅知識個嘞，真係。

主席：都有--唔知呀？

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答：係，冇啲咁嘅知識。

主席：但係好似呢個建造業訓練局--唔係，我應該咁講，我都係睇呢個工程師學會嘅啫，佢話唔係咁，要考筆試個啫，要講啲焊料裏面有邊兩樣嘢係一定唔可以有，一樣就係呢個鉛，一樣就係阿椽尼亞，你又知唔知呀？

答：我真係唔知啫，應該如果考呢啲，有呢啲咁嘅筆試就應該係持牌水喉匠先應該考呢啲嘅，如果普通技工就有呢啲咁嘅嘢考嘅。

主席：得，唔緊要。

問：好喇，而家你就講呢五條邨當中係有用到一啲叫做錫條，係咪？

答：係。

問：你就同意咗你用錫條又好，或者轉用錫線都好，就有同明合講，係咪？

答：冇。

問：同唔同意你根本就係畀有利就一套，自己用就第二套，從中慳錢？

答：唔係，完全唔同意，因為我訂嘅錫條就擺咗喺架步，你明合周不時大把 foreman 就去我架步出出入入，收圖擺圖，成日都見得到嘅啲啲嘢，都從來冇人講過「喂，呢隻唔用得，呢隻有鉛，呢隻無鉛。」我又唔係收埋，搵人擺住喺架步嗰個當眼地方。

問：你知道有利就交一隻畀房屋署，就係綠色嗰隻，係咪？

答：安達臣，係，安達臣。

問：自己就用一條條啲錫條？

答：唔係，佢都有用嗰隻一網網，又有一隻一條條，唔係完全用晒一條條。

問：你有諗過交就淨係交呢隻，所以用就淨係一定要用呢隻咩？

答：冇話一定要--冇話一定，因為佢做辦房，做大量好多都有--房屋署有好多嚟巡查嗰陣都有見話勸「唔好用呢隻，呢隻唔用得。」又冇人講，又冇人講話呢隻含鉛，所以話呢隻有--邊隻方便咪擺邊隻咁解。

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問：咁點解要交樣辦畀房屋署，你有冇諗過？

答：樣辦佢總之係我擺過上去畀佢咁解咁嘛。

問：就有諗過點解？

答：係喇，或者未追究番，我有咁嘅閒情去追究啲啲。

問：唔該。

主席：咩嘢話？冇咩嘢話？冇乜嘢話？

答：吓？

主席：你頭先話冇...

答：冇追究係邊隻樣辦唔樣辦。

主席：哦，得。

問：好喇，最後一個問題，你有冇擺過錫條交界房屋署？

答：錫條，我都有印象。

問：冇印象？

答：冇印象。

問：哦，唔該晒。

主席：仲有冇人有問題？問喇，Mr Tam。

王先生盤問

問：我好少問題想問番你啫。

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答：係，問喇。

問：我想你睇你第 10 段嗰個證人口供，第 10 段，最後嗰句，你話「事實上，本人一直比較主張的是以往」嘅「做法，即由明合負責及向永興提供『小五金』物料。」你可唔可以話畀我哋知點解你主張係以往嘅做法，由明合統一採購呢？

答：因為我唔鍾意包佢嗰啲咁嘅嘢，太煩雜，又要畀現金，嗰啲麻煩，咪主張係佢包番，佢話「所有而家其餘啲--有幾個判頭都係有包，你都要跟埋一齊包。」咁解。

問：Okay，你有咁嘅主張，你呢個主張有冇向明合講過呢？

答：講過，講過。

問：明合嘅反應係點呢？

答：佢唔喇，佢話最多「我補番每伙--每伙補番 50 釐畀你。」咁計。

問：Okay，得，我跟住想你睇一睇第 17 段，唔該，17 段，喺最後嗰句，你就話工人喺「焊接位於外牆嘅食水喉管時，需在吊船上工作。由於吊船十分安全」及「穩妥，於吊船上進行上述的焊接工序並沒有問題。」我想問你有個講法，就話你啲工人會擒高擒低去做燒焊嘅，會唔會有呢個現象呢？會會擒高擒低去做燒焊，會唔會有？

答：唔係，佢嗰度船--嗰個吊船可以升高升低嘅，佢做低位，佢就做低位，就做嗰度燒完，跟住佢做高位，佢又升高少少咁燒嘅，就咁嘅理由。

問：Okay，好，得。好，我最後想帶你去睇 M1 405，即係頭先李大律師帶你去睇嗰張，M1 405。

主席：其實真係會擒高擒低個啲，啲水喉喺啲走廊位，唔使擒高擒低咩，要咁嘛？

王先生：唔，okay。

主席：咁咪係囉。

王先生：Okay，M1 405。得，明白。

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問：下面嗰度有啲字嘅，頭先李大律師帶你睇過嘅，你話呢啲字唔係你寫嘍嘛？

答：唔。

問：除咗簽名係你之外，啲字唔係你寫嘍嘛？

答：簽名我簽名。

問：Okay，邊個寫嘍，嗰啲字？

答：應該就明合嗰啲寫嘍。

問：你記唔記得明合邊個寫嘍？

答：字我就唔知佢邊個寫，反正佢搵我去簽呢啲，字就唔知佢邊個寫，因為早期就係上面呢張簽個名咁就得嘍喇，打--即係喺電腦打咗字，簽咗名，佢又話唔知邊個咩嘢原因，我就唔知佢咩嘢原因，就話--又寫多幾個字喺度，又要簽番，咁解啫。

王先生：Okay，主席，冇其他問題。

主席：Mr Tam。

譚先生：係。

譚先生盤問

問：莫先生，我係姓譚嘅，我係代表啲苦主嘅。我就住--你可唔可以睇睇你嘅證人供詞嘅第 40 段？嗰度就講到「就水喉工程有關焊接工序而言，永興亦會將大部份焊接工作下判予其他工頭負責」，即係俗稱叫四判，四沙或者四判，其實係咪--你就話大部分嘅焊接工作都會外判嘅，其實呢個係咪喺個行業度都係好普遍嘅？

答：係，係。

問：其實呢個有利同埋明合知唔知道你搵咗四判？

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答：知道。

問：知道嘅，你...

答：有利就唔知，有利知唔知我就唔清楚，明合係知道嘅。

問：點解佢知呢？

答：因為佢有一啲--因為佢嗰啲 foreman 成日去下--就成日去地盤，偶然要巡來巡去，呢度一檔，邊個一檔，有咩嘢事要搵佢，我話「你搵一搵嗰間判頭喇。」周不時都有咁講畀佢聽。

問：另外，你 42 段嗰一度就有講到啲工友其實就要--上堂嗰陣時要交一啲嘅牌照，即係例如佢哋如果有大工牌或者身分證明文件畀有利嘅安全主任，係咪呀？

答：係呀，係呀。

問：你睇睇你嘅第 42 段。

答：係，上安全堂吓嘛？

問：係。

答：俗稱安全堂就。

問：嗰陣時嗰啲工友係以呢個你嘅員工嘅身分吓，定係個四判嘅員工嘅身分？

答：我嘅員工身分。

問：你嘅員工身分？

答：係喇。

問：點解唔係四判嘅員工呢？

答：即係咁講，如果元州邨--馬鞍山就明合嘅銜頭嘅身分，就明合--其實我合約就我「髒」佢簽嘅，我「髒」佢簽合約嘅，就寫就寫個名頭就明合嘅。

問：明白，即係寫明合嘅，係咪呀？

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答：係，合約係我簽嘅，我「𨀊」佢簽呀。

主席：我想問下，每一個地盤當然都唔同，睇下佢究竟有幾棟公屋要起，通常你哋啲裝水喉嘅工程就係咪喺個建築過程中係去到中後期，你哋啲水喉工人先至開始開工嘅呢？

答：咁喇，早期開工就唔係咁多人，係留窿嘅啫，留窿嘅啫，做辦房嘅啫，到中期，佢到咗起到二十幾樓之後，30樓之後就開始做走廊喉，做走廊喉，跟住做房喉，房入面啲啲喉。

主席：邊度啲啲喉話？

答：走廊...

主席：走廊。

答：...同埋廁所房入面啲啲喉。

主席：廁所...

黎先生：房。

答：係，廁所、廚房啲啲。

主席：廁所、廚房啲啲？

答：係喇，跟住就到走廊、公眾位啲個錶，水錶位啲啲。

主席：係呀，係呀，係呀，咁就即係中期開始就--起到30樓開始就...

答：廿幾樓，應該廿幾樓、三十樓，差唔多。

主席：廿零樓開始，因為通常一棟公屋30至40層咁上下，係咪呀？

答：係。

主席：好喇，我想問下，當然視乎地盤，如果我哋講緊一個地盤，譬如係

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有三棟公屋，即係有啲多，有啲少，我哋當三棟，如果三棟都起到二十零、三十樓嘅時候，開工嘅水喉工人，嗰陣時開工嘅水喉工人，咁要大約會有幾多個人？

答：大約？

主席：唔。

答：要睇佢啲做泥水啲瓦仔拉埋油漆啲而定，如果佢做油漆拉埋做啲廁所房、廚房啲做地台瓦啲，快嘅，我咪要多啲人，如果佢慢嘅，我咪少啲人囉。

主席：平均你要去到--譬如去到廿零樓、三十樓，你要開工，你要裝水喉，你會搵幾多個工人去呢？

答：每座--通常都每座即係兩、三個人嘅。

主席：兩、三個人就夠㗎喇？

答：係呀，每座，係喇。

主席：咁即係成個地盤...

答：唔係，做銅喉，淨係做一樣啫，你講銅喉咩？

主席：係呀，我講銅喉，係呀。

答：淨銅喉，係，佢有膠喉，藏過牆，做啲廁所牆，咪啲膠喉，預定啲膠喉藏落去呀咁。

主席：哦，咁全部又要幾多個水喉工人呢？

答：應該三棟樓就應該如果係啱啱開始中期嗰陣都係十幾個人，廿個人嘅，如果三棟樓。

主席：三棟樓，加埋就二十幾個人？

答：係喇，係喇，係喇，廿幾個人嘅啫。

主席：就做水喉嘅嘢？

答：係喇。

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主席：包括入水同埋包括去水？

答：係喇，係喇，係喇。

主席：咁去到最巔峰嘅時候會有幾多個呢啲咁嘅工人呢？

答：四、五十個。

主席：四、五十個就三棟樓？

答：係喇，係喇。

主席：你自己有幾多個工人係直接係你永興請嘍？

答：如果直接係我嘅，就應該係除咗留窿，肯定三個，嗰啲樓——就大樓留嗰啲將佢石屎嗰啲留嗰啲過牆窿，嗰啲留嗰啲，每座有一個，三個，跟住就係藏過牆就幾個女工，幾個「髒」我打理嗰度嗰個，有兩、三個，就負責睇工程嗰啲，都係咁上下。

主席：咁即係加埋幾多個，十個？

答：係咁多，係，連收貨，乜都係佢嘍喇。

主席：十個？

答：係，係，我自己就十個左右。

主席：你自己得十個工人，其他所有嗰啲工人就係嗰啲工頭搵嘍喇？

答：係喇，係喇，係喇。

主席：即係個地盤最初開嗰陣時候，你就話要少啲工人，嗰陣時嗰啲工人就全部都係你哋自己嘅工人？

答：係，係。

主席：去到 30 樓，真係要落手落腳做好多嘢嘅時候，就喺出面就搵多四十個返嚟咁上下，三、四十個，係咪咁呀？

答：係，睇有利嘅進度而定。

主席：吓？

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答：睇建築嘅進度而定。

主席：係，睇建築嘅進度而定？

答：係喇，係。

主席：咁即係換句話嚟講，通常一個工頭會搵幾多個工人返嚟？

答：如果我哋--譬如元州邨咁計，佢四棟樓，嗰啲淨做膠喉都有三十幾人，做外牆膠喉。

主席：全部呢？

答：吓？

主席：全部呢？膠喉吓嘛你講，加埋食水喉呢？

答：銅喉就--入面就有五、六個，大約五、六個，我而家都唔係記得咁清楚，五...

主席：即係又係四、五十個人，加埋？

答：係喇，係喇，係咁上下。

主席：Okay，好。

問：嗰啲全部都係四判，係咪呀？冇五判，係咪呀？

答：係，四判。

問：全部都叫四判？

答：五判我就唔清楚，因為我找數係找畀四判。

問：即係有可能有五判嘅？

答：係喇，係喇--唔知，唔清楚。

問：唔知？

答：唔知有冇。

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問：好，咁其實你有冇聽過呢個房屋署嘅一啲嘅工程其實淨係容許三判嘅咋，即係去到最多係去到三判㗎？

答：冇。

問：你有聽過？

答：冇聽過。

譚先生：好，我有其他問題。

主席：唔該。

殷先生：主席，我有幾條問題。

主席：好呀。

殷先生盤問

問：莫生，我代表房委會嘅，我有一個環節想你澄清嘅啫，你之前喺你嘅證人個口供紙度都有講過話嗰啲錫條，嗰啲一支支尺幾長嗰啲，就一般嚟講，啲工友都慣性同埋較喜歡用嗰啲錫條嘅，你記唔記得你有講？

答：係。

問：可唔可以咁講，其中一個佢哋鍾意用呢啲錫條嘅原因就係佢一條條，尺零長，好好用，唔需要即係咁重，成網拎住咁樣，呢個係咪其中一個？

答：係。

問：你有冇聽過其實如果係買一網網大網嗰啲返嚟，佢哋習慣上都係剪--一開始就將佢剪到十零吋咁樣剪開晒，所以佢揸住嚟焊接嗰個情況永遠都係揸住一支十零吋嘅啫，唔會成網咁樣揸住嚟焊接嘅，你同唔同意？

答：咁樣應該有都唔出奇嘅，有唔出奇，因為佢驚重，唔出奇。

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問：咁你同唔同意我咁講，如果佢咁樣做嘅時候，其實因為你--喺你嘅口供紙度講，就話價錢上係有分別嘅，用一網網啲，抑或用...

答：唔係相差好遠，唔係相差好遠。

問：唔係相差好遠，因為你話，其中一個原因，你話唔係相差好遠就係因為如果用一條條啲，十零吋啲佢揸到尾燒唔到啲，掉喇喇，所以咗料嘅啲，但係如果一網網就慳料，但係如果其實一網網嚟到嘅時候都已經剪到碎濕濕先至用嘅，其實都係咗番咁多料。

答：都係咗嘅，都係咗。

問：但係因為價錢上每磅，斷秤個價錢有分別，其實個價錢係相差好遠喇喇變左，咗番咁多料。

答：咁我又冇咩研究，呢啲就真。

主席：莫先生。

答：係，係。

主席：你哋冇嘢問，係咪呀？

許偉強先生：兩個問題啫。

主席：哦。

許偉強先生繼續盤問

問：剛才你講話個連工包料，就你都同大家講過，就係即係唔係你提議嘅？

答：唔係。

問：你記唔記得第一次提議話呢個連工包料，即係由你哋去即係採購啲材料返嚟，即係小五金啲，係邊個提議？

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答：就應該係明合，伍克明。

問：我想問下你，你就話連工包料之後，就做元州邨？

答：係。

問：做元州邨，你就話因為呢一個改變之後，就加多咗可能有--因為有--
你要去買料，所以加咗多 50、100 釐嘅咁樣？

答：50 釐一伙。

問：50 釐都有？

答：一個單位，50 釐一個單位。

問：你講緊一個單位，係咪呀？50 釐？

答：係，係，一個單位。

問：一個單位。

許偉強先生：冇其他問題。

主席：莫先生，就住今日你畀嘅證供，你自己仲有冇任何方面你自己想補充？

答：我要補充嘅，我就...

主席：你有咩嘢想講？

答：因為搞到咁多屋邨受影響嘅，我感到好抱歉，真係良心責備，就個良心就好過意唔去，搞到有利就損失咁大，呢啲就係由於我自己嘅無知、認知不足同唔知，向啲啲受影響啲屋邨致歉，加埋向有利致歉。係咁多。

主席：好。你咁就係咁多，係咪？

答：係。

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主席：你可以坐番去--坐住後面先喇。

答：好。

主席：坐住喺譚律師隔離個度先。

仲有冇證人，今日？

鄭小姐：下一位證人係蕭健煌先生。

主席：哦，不如我哋 take 個 break，十分鐘先，唔該。

下午 3 時 21 分聆訊押後

下午 3 時 35 分恢復聆訊

出席人士如前。

主席：下一位，係，Mr Hui--唔係。

恆利工程公司（“恆利”）的證人：蕭健煌（（恆利擁有人）（彩福邨））
以本地話宣誓作供

鄭小姐：主席、委員，蕭先生嘅證人供詞可以喺文件夾 01 第 9 頁開始搵到嘅。

主席：係。

鄭小姐：我而家會讀出蕭先生嘅證人供詞一遍。

主席：好呀。

鄭小姐主問

食水含鉛超標調查委員會

蕭健煌之證人供詞

1. 本人蕭健煌，地址為新界元朗大棠黃坭墩村 480 一樓，現謹向食水含鉛超標調查委員會陳述如下：
2. 本人為恆利工程公司（「恆利」）的東主。本人於中國內地接受教育，大概有中一至中二的程度，本人能看懂中文，但不諳英文。本人於 80 年代（約 19 歲時）開始從事水喉行業，於 2000 年起擁有「建造業大工牌」。現附上本人的建造業技能測試證明咭之複印本為**附件一**。本人於 2002 年創立恆利以承接各種水喉工程。現附上恆利的商業登記查冊紀錄之複印本為**附件二**。恆利現時已沒有承接任何水喉項目。
3. 本人並沒有就水喉管工程（包括焊接工序）修讀過任何課程，相關的知識是由師傅所教授及經驗累積所得的。在本人考取「建造業大工牌」的時候，考生不需要上課或讀筆記，但需通過筆試（約半小時的選擇題試卷）及手工試才可獲發牌。根據本人所記得，筆試並沒有提及有關焊料的問題。手工試則要求考生在限時內根據圖則接駁好食水喉管，其中包括焊接，並要通過水壓（俗稱谷水）測試。考試時本人是使用建造業訓練局所提供的焊接物料，但現在已不太記得當時焊接水喉管用的是內含焊料的駁口「錫曲」還是錫條。手工試考核並不容易通過，本人記得考試當天的 20 至 30 名考生中，只有 5 至 6 名能合格並獲發「大工牌」。

彩福邨項目

4. 於彩雲道地盤 3B 第 1 期發展項目（「彩福邨項目」）中，有利建築有限公司（「有利」）是總承判商，明合有限公司（「明合」）是第二承判商，恆利則是負責食水喉管安裝工程的第三承判商。
5. 彩福邨項目於 2007 年施工，於 2010 年完成。該項目是恆利第一次，亦是唯一一次作為第三承判商承接公共屋邨的食水喉管安裝工程。此前本人曾替明合的判頭打工約兩至三年，由於時間相隔太耐，

已對日期沒有印象，中間亦曾替其他公司打工。由於這行業流失率高，短時間內替不同的判頭打工是十分普遍的。後期到明合的判頭退休後，本人及恆利就開始直接跟明合合作。由於相隔的時間太長，本人對正式開始直接跟明合合作的日期已沒有印象。但本人記得恆利曾跟明合合作過一些規模較小的水喉工程，但都是作為第四承判商（俗稱「四沙」），或以「代工」形式替明合的第三承判商進行執漏、執手尾等工作。那些都是小型的私人工程，沒有涉及任何私人的發展商。

分判合約

6. 由於彩福邨項目已完工多年，本人現在無法找到恆利與明合就彩福邨項目於 2007 年所簽訂的分判合約（「分判合約」）。不過本人知悉有利在其供詞展示了彩福邨項目的分判合約的一部分作附件（**I1/204-211**），現在此附上為**附件三**。該文件上有恆利與明合的蓋章，本人確認它是彩福邨項目的分判合約的節錄。
7. 分判合約中的第 78 條有列明恆利於彩福邨項目中所需要自費負責購買的物料，當中包括「小五金」物料，如石油氣、士黏膠布、錫綫及焊錫膏等。據行家所說，關於「小五金」物料一般應由出判方還是承判方負責提供，行內並沒有固定的做法，需視乎個別合約而定。就彩福邨項目而言，明合從來沒有告知或指定恆利購買任何一款「小五金」物料的品牌或規格，包括焊料，亦從未曾提議本人從哪裡購買焊料等小五金物料。
8. 至於其他工程所需的材料，例如水管、潔真、閘制等，都是由明合購入及提供予恆利。恆利只負責安裝，而不需參與訂購過程，也不會深究它們的品牌或規格。

安裝食水喉管的過程-「木板房」及「辦房」

9. 於地盤動工興建地基時，工友會先於地面搭建一間露天的「木板房」並安裝好廚房及廁所，以在使用石屎起樓前，先替喉管試位及確定「留窿」的位置。「木板房」內的水喉管、水渠等均需裝好，全部銅喉亦需要焊接好，但不用接駁水源進行試水。「木板房」會先經明合、有利審批，再由房屋署批核。

10. 待樓宇興建至約十樓時，房屋署會指定一層低層作為大樓的「辦房」。「辦房」樓層會優先完成所有建築工序，包括安裝食水喉管、潔具、焊接銅喉及試水等，以作為餘下其他樓層的樣辦。「辦房」通過批核後，其他所有樓層即可根據「辦房」繼續建造。根據記憶，彩福邨項目的「辦房」應是位於三樓，而「辦房」樓層由開工至通過批核大約需要 2 至 3 個月。
11. 在興建「木板房」和「辦房」時，房屋署的職員不會特別要求工友示範焊接銅喉。但如果在工友焊接時，有房屋署的職員巡經並觀看到其工作，則並不出奇。
12. 水喉管等材料方面，明合會先提供小量予恆利用以製作「木板房」及「辦房」。待「辦房」樓層通過房屋署的檢查及審批後，恆利便會根據「辦房」樓層所用的材料數量，計算出其他樓層所需的材料數量，再把該資料交予明合核對。
13. 至於「小五金」物料，恆利亦會先購買小量用以製作「木板房」及「辦房」，其後則由恆利視乎工程進度而自行購買，並不需向明合匯報或出示單據。明合從來沒有要求本人從哪裏購買、或跟本人討論過搭建「木板房」或「辦房」所需使用的「小五金」物料（包括焊料）的牌子或規格。一般而言，「小五金」物料（包括焊料）都是採用行內慣用的牌子，即使沒有特別要求，本人都知道從哪裡能夠購買得到。而且，「小五金」物料（包括焊料）一般並不難購買，於任何一間五金鋪均有售。

食水喉管的焊接過程

14. 一般而言及在彩福邨項目中，本人亦需親手進行部份銅喉焊接的工序。為了方便工作，工友會預先一次過在位於同一單位的食水喉管的各個焊接位搽上松香膏，然後即日一次過進行焊接工序，而不是搽一次焊一次。如果喉管骯髒，工友會先用沙布潔淨喉管，然後才進行上述搽松香膏及焊接的程序。焊接時，工友會用火槍燒熱喉管的焊接位（包括喉管及配件），當喉管到達某一個熱度時，便會把錫條放到焊接位，拿著火槍於錫條的後方把它燒溶以固定喉管。每一個焊位都只會消耗一部分的錫條。如果焊接時錫條溶掉太多，便會有機會滲進喉管內部，俗稱「過火」。工友在焊接位於外牆的食水喉管時，需要在吊船上工作。由於吊船十分安全和穩妥，於吊船上進行上述的焊接工序並沒有問題。

15. 每一個公共屋都項目的焊接位及喉路都不同。在彩福邨項目中，一個單位內大約有 20 至 30 個水喉及水管的焊接位。而連接每個單位的公用地方則有大約 10 多個焊接位，視乎單位距離而定。

16. 決定焊接喉管是否合格的大原則為不滲漏。一般而言，工友焊接後只會目測喉管外圍，以估計會否漏水。喉管其後需要通過「谷水」測試，即加大水壓後，喉管必需數小時不滲漏，俗稱「谷得起磅」，才視為可收貨。

17. 至於食水喉管使用焊接方式還是機械方式接駁，恆利會根據明合的指示工作。

錫條作為焊料

18. 一直以來，包括在彩福哪項目，恆利都是在雋景建材有限公司（「雋景」）訂購條裝的錫條作為焊接食水喉管的焊料。該等錫條長約兩呎，形狀較為扁身。恆利在彩福邨項目做「木板房」、「辦房」以至其他樓層時，也是使用錫條的。本人沒有於彩福邨項目中見過或使用過內含焊料的駁口或喉管。

19. 在鉛水事件前，本人從未見過卷裝的錫線或牌子名為“FRY”的錫線。據本人所知，香港於 80 年代尾左右開始有使用銅製喉管作熱水的供應，當時是使用「攞杻」接駁的，而不是以焊接駁的。本人並不知道焊料是有錫條和卷裝錫線之分，也不知道焊料是有含鉛和不含鉛之分。

20. 本人只憑「錫條」的名稱猜想、錫條是由錫所造，但從來沒有深究過它的成份，更不知悉任何有關英國標準等指標。據本人了解，一般行內的工友也沒有「錫條是否含鉛」這方面的概念或認知。

錫條的訂購

21. 恆利選擇在雋景購買錫條，是因為雋景是行內出名「小五金」物料比較齊全的公司。而且本人以前進行其他水喉工程時，知道不少行家一向也是在雋景購買錫條作為焊接食水喉管的焊料。本人在以往打工時從工友口中曾聽過雋景及見過雋景的送貨單，從而得知雋景的電話。

22. 因為錫條是水喉工程中很常見的消耗品，價格不高也太能講價，而恆利一向也在雋景一併購買其他小五金，所以恆利或本人沒有特別就錫條的價錢進行「格價」，也不知道錫條有沒有不同牌子之分。
23. 事實上，錫條的價格只佔整個水喉安裝項目價格的很少部分。完成每個單位內的焊接位，大約會消耗一條至一條半錫條，成本大約為港幣 10 元。這個是一個大約的數目，視乎每個單位的設計及焊接位的多少而定，而且行內並沒有規定每一個焊接位應用多少焊料，這大多數都因工友的手勢及習慣而異。順帶一提，一罐焊槍用的石油氣（與一般打邊爐所用的石油氣相同）約可用來焊接一個半單位內的食水喉管，每罐石油氣的成本大約為港幣 3.5 至 4 元。
24. 在恆利承接的工程中，多由本人負責以電話訂購錫條，有時候如本人太忙亦會麻煩工友代為訂購。本人或恆利於雋景並沒有特定的聯絡人，一般在電話訂貨時，都只是向任何一位接聽電話的員工說明要訂購「小五金」。當訂購錫條時，只須向雋景員工說明需要訂購錫條、訂購的份量及地盤的地址，並不需要指明錫條的牌子、型號或用途。據本人所知，錫條只為焊接水喉管之用，並沒有其他用途。恆利通常會分批購入錫條，例如做「辦房」樓層時所需用的錫條較少，後期趕工時則需要購入數量較多的錫條。
25. 訂貨後，雋景會將錫條以長方型的紙箱送往地盤。根據本人所記得，每次送達的錫條皆由同一款式的紙箱盛裝著，所以該些紙箱可能就是本身錫條來貨時所用的紙箱，惟本人並沒有詳細留意紙箱的樣式或其有沒有文字。交易全都在地盤以現金找數，如本人在場就會負責收貨，否則工友會代收。
26. 到貨後，錫條會存放於地盤的「士多房」，俗稱「架步」，一般為存放銅喉、銅喉配件及供工友更衣之用等。有需要時，工友會自行拿取錫條使用，毋需登記。因為錫條在到貨時已是條狀，所以工友毋需將錫條再剪段。在屋邨興建至較高層數時，工友會將錫條放置於工作的樓層以便其他工友取用。
27. 一般來說，本人會把在地盤收貨時所得的單據留在地盤的架步裏。由於「小五金」物料（包括焊料）的訂購都是由恆利全權負責，所以本人不會、而明合亦從來沒有要求本人告知訂購的「小五金」已到達地盤，或要求本人遞交任何送貨單據予明合記錄。
28. 在鉛水事件後，本人應明合要求，提供了 4 張關於彩福邨項目分別於 2009 年 4 月、5 月及 9 月向雋景購入錫條及松香膏的單據，現在此附上為**附件四**。該四張單據均是由本人找數並保管。因現在已

事隔數年，而本人於彩福邨項目的地盤工作了三年，連同保養期兩年，前後單據眾多；而且雋景有時候會把單據郵寄給恆利，有時候會於地盤交單據，所以本人難以找到齊全的單據記錄。

29. 根據單據所示、當時在彩福邨項目所用的錫條是「英國 50 力扁錫條」，每磅單價為港幣 60 元，本人當時沒有留意有關名稱，也並不知道「50 力」的意思。如上所述，本人並沒有特別就錫條的價錢「格價」。

30. 於鉛水事件披露後，明合亦曾要求恆利提供涉事的「50 力」錫條以作調查，因此本人曾致電雋景，查詢可否再購買「50 力」錫條。雋景的職員告知本人它已不再售賣「50 力」錫條。

房屋署審批焊料

31. 本人知道明合需要把某些水喉物料呈交房屋署作審批，但並不知道審批的標準或內容，亦不知道焊料是否需要接受審批。本人及恆利從未被要求提供焊料作審批之用，亦從未提供卷裝錫線給有利或明合。本人及恆利並無概念何謂「符合房屋署要求」的焊料。

32. 如果本人及恆利事先知道房屋署審批了並規定需使用特定的無鉛卷裝錫線作焊料之用，本人及恆利是必定會跟從有關規定的。

樣辦板

33. 本人知道明合於工程期間會製作一塊「樣辦板」，用作陳列與工程相關的用料，並存放在房屋署於地盤的辦公室內。本人及恆利並無參與此「樣辦板」的製作，惟曾被明合通知要截取某些水喉管，供其製作「樣辦板」。

34. 本人不知道「樣辦板」有否陳列如松香膏、卷裝錫線等物料。本人及恆利從未被明合或任何人要求提供、亦從未提供松香膏或卷裝錫線，以用來製作「樣辦板」。

食水喉管安裝技工

35. 於「辦房」建成之後，恆利便開始進行室內的食水喉管安裝。而至於外牆的工程則因為安裝食水喉管要待大樓外牆上色後才能進行，所以屬於較為後期的工序。根據本人記憶，當時大約只有一個月的時間完成彩福邨項目的外牆水喉安裝及整體試水的步驟。在彩福邨項目，恆利有如期交貨。本人不清楚如恆利未能如期交貨會遭到甚麼懲罰。

36. 彩福邨項目於最高峰時期有約 50 至 60 位持「大工牌」及約 10 至 20 位持「中工牌」的工友，分別於彩福邨的三座樓宇同時進行食水喉管安裝工作。需要人手時，恆利一般會先招聘相熟的工友，再由工友介紹其他持牌的工友。

37. 於地盤第一天上班時，代表恆利的只有本人，並未有任何受僱於本人的工友。明合於當天曾告知本人房屋署要求「大工」和「中工」在地盤的人數比例。實質的比例本人現在已沒有印象，但由於當時本人瞭解「大工」和「中工」應有比例，因此在尋找額外人手時會表明所需人手的資格。經恆利僱用並於彩福邨項目地盤進行水喉安裝工程的工友都是已考取建造業「大工牌」或「中工牌」的合資格技工。一般而言，因「大工」焊接技巧較好，本人的做法是只會吩咐「大工」負責焊接食水喉管的工序，以免「中工」焊接後會有滲漏的問題出現，導致之後要補救。本人一般只會要求「中工」進行較簡單的工序如安裝喉碼等。據本人所記得，按每日八小時計，「大工」每日人工約為港幣 750 至 800 元，而「中工」每日人工為港幣 400 至 600 元不等，視乎工作經驗而定。

38. 有關工人初次到地盤後，會於上工前先完成安全課堂，及提交其平安卡、身份證、有關牌照（大工牌、中工牌等）予有利的安全主任作影印及作記錄。有關工人在其後上下班時亦需於工程地盤圍口以其身份識別卡及「掌骨機」登記上班及下班時間。另外，明合有要求本人每天需填寫一份「工人名單」交予科文（foreman）——即明合的地盤管工——作記錄。本人於早期（即大約頭一年）有填寫該「工人名單」並交予明合的科文，但後期因工友較多而且會在地盤的不同地方工作，因此恆利再沒有提交該「工人名單」。

分判合約費用

39. 明合每月會根據合約及工程完成進度向恆利支付合約費用，而恆利則負責向工友支薪。每個單位有指定的金額，於分判合約中會列明單位中完成每個項目（例如安裝廁所、面盆）後恆利能收取的費用，

行內俗稱「分餅仔」。因此，根據進度，當恆利每完成一個項目，便能收取該項目列明的費用。每個單位的費用皆已包括恆利的成本，如小五金費用、工人的工錢及強積金等。據本人所記得，每個月「分餅仔」多少要視乎工程是否忙碌，忙碌時所分得的工錢自然會較多。未扣除工友人工及材料等成本前，恆利每月收取的金額為港幣數萬至十多萬元不等。

持牌水喉匠的監督

40. 接本人的理解，持牌水喉匠需要負責檢查食水喉管安裝的工作是否符合水務條例下的規定，例如水錶的位置會否過高或過低。就彩福邨項目而言，本人知道持牌水喉匠伍克明會在地盤周圍巡視，但並不瞭解伍克明如何監工或他檢查的準則，亦不清楚他在監工時是否有檢查過食水喉管的焊接位。因為本人長期在地盤不同的位置工作，所以沒有留意、也不知道伍克明來地盤檢視或監工的頻率。一般來說，如持牌水喉匠發現水喉接駁有問題需要糾正，會直接告訴科文，再由科文轉告本人或相關的工友，以作出修正。

房區署的監督

41. 據本人所記得，彩福邨項目的地盤大約有六至八位駐場的房屋署監督人員，印象中他們巡視的次數亦頗為頻密。如房屋署的監督發現有不合規的地方，會告知科文，由科文再轉告本人或相關的工友以作出修正。於彩福邨項目中，科文曾提出過不少不合規的地方，如渠位高低斜度、喉碼的位置不合規等，全都已作出相關的跟進及修正。本人從未被告知任何焊接位的問題或不合規的地方。

屬實申述

本人相信本證人供詞所述事實屬實。

蕭健煌

代表恆利工程公司

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日期：2015 年 11 月 27 日

問：蕭先生，我剛剛就向委員會讀出咗你嘅證人供詞，首先想問下你，關於呢一份證人供詞，你有冇咩嘢地方係想補充或者修改？

答：我有嘢補充。

問：你係咪確認呢一份供詞嘅內容係事實呢？

答：係。

問：你係咪願意係將呢一份供詞嘅內容係採納作為呢一次聆訊嘅你嘅證供？

答：係。

問：係，唔該晒。

許偉強先生盤問

問：蕭先生，我知道你同埋你公司，即係恆利工程公司，喺呢一個聆訊入面都係有律師代表嘅。

答：係。

問：咁就我知道就係代表委員會嘅律師就同你錄取咗剛剛讀出嚟嗰一份口供。

答：係。

問：雖然我唔係代表你或者係恆利，但係就住你口供嗰啲內容，有幾個問題想都同你澄清一下嘅啫。如果睇番你嘅口供嘅第 11 段，亦都係嗰個文件夾嘅第 11 頁，睇番第 11 段嗰度，你見唔見到係「在興建『木板房』」嗰度，啱啱我都讀過出嚟，「和『辦房』時」，就係話房署嗰啲職員就唔會特別要求一啲工友就示範焊接銅喉嘅咁樣，呢度你咁講，但係如果在工友焊接時，有房署嘅職員即係可能巡查嘅時候，見到你哋做嗰啲工作就並不出奇嘅咁樣，呢度你咁講嘅。

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答：係。

問：跟住我想帶你睇一睇就係伍克明先生就係持牌水喉匠，佢就做咗一份補充嘅證人口供，入面就有啲相嘅，呢啲相就係喺有利嘅老闆黃先生同埋伍克明作供嗰陣時，我哋都睇過嘅，我就想你睇一睇，我有啲問題想問番你嘅啫。

答：係。

問：啲相片就開始嘅時候就喺 P1 嘅 240 頁，呢個就就住有利同埋伍克明先生佢哋所講，就係呢啲係有關喺彩福邨喺呢個樣辦房內就係示範一啲燒焊銅喉嘅有關照片嚟嘅，我講咗畀你聽先，然後我先問你進一步嘅問題。如果你睇番啲相，我哋都見到啲相由第(1)張開始，240 頁開始，一路都有幾頁都係啲相嚟嘅，我哋見到每一張相嘅右下角都係寫住 2009 年 3 月 27 號嘅，睇到嘛？睇唔睇到啲相嘅右下角？

答：唔係好清楚。

問：唔係好清楚？

答：係。

問：或者你可以睇一睇嗰個文件夾，睇下會唔會清楚少少？

答：係。

問：文件夾嗰度，我哋睇下--或者我哋由第(1)張開始睇，好唔好呀？240 頁第(1)張相，見唔見到右下角有個 2009 年 3 月 27 號？

答：有。

問：第(4)張嗰個清楚啲嘅，因為嗰度有啲即係黑色嘅底，影出嚟嗰個日子清楚啲，見唔見到呀？

答：見到。

問：如果我哋睇一睇，就 242 頁，見唔見到第(11)號相？

答：見到。

問：嗰度有一位人士就戴住個工作帽，就喺度應該係做緊一啲--擺住一啲銅喉嘅，見到嘛？

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答：見到。

問：你認唔認得呢個人？

答：好模糊，認唔到。

問：認唔到？

答：係。

問：如果我哋再睇下第(13)號相同埋--係喇，第(13)號相先，243頁，
呢個清楚咗少少，有冇印象呀？

答：冇，冇印象，認唔到。

問：認唔到，好。如果我哋去到246頁，你先睇一睇246頁第(28)號相。

答：係。

問：見唔見到有個間條衫，攞住兩嚟嘢嘅，一個就係即係我哋而家知道就
係綠色嗰個就係啲錫線嚟嘅，黃色嗰個就係啲松香膏嚟嘅，你睇住呢
張相，我哋再睇多一張，252頁第(50)張相，見到嘛，蕭先生？

答：見到。

問：係(50)號張相，如果我哋就咁睇剛才第(28)號嗰張相，即係攞住錫
線同埋松香膏嗰張相，同埋第(50)頁嗰張相，我哋聽到個證供就係咁
嘅，我哋聽到個證供就係伍克明先生喺佢嗰個證人口供--嗰個證人供
詞同埋佢作供個時候，佢都係講番就係話如果睇番嗰個日子，就係應
該係彩福邨嗰個工程，佢就認為嗰位人士應該係你嚟嘅，即係我哋睇
(28)同埋(50)頁嗰張相，嗰位人士應該係你嚟嘅，你確唔確認到？

答：確認唔到。

問：你記唔記得你喺彩福邨...

主席：咩嘢話？確認唔到，係咪呀？

許偉強先生：確認唔到。

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問：你有冇印象就喺彩福邨嗰個工程進行期間，冇人影過呢啲相？

答：唔記得咗。

問：你記唔記得喺彩福邨個工程期間係有工人就示範一啲咁嘅燒焊嘅工程？

答：唔記得，因為太耐。

問：我又問你另外一個問題，就喺你嘅口供嘅第 14 段，即係文件夾嘅 M1 嘅 12 頁，第 14 段最尾嗰度數上嚟大概四行嘍，見唔見到「每一個焊位」嗰度，寫住？

答：係。

問：你話「每一個焊位都只會消耗一部分的錫條，如果焊接時錫條溶掉太多，便會有機會滲進喉管內部，俗稱『過火』。」見到嘛？

答：見到。

問：我想問一問，就係你講呢一個話焊接時，呢啲錫條可能會熔得好多，就會有啲會走咗入去嗰個喉管度呢種情況，呢個以你嘅經驗嚟講，呢個同啲工人嗰一個技術有冇關係？

答：有，呢個有關係。

問：可唔可以解釋一下點解呢？

答：因為如果過火，錫條會跌咗落地，即係熔咗喺裏面就唔清楚，因為冇研究過裏面有冇，即係出面就肯定會見到，地下嗰度跌到通地都係，如果係過火。

問：另外就係我都想同你講一講就係伍克明先生佢作供嗰陣時就曾經有咁樣講過嘅，就係話你哋呢啲外判水喉嘅工程，佢就話喺個投標嗰個階段，就會同例如你哋外判商，水喉外判商去講解一啲有關使用乜嘢物料嘅一啲講解嘅情況嘅，有冇呀？

答：有，有講解。

問：吓？

答：有，有講解。

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問：你嘅意思係即係從來都有嘅？

答：係，即係我嗰度就有。

問：我想問下嗰個投標嗰陣時，你有冇話同伍克明先生係有接觸？

答：有接觸，講價錢嘅啫。

問：講價錢？

答：係喇，即係投咗標之後講價錢啫。

問：至於你話用啲乜嘢料，用啲乜嘢料，喺個投標過程有冇討論過？

答：冇，冇討論過。

問：到簽合同嘅時候，即係正式去簽嗰個外判合同嘅時候，有冇又再討論過，即係有冇討論過...

答：冇。

問：...有關用啲乜嘢材料或者一啲規格嘅嘢？

答：冇，冇討論過。

問：喺你嘅證人口供第 24 段，亦都係文件夾嘅第 14 頁，喺 24 段入面--其實睇 24 段之前，你曾經有講過話點解你會得知雋景嘅電話同佢哋訂貨嘅咁樣。

答：係。

問：喺 24 段入面亦都有講到就係話--如果你睇下中間，我諗由第三句開始睇，24 段，「當訂購錫條時」，睇到嘛，第三句嘅最後嗰度？

答：唔。

問：「當訂購錫條時，只須向雋景員工說明需要訂購錫條、訂購的份量及地盤的地址，並不需要指明錫條的牌子、型號」和用途，跟住落去，「據本人所知，錫條只為焊接水喉管之用，並沒有其他用途。」睇到嘛？

答：係，睇到。

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問：我想問下，即係以你所知，你每次同雋景去訂呢啲錫--即係呢啲咁嘅焊料嘅時候，雋景--即係賣貨嗰啲人，供應商，佢知唔知你呢啲錫條係擺嚟做啲咩嘢用途㗎？

答：應該知。

問：點解你咁講呢？

答：因為佢第一次交收就唔係咁熟啫，跟住交收之後會熟咗，熟咗，咁知道嗰啲係--知道我係做水喉㗎嘛。

問：好喇，喺第 39 段，即係文件夾嘅第 17 頁，最尾嗰一段，見到「分判合約費用」嗰度嘛？

答：見到。

問：你呢度都係講話即係明合每個月就根據嗰個合約同埋嗰個工程完成進度，就向你哋交付啲合約費用嘅咁樣，亦都即係我哋而家知道就係你哋嗰個分判合約係以一個連工包料嗰個形式嘅，就--連工包小五金嗰個形式嘅。

答：係。

問：我想知道你報價嗰陣時，就報價嘅時候，因為你要連工包料，即係好似你就住呢個彩福邨嗰個工程嚟到講，你嗰個報價係咪以每一個伙嚟做一個單位？

答：係。

問：你記唔記得喺呢個彩福邨呢個工程，每一伙大概你個收費係幾多錢？

答：大概？

問：唔。

答：好似係三千幾釐，我都唔記得咗，三千幾就唔記得。

問：三千幾釐？

答：係。

問：我想問下呢個三千幾釐一伙呢個咁樣嘅數目，係大概係點樣計算出

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答：報價嗰陣時，佢有畀啲圖則我哋計數，即係譬如個層數幾高、嗰啲喉管大細同埋多唔多啲公眾嘢做嗰啲，即係譬如我所講嘅公眾嘢，即係有啲可能 1 樓已經係單位嚟嘅，一路上都一樣，有啲可能話唔係嘅，樓下有一、兩層都係嗰啲公眾嘢嚟嘅，變咗咪嗰啲咪唔同囉。

問：即係都係估計番即係日後個工作量...

答：係喇。

問：...同埋嗰個複雜程度咁樣嚟到去計算？

答：冇錯，係喇。

問：我想知道就係就住你哋報價嘅時候，有關呢個焊料，即係焊料嗰個成本，你有冇特別去估計嗰個成本有幾多？

答：冇。

問：點解呢？

答：因為每一個單位用個量都唔係好多之嘛，因為彩福邨嗰度嗰啲駁口唔係咁多有啲，有啲單位好少嘅之嘛。所以要睇圖則就係咁，睇下佢拉得多唔多啲駁口位。

問：Okay，唔該。

許偉強先生：我有其他問題。

李先生盤問

問：蕭先生，剛才你講話就住你報價嗰啲小五金嘅成本，喺每一伙人面要用幾錢，你就冇計過嘅，係咪？

答：係。

問：你嘅證人供詞第 14 頁，O1 14 頁第 23 段，見唔見到嗰度「事實上，錫條的價格只佔整個水喉安裝項目價格」嘅「很少部分。完成每個單

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位內的焊接位，大約會消耗一條至一條半錫條，成本大約為港幣 10 元。」見唔見到？

答：見到。

問：呢個你喺當時彩福邨你去報價嗰陣時，有冇心中已經有數知道大約係 10 釐嘅係完成一伙，一個單位？

答：講咩嘢話？

問：當時喺彩福邨你去報價嗰陣時，有冇已經計到你喺每一個單位入面用焊料大約要用幾多錢？

答：冇，冇計過。

問：呢個你係事後先計嘅，10 釐一伙？

答：係，冇錯。

問：即係你做呢份口供嗰陣時，...

答：係喇。

問：...當你落口供，邀請你計一計，...

答：係喇。

問：...你就計喇？

答：係喇。

問：事前唔知佢...

答：即係大概嗰個價錢啫，之前，佢因為有啲單，1 磅幾多錢。

問：其實 10 釐一個單位呢個價格係咪喺每一個你以前做開嘅屋邨又好，啲大廈都好，都係差唔多，好穩定嘅呢個？

答：唔一定，講咗--頭先講咗，都視乎啲喉拉得多唔多，如果係多咪多囉，少咪少囉。

問：睇完個圖表，你就知道啲喉拉得多唔多？

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答：係，因為圖表會 show 出嚟。

問：有啲時候拉得多啲，你當然要用多啲焊料，啱唔啱？

答：啱。

問：咁所以喺你報價嗰陣時都會計咗條數入去嘅，係咪？

答：呢個冇去計過，啲焊料就肯定冇計過。

問：螺絲嗰啲使唔使你買？

答：螺絲唔使我買。

問：仲有邊啲小五金要你買？

答：士黏膠布同埋松香膏同埋嗰啲工具。

問：如果多咗啲駁口位，即係呢啲咁嘅膠布、松香膏、焊料都用多啲，係咪？

答：可以咁講。

問：但係呢啲數你全部都唔計落去？

答：其實根本就政府嗰啲都大致上都差唔多，嗰啲即係譬如用幾多士黏膠布，你水龍又得，鋅盆、面盆、企缸，你用幾多，大家都心中有數。

問：嗰陣時已經心中有數，啱唔啱？

答：係。

問：所以你報價嗰陣時已經計埋呢條數落去，啱唔啱？

答：就有計過，統計話一個單位要幾多錢，知道係大概用幾多。

問：心中有數，你自己都講，係咪？

答：係。

問：報價不外乎就係呢啲料要幾錢、要幾多工，工人要幾多時間，係咪？

答：係，係。

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問：咁得唔係好多個範疇要考慮啫，係咪？啱唔啱？

答：啱。

主席：唔係好明你個意思。

問：即係你計數嗰陣時，去報價，你有好多個細項喺心目中，係咪？

主席：都唔係...

答：個細價好似你包小五金之嘛，其他嘢唔需要計。

問：工人嗰啲費用呢？

主席：應該咁講，你喺你個心裏 面就基本上就得兩條數嘅啫，係咪咁
呀？

答：啱。

主席：一條就係工人嗰啲人工？

答：係。

主席：一條就係嗰啲你哋所謂小五金嘅數，啱唔啱？

答：啱。

主席：你淨係得呢兩條數嘅啫？

答：係。

主席：跟住你就估「一個單位，我要幾--個工人要做幾多日，要用幾多小
五金。」係咪呀？大約喇。

答：係，冇錯。

主席：跟住你就得條數出嚟？

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答：係喇。

主席：你就大約知道？

答：係。

主席：跟住人哋就話畀你聽三千零釐，你就於是就自己個心裏面就有條數，一個單位你可以譬如賺到，我唔知，100釐、200釐咁樣樣，係咪咁呀？

答：係。

主席：實際上，一個單位你估你可以賺到幾多錢？

答：以彩福邨嚟計，應該係冇錢賺，係打個和啫。

主席：打個和？

答：係，因為我第一次做公屋。

主席：同埋你接嗰陣時，你個心裏面係諗住可以賺到一個單位賺到幾多錢？

答：呢個就冇去諗過。

主席：冇去諗過？

答：係。

主席：冇諗過接嚟做乜呀？

答：因為諗住即係話做熟咗咁樣，知道個程序點做咁樣，可能會搏下一單咁樣。

主席：Okay。因為其實要包好多嘢，即係我啱啱揭去你個口供嘅第34頁第78段，第78段，你要--你如果做一個工程，咪蝕晒大本，因為你要買好多機器個嗎？

答：其實買工具係買電鑽多之嘛。

主席：買電鑽？

答：係呀。

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主席：基本...

答：其他工具好少嘅，啲石油氣槍啲就唔係咁--損耗唔係咁大。

主席：呢度佢就話你要買呢個工具，跟住另外啲啲工具我唔講，咩嘢鋸片、鋸碟、鑽咀啲啲唔講，跟住呢個士黏膠布、麻根、油灰、黑鉛、免水膠布、膠紙、膠水、焊枝、風煤、焊錫膏、錫線、銀線，呢啲全部你都要買個嗎？

答：有啲唔使嘅，因為有啲冇需要用到啲啲工具咪唔使買。

主席：唔係，我頭先講啲啲唔係工具嚟㗎嘛，啲啲係...

答：唔係，有啲譬如黑鉛啲啲已經係唔畀用㗎喇嘛，啲啲唔需要買嘅。

主席：黑鉛係咩嘢嚟㗎？

答：黑鉛係用嚟做渠用㗎嘛。

主席：鑿？

答：做啲啲渠，做啲啲渠桶，即係以前。

主席：做渠...

答：即係倒落啲啲渠口，唔好畀佢漏水咁樣，而家唔畀用㗎喇。

主席：點解唔畀用呀？

答：係呀。

主席：點解唔畀用呀？

答：即係我知道做呢度啲陣時，已經唔畀用。

主席：我知，點解唔畀用？

答：唔知，呢個就唔知，即係明合話畀我聽就唔畀用。

主席：當時你自己個心目中就係諗住唔賺錢，純粹就係爭取經驗，係咪咁嘅意思？

答：係呀。

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主席：得，繼續。

答：因為嘗試第一單咁樣即係做落，咁睇下，即係將來做熟咗，或者搏第二單咁樣。

主席：結果發現就係冇錢賺嘅？

答：係喇。

問：你話黑鉛唔畀用，有冇取代品呀？

答：取代品有嘅，明合供給嘅。

問：但係點解唔畀用，你就唔知？

答：唔知。

主席：點解會明合供給呀？

答：因為嗰隻係另外一種物料嚟嘅。

主席：無端...

答：唔知，唔知佢呀，佢係供給畀我。

主席：唔知點解明合要供給畀你？

答：係，係作渠個度用。

主席：得。

我哋聽日繼續，好唔好？

譚先生：好。

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主席：我哋聽朝早 10 點鐘再繼續，蕭先生，麻煩你聽日再返嚟，唔該。

2015 年 12 月 03 日

下午 4 時 34 分聆訊押後

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

B Commission of Inquiry into Excess Lead Found in Drinking Water Day 20 B

C Thursday, 3 December 2015 C

D (10.04 am) D

E (Transcript of simultaneous interpretation D

F except where otherwise specified) E

G MR KHAW: Chairman of the Commission, before I summon the F

H witness, I would like to say that Prof Bellinger's G

I expert report has been ready and it has been included in H

J bundle V of our documents. I

K I understand that it will be uploaded onto the J

L website by the Secretariat this afternoon. K

M Thank you. L

N MS WONG: Chairman and Member, we are going to call Mr Ching M

O Chi Fai today. N

P MR CHING CHI FAI (affirmed) O

Q CHAIRMAN: Please be seated. P

R Ms Wong. Q

S Examination-in-chief by MS WONG R

T MS WONG: Mr Ching, you are now working as a senior engineer S

U with Ming Hop; right? T

V A. Correct. U

Q. You are also called by the name Fai Gor? V

A. Correct.

Q. When did you join Ming Hop?

A. 2007.

Q. Which month?

A. August.

Q. What about the scope of your work? Among which, did it include co-ordination with Yau Lee in relation to the submission of materials to the Housing Authority for approval?

A. Correct.

Q. It also included a lot of plumbing fittings?

A. Correct.

Q. I would like to ask, in relation to Anderson Road site E, we now know that it began work in the early part of 2013. You are now working on site E of Anderson Road; is that right?

A. Correct.

Q. My question is, when you sent sample materials for approval, what does it mean?

A. When we submit samples, this is for the approval by the Housing Authority. We will submit documents. Physical samples have also been demanded.

CHAIRMAN: What have been included other than the documents?

A. Samples.

MS WONG: In other words, after you have submitted the samples, so the original intention is to use them on the site?

A. Correct.

Q. So, if there is a need to change what has to be done, it

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has to be submitted to the Housing Authority? In other words, you can't lightly switch to another one?

A. No, you can't.

Q. At that time, for the plumbing subcontractor of Ming Hop, in relation to plumbing works, it was awarded to Mr Mok Hoi Kwong of Wing Hing?

A. Correct.

Q. According to your understanding, Mok Hoi Kwong or Wing Hing, they have been co-operating with Ming Hop for many years?

A. Correct.

Q. So a long relationship?

A. Correct.

Q. They also knew that submission of materials to the Housing Authority and its meaning?

A. Yes, they would have known.

Q. They also knew that for materials already submitted, they could not be easily changed?

A. Yes, they knew.

Q. All right. Let's go back to Anderson Road site E. At that time, the AQCC of Yau Lee is Leo Tam, so for Leo Tam, did he contact you in relation to the submission of materials?

A. Yes, he did.

Q. At that time, Ming Hop was the plumbing subcontractor of

Yau Lee?

A. Correct.

Q. He called you talking about submission of materials for approval. Do you recall what he said?

A. He told me that certain materials had to have their samples submitted to the Housing Authority for approval.

For copper pipes, the requirement was that soldering materials would be needed, so I called our contractor, Mok Hoi Kwong. I asked him to get compliant materials for the Housing Authority so that Leo could submit them to the Housing Authority.

Q. So you called Mok Hoi Kwong?

A. Yes.

Q. You talked to him personally?

A. Yes.

Q. When you called him, did you make it clear as to which brand of materials had to be submitted concerning soldering materials?

A. Yes, we had, because he had to deal with many materials, so I told him that we had to submit HA-approved materials.

CHAIRMAN: What was that?

A. Those requested by the HA.

MS WONG: Let's take a look of the papers. I1/294. This form is called "Sample submission and approval form"; do

you see it?

A. Yes.

Q. The left corner, "Contract Title: ... Anderson Road Site E Phases 1 and 2", dated 14 June 2013, submitted by Yau Lee. Then, for "Supplier", under (e), you see the name Ming Hop Company.

Let's turn to the second page, and it was submitted by Leo Tam for approval by the HA. Do you see the signature?

A. Yes.

Q. Let's go further down to page 297. In relation to the two items of soldering materials for approval, solder paste as well as the lead-free soldering material.

A. Yes.

Q. Let's go back to page 295. The date of approval by the HA: 24 June 2013. Do you see it?

A. Yes.

Q. At that time, you received your approval. After that, did Leo Tam from Yau Lee contact you?

A. Yes, he notified us.

Q. Notified you? What was the usual practice? Can you recall?

A. Usually, when we received notification from him, if we had to purchase the materials, then our company will have it notified, and if a contractor was responsible

for the purchase, then I would call the contractor and say that approval has been given and you can go ahead to buy it.

Q. Now, let's come back to this case. Mr Tam said that he told you that it had been approved. Did you inform Mr Mok Hoi Kwong in relation to the materials including the solder materials saying that HA approved it?

A. Yes, I did.

Q. You told him. Did you do so personally?

A. By phone call.

Q. Do you recall when was it?

A. Around July, early July.

Q. I want to go to another area for my questions. For the development site, is it true that there are two types of samples? First of all, we have got a timber mock-up flat. The other one is a sample flat.

So my question is: what is the purpose of having a timber mock-up flat?

A. The main purpose is that, in relation to the drawings given by the HA, it would like to put up a mock-up, so as to confirm the locations of the holes, so that we can do the prefabricated parts and we can follow suit when we work on it.

Q. So the timber mock-up flat, as its name implies, is made of timber, not by cement. So, having put up the mock-up

flat, the main purpose is to check the locations and the dimensions, the positions. In other words, you are not attaching the physical items there?

A. The items will be there as well, but mainly for confirming the positions, but then we are not going to solder anything, we are not going to attach any plastic pipes. No, no soldering. This is to enable the architects to make changes.

Q. Understood. So of course this is different from the purpose of a sample flat? For a sample flat, you have to do it and you have to complete it with all the pipeworks?

A. Yes, everything will be done.

Q. I would like to show you the statement of Mr Siu Kin Wong. O1.

CHAIRMAN: Before we leave this area, I have a question. Is it true that for the Anderson Road site, although this is not one of the 11 affected estates, I saw from the newspaper this morning that for this Anderson Road PRH project, for this phase, there are problems with the pipes and that they had to be replaced. Is that the case?

A. Yes.

CHAIRMAN: So they have been replaced; right?

A. It has been dealt with.

CHAIRMAN: Is it because of something wrong with the soldering materials?

A. Yes.

CHAIRMAN: Right, but not at the intake stage yet?

A. Right.

CHAIRMAN: Please continue.

MS WONG: I want to show you the statement of Mr Siu

Kin Wong. 01, page 11, paragraph 9, the third line, line 3 of paragraph 9. It says here:

"The pipes and drains in the timber mock-up flats will have to be installed. All the copper pipes will have to be soldered, but no water supply will be connected for water testing. The flat will first be approved by Ming Hop and Yau Lee, then further approved by the Housing Authority."

So what is your opinion on this phrase?

A. I did not take part in the construction of the timber mock-up flat, but normally, according to my experience, there would be no soldering for mock-up flats.

Q. Yes.

A. That's because adjustments would need to be made, so we need to facilitate the adjustments.

MS WONG: Thank you.

Cross-examination by MR KHAW

MR KHAW: Mr Ching, you mentioned that in 2007, you joined

| | | |
|---|---|---|
| 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 20 | |
| C | Ming Hop. At that time, were you senior engineer? | C |
| D | A. I was engineer. | D |
| E | Q. In relation to the six affected estates, according to | E |
| F | Mr Ng Hak Ming's statement, you mentioned that for Lower | F |
| G | Ngau Tau Kok Estate and Choi Fook Estate, you were | G |
| H | responsible for overseeing the project? | H |
| I | A. Right. | I |
| J | Q. In relation to these six estates, say for Ngau Tau Kok | J |
| K | Lower Estate and Choi Fook Estate, you were the engineer | K |
| L | at the time. In relation to contracting out the | L |
| M | waterworks, did you take part in the preparation of the | M |
| N | contract? | N |
| O | A. No. | O |
| P | Q. So do you know that in relation to the waterworks | P |
| Q | contract -- did you have personal knowledge of the | Q |
| R | requirements of standards for waterworks? | R |
| S | A. I know that lead-free materials should be used. | S |
| T | Q. So can you tell us, in relation to soldering materials, | T |
| U | what are the requirements? | U |
| V | A. It should be lead-free. The tin strips should be | V |
| | lead-free. | |
| | Q. You mentioned tin strips. Do you understand the | |
| | difference between tin strips and the solder wire? | |
| | A. No difference. It's just a roll of lead-free strips. | |
| | Q. That's in rolls, as far as you can see, on reels? | |

A. Right.

Q. So do you know the purpose of using lead-free materials?

A. I know it's harmful to health, as I learned from information, and the requirement clearly sets out that lead-free materials should be used.

Q. So it may be physically harmful and you learned that from information. When you were responsible for Choi Fook Estate and Lower Ngau Tau Kok Estate, you were also aware of that?

A. I don't recall whether I was aware of that.

Q. But you then understood better?

A. Right.

Q. Now, in relation to these two estates, say for Lower Ngau Tau Kok Estate, at the time you prepared the materials and samples to be submitted to the Housing Department, and for Lower Ngau Tau Kok Estate, did you take part in the process?

A. Yes.

Q. May I refer you to B15.3/39419.

This is the form in relation to materials and details of materials for Ngau Tau Kok Lower Estate. So, Mr Ching, if you look at "General information" under 1, you can see "Copper pipes and fittings", under which it says "Cold and hot water supply installation".

In relation to this submission, my question is this:

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- did any staff in Yau Lee contact you and ask you to prepare for sample submission?
- A. No one in particular.
- Q. Did any particular person inform you that submission is required, anybody from the Housing Authority?
- A. No one in particular. Based on the need, we made this submission.
- Q. So when, roughly, did you know that the submission was required?
- A. Well, usually, we would look at how long it would take to order materials and for the materials to be delivered.
- Q. So, when you submitted the samples, did you contact Mr Mok Hoi Kwong to prepare the samples for submission?
- A. Because in the sample room, somebody would check the soldering process. That's in accordance with the Housing Authority's requirement.
- Q. I am not talking about the soldering process. I am talking about the submission of sample materials to the Housing Department. I would like to know whether it was you personally who contacted Mr Mok Hoi Kwong to prepare samples for your checking.
- A. Yes.
- Q. Did you meet him or did you call him?
- A. I called him.

Q. So, when you called him, what did you say to him?

A. For Lower Ngau Tau Kok Estate, at the time of submission, the Housing Department did not require that samples be submitted. The department only required the demo be carried out at the sample room, together with the soldering materials.

CHAIRMAN: Pause here. Lower Ngau Tau Kok Estate; right?

A. Yes.

MR KHAW: Do you mean that for Lower Ngau Tau Kok Estate, Mr Mok did not prepare or submit soldering sample materials to you?

A. No, he did not.

Q. So, in the sample room, workers carried out a demonstration using the reels of materials you mentioned?

A. Right.

Q. So, before the demo, you said you called Mr Mok Hoi Kwong. Did you tell him what materials to use in the demonstration?

A. I said to use materials in compliance with the HD standards.

Q. All right. For materials meeting HD's standards, let's see if you can remember this: do you remember at that time whether you told him clearly that lead-free materials should be used?

A. I don't recall that.

Q. So did you consider that important at the time, that you should tell him that lead-free materials should be used?

A. Well, I did not say lead-free materials in particular. I just said that he should meet the HD's requirements, and that is to use lead-free materials.

Q. So why did you believe that by saying that materials should meet the HD's requirements, that it would be lead-free?

A. Because he has undertaken a lot of Housing Department's projects, and he always submitted lead-free materials to us.

Q. What kind of lead-free materials were submitted?

A. One reel of lead-free material.

Q. So did you tell him that it should be in strips or in reels?

A. No, I did not say that in particular.

Q. You said just now that because he always submitted this kind of material in this form, in reels, and you know it is free of lead, and now the other party is suggesting that he didn't know that he could only use lead-free materials. So my question is this: did you ever, in a conversation between you and Mr Mok Hoi Kwong, apart from the part about doing a demo at Lower Ngau Tau Kok Estate, say to him that only lead-free materials can be

used?

A. I did not.

Q. For Choi Fook Estate, the actual soldering materials were submitted to the HD?

A. I don't recall whether it was I who carried out this process.

Q. You mentioned Anderson Road site, and you said you told Mr Mok that no sample materials or solder materials were required.

A. No, I mean it would be submitted to Yau Lee directly, to Leo Tam, by him.

Q. So you told him to submit that to Yau Lee; you told him over the phone; you did not tell him specifically the lead-free requirement?

A. No.

Q. You did not specify whether it should be in the form of reels or in what form?

A. Right.

Q. Regarding your work in Ming Hop, is it true to say that in terms of submission of samples, you did not do anything to make it known clearly to the other party that lead-free soldering materials should be used?

A. I would check and see whether the materials comply with HD requirements.

Q. I am talking about your work with the subcontractor.

A. When it's submitted, he would know whether it's complying with the HD requirement.

Q. Right, but I want to know how you personally would make sure that the subcontractor would know that lead-free materials were to be used. Did you do anything about that?

A. He just did it according to his previous practice. We did not point that out in particular.

COMMISSIONER LAI: Could I ask a simple question.

Procedural-wise, Mr Tam told you to contact Mr Mok, so as to submit the soldering materials or other samples. At the time of submission, did Mr Mok submit it directly to the HA or to Mr Tam?

A. To Mr Tam. We did not contact the HA directly.

COMMISSIONER LAI: In other words, throughout the process, you would sort of get the news and then you called up the other persons, so you were simply a middleman? You didn't actually see the handing over of the materials?

A. At the end of the day, I went to the site.

COMMISSIONER LAI: But that was after the submission, after they had been submitted to the site and it was already in the samples?

A. Correct.

MR KHAW: Lastly, I want to ask you, when the materials in bulk, including the soldering materials, were sent to

the site, Ming Hop didn't require the plumbing subcontractor to notify you?

A. No.

Q. And you didn't sign for acceptance of delivery on site?

A. We didn't have any staff members on site to sign for acceptance.

Q. And you would not have kept any bills or invoices?

A. They supplied them, so we didn't have the documents.

MR KHAW: No other questions.

CHAIRMAN: Does anybody have any questions? Ms Wong.

Re-examination by MS WONG

MS WONG: If I may just have one or two questions for re-examination.

When you were cross-examined, you have always said that you had to submit materials required by the HA and up to their requirements.

I would like to take you to I1, page 297, which we have already seen this morning. Do you see the reel in green?

A. I think all the time we are talking about this one, yes.

Q. We have not been referring to something else which is different from this kind of soldering materials?

A. Correct.

Q. This was the material given to you by Mr Mok all the time and referred by him all the time?

C CHAIRMAN: Maybe I should also ask Mr Mok. C

Mr Mok, do you have questions for this gentlemen?

D MR MOK: Yes. D

E Cross-examination by MR MOK E

F Q. You said you have notified me. Do you have guidelines
F for our work? Do you have anything? F

G CHAIRMAN: What was your question? G

H MR MOK: After approval, for the tin strips, et cetera,
H approved by the HA, he said he had notified me. I would
I like to know whether he had issued any working I
J guidelines for me. So did he ever give us any J
K guidelines? I don't recall having any. K

L CHAIRMAN: Just a moment, please. Do you understand his
L question? L

M A. Yes. M

N CHAIRMAN: So please answer his question. N

O A. You submitted them. We did not actually issue
O guidelines. We used to rely on phone calls or when we
P met each other on the site, then we spoke. P

Q MR MOK: Well, I don't agree. When drawings, for example,
Q were changed, then our signatures would be needed. Q

R CHAIRMAN: Well, I think his question is: now you have asked
R me to submit such materials, but you have never told me
S that in the future I must use this type of solder
T materials in future, when I carry out soldering, so you
U
V

didn't have it in black and white. So what is your answer?

A. Well, I gave you telephone calls and I didn't put it into black and white. Usually, on a construction site, we dealt with the matters immediately; we didn't wait for paperwork.

MR MOK: As far as I can recall, I don't remember you telling me so.

CHAIRMAN: So I think you understand him. "You have never told me that this is the approved material and therefore I thought I could use any material?"

A. What is your question? I called him over the telephone but now he is saying I haven't told him.

CHAIRMAN: On this point, I want to ask a question.

I think, in many affected housing estates, materials have been used, not in a box, without any brand labels, not labelled, not carried in a box; they were just delivered to the site in batches and they were tin strips.

Now, in fact Mr Mok was using such on the site.

Now, if it is put to you that they were in fact using such tin strips, what would you say?

A. We have never seen such tin strips.

CHAIRMAN: Yes, I know. Had it been known to you that such tin strips were actually used on such housing estates,

C what would you have done? C

D A. Had it been known to us, we would try to find out about
the matter and then we will immediately ban the use. D

E CHAIRMAN: Anything else, any other questions? E

F MR MOK: Not quite. No questions. F

G MR KHAW: Mr Chairman, if I may ask one more question? G

H CHAIRMAN: Yes. H

I Further cross-examination by MR KHAW I

J MR KHAW: Mr Ching, just now you said that for Choi Fook J

K Estate, you weren't responsible for submission of sample
materials? K

L A. I was involved at a later stage. Certain work has
already been done. L

M Q. Now, Mr Siu Kin Wong was the plumbing subcontractor for
the project, so I want to know whether you have ever
talked to Mr Siu concerning the submission of samples of
N solder materials. N

O A. No, I didn't. O

P CHAIRMAN: Please be seated. P

Q Thank you. You have finished with your evidence. Q

R You may now leave. Thank you, Mr Ching. R

S (The witness withdrew) S

T The next witness is Mr Mok Hoi Kwong. Mr Mok,
please go over and take your seat. T

U Mr Siu, you may now move up and take the seat U

C previously taken up by Mr Mok. C

MR MOK HOI KWONG (affirmed)

D CHAIRMAN: Please be seated. D

E We hope that when you give evidence, please speak E
F up. This is because, first of all, the audio system F
G here isn't quite good, and we also hope that everybody G
H can hear you and your evidence, so please help us by H
I speaking up. There is also one other point. That is, I
J when you give evidence, please slow down. This is J
K because sometimes, even on my part, I find it difficult K
L to hear you and understand you. So speak slowly so that L
M we can understand, and then we don't need you to repeat M
N the same statement many times. N

L MS CHENG: Mr Chairman, I think we have a witness statement L
M from Mr Mok. M1, page 9 in the bundle. I would like to M
N read out Mr Mok's evidence, I mean his witness N
statement.

O CHAIRMAN: Yes. Do it slowly. O

Examination-in-chief by MS CHENG

P MS CHENG: "I, Mok Hoi Kwong ... now make a statement to the P
Q Commission of Inquiry as follows. Q

R I am the sole proprietor of Wing Hing Plumbing R
S Drainage. I received secondary education on the S
T mainland, up to about secondary 2. I can read and T
U understand Chinese but not English. Starting from 1979, U
V

I became involved in the plumbing industry. Starting in the year 1998, I became a qualified plumber. I now attach a copy of my CITA trade testing certification card as appendix 1. According to the search of the business registration record of Wing Hing, Wing Hing was set up on 8 September 1994, the core business being plumbing repair and installation works. I now attach a copy of the business registration search of Wing Hing as appendix 2. Wing Hing is still taking up plumbing works.

I haven't studied any course concerning plumbing works including soldering process. The relevant knowledge was passed to me by my teachers, the masters, as well as from my experience. According to my understanding, starting from the 1980s, Hong Kong started to use copper pipes for hot water supply, so at that time soldering was the method to connect the copper pipes, and I have learned the skills from my masters.

When I sat for the craftsman's trade test, candidates didn't have to take a class or read up notes but we had to take a written test and a practical test before we could be licensed. As far as I can recall, the written test was mainly about safety knowledge and nothing about soldering materials. For the practical test, within a specified period of time, candidates were

asked to make reference to drawings to connect potable water pipes, including the need to carry out soldering, and we have to pass the water pressure test. At the time of the examination, I used the soldering materials supplied by the Construction Industry Training Authority, but I can't quite recall whether it is something with built-in soldering materials or whether we were using tin strips. It was not easy to pass the practical test. I recall that among the 10 to 20 candidates sitting the test on that day, just a few were qualified.

The affected estates housing estates.

For the public housing estates involved and affected in this case, including Lower Ngau Tau Kok Estate Phase 1, Shek Kip Mei Estate Phase 2, Yan On Estate, Un Chau Estate Phases 2 and 4 as well as Ching Ho Estate Phase 1 (they are to be called 'the affected housing estates' for short), Yau Lee Construction Co Ltd was the main contractor for such housing estates, Ming Hop Co Ltd was the subcontractor, Wing Hing was the sub-subcontractor for plumbing installations. Since 1995, Wing Hing and Ming Hop developed a co-operation relationship. Ming Hop used to have subcontractor contracts for Wing Hing. At first, it was a contractor that introduced the two and later it took up the

projects from Ming Hop.

Among the affected housing estates, Lower Ngau Tau Kok Estate Phase 1, Shek Kip Mei Phase 2, Yan On Estate and Un Chau Estate Phases 2 and 4, all the time Wing Hing was responsible for plumbing installations. For Ching Ho Estate Phase 1, at first it was Sum Kee that was responsible. Towards the end, for the final few months, Ming Hop invited Wing Hing to take up the outstanding job.

I don't know why Ching Ho Estate Phase 1 had a change of contractor for plumbing. Ming Hop was the subcontractor. It should be clear about the real reason for changing the subcontractor. I knew that when Wing Hing took over, Ching Ho Estate Phase 1 had a serious delay concerning plumbing works. Further delays would affect the handover date. Wing Hing took over the project of Ching Ho Estate Phase 1 and the work included the installations to be carried out within the toilets of the units and the installation of iron pipes on the external walls and the pipe ducts, and it should involve the soldering of joints of the copper pipe pipes, but then I do not recall the specific details now.

I now produce a copy of the subcontracting work of the installation of copper pipes for the affected

projects: appendix 3, Ngau Tau Kok Lower Estate Phase 1, page 71, pages 20 and 39 missing; appendix 4, Shek Kip Mei Estate phase 2, for the metal fitting clause, clause 71, pages 20 and 39 missing; for Yan On Estate in appendix 5, the relevant metal fitting clause, clause 71, pages 1 and 19 to 21 missing; for appendix 6, Un Chau Estate Phases 2 and 4, the relevant clause is clause 70, page 1, 17 to 19, 23, 25 to 27 missing; appendix 7, Ching Ho Estate Phase 1, metal fitting clause, clause 70, page 23 missing.

I now re-read appendix 6 of the contract and recall that before Phase 2 and 4 project of Un Chau Estate, Ming Hop would be responsible for procuring and supplying metal fitting materials to Wing Hing. Whenever Wing Hing requires metal fitting materials, it would place an order with Ming Hop for provision of the relevant materials. Starting from the Un Chau Estate Phases 2 and 4 construction Ming Hop would require Wing Hing to procure metal fitting materials on its own, including LPG, steam tapes, solder wires and soldering materials. This new approach applied to the above five affected estates and the relevant clause is in column 3 in the subcontracting contracts.

For the affected estates, Ming Hop never told Wing Hing or specified that a certain brand of

specification should be procured for metal fitting materials, nor was there any suggestion as to where I could buy the materials. As to why Ming Hop would change the approach of procurement of materials, I had no recollection. I or Wing Hing did not reflect this approach to Yau Lee or Ming Hop or request a change. In fact, I always wanted the previous approach, that is for Ming Hop to procure and supply metal fittings to Wing Hing.

As for the pipes, valves and sanitary fitments for installation, Ming Hop was responsible for procurement and supply. Wing Hing was only responsible for installation. It did not need to take part in the procurement process or look into the brand or the specification.

At the stage of constructing the foundation, Yau Lee would first build a timber mock-up flat for Wing Hing to install the kitchen and toilet and to confirm the positions of pipes before concrete was poured and to confirm the position of holes for the approval of the Housing Department. As for the timber mock-up flat, the pipes and sanitary fitments would be installed, all the copper pipes would need to be soldered, but no water connection test would be carried out. According to my recollection, normally, for PRH construction projects,

timber mock-up flats would be prepared, but I am not sure whether this was included in Un Chau Estate Phases 2 and 4.

When the building was about ten storeys high, the Housing Department would specify a lower floor for a sample flat. The sample flat would entail the completion of all the construction procedures, including water pipe connection, soldering and water testing, and after the sample flat was approved, other floors could be constructed according to the sample flat or sample floor. In my recollection, usually the sample flat would be located on the third or fourth floors.

During the construction of the mock-up flat and sample flat, the HD staff would on a regular basis require workers to demonstrate the soldering of copper pipes. As for the construction on other floors, I don't recall whether the workers were required to demonstrate for HD. When workers soldered joints, it would not be surprising if HD staff would look at the work when doing inspection.

I don't recall whether Ming Hop requested I myself to buy the metal fitting materials for sample room or mock-up flat or had any discussion with me on the brand or specification of fittings.

During the installation process, workers would first

install water pipes along corridors before the water pipes in inside units. Then, finally, water pipes on the exterior walls and the rooftop, the whole process would have to follow certain procedures. It takes about one and a half years for the affected estates.

Every now and then I would personally take part in some of the processes, including the soldering of copper pipes. To facilitate work, workers would first of all put or clean the soldering joints for water pipes in the same unit, put solder paste on these joints in one go, and then the same day the soldering process would be carried out. During the soldering process, the worker would hold the heating gun to heat up the solder parts in the surrounding area with one hand, and the other hand would pour soldering materials at the joint for the soldering materials to gradually melt and the soldering materials would move along the joint until the soldering materials became completely melted into a circle at the joint. When workers connected water pipes on exterior walls, they would need to work on a gondola. The gondola would be very safe and stable and there was no problem with the soldering process.

It depends on the workers' habit as to how much soldering material should be used at each joint. There is no specification. During soldering, it is hard to

inspect with naked eyes whether soldering materials would seep into water pipes. It depends on the craftsmanship of individual workers as to whether any seepage would occur.

The principle is to guard against leakage, in deciding whether soldering of joints are all right. When preparing for delivery of flats after pipe installation, a water test would be carried out and pressure of water would be increased. If there is no leakage, then the joint would be regarded as all right. For joints with leakage, because the pipes would be wet thoroughly after the water test, it would be difficult to resolder the joint. This part would have to be truncated for reinstallation. As I know, the pressure test is the only test.

As to whether mechanical or soldering method should be used for connecting copper pipes, it depends on the materials provided by Ming Hop to Wing Hing. Wing Hing has no right over what connection method to be used.

Using tin strips as soldering materials.

For the affected estates, Wing Hing would use tin strips as soldering materials for copper pipes, but sometimes solder wires would also be used when the tin strips are out of stock. I don't know that soldering materials may contain lead. As far as I know, the trade

has been using soldering materials such as lead tin strips for potable copper pipes. For the sample and mock-up flats in the affected estates and other floors, Wing Hing also used tin strips most of the time. I did not use any soldering materials in the affected estates. As to the solder paste for soldering the pipes, it's usually called a yellow tin.

I did not consider, before the incident, the ingredients of tin strips or solder wires, whether they contain lead. I did not know about the British Standard. As I understand, the workers in the trade usually did not have this knowledge or concept as to whether the solders contain lead.

Comparison between tin strips and solder wire.

Wing Hing mainly procures tin strips instead of solder wire for soldering materials. This is the prevailing practice in the trade. Workers in the trade usually believe that tin strips are more convenient comparing to solder wires, and tin strips would melt easily and it would have a smaller chance of leakage, whereas solder wires would be harder to melt and relatively higher chance of water leakage. According to workers, as long as they are not used under windy situation, the two soldering materials did not have a major difference. As for soldering at the corridors

and exterior walls, tin strips are easier to be controlled than solder wires because it is easier to be melted.

As to how many solder joints would be involved in the unit, I don't have a clear recollection. There should be several tens of such joints. As for copper pipes at the public corridors outside flats, usually there are several dozens of joints, altogether not more than 100. For larger joints such as those for water meters, more materials would be used. As for copper pipes inside units, including those inside and outside, usually 20 tin strips would be used. Because it would be hard for workers to hold the remaining tin strips, usually the tin strip after burning would be discarded.

I discussed with workers after the incident, using tin strip instead of solder wires could not save costs. I don't recall the price for soldering materials in the affected estates. At present, a reel of solder wire costs 160 to 170 whereas tin strips costs about \$9 per strip. According to my knowledge, eight tin strips would be about 1 pound, but it would melt easier than solder wire and it would cause more wastage than solder wires.

According to workers' estimation, usually one reel of solder wire would be equivalent to about 20 tin

strips. On the whole, soldering with tin strips may be more expensive than tin solder wires, but the pricing difference is not great and the gun could be used to melt both, but under windy situations sometimes workers would need to use LPG canister to burn the solder materials. As for the affected estates, Wing Hing procured tin strips from two suppliers, Prosperity and Wo Hing; this is Prosperity. Prosperity is the supplier for the three estates, that is Un Chau Phase 2 and 4, Ching Ho Estate Phase 1 and Yan On. Wo Hing was the supplier of soldering materials for the remaining two estates, that is Lower Ngau Tau Kok Estate and Shek Kip Mei Estate Phase 2.

As mentioned before, metal fittings including solder materials -- before the Un Chau Estate Phases 2 and 4 project was procured by Ming Hop, whereas starting from Un Chau Phases 2 and 4, Wing Hing procured the fittings on its own. According to my recollection, the supplier for brackets was Prosperity, and I therefore learned about the contact details of Prosperity and decided to procure soldering materials from Prosperity.

I considered buying soldering materials from Wo Hing but I knew at that time that Wo Hing did not sell soldering materials. As for Un Chau Estate Phases 2 and 4, that was the first time when Wing Hing procured from

Prosperity.

It was more cumbersome to trade with Prosperity. Prosperity asked for cash settlement, otherwise we had to set up an account and show our business registration certificate. I was more familiar with Wo Hing all the time. Wo Hing would allow for buying on credit and the procedure was easier and simpler. Later on, Wo Hing also sold solder, therefore Wing Hing turned to Wo Hing for the purchase of solder.

Wing Hing bought solder from Prosperity and Wo Hing. At that time, we placed our order by phone call, by myself or by other workers. Generally speaking, myself or my co-workers would contact Ms Lau of Wo Hing or Ben from Prosperity. Under special circumstances, like we did not have the office telephone number when there was a shortage of solder, we contacted Mr Lui, the boss of Wo Hing, directly and asked for his help. Wing Hing usually would ask for the purchase of tin strips usually by hundreds of pounds and sometimes it could be a few hundred pounds. I recall, if there weren't strips, then maybe there was a suggestion to use solder wires in reels as a replacement. Wing Hing would accept the replacement of wires and reels as an alternative, so as to prevent delays. When we placed an order, all that we had to say was over the phone we specified the number of

tin strips to be ordered and also the location of the site. We didn't have to specify the brand, the model or the purpose. Whenever we placed the order, Wing Hing would also buy other plumbing materials, therefore the suppliers usually knew that the tin strips were used for water pipes, so Wing Hing didn't have to specify and the supplier wouldn't ask specifically.

Prosperity and Wo Hing supplied similar tin strips. As far as the outlook was concerned, they were all bundled into batches and delivered to the site. The tin strips were each 2 feet long, not in boxes or any packaging and didn't carry any brand names. Upon delivery to the construction site, the tin strips would be stored in the workshop and workers would go there themselves to get the tin strips for soldering. There was no need to register. Upon delivery, the tin strips were already in the form of strips, so workers did not have to cut them into different sections. Upon delivery, the solder wires and reels were contained in square boxes from the original manufacturer and they would be placed in a conspicuous place in the workshop. I didn't know whether workers would cut them into sections when they used solder wires, but from time to time, when I carried out the soldering myself, I would take away the whole reel.

Myself or other workers would sign for the delivery of solder materials. For metal fitting materials including solder, they were all ordered by Wing Hing solely. Therefore I won't and Ming Hop would never ask myself to notify the purchased metal fittings arrived at the construction site or ask myself to submit any documents for record. When the metal fittings were delivered to the construction site, the supplier would then give the bill to Wing Hing, setting out the quantity and the price of the metal fittings. Myself or other workers would pay the price and then we signed the invoice and it was in duplicate, one for myself, safe-keeping at the site office, the other returned to the supplier. The supplier would also issue a receipt upon payment and I would keep it at home, but it didn't specify the item; it was only the payment date and the amount of money. I used most of them for tax returns. I didn't keep them so I don't know whether I have lost them or not.

A few years has already passed and also the office for keeping invoices has been demolished now. Wing Hing can no longer find the delivery notes. After the exposure of the lead in water, Wing Hing did, upon the request of Ming Hop, ask Prosperity and Wo Hing for copies of the delivery notes for the purchase of

soldering materials. Prosperity said it was too long ago so it couldn't be supplied. Wo Hing said they had been able to provide the copies of their delivery notes for solder materials delivered to Phase 1 Ngau Tau Kok Lower Estate and Shek Kip Mei Phase 2. Please see appendixes 8 and 9. From the delivery notes from Wo Hing, you can see that the tin strips were called "fine tin strips, high temperature", or "high temperature tin strips", and the price was \$88 per pound.

After the incident had been exposed, I called Prosperity and Wo Hing many times and asked them whether the solder contained lead. Prosperity's Ben and Mr Lui of Wo Hing at first said they didn't know. When I pressed them, Prosperity's Ben told me that they asked the supplier and they then found and knew that the lead content was 50 per cent for the tin strips.

I, prior to this, didn't know that the tin strips contained lead. In fact, when I replaced the water pipes for potable water at home, I had also used tin strips. If myself or Wing Hing knew that the tin strips contained lead and would allow the solder to enter the fresh water, we would never have used them for soldering fresh water pipes. I cannot explain why many housing estates had their units using the tin strips for solder,

but just some of the units had their water found to have excessive lead content.

I understand that Ming Hop needs to submit certain plumbing materials to the Housing Authority for approval, but I don't know about the standards or the requirements and I don't know whether the solder had to be submitted for approval. I cannot recall whether Wing Hing had been asked to submit the materials or had we taken the initiative to submit any samples, and I cannot recall whether we had provided any wires in reels to Yau Lee or Ming Hop. I and Wing Hing had never submitted any certificates or testing reports for approval. Myself and Wing Hing had no idea as to what is meant by meeting the requirements of the Housing Department in relation to solder materials.

If myself or Wing Hing knew in advance that the Housing Department had approved and had specified that we need to use lead-free solder wires as solder materials, myself and Wing Hing would certainly have followed suit.

I knew that Ming Hop, during the construction stage, prepared a sample board, but I don't know about the actual purpose and had not taken part in the preparation of the sample board. I only knew that the board would be given to the HD to be kept in the room. I had seen

it on the site but I don't know whether it showed things like the solder paste or the solder wires in reels.

I cannot recall whether Wing Hing had been asked to submit or that we have taken the initiative to submit any solder samples for the use of the sample board.

As far as I know, for the fresh water pipework installation works for all the affected estates housing estates, they were all completed in time. After Wing Hing had taken over the case in Ching Ho Estate Phase 1, we had to get more manpower, but we were still able to complete the pipeworks before the deadline.

Generally speaking, during the initial stage of any plumbing works, we needed fewer people and there were fewer technicians on the site. But then, starting from the middle stage, we had to require tens of technicians for different kind of installations.

As the boss of Wing Hing, in relation to the affected housing estates, in relation to the installation of the water pipes, I was responsible for contacting the ganger and through them we recruited the workers. Generally speaking, the other gangers would be responsible for following up the plumbing works for fresh water. The more important ones like the pipe ducts and also the irrigation hoses, they were usually taken up by the workers of Wing Hing.

Water pipe related works.

As far as the soldering process is concerned, Wing Hing would also contract out the soldering work to other gangers, and usually they are called a sub-sub-subcontractor, and they would be responsible for liaising with the workers that they needed. Technicians recruited must have been qualified or they were intermediate plumbers. I understand that in the contract there was a specified ratio between qualified plumbers and intermediate plumbers. Therefore, we would follow suit.

For soldering process, usually it would only be given to workers with a craftsman's licence. Sometimes there are people who are more experienced and who knew the skills but they didn't have the craftsman's licence; others had never sat for any licensing exams but they would still be responsible for helping out with the soldering of water pipes.

Workers, before they started work on the site, would find out about the work details as well as the safety requirements, and they would hand over their licences, like their green cards or craftsman's licence and ID cards, for photocopying so as to be kept by Yau Lee's safety officer. After work started, when workers went in and out, they had to show their work ID for record.

C According to the contract and in accordance with the C
D progress of the works, Ming Hop would pay Wing Hing D
E every month in relation to the contract fees. Wing Hing E
F would then pay the gangers and workers. Wing Hing F
G collected from Ming Hop a different amount of fees every G
H month, depending on the overall progress. Like towards H
I the later stage, if the site required more manpower, I
J Wing Hing would be getting more, and for a public J
K housing estate, Wing Hing received from Ming Hop K
L an amount of hundreds of thousands or even \$1 million L
M a month, before deduction of expenses, and then it would M
N be handed to the gangers or their plumbing technicians N
O by Wing Hing in turn. O

L Wing Hing took up such projects but we didn't get L
M a profit every time. Sometimes we had to make a loss, M
N because we had to pay the wages to the workers and N
O gangers but sometimes we didn't have enough money left O
P to meet other expenses, like buying the tools and the P
Q metal fittings, and then we had to take up a loss. Q

P According to my understanding, licensed plumber Ng P
Q Hak Ming was the project manager for the housing Q
R estates. He was responsible for applying for the R
S certificate for water supply connection, water meters, S
T and reported the completion of work, and I saw him T
U inspecting on the site a number of times. It would be U
V

a few times or dozens of times but I didn't know the exact amount of time and I didn't know how he carried out the supervision or his criteria. I don't know whether he checked the soldered joints of the fresh water pipes. He never asked any questions about the materials.

The Housing Department has a person in charge for every housing estate and from time to time they would send people to check the progress and the workmanship of the installation of water pipes. When a problem was found, the HD staff would write to Yau Lee or Ming Hop to ask for rectification or talk to the foreman directly. Among the various projects, the foremen did say that something was not in compliance but had all been rectified and had nothing to do with the soldering.

I believe that what I have said is the truth."

It is dated 27 November 2015, Mok Hoi Kwong, on behalf of Wing Hing Plumbing Drainage.

Do you confirm that you have given the truth in your statement?

A. Yes.

Q. Are you willing to provide this as your evidence?

A. Yes.

MS CHENG: Please remain seated. Mr Khaw has some questions for you.

CHAIRMAN: Is he sworn? Yes.

Cross-examination by MR KHAW

MR KHAW: Mr Mok, you are not represented by a lawyer, but then the lawyers of the COI helped you to make your witness statement. We are not your lawyer but in respect of a few areas of your statement, we would like to make some clarification.

First of all, page 14, paragraph 23. Do you see, Mr Mok?

A. Yes.

Q. The heading is, "Comparison between tin strips and a reel of solder wire". In paragraph 23 you say, "Wing Hing", your company, "is mainly responsible for procuring tin strips and not solder wire. This is the prevailing practice in the trade."

How did you come to draw this conclusion, that this is the prevailing practice in the trade?

A. Well, usually, our workers would work for a company for several months and then move to another company to work for another several months. So we have a high turnover rate, very volatile. I learned about that through checking with workers.

Q. So, through checking with workers, you know that tin strips are generally used. Then the next sentence:

"Then workers in the trade generally agree that tin

strips are more convenient than solder wire in their work."

A. Because for solder wire, it comes in a reel and it's heavier, when you hold it in the hand, and if you use tin strips it's more convenient.

Q. It's because it's heavier?

A. Yes. Then it has a higher melting point, so it takes more heat to melt the reels of solder wire.

Q. In paragraph 25, as to whether using tin strips and not solder wire can save costs, in paragraph 25, let's look at the last sentence:

"However, as mentioned just now, tin strips melt easier than solder wire, but the materials wastage would be more than solder wire."

Can you explain that?

A. Because for solder wire, it comes in a reel, very long, and you would use up almost a whole reel of solder wire, and you would only waste the last bit, when you burn the solder wire, when it becomes too hot for your hand to hold and then you discard the last bit. And because the whole reel is so lengthy, you can use up the whole reel before you drop the last bit.

Q. And it melts quicker than solder wire? Tin strips melt quicker than solder wire, and therefore the materials to be wasted would be more than that of solder wire. Is it

C directly relevant? C

D A. Yes, because for the tin strips that are found to
E contain lead, sometimes, because it melted easily, the
D bits of tin would drop. D

F Q. Then paragraph 29. In relation to the procurement of
G tin strips, in paragraph 29 you mentioned that when you
H procure soldering materials from Prosperity and Wo Hing,
G you would place the order by phone. Then let's take
H a look at the third sentence: H

I "Normally, Wing Hing would procure tin strips in
J 100 pounds and sometimes the quantity could be several
K hundreds of pounds. In my recollection, if the supplier
L had no tin strips available, the supplier may recommend
L using solder wire as replacement." L

M So, if there wasn't enough stock -- that is to say,
M solder wire in reels would be purchased instead -- so if
N the supplier did not have sufficient tin strips, would
N the supplier ring you and tell you, "Hey, we don't have
O sufficient stock so please use the replacement"? O

P A. Well, yes. Sometimes they would say, "We don't have the
P stock, the stock would only arrive in several days'
Q time", and then I would say, "We have workers ready",
R and I would say, "Is there anything to substitute the
R tin strips? Bring them over." S

S Q. So it's all over the phone; right? T

A. Yes.

Q. Let's look at a document: S1. Prosperity, the supplier, they have some documents in relation to the ordering of materials.

Page 60. This is an invoice issued to you by Prosperity, with your name on it, "Mok Hoi Kwong", and on the right-hand side, the date 20 April 2007.

Item description, the first item, British FRY lead-free solder wire. Then quantity, 20 bundles. Then price, and then to be delivered to Un Chau Street, the delivery address, as you can see.

So, on this invoice, it states clearly it is lead-free solder wire. And you mentioned just now that sometimes, when they did not have sufficient stock, solder wire would be used. Do you recall why lead-free solder wire would be used?

A. No, I don't remember, because I might not sign for all the invoices, because we placed a large order; I never received any quotation. So no quotation. Because we were familiar with each other, I just trusted the other side.

Q. Pause here. Let's say, if Wing Hing places an order with Prosperity, apart from you, who else would be responsible for, say, signing for the delivery?

A. Several people, because when I wasn't at the site,

sometimes I would ring other workers. We have several people there.

CHAIRMAN: Pause here. Please pause here. He is being very quick, but you don't have to be, because upstairs we have interpreters.

MR KHAW: So you mean your workmates in your company?

A. Right.

Q. If you look at page 67 of this bundle. Page 67 is a delivery note. On it -- and this is again a delivery note issued by Prosperity Building Materials Co Ltd. Then "Contact person"; do you see that? The contact person is "Mok Hoi Kwong", and then somebody else; "Mok Wai Chung", is it? Who is this person?

A. We have a number of workers in Un Chau Estate. The person in charge.

Q. So let's go back to paragraph 35 of your witness statement. Paragraph 35 relates to the Housing Department's approval of soldering materials. In paragraph 35, it states, in the second sentence, the following:

"I do not recall whether Wing Hing" -- your company -- "had ever been asked to submit, or had submitted on its own initiative, any soldering sample."

So a question for you here. Yesterday, you heard the evidence of staff in Yau Lee, and one of them

mentioned the Anderson Road site. That staff said that, at the time, he knew that there was somebody in Ming Hop, Fai Gor, the one who gave evidence just now, who did ask you for submission of the soldering material sample?

A. Yes, I agreed that was the case for the Anderson Road project. I recall I did submit that.

Q. So, in relation to the Anderson Road site, Ming Hop's Fai Gor asked you to submit samples of soldering materials. Can you tell us what he told you?

A. I don't have much recollection. I really can't remember.

Q. You don't remember what he told you about the submission?

A. No.

Q. Yesterday, another witness whom you have seen, Mr Chau, also gave evidence in relation to the site at Yan On Estate. He said, in relation to that site, Ming Hop asked you for samples of soldering materials. Would you agree, after listening to his evidence?

A. As far as I can recall, I did not submit it to him personally, but other workers might have submitted it. It's been a long time ago.

Q. Mr Ng Hak Ming gave evidence yesterday. As you know, he is the licensed plumber concerned, and in his evidence

he mentioned that there was a Mr Poon in Ming Hop and some frontline workers who had asked you for samples of soldering materials. Do you recall?

A. Not in my recollection.

Q. Not in your recollection?

A. No.

Q. Mr Ng Hak Ming, in his evidence, also told us that when you gave a quotation to him, he explained things to you; in relation to the materials to be used, the kind of materials to be used, the specification, he did explain to you. Do you agree?

A. Never. He never explained to me. When the contract was signed, the contract would be placed on the table for my own reading, and after reading I was to sign it.

CHAIRMAN: So do you mean that when you attended the meeting to sign contracts, you were never told what materials were to be used: the type, the specification, the commencement date, completion date; never mentioned?

A. No. I was only shown a contract, just a pile of documents, asking me to read through it and then sign it.

CHAIRMAN: So, "sign it", what does that mean?

A. Signing the contract meant that the works would be carried out for a certain amount stated in the contract.

CHAIRMAN: So it wasn't mentioned before that? Only

a contract would be signed to show that the works have been contracted out to you? No tendering process beforehand?

A. Well, several parties would be involved in the tender.

COMMISSIONER LAI: Now, you were talking about the signing of contract, but before the contract was signed, bids would have to be placed for the tender, and at that time did Mr Ng Hak Ming tell you about the materials to be used, what should be included in your tender bid, et cetera?

A. No.

COMMISSIONER LAI: So, if you knew nothing, how could you put together a bid?

A. Only the water pipe drawings would be given to me, for me to assess how much money would be required, how long it would take.

CHAIRMAN: So you were only shown a drawing; no explanation? No explanation on materials to be used, when to commence works, when to complete? You just viewed the drawing and decided yourself?

COMMISSIONER LAI: Any other tenderers or were you the only one?

A. Usually, Ming Hop would have several subcontractors competing for the tender.

COMMISSIONER LAI: Did you meet with all of them in one go?

A. No, we met separately. We met separately, before we placed bids and submitted our tender.

COMMISSIONER LAI: So, when you submitted your tender, how did you set a price?

A. For Un Chau Estate, I didn't think that I would be asked to buy the metal fittings as well, because before Un Chau Estate I wasn't asked buy the materials. Only after Un Chau Estate was I asked to buy the materials instead.

COMMISSIONER LAI: So, when you placed a bid, the price for metal fittings would be included. When you calculated the tender price, you also considered the soldering materials cost?

A. Well, because the exact sum would not be put down, usually we would look at the drawing. Then, for the water pipes, interior water pipes, exterior water pipes, the water pipes on the rooftop and on the ground, how much would be needed.

COMMISSIONER LAI: But you also need to factor in the cost of soldering materials; right?

A. Did not.

CHAIRMAN: So you didn't include anything? That's why in your statement you said that sometimes you had to incur a loss?

A. Yes. I overlooked that. I am not a person good at

figures.

MR KHAW: I have no other questions.

CHAIRMAN: All right. Let's have a morning break.

20 minutes. Let's come back 20 minutes later.

(11.33 am)

(A short adjournment)

(11.56 am)

MR KHAW: I have some more questions.

CHAIRMAN: All right.

MR KHAW: Mr Mok, just now, before the break, the chairman

and the member of the COI asked you about the quotation

or the tender, and I would like to refer you to some

documents. Let's take a look at M1, page 358.

Page 358 relates to Ching Ho Estate in Fanling, and

according to your contract with Ming Hop, in terms of

the price, this document states the items included

altogether 3,167 units, \$2,100 per unit, and then the

total amount. Do you see that?

A. Yes.

Q. So, first of all, this document, this sheet of paper,

who prepared the content?

A. Ming Hop. I told Ming Hop -- I gave Ming Hop

a quotation, and Ming Hop typed it out, so to speak.

Q. So Ming Hop typed out the quotation that you gave them.

So here it states the number of units, and then there is

a per-unit price: \$2,100 per unit. So how did you come by this \$2,100 per unit?

A. For PVC embedded pipes, and for pipes on the rooftop and some major pipes, they had not yet been installed, so the price included these items.

Q. So \$2,100 per unit. That is, you had included the material cost and the labour cost for each unit. So, for \$2,100, can you tell me the breakdown in relation to labour, materials and the cost of metal fittings?

A. For metal fittings, the amount shouldn't be too big, so the major component would be labour.

For rooftop, I need to consider how much had been done, how much had not yet been done, and then the other sanitary fittings, basins, toilets, et cetera, that had to be installed.

Q. So, for metal fittings, it's part of your cost, so soldering materials would be included. Did you calculate according to a specific brand or type of soldering materials?

A. No.

Q. Page 47 in the same bundle. This is for Lower Ngau Tau Kok Estate. Again, this is how the contract was calculated. Am I right to say that for this contract, for Lower Ngau Tau Kok Estate, the contract price was arrived at after you have given the quotation

C and Ming Hop typed it out? C

A. Yes, for the blocks.

D Q. You mean for the blocks? D

E A. Yes. E

F Q. Let's take a look at the first paragraph: F

"Net labour cost for installing five blocks

G (altogether 4,238 units), \$3,900 per unit for drains and
H water supply pipes, drainage and sanitary appliances." H

I This is different from the earlier one. The earlier
J one was \$2,100; this one, much more, \$3,900. Can you
K explain the difference? K

L A. This was because the former contractor had completed
M quite a large portion. M

N Q. You were referring to Sum Kee? For Ching Ho Estate. N

O A. Yes, correct, because a lot has been covered by that
P one. The majority part of the work had been carried
Q out. Q

R Q. We know that prior to Un Chau Estate, you already had
S co-operation with Ming Hop. At that time, Ming Hop
T provided all the materials, including the metal
U fittings. U

V I want to know the following. Prior to Un Chau
housing estate, for the soldering materials provided by
Ming Hop, do you recall what kind was provided?

A. I can't recall. That's 10 to 20 years ago.

Q. Let's take a look at the physical item, to see if it can assist you.

Before that, did Ming Hop provide this one?

A. No, I don't think I can recall clearly.

Q. Or would it be this one? Do you have recollection?

A. It's almost 20 years ago.

CHAIRMAN: You cannot recall clearly? Then move on.

A. It's such a long time ago.

MR KHAW: Yesterday, there were two staff members from

Yau Lee giving evidence, the first one being Mr Tam, and for the Anderson Road site he told us that Ming Hop did ask you to get the samples for the soldering materials.

Just now, Mr Ching, Fai Gor said he had talked to you. He said that he asked you to provide solder materials that met the requirements of the Housing Department.

My question is, do you confirm that for the Anderson Road site, for the samples of the solder materials, it was the one that I showed you in reels, in a reel?

A. He said it had to be in compliance with the HA requirements. I was asked to give the solder materials to Yau Lee. I have some recollection that I did do that, because it was not a long time ago, just two to three years ago.

Q. Was it this one?

A. No, not -- he didn't specify anything. He just asked for the soldering material.

Q. If he didn't specify, how could you know that you were supposed to supply this one?

A. Well, we have leftover materials from other construction sites, and that's why we took it to him.

Q. I don't quite understand.

CHAIRMAN: So, if it so happened that there was something left over from other construction sites?

A. Well, it was in one of the workshops, which was converted from a container. I didn't go there all the time. It was at the initial stage.

MR KHAW: And yesterday, Mr Ng Hak Ming mentioned that in the past, there was this requirement; that is, you or your company had been asked to provide documents concerning the soldering materials? I am not talking about the physical items but the documents. Do you have recollection?

A. No.

MR KHAW: I have no other questions.

CHAIRMAN: Ms Wong, Mr Li.

Cross-examination by MR LI

MR LI: Mr Chairman.

Mr Mok, I represent Yau Lee and Ming Hop.

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| C | Just now, you said that for Anderson Road, you | C |
| D | provided the green-coloured solder wire, as shown by the | D |
| E | counsel. You said it was because it was left over from | E |
| F | other construction sites. Why was this one used on | F |
| G | other construction sites? | G |
| H | A. When the other one was not available, then this one was | H |
| I | used instead. Sometimes, some workers didn't like this | I |
| J | one, and that's why there was some left. | J |
| K | Q. They didn't like it and so it was left? | K |
| L | A. It was left in the workshop. The work has been | L |
| M | completed; there's no more use for it. | M |
| N | Q. You said workers didn't like it. What do you mean? | N |
| O | They see this one, they don't like it, and they ask you | O |
| P | to order something else? | P |
| Q | A. No. The project had been completed. | Q |
| R | Q. The project completed and then this one was left over? | R |
| S | A. The tin strips were also left over. | S |
| T | Q. Why didn't you hand over the tin strips to the Housing | T |
| U | Authority? There was also something left. | U |
| V | A. They asked for something in a reel. | V |
| | Q. Who asked you to give something in a reel? | |
| | A. Leo from Yau Lee. | |
| | Q. Leo from Yau Lee? | |
| | A. Leo from Yau Lee, he gave me a phone call. He asked me | |
| | to take it there. | |

Q. Well, for other construction sites, you also provided this green one.

A. What do you mean, "other construction sites"?

Q. Like Ching Ho Estate, Un Chau Estate and Lower Ngau Tau Kok Estate, that is the affected housing estates?

A. Also the tin strips.

Q. What about those submitted?

A. No, I didn't. My recollection is such that I have never submitted it.

Q. Yesterday, for Yan On Estate, Mr Chau said that solder materials were requested for submission.

A. You need to see it yourself. Well, had a sample been submitted, then it would be in its original form, that is in a reel.

Last night, I went home and I reconsidered it.

Well, for example, you would have a reel.

CHAIRMAN: What do you mean? You mean the photographs?

What do you mean? Yes, please show the photographs, the submission.

MR LI: P1/250.

CHAIRMAN: Are you talking about Yan On Estate? The previous page, submission of materials.

MR LI: You said yesterday you saw the photographs.

A. There were two reels of solder wires.

C Q. That's for Anderson Road? C

A. No.

D CHAIRMAN: Yan On. D

E A. Yan On Estate in Ma On Shan. E

MR LI: Please bear with me for a moment.

F B11.3/28008. Were you talking about this one? F

G A. Yes. G

H Q. So in a reel. H

CHAIRMAN: Were you saying that too much had been used?

I A. Yes. Had I been the person to submit it, then I would I
J have submitted the whole reel. Now, this one isn't the J
full reel, just a little left.

K MR LI: So had you been the person submitting it, it would K
L have been a brand-new one and you would not have got one L
M that had been used to such a large extent. Which M
estate?

N A. I don't quite recall which one. I don't think I have. N

CHAIRMAN: I have one here. It's a new one.

O A. Correct. So you can compare. O

P CHAIRMAN: It depends on how you take the photograph. Had P
Q it been taken in this angle -- Q

A. There is a difference in the quantity.

R CHAIRMAN: Yes, I understand. If you hold it in this way R
S and take a photograph, then it is still attached there, S
T then you say that it is a new reel. But if you turn it T

the other side, then there will be a gap and quite similar to that shown in the photograph. Do you understand?

I don't know whether this is the one in the photograph, but I am just trying to tell you that it depends on the angle of the photograph.

In this way, it seems that it has been used to a large extent. If you turn it upside down, then you will say that it is a new one. So it depends on your perspective. Do you understand?

A. Yes.

MR LI: Nevertheless, in this incident, you have been involved in five housing estates.

A. Correct.

Q. Every time when you took part in the bidding process for the contracts, at the time you were aware that it was a Housing Authority housing estate?

A. Correct.

Q. So, in other words, you knew that it was public housing.

Would you agree that you are subject to a lot of restrictions and constraints, there are many requirements, when you are working for the government?

A. No. It's not my business.

Q. There are a lot of specifications for the materials; do you know?

A. No.

Q. But you have been in the trade and all the time you have been told by your colleagues and you knew from your predecessor as to what should be needed?

A. I wasn't responsible for the materials, so I got the materials from them and I worked on them.

Q. Now, when compared with other materials in the market, there is a difference; right? Say, for example, the contractor above you would give you the water pipes and they are not as convenient as others in the market?

A. Well, I didn't work on them personally. I just worked on them occasionally.

Q. So, for the Anderson Road site, you submitted samples of materials to the HD?

A. Well, no, no, not directly submitted by me. I only submitted to Yau Lee. I admit that I did give the samples to the witness who gave evidence yesterday.

Q. Yes, we heard about that. That is because Yau Lee wanted materials to be submitted to the HD.

A. (Chinese spoken).

Q. But you knew that you had to submit samples to the HD.

A. I didn't know what it was for. I was only asked to take the materials to them.

Q. Why didn't you ask?

A. We seldom ask questions. We were told to deliver the

materials and we did so.

Q. 2013, you have been working with them for a long time?

A. That's right, that's why we seldom asked. We seldom asked about the delivery or submission of materials.

Now, he wanted me to give him something and I just gave him that thing. It's that simple. I wouldn't ask what it was for, and so on and so forth.

Q. Do you recall yesterday that you did not say that? You said that approval would have to be sought.

A. I wasn't told about the approval. I didn't hear anything about approval.

Q. So answer me again today. For sample submissions to Yau Lee, you had no idea what it was for. Regardless of where the site was, as long as you were required to submit samples of materials to Yau Lee, you did not know what they were for?

A. The tin strips were submitted to them. I did not know what it was for. I did not know that it was for submission for approval.

Q. So you did not know it was for submission for approval, you only knew that you were required to submit materials?

A. (Chinese spoken).

Q. (Chinese spoken).

Un Chau and Ching Ho Estates, the construction

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| C | periods were more or less at the same time. | C |
| D | A. No. It was after Un Chau Estate was delivered, before Ching Ho began. | D |
| E | Q. Roughly the same time. | E |
| F | A. Yes. | F |
| G | Q. In 2007/2008? | G |
| H | A. What? | H |
| I | Q. Between 2007 and 2008? | I |
| J | A. I don't quite remember. | J |
| K | Q. Then let me remind you that it was roughly around that time. Do you remember, in Ching Ho Estate, when you took over, Sum Kee was your predecessor, they were already working on the site? | K |
| L | A. Right. | L |
| M | Q. Probably because of the slow progress? | M |
| N | A. No idea, no idea why. | N |
| O | Q. It seems your statement mentioned Sum Kee's progress was slow. | O |
| P | A. Yes, they were slow, but I don't know whether they left because of the slow progress. | P |
| Q | Q. Did you see Sum Kee leaving the site? | Q |
| R | A. Yes. | R |
| S | Q. Then did you see Sum Kee packing up all the materials and tools before handing over the site to you? | S |
| T | A. I don't know. | T |
| U | | U |
| V | | V |

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

B Commission of Inquiry into
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C Q. Well, you saw them clearing the site because Mr Ng
Hak Ming took you to inspect the site. C

D A. No, not Ng Hak Ming but a foreman. D

E Q. A foreman took you to inspect the site? E

F A. Yes, to see what parts had been completed, what part had
not. F

G Q. Then did you see reels of green solder wire when you
inspected the site? G

H A. No. H

I Q. According to some invoice documents, Sum Kee used this
kind of soldering material (indicating) for Ching Ho
Estate. Did you also use the same material? I

J A. Yes, yes, I did use that as well. It's been a long
time; I don't quite remember. J

K Q. You did use that as well. Why? Why did you use this
material? K

L A. I told Prosperity that I would use whatever was
convenient if no tin strips were available. L

M Q. Did you give a quotation? M

N A. No, never. Never. N

O Q. You didn't ask for a quotation? So they could have
charged you \$500 per reel? O

P A. No, I never asked for a quotation. P

Q CHAIRMAN: Do you mean that you rang Prosperity --
A. Yes. Q

R

S

T

U

V

CHAIRMAN: -- you said you wanted some tin strips, and you wouldn't care what brand or what type would be given.

A. Yes.

CHAIRMAN: You wouldn't ask for a quotation, you didn't know about the price; you just rang and said you needed tin strips and it was up to them to decide which brand to give you?

A. Yes.

MR LI: But in Ching Ho, before you placed an order for soldering materials or tin strips --

A. Yes.

Q. After you joined the trade you only placed order for tin strips?

A. Sometimes it's the workers who place the orders.

Q. But they also listen to your instructions.

A. Now, we wouldn't place orders in one go so --

Q. Never mind about other workers. Had you ever placed orders before?

A. Yes.

Q. Then what would you say to Prosperity? "I want tin strips"? "We want tin strips"? Would you say how much?

A. Well, it would be in pounds. I would say so and so pounds.

Q. In Ching Ho Estate, as we can see, the soldering materials came in reels instead of counted in pounds.

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So what was the amount you required for Ching Ho?

A. We asked for several tens of pounds to be delivered and when it was used up, I would ring again.

Q. You don't understand my question. When you rang up Prosperity, usually you would tell them the number of pounds of material you need. But now the delivery was in reels, so you asked for certain quantity in pounds but now they delivered in reels.

Please listen to my question before you answer.

A. Please, go ahead.

Q. Did you think that Prosperity would do the calculation for you, that is to convert pounds into number of reels?

A. No. Well, sometimes I didn't personally make the call.

Q. Well, don't blame the workers.

A. No, I am not shifting the blame to workers. You could ask Prosperity. Sometimes I rang them, sometimes other workers rang them.

Q. Well, never mind about Prosperity. Just tell me what you did.

A. I also sometimes rang them, telling them how much I needed.

Q. So, for tin strips, there were several brands or types supplied by Prosperity; right?

A. Yes. (Chinese spoken).

Q. Easily recognised, sometimes in green reels.

| | | |
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| C | A. (Chinese spoken). | C |
| D | Q. Then would you ring Prosperity and ask why a certain brand would be delivered. | D |
| E | A. (Chinese spoken). | E |
| F | Q. Say if it's delivered in reels, it would be more expensive. | F |
| G | A. But I think the price was more or less the same, I would seldom make comparison. | G |
| H | Q. You mentioned in your statement -- M1, page 16, paragraph 29 -- in line 2, there was a full stop, and then: | H |
| I | "When the order was placed, I would only need to tell over the phone the quantity of tin strips to be ordered and the location of work sites. I did not need to specify the brand, type or purpose of tin strips." | I |
| J | Did you see that? | J |
| K | A. Right. | K |
| L | Q. Have you been procuring from Prosperity for a long time? | L |
| M | A. For two or three sites, occasionally. | M |
| N | Q. Prosperity understands your work? | N |
| O | A. Yes. | O |
| P | Q. Because it's Wing Hing Plumbing Drainage so they know that you are involved in fresh water supply? | P |
| Q | A. Yes. | Q |
| R | Q. If Prosperity delivered tin strips to you because that | R |
| S | A. Yes. | S |
| T | Q. If Prosperity delivered tin strips to you because that | T |
| U | | U |
| V | | V |

was --

CHAIRMAN: Please make your question clear. Wing Hing what?

MR LI: Wing Hing Plumbing Drainage.

Prosperity understands that you are in the fresh
water pipe business?

A. Right.

Q. And you said you would place an order over the phone?

CHAIRMAN: But you are also in the drainage business; right?

A. Sewage, yes.

MR LI: How about Wo Hing? Wo Hing knows that you are in
the business of plumbing and drainage?

A. Yes.

Q. In your statement, page 11, paragraph 10, it says:

"In relation to the affected estates, Ming Hop never
told or specified Wing Hing to buy any brand or
specification in relation to metal fittings, nor did
Ming Hop suggest me to buy metal fittings from
anywhere."

Did you see that?

A. Right.

Q. Then page 17, paragraph 35, something similar:

"I know that Ming Hop is required to submit
materials to the Housing Department for approval, but
I do not know the criteria for approval or the content,
nor do I know whether soldering materials require

| | | |
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| C | approval as well." | C |
| | Do you see that? | |
| D | A. Yes. | D |
| E | Q. Do you see that? | E |
| | A. Yes. | |
| F | Q. The first sentence: | F |
| G | "I know Ming Hop is required to submit some plumbing | G |
| H | materials to the Housing Department for approval ..." | H |
| I | So you would know that approval was required. So | I |
| J | that's the case for copper pipes. But you did not know | J |
| K | whether soldering materials required approval. In some | K |
| L | cases, copper pipes, other materials, including | L |
| M | soldering materials, to be submitted to Yau Lee? | M |
| N | A. In fact, I did not submit those materials in Ching Ho | N |
| O | Estate. | O |
| P | Q. According to the invoice, the green kind was submitted. | P |
| Q | A. No, not always. No, not always the green type. | Q |
| R | Q. But Ming Hop asked you to follow the practice of Sum Kee | R |
| S | and use the same kind? | S |
| T | A. For Ching Ho Estate. | T |
| U | Q. Just now, there was a question on page 16, paragraph 29. | U |
| V | Just now, it was read out to you that you would place | V |
| | an order by phone in relation to tin strips, you | |
| | wouldn't specify the purpose, type or brand, and because | |
| | when placing the order Wing Hing would also procure | |

| | | |
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| C | other materials for plumbing works, the supplier usually | C |
| D | understands that the tin strips would be used for | D |
| E | joining water pipes and Wing Hing therefore did not need | E |
| F | to explain and the supplier would not ask in particular. | F |
| G | So, when you place an order, you would know what the | G |
| H | soldering materials would be used for? | H |
| I | A. Right. | I |
| J | Q. The tin strips would be used to connect water pipes; | J |
| K | right? | K |
| L | A. Right. | L |
| M | Q. Did you know -- have you heard of lead -- | M |
| N | A. No. | N |
| O | Q. I haven't finished my question. | O |
| P | A. Well, you asked whether I have heard of lead. Please go | P |
| Q | ahead. | Q |
| R | Q. Have you heard of lead; right? | R |
| S | A. Yes, I heard about lead. | S |
| T | Q. Do you know that lead is toxic? Have you heard about | T |
| U | that? | U |
| V | A. No, I haven't heard, no. | V |
| | Q. My mother told me not to eat too much preserved eggs | |
| | because it contains lead. | |
| | A. No, perhaps because we are Chinese. | |
| | CHAIRMAN: Well, did you ever see the tin strips delivered | |
| | by Prosperity? | |

A. Me? Yes, I have.

CHAIRMAN: They sent boxes with 55 pounds each.

A. They have also got the tin strips in bundles.

CHAIRMAN: Well, according to the invoice, every time it's 55 pounds or 110 pounds, so it is always a multiple of 55 pounds. 25 kg means 55 pounds because it measures 25 kg per box. So I want to know whether you have seen those delivered by Prosperity in boxes. That's the UK 50. Probably those from Wo Hing are in bundles, but then for those delivered by Prosperity, they were in boxes?

A. No. Even from Prosperity, always in bundles, not in boxes.

MR LI: But there were bigger bundles and smaller bundles?

A. Sometimes it could be larger, sometimes it could be smaller.

Q. Just now, Mr Lai, the member, also asked you a question. You had to submit a bid?

A. Yes.

Q. When you submitted a bid, you have to make reference to the drawings and the plans, that's for the purpose of doing the calculations.

A. The drawings that they gave me was a vertical drawing. There was also a layout plan, just a few plans of drawings.

Q. Among them, you would know how many pipes, and the length, as well as the joints; the number of joints would be indicated?

A. I do not remember such.

Q. What's the purpose then? Would you look at the plans and then calculate the amount of materials used?

A. What materials?

Q. After reading the plans, would you then decide on the number of workers required and the dates of work?

A. No, we wouldn't calculate the number of workers or amount of materials needed. We made reference to the unit price per flat. So we will try to see how much we were paid for a unit, and bearing in mind there is an increase in the wages.

So I don't actually make measurements -- I don't try to calculate according to the length, like the number of metres -- because when we work on the residential blocks, then we will look at the unit price per flat.

Q. What will be factored into the unit price per flat?

A. Well, we will look at the price previously, and then we will try to factor in the labour cost increase.

Q. What about metal fittings; you must have factored them in?

A. No, never. There isn't a separate item for metal fittings.

Q. Well, right after the break, Mr Khaw asked you why it was \$2,100 for Ching Ho Estate, and then you were shown another document, and then the average unit price was \$3,900. I didn't hear your explanation clearly about for Ching Ho, it was \$2,100 a flat. Was it because Sum Kee had already worked on it?

A. Yes, most of the work.

Q. So for each and every unit, some work had already been carried out?

A. For many units, they had been completed. Yes, the copper pipes, the plastic pipes, as well as the sanitary appliances.

Q. So is it true to say that for each and every flat, there was some outstanding or remedial work necessary?

A. We had to install the sanitary appliances and there was also the exterior PVC pipes.

Q. So you went there, took a look at the outstanding work needed and then you came up with a figure. Did you also look at the labour cost?

A. I tried to see for each flat how much more work would be needed, how much work had already been completed, so I also had to factor in the remedial work needed, say for example whether there was a likelihood of water seepage.

Q. Now, for Un Chau Estate, that was the first project?

A. No. The first one for me to be responsible for metal fittings as well.

Q. And, around about 2007 and 2008, Ching Ho Estate, 2008, so for both housing estates, you placed -- you had invoices from Prosperity concerning the materials sent?

A. Too long time ago, I can't recall.

Q. S1, please, page 60. On the left-hand side, you see the name "Mok Hoi Kwong"?

A. Yes, my name.

Q. 20 April 2007.

Further down --

A. Yes, right.

Q. -- we see on the left-hand side, "Delivery address: Un Chau Street", and Ming Hop/Yau Lee asked you to be the subcontractor for Un Chau Street, and then this is one of the invoices issued by Prosperity.

The name of the item, "UK FRY lead-free solder wire (500G)" -- in the past, have you ever seen this alphabet, F-R-Y, FRY?

A. I do not read English and in fact not every invoice reached me.

Q. Yes, I can understand this point, but the three alphabets, F-R-Y, have you come across it? Can you read it out?

A. F-R-Y, I don't know what it means.

Q. And then for the Chinese, "lead-free" -- you read Chinese?

A. Yes.

Q. Had you been the person accepting this invoice, then you would have tried to check against the materials?

A. No, I didn't. I never.

Q. So they delivered the goods, they collected the payment, and you wouldn't check against it?

A. They left it there and then they went away.

Q. You would not even have opened it to have a look, so they delivered boxes and you didn't even open it?

A. No, there were over 10,000 different items then you would not have opened them. Usually it wasn't me responsible for this and I would not have time to attend to such minor details.

Q. I don't understand. Had you been the person signing the acknowledgment, would you check against it?

A. No. They just put it there and then they left.

Q. What about if they sent the wrong thing?

A. Then we would make a phone call and ask for replacement, for a change.

Q. That would mean a delay?

A. I couldn't help it if they made a mistake.

Q. I suppose you would not have wanted a delay.

A. Yes, but then it would have been an accident. You can't

be that meticulous to check everything. I wasn't there to inspect it.

Q. In the years 2007 to 2008, for Prosperity, you had to pay cash?

A. Correct.

Q. In the case of cash payment, you paid in cash. Had you collected the goods?

A. After you have got it, then you got the invoice. If a worker had paid on my behalf, then I would refund the worker. Say, for example, I wasn't present, and then workers were there, and then it was in my name, and then a worker would be receiving a phone call to get it.

Q. What about if you took delivery personally?

A. I asked about the price and then I paid.

Q. You knew more or less how much it would cost, because you had been placing orders all the time?

A. No, I didn't. They gave me the figure and then I would just pay.

Q. You have been in the industry for so long. Every time when you place an order, say for example assuming that what you have said is correct, 50 pounds, if this time \$2,000, next time \$3,000, would you have considered why there was such a difference?

A. No, I didn't pay attention to such because we were familiar with each other.

Q. You are familiar, then you didn't care for the price of the goods delivered?

A. Yes, you could ask them when they come up to give evidence, ask them whether I have asked for any quotations.

Q. Now, page 60. That's for Un Chau Street. Lead-free solder wires were used.

Now let's move to the following page, and that's for Fanling Area 36 Phase 1. 24 July 2008. That's for Ching Ho Estate.

Now, again, UK FRY lead-free solder wire, 120 reels, and a unit price of \$160. Do you see it?

A. Yes.

Q. Just now on page 60, it was also UK FRY lead-free and the price was \$100. Just over a year has lapsed and the price has become \$160. On page 60, the invoice was issued in your name, "Mok Hoi Kwong", we saw it, and then "UK FRY lead-free solder wire", 20 reels, 160. In front of you, you have page 60 and the price there being \$100.

A. Yes, I see it.

Q. \$100, \$160. \$160 on page 61, so \$60 more. For the invoice on page 60, you paid for it?

A. I can't recall. I suppose I had paid.

Q. You didn't ask about the price?

A. For this one, I didn't -- it doesn't have my name. But for Fanling -- was I responsible? But then for cash, it must be me.

Q. That's for Ching Ho Estate.

CHAIRMAN: So probably it was you who paid, \$23,000.

MR LI: Further on, page 63, if you would like to see your name: "Delivery address: Phase 1, Area 36, Fanling", the same place, 28 June 2008. Delivery note, right bottom corner, it's your signature.

A. It's not my signature.

Q. "Mok Hoi Kwong", it's not "Mok Hoi Kwong"?

A. I don't have such good handwriting. I don't have such a standard. Probably somebody else wrote down my name.

Q. You would allow your colleagues to sign for you?

A. It doesn't matter. It's just a signature. It wasn't a matter of ordering materials.

Q. On your own statement, page 21 -- so this is your signature?

A. Correct.

Q. So try to compare the handwriting.

A. The two are different. So you can tell whether it is my signature.

Q. All right. Page 67 then. At the bottom of page 67, "Mok Hoi Kwong 23-8-08"; is it your handwriting?

A. No, not my signature. Not my name. I mean, it's my

name but not in my handwriting.

Q. Not your handwriting? Would it be Mok Wai Chung who signed it? He signed it on your behalf?

A. Yes, yes.

Q. You allowed him to do that?

A. Yes.

Q. What's his position in your company?

A. He was the in-charge at the site. Well, I paid cash. I did not give him a cheque. He paid cash on my behalf.

Q. So let's take it that he signed for you for the time being. He would need to get the payment from you. So would you check the invoice?

A. No.

Q. So you just believed him? He quoted you the payment given and then you just gave him the money?

CHAIRMAN: What about the invoice?

A. The invoice would be placed in the drawer.

MR LI: Didn't you take some of the invoices home?

A. I mean I took the official receipts home. Those were just delivery notes and invoices.

Q. Right, but for some you were able to provide them to Yau Lee in September; do you remember?

A. Well, perhaps there was a mix-up, because I did not give those documents directly to Yau Lee. I rang Wo Hing, those suppliers. They gave the documents to them.

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| C | I did not have the documents, because once my works area | C |
| D | was cleared, I wouldn't have the documents. The | D |
| E | official receipts, that's all I could give. | E |
| F | Q. Is Yiu Chak Cheung your colleague? | F |
| G | A. Yes, a colleague in Shek Kip Mei. | G |
| H | Q. And Cheung Wong Shek and Mak Ping? | H |
| I | A. One of my workers in Ngau Tau Kok. | I |
| J | Q. So, during those few months, was Mok Wai Chung closest | J |
| K | to you? | K |
| L | A. I would say that he was closer to me. For other | L |
| M | workers, they also have been working for me for ten | M |
| N | years or so. | N |
| O | Q. The several of them had been working for you for over | O |
| P | ten years, but you only authorised Mok Wai Chung to sign | P |
| Q | your name? | Q |
| R | A. I did not deliberately authorise him to sign my name. | R |
| S | I just wouldn't oppose if he signed my name. | S |
| T | Q. M1, page 406. Please look at that. | T |
| U | CHAIRMAN: So if he had signed his name instead of your | U |
| V | name, that is Mok Wai Chung, there wouldn't have been | V |
| | a problem? | |
| | A. Right. | |
| | MR LI: What about those delivering the goods? Would they | |
| | know that you two were different persons? | |
| | A. Well, we were all familiar with each other. | |

Q. Had anyone asked why it was so strange for Mok Wai Chung to sign your name? And Cheung Wong Shek, when he signed for the delivery of goods, he signed his own name, not your name. And Mak Ping, on the other page, page 407, again he signed for the goods.

Page 408, at the bottom, that's your signature?

A. Right.

Q. Page 409, your signature?

A. Yes.

Q. This signature looks quite similar to the one appended in the Prosperity invoice.

A. No, of course not.

Q. What about page 410?

A. I need to compare the two.

Q. Yiu Chak Cheung; is he the one you mentioned?

A. Did I mention that?

Q. Do you see the signature?

A. Yes, Yiu Chak Cheung.

Q. So, among those in your company, only Mok Wai Chung had this kind of power to append your name when signing for the goods. Would he also sign the contract on your behalf?

A. No, no.

Q. You signed it yourself?

A. No, only for delivery of goods.

Q. In your statement you often talk about the fact that you did not know that the soldering materials contained lead. You have been shown some documents, invoice from Prosperity, British FRY lead-free solder wire, and you would have seen this repeatedly again?

A. Right.

Q. So, when you saw those words, "lead-free soldering materials", why would you -- would you consider why?

A. I did not. For tin strips that contained lead. They wouldn't say "lead tin strips that contain lead", right, but it didn't say lead-free.

Q. Then did you ask Wo Hing or Prosperity?

A. Before the lead in water incident, we did not consider in detail whether the materials would contain lead.

Q. You said "we"; do you mean Prosperity and Wo Hing as well?

A. Well, I mean the whole trade, the whole plumbing trade, the majority did not consider this, because apart from licensed plumbers in Hong Kong, for other unlicensed plumbers, about 80 per cent I think did not have this kind of awareness.

Q. So, as far as soldering materials are concerned, you only know this difference?

A. Right, tin strips and solder wire.

Q. So you are clear about tin strips and solder wire?

A. Tin strips come in strips and solder wire comes in reels.

Q. So you wouldn't mix up the two? You definitely would not mix up the two?

A. I would not.

Q. Page 405 of M1. The second part, at the bottom, thank you. Here, there is some handwritten note:

"In relation to the solder wire in the order, I or my staff would place order every time by phone. There is no delivery note. When goods are delivered at the site, immediately the materials would be distributed to workers for construction and only the invoice would be kept after payment for each delivery note."

Was it your signature?

A. Yes.

Q. But you know what this is about?

A. Right.

Q. Before signing the document, you read the content?

A. Yes.

Q. Because it says, in relation to buying solder wire -- do you see the words "solder wire"?

A. Well, up there the paragraph was actually typed out, and then at the bottom there was this handwritten paragraph, for me to sign.

CHAIRMAN: I don't quite understand.

A. In the first page, you see the computer print-out, you see lines of words, then I appended the signature. Then later on I was asked to sign again for the handwritten part.

MR LI: Did you read before you signed?

A. I just took a glance before I signed.

Q. Well, if up there it had written, "I would be solely responsible for the lead in water incident", then would you sign as well?

A. No. Of course I would read it first.

Q. So you read about the lead or tin solder wire. Then wouldn't you find it strange that you asked for tin strips and here it's about buying solder wire?

A. Well, I did not because probably I was careless.

Q. This one, this signature, "Mok Hoi Kwong", signed by you?

A. No, there one up there was signed by me; the one down here, not signed by me.

Q. Sorry, let's make it clear. For the signature above the line, that's your signature?

A. No, it's a mix-up. You can compare the signatures.

Q. All right, I will let others decide.

A. Right. You should read carefully before you ask the question.

Q. Don't waste time.

A. No, I mean you should compare carefully the signatures on delivery notes and the signature here. That's what I mean.

Q. You said you didn't check the goods on delivery; right? Please spell out your answer.

A. Yes.

Q. "Lead-free solder wire", you could read these words. After this incident you asked Wo Hing and Prosperity what it was about, why was it that on the documents, sometimes "solder wire" would be written, sometimes "tin strips" would be written?

A. I asked whether the materials delivered contained lead, as lead was found in Kai Ching Estate, I read them.

Q. So they couldn't tell you why some contained lead?

A. Well, they said they didn't know at the time.

Q. The tin strips delivered to you contained lead? In the beginning, they said they didn't know that the tin strips delivered to you contained lead.

A. Yes, didn't know.

Q. Did they say to you that the British FRY lead-free solder wire did not contain lead? Did you ask?

A. No, I didn't ask.

Q. So it was a simple conversation. They said they had no idea either that it contained lead?

A. Right. The end of conversation -- just over the phone.

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| C | Q. And that was all you asked? | C |
| | A. Right. | |
| D | Q. At the time, did you have the documents in hand? | D |
| | A. No. | |
| | MR LI: Chairman, I will move to another area. | |
| F | CHAIRMAN: So we will have a lunch break and come back at | F |
| G | 2.30. | G |
| | (12.57 pm) | |
| H | (The luncheon adjournment) | H |
| | (2.31 pm) | |
| I | CHAIRMAN: Please continue. | I |
| J | MR LI: Thank you. | J |
| K | Mr Mok, do you remember that prior to the lunch | K |
| L | break, the chairman asked a question. Other than | L |
| M | installing the fresh water pipes, you were also | M |
| N | responsible for the installation of drains. Well, for | N |
| O | drains, drains for the bathtubs, for the toilets, | O |
| P | et cetera, you used plastic pipes, right, so there was | P |
| Q | no need for solder materials; correct? The only parts | Q |
| | that would require solder materials, it would be for | |
| | fresh water as well as the pipes for showering? | |
| | A. Just for fresh water. | |
| R | Q. Why is it the case? But what about the water supply for | R |
| S | the bathtub? | S |
| | A. That's plastic. | |
| T | | T |
| U | | U |
| V | | V |

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C Q. What about the hand basin? No, we were talking about C
the water supply for washing basins.

D A. That's the water tap. D

E Q. So what about the pipes there? E

F A. Plastic. For the riser, that would be made of copper. F

F CHAIRMAN: You mean even for washing hands, it's plastic? F

G What about water supply for the sink in the kitchen? G

H A. That's copper. And then for drainage, plastic. H

H Q. And water supply for toilet? H

I A. Copper, for water supply. I

J Q. So it would be these kinds of pipes as well as those for J
the kitchen; then soldering would be required, correct?

K A. Yes. K

L Q. Earlier on this morning, we showed you the invoices L
concerning Un Chau Estate and Ching Ho Estate, and

M that's about lead-free. M

N A. Yes. N

O Q. You say it so happened that the tin strips had been O
exhausted, you placed an order and then reels were

P ordered? P

Q A. No. When the strips were not available, then such were Q
ordered as a replacement.

R Q. And you couldn't get any invoices for the tin strips; R
you only got them for the wires?

S A. There should be some here. S

T

U

V

A
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C
D
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V

Q. Have you given us all?

A. No. I think you have got them.

Q. It has been shown to you. S1, pages 60 and 61.

A. Yes, we have got it here.

Q. Both kinds of tin strips. Page 60, lead-free tin wires.

Page 61, again, lead-free tin wires, one for Un Chau

Estate, the other for Ching Ho Estate.

For both housing estates, you were not able to
produce other invoices, but such didn't come from you?

A. No, not from me.

Q. For those from you, they weren't about such housing
estates?

A. Not about the two of them.

Q. On the other hand, for Yan On Estate, Mr Chau has told
us that he had approached you to get samples for
submission to the HA. You denied that?

A. Well, not totally. I think I feel --

Q. What do you mean?

A. I'm not sure. I'm not sure there was or there wasn't.

I can't recall. Yesterday, I went home and reconsidered
it. I don't think it was in its original reel.

Q. So you aren't sure whether there was or there wasn't?

Had it been there, then it would have been lead-free?

A. Yes, it should be so. Now I know that it's lead-free.

Q. So this is again what you are saying: it was the

leftover from another construction site, so you gave it to Yau Lee for the HA? You have always said that materials were submitted to the HA because it's left over.

A. No, no, no. That's about Anderson Road.

Q. Which one?

A. Yan On Estate.

Q. Now you say that if there may be or there may not be, can it be there, the reason why you gave the one in green to Yau Lee, according to you, is because it's leftover?

A. That's too long time ago. My memory is still vague.

I cannot remember clearly.

Q. For Anderson Road, you said that is the leftover?

A. The place where the workers change, that is the place we call the workshop. It's found there.

Q. But according to your statement, you have said that it is common, that is the commonly used one was tin strips, but it so happened that the commonly used had nothing left and then you had the wires?

A. It's not that we haven't the strips but they took that there.

Q. But that's heavier. Why didn't you take the lighter one?

A. In the workshop it's there, so there was no need to buy,

and that's why it was taken from there.

Q. So are you saying that you have got both the tin strips as well as the tin wires at the workshop? Why didn't you choose the green one to take?

A. I didn't make an effort to study which one should be taken.

Q. Let me show you your statement. M1, page 11. Paragraph 10, please. The third line, or rather towards the end of the second line:

"As to why in that year Ming Hop changed the way that the metal fittings should be acquired, I have no recollection. Myself and Wing Hing did not reflect to Yau Lee or Ming Hop or ask for a change of that approach."

Do you see it?

CHAIRMAN: Which paragraph?

MR LI: I'm sorry, it's paragraph 10. M1.

Mr Mok, do you see it?

A. Yes.

Q. So to Ming Hop and to Mr Ng Hak Ming, you said that every time when the materials were exhausted, you would ask Ming Hop to place an order but then it was too slow, and so you said it's better to be changed to another approach, so that you could finish the work quicker by covering the materials as well.

A. No, I don't agree. For Ming Hop, whenever you want to order something, there is a need to have a contract to be signed.

Q. But then, when you had the purchase order, then it would be quicker. That's why it took a longer time for your construction site -- on the construction site, when you yourself or the workers became aware that the materials shouldn't be exhausted and then you placed the order personally, then it would be easier.

A. Well, workers had the materials left there, and then it's only when it has been exhausted, then they will tell us, and then we quickly made a telephone call to place an order. For Ming Hop, we placed an order and in a few days' time the materials would arrive.

Q. What about if you placed an order yourself?

A. Then in a couple of days, or it would be earlier, maybe on that day.

Q. Don't be so anxious. Let me finish my question first.

A. You are more experienced. I am not.

Q. Please wait.

CHAIRMAN: Please listen to the question clearly. You don't need to be so impatient. Please listen to him.

MR LI: So, according to you, it would be much quicker for you to place the order yourself than working through Ming Hop, and that's why, in that year, you asked

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C Ming Hop to let you be responsible for the materials as well? C

D CHAIRMAN: So make yourself clear. D

E MR LI: Therefore, before -- E

F CHAIRMAN: No, you need to make yourself clear in your question. F

G MR LI: Thank you. G

H Do you agree that as to why you have the approach of covering the materials as well, and in fact prior to that you have asked Ming Hop to allow you to change the approach so that you cover the materials as well? H

I I

J J

K A. No. K

L Q. You ordered the materials. You said that you ordered for the commonly used tin strips. When it ran out of stock, the supplier told you that it was out of stock and they offered those in reels instead. L

M M

N A. I asked for the alternative and then they said, "Those in reels". N

O Q. Of course, it must be the case of running out of stock. O

P A. Sorry, I can't hear you. P

Q Q. According to your statement, you have said when you have to place an order, when the strips have run out of stock, then you will get those in reels instead. When you received the wires in reels, did you tell Ming Hop? Q

R R

S A. No. S

T T

U U

V V

Q. So you didn't. After you have finished with the wires in reels and then you went back to tin strips, and you again didn't tell Ming Hop; correct?

A. Correct.

Q. For Un Chau Estate, that's the first estate, when you switch over to the method of covering both labour and materials; right?

A. Correct.

Q. For Un Chau Estate, when you gave the quotation, you already knew that starting from that contract you had to include the materials as well?

A. Not at the time of giving the quotation, because all along I had not been including the materials. For other contractors, they might have done so.

Now, it wasn't just the tin strips that I had to cover. In fact the steam tapes, the glues and the tin strips; three kinds of things had to be covered. So everybody was doing the same, so I had to cover them as well. Then I said that perhaps they should increase their price; otherwise, I couldn't quote. Then they increased it by \$50.

So, for the metal fittings, they had to be included.

But before I put in the bid, it was not included.

Q. So all along you had not included it?

A. Yes. Just before signing the contract, we had to

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| C | include them. | C |
| D | Q. And that's why you would like to increase the metal fittings? | D |
| E | A. I didn't increase the price. They increased it for me. I asked for 200 but then they said 50. | E |
| F | Q. Is that the case for Un Chau Estate or Ching Ho? | F |
| G | A. Un Chau Estate, for the first time. | G |
| H | Q. What about the second time? | H |
| I | A. Once they started to cover that, there was no need to say anything. | I |
| J | Q. When compared with the dates when you didn't have to cover both the labour and the materials, from then onwards, you included in your quotation the material cost? | J |
| K | A. Not much. | K |
| L | Q. But still you have increased it? | L |
| M | A. Yes, by just about \$100. | M |
| N | Q. Paragraph 30 of your statement. I would like to go back to an earlier point, and that's about ordering the materials and the time difference. What sort of materials are you referring to? | N |
| O | A. The soldering materials. | O |
| P | Q. So you covered the materials and you ordered materials; right? Did you complain to Ming Hop? | P |
| Q | A. What? | Q |
| R | | R |
| S | | S |
| T | | T |
| U | | U |
| V | | V |

Q. Did you complain to Ming Hop?

A. About what?

Q. That is, if you ordered through Ming Hop, it would be too slow?

A. No.

Q. Did it ever happen that Ming Hop took some time in ordering materials and your workers were left idle? Did you complain?

A. Well, in the contract, let's say for several hundred or several thousand pipes, you gave a quotation, and if you then order later on, then definitely it would be slower. Definitely works would be delayed. Because sometimes in the past I would also ring the supplier and buy the stock myself, and I would just sit and wait.

Q. But in the past, workers would only get paid if they worked; right?

A. Right.

Q. For your workers, they are not paid monthly salaries?

A. Right.

Q. So, if stock arrived a day late, then for workers, they would be paid one day less?

A. That is, say, when you perform a task, you would need, say, ten kinds of materials, not only one. So soldering materials is just one of them.

Q. In paragraph 30, the third line from the bottom, you

said:

"When the reels of solder wire arrived at the site, they would be placed in a rectangular box in its original packing. After that, it would be placed that conspicuous place in the workshop at the site. I am not clear whether workers would cut them into strips, but occasionally, when I performed soldering myself, I would take the whole reel."

So do you mean when the solder wires arrived at the site, they would be placed in the workshop, so when needed, the workers would retrieve from the workshop?

A. Right. When they used up a reel, they would go and get another one.

Q. What about tin solder wire?

A. It's not concealed in any way. It was just placed in the workshop. You would see it as you went in.

Q. Let's say if workers had completed their work on the 40th floor or something and then when they used up the solder wire, they would go back to the workshop downstairs to retrieve them.

A. It wouldn't be surprising. I did not personally follow up on every task. Maybe it would be hidden in a corner. Sometimes, after a meal, when they began work, they would on their way take another reel as well.

Q. So workers would each take their own reel?

A. Depending on the quantity. Sometimes there would be a large quantity stacked up.

Q. Please listen to my question first. Don't rush.

After the materials arrived at the site, very soon workers would retrieve the materials they needed and take the materials they needed to the place of work, to facilitate their work?

A. Well, workers would take what they need on a daily basis. They would not take a large quantity upstairs. They couldn't take a large quantity anyway. They wouldn't carry a large bundle of materials upstairs for a task.

Q. Let me show you this. Page 405 of M1. The bottom half of the document, you have read that and you said it wasn't written by you. Here, it says:

"I nor my staff did not have a delivery note or purchase order every time when we place a phone order. When goods arrived at the site, they would be distributed to workers immediately."

Did you see that?

A. Yes. Well, generally, it's said it would be distributed to workers, but it's perhaps out of my carelessness.

Q. So you are being quite careless? You did not read carefully about the tin wire or distribution of tin wire to workers?

C A. Perhaps it's a misunderstanding. Maybe I did not
understand it well. C

D Q. So your understanding at the time about this phrase,
E "immediately distributed to workers", what was your
F understanding? So your understanding is that this
G expression means that the stock would be placed in the
workshop? G

H A. Well, even for now, the stock would not be distributed
to workers, because there may be more than 100 workers. H

I Q. We don't only have this document for Lower Ngau Tau Kok
J Estate. For Yan On Estate in Ma On Shan, you also
K appended similar signatures. For example, B11.5,
L page 29981. On page 29981, that's your signature. This
M is about a delivery note or invoice copy in relation to
the purchase of tin wire or strips. That's your
signature, dated 7 September 2015. M

N The next page: N

O "I, Mok Hoi Kwong, am unable to provide the delivery
note for purchase of tin wire for the Ma On Shan site." O

P Is it your handwriting? P

Q A. No. Q

R Q. Then, following that: R

S "In relation to the purchase of tin wire, I myself
would not have any purchase order each time we place a
T phone order. When the stock arrives at the site, it
U
V

will be immediately distributed to workers."

Again, your signature. Your understanding?

A. My understanding is I was only ask to sign about the first part of the document. Perhaps because of your professional opinion now, then I was asked to -- I understand that I was asked to sign again, because it was really a great trouble for me. Because of the lead in water incident, I was chased many times for the production of invoices and documents, and that was why there were these signatures.

Q. So you were too tired; you were exhausted?

A. No, because of too much trouble, because that happened in so many estates, so I was really frustrated. You should understand. You may not understand, only I will understand. That also happened to others, such a big loss on the part of Yau Lee. So I am so deflated and I am frustrated.

Q. Finished?

A. Yes.

Q. So you were frustrated and did not understand the paragraph correctly?

A. Well, I was only asked repeatedly to sign, such that I was very much frustrated.

Q. I am going to put something to you and see if you agree.

CHAIRMAN: Well, let me first ask a question. You said that

when tin strips are used up and when it's out of stock, you would ring them and when the supplier tells you that it's out of stock, they would deliver tin wire instead. So, for Un Chau Estate, we have at hand this document from Prosperity about the purchase of tin wire from Prosperity. We see that the quantity isn't very large.

So a simple question -- take S1, page 60. We understand that this is Un Chau Estate. You placed an order of 20 reels. 20 reels, that's 10 pounds. 10 pounds is not of much use if it's to be shared by so many workers.

A. Well, maybe because no many workers were working on that at the time.

CHAIRMAN: If you flip to the previous page, page 59, in relation to Ching Ho Estate, there are two tables. For the second table, there are three invoices. We know these three invoices relate to Sum Kee. The September 2007, April 2008 and May 2008. For the one in September 2007, Sum Kee ordered five reels, and then in April and May, 160 reels respectively. Not a small quantity.

For the invoices above, the first one, it's about Un Chau, and then the following five invoices, the orders were placed by your company. So 120, 40, 40, 30, 10 reels.

So, through from July to September 2008, we are

talking about 200 reels, quite a large quantity. Do you understand?

A. Yes.

CHAIRMAN: So my question is this. For Un Chau Estate, you said that the materials have been used up and you ordered ten reels -- 10 pounds of tin wire, then that would not be of much use; it would be used up in a day or two? What would be left for solder workers?

A. Because for Un Chau Estate, at the time, we were not working in a hurry, because at the same time I was in charge of the works relating to the public toilets at Tai Hang East.

CHAIRMAN: But the goods were supposed to be delivered to Un Chau Estate site?

A. I don't know. I only read from the documents. That was a small site. For Tai Hang East, usually the materials would be delivered by us from Un Chau to that site. I really can't remember. I really can't remember.

MR LI: Let's look at page 61. Page 61, to be delivered to Ching Ho Estate, you see lead-free tin wire, 120 reels. That could last for a long time?

A. I didn't catch you. Please repeat.

Q. 120 reels of lead-free tin wire; they could last for a long time?

A. Well, not many workers worked in the Ching Ho Estate.

| | | |
|---|---|---|
| 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 20 | |
| C | I mean, there are not many copper pipes. Most of the | C |
| D | pipes were plastic pipes, exterior pipes, sanitary | D |
| E | fitments inside, and also canopy and other pipes, and | E |
| F | other appliances. So not many soldering materials were | F |
| G | required. | G |
| H | Q. 120 reels? | H |
| I | A. Well, they didn't want to deliver the materials in so | I |
| J | many trips, so I just ordered a large quantity in one | J |
| K | go. | K |
| L | Q. You could have waited for the tin strips to be available | L |
| M | again? | M |
| N | A. No, but work was ongoing. | N |
| O | Q. I don't understand. Please repeat. | O |
| P | A. For example, you have three blocks. If we needed to | P |
| Q | hurry, then there may be five to six copper pipes, or | Q |
| R | five or six workers for copper pipe soldering, and even | R |
| S | before any work was completed it would take 18 workers. | S |
| T | But now some of the works had been completed, so not | T |
| U | many workers were involved, so the order was smaller. | U |
| V | Q. 120 reels, would you regard it as a small quantity? | V |
| | A. I didn't consider that, but since there weren't many | |
| | workers -- | |
| | Q. But you placed the order? | |
| | A. I placed the order, but it's been a long time; it's not | |
| | a surprise that I can't remember. | |

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

B Commission of Inquiry into Excess Lead Found in Drinking Water Day 20 B

C Q. You called Prosperity and said, "120 reels, please"? C

D A. Yes. D

E Q. Not 120 pounds but 120 reels? E

F A. 120 reels means 120 pounds, because one reel is the same F

G as 1 pound. G

H Q. So you are very familiar, the same as 1 pound? H

I A. I think it has been written in the order. I

J Q. Lastly, I want to put it to you: do you agree that in J

K fact you knew the soldering materials had to be in K

L compliance with HA's requirements, that is lead-free? L

M A. No, I didn't know whether it should be lead-free or it M

N would be leaded. I don't know. N

O Q. You submitted to Yau Lee for onward submission to the O

P HA; you submitted lead-free solder because you had P

Q knowledge that you were not supposed to use Q

R lead-containing solder? R

S A. No. I never know. Had there not been the lead in water S

T incident, if you ask around, does anybody know, other T

U than the licensed plumbers, I would say. Not many U

V people have the knowledge that the tin strips have lead V

or are lead-free.

Q. How many people have the craftsman's licence? How many

licensed plumbers?

A. I think people use the tin strips.

CHAIRMAN: Now, for craftsmen and intermediate plumbers, you

are saying that both would not know -- they do not know that for you to connect the water pipes, you have to use lead-free solder materials?

A. People don't know which one contains lead. It has never occurred to us that the tin strips contain lead.

CHAIRMAN: You didn't know they had to use lead-free tin strips?

A. They didn't know. No, the workers didn't know.

CHAIRMAN: Do they know that they have to use their flux, the solder paste, which should be ammonia-free?

A. No, they haven't got such knowledge.

CHAIRMAN: But I think for the CITA -- well, I have to put it this way. I think I learned this from the Institute of Engineers. I have been told that a written test has to be taken, and then you will be asked as to which two materials should be absent from the solder materials.

One is lead, the other one being ammonia; do you know?

A. No. I think if this is the written test you talk about, it must be for the licensed plumbers. For technicians, I don't think this is being included in the examination.

CHAIRMAN: All right. It doesn't matter.

MR LI: Now, for the five housing estates, among them you had used tin strips, and you agree that whether you have been using tin strips or using tin wires, you have never told Ming Hop?

A. Yes.

Q. Do you agree that you gave something to Yau Lee but in fact you use something else on your own, so as to save money; do you agree?

A. No, I don't. Now, the tin strips have been kept in the workshop, and in fact for Ming Hop, they would have the foremen coming in and out of the workshop with the drawings. No one had ever told us that this could be used and that one could not be used. No one had talked about being lead-free or not. I didn't hide it anywhere. They were just kept in the workshop, in a conspicuous position.

Q. You know that Yau Lee submitted something to the Housing Department, the green one?

A. Yes, that's for Anderson Road.

Q. But for your part, you used tin strips?

A. Both, not just strips all the time.

Q. Have you ever considered that when you use this one and then when you submit it, you must submit something else?

A. No. The Housing Department has got a lot of people to come to inspect, and no one has ever told us that this is containing lead and this cannot be used.

Q. Has it occurred to you as to why samples had to be submitted?

A. I just gave them the samples.

Q. Did you consider the reason why?

A. No.

CHAIRMAN: What did you say?

A. I did not try to find out which would be regarded as a sample or not.

MR LI: Have you ever submitted any tin strips to the HD?

A. I have no recollection.

CHAIRMAN: Does anybody else have questions?

DR WONG: Yes.

Cross-examination by DR WONG

Q. Just a few questions. Paragraph 10 of your witness statement. The last one:

"In fact, all the time, I have always been more in favour of the previous approach, that is Ming Hop would be responsible for purchasing and supplying to Wing Hing the metal fittings."

Why would you prefer the former practice, that is procurement by Ming Hop?

A. Because it can save me the trouble, but then I've been told that other contractors would like to have that covered, so I have to follow suit.

Q. Now, you say you have this idea, this preference. Have you ever told Ming Hop?

A. Yes, but they would not agree with me. They said they would rather give me \$50 more for each flat.

Q. All right. Now please go to paragraph 17. The last sentence, it is said:

"For connecting water pipes on the external walls, workers have to work on gondolas. The gondolas are safe and secure, so the soldering procedures would not give rise to any problems."

It has been said that your workers have to climb up and down to carry out the soldering process; is that true?

A. No, the gondola can be lifted up and it can be lowered. So the gondola can move up and down to facilitate the connection.

Q. Lastly, I want you to go to M1/405. Mr Li did ask you to read that.

CHAIRMAN: Well, I think the pipes are in the corridor, so I am sure they have to climb up and move down to get the connection done.

DR WONG: Now, there are some words here. You said you didn't write the words. Other than the signature, the writing was not written by you. Who wrote it?

A. Should be someone in Ming Hop.

Q. Can you recall who in Ming Hop?

A. I can't tell whose handwriting it is. It has been written and then I have been asked to give the signature. For the document, it has been printed out.

C It is a computer print-out. For reason I don't know,
D I have been told that some more words have been added
D and I have been asked to sign.

E DR WONG: Thank you. I haven't got other questions.

F CHAIRMAN: Mr Tam.

F Cross-examination by MR TAM

G MR TAM: Mr Mok, I am surnamed Tam. I represent the
H victims.

H Please go to paragraph 40 of your witness statement.

I In that paragraph, you said that for the soldering
J process of the water pipeworks, Wing Hing would contract
J out the majority part of the soldering to other gangers.

K I want to know whether this is a common practice.

L A. Yes.

M Q. For Yau Lee and Ming Hop, did they know that you have
M contracted it to a sub-sub-subcontractor?

N A. Ming Hop was aware. I am not sure about Yau Lee.

O Q. Why would they know?

P A. This is because their foremen would go there frequently
P and they would be inspecting, and then -- so I had asked
Q them to liaise with the contractor.

R Q. Then, for paragraph 42, you also said that workers had
R to produce their licences, say for example their
S craftsman's licence or their ID cards, they had to be
T submitted to the safety officer of Yau Lee?

A. Yes.

Q. For the workers, were they your workers or workers of their sub-sub-subcontractor? Why not a worker of a sub-sub-subcontractor?

A. For Un Chau Estate and Ma On Shan, I signed the contract with Ming Hop.

Q. So it was written as Ming Hop?

A. I signed a contract with him.

CHAIRMAN: I want to know, for each and every construction site, of course things would be different; it depends on the number of blocks of public housing to be constructed. For water pipe installation works, would it be towards the middle or towards the later stage of your works that the plumbers would start to work?

A. Well, in the beginning part, we don't have that many people working. They will just make the holes and then, when they have completed up to 20 or 30 floors, then we will start to install the pipes in the corridor, and then we will move on to the toilets.

CHAIRMAN: Yes, the toilets as well as the kitchens.

A. Then we will go to the water meters in the communal system in the corridor.

CHAIRMAN: In other words, in the middle stage, when you have reached the 20th floor -- well, I think for a public housing block, it will usually have 30 to

40 floors; right?

So I want to ask this question. It all depends on the construction site itself, but say for example we have got three blocks, of course sometimes we have got more -- just assuming for the time being that we have three blocks and each of them has reached the 20th or the 30th floor -- what about the number of plumbing workers needed? How many will be needed, roughly speaking?

A. It depends on the people responsible for plaster and tiles, et cetera. For those who are quick with the floor tiles, then I need more people.

CHAIRMAN: But on average, say for example you have to start work because they are up to the 20th or the 30th floor, and you have to start installing the water pipes, how many workers would you need?

A. For every block, I would need two to three.

CHAIRMAN: Two to three would suffice?

A. Yes, for each block.

CHAIRMAN: In other words, not for the copper pipes?

A. Just for copper pipes, but they have also got the plastic pipes, they have also got the pipe ducts.

CHAIRMAN: But altogether, how many plumbing workers would be needed?

A. For three blocks, if you have just entered the middle

stage, then it will be 10 to 20 people.

CHAIRMAN: 10 to 20 people responsible for plumbing work,
for three blocks, for both the water supply as well as
the drainage?

A. Correct.

CHAIRMAN: At its peak, how many such workers would be
needed?

A. 40 to 50. 40 to 50 for three blocks.

CHAIRMAN: What about you yourself? How many workers would
have been directly recruited by yourself, Wing Hing?

A. I need three to reserve the holes, to make the holes,
because we need to make the holes in the walls, in the
concrete walls. We need three. Then a few female
workers to move from one wall to another, and then there
would be a person in charge on my behalf, two or three
of them, overseeing the project.

CHAIRMAN: So how many altogether; 10? That's altogether
10?

A. Right, including myself.

CHAIRMAN: You have 10 workers. What about other workers?

The gangers would take care of other workers. So in the
beginning you mentioned that there would be fewer
workers, and those workers would be your workers, and
then when the construction reached about the 30th floor,
your real work would begin and then you would engage

| | | |
|---|---|---|
| A | <i>Annex: Realtime English Transcription based on floor / Simultaneous Interpretation</i> | A |
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| | Day 20 | |
| C | about 30 to 40 workers from outside? | C |
| | A. Depending on the progress of Yau Lee. | |
| D | CHAIRMAN: Depending on the construction progress? | D |
| | A. Right. | |
| E | CHAIRMAN: So, normally, how many workers would one ganger | E |
| F | recruit? | F |
| | A. For Un Chau Estate, for example, four blocks, some | |
| G | 30 workers just for plastic pipes, exterior walls. | G |
| | CHAIRMAN: But altogether, you are talking about plastic | |
| H | pipes. What about fresh water pipes? | H |
| | A. For copper pipes, inside, five to six -- I don't | |
| I | remember very clearly. | I |
| | CHAIRMAN: So altogether 40 to 50 workers? | |
| J | A. Yes. | J |
| | CHAIRMAN: All right. | |
| K | MR TAM: All of them were sub-sub-subcontractor's workers, | K |
| L | not a further layer of subcontracting? | L |
| | A. Right. I'm not quite sure. There could be a further | |
| M | layer of subcontracting. | M |
| | Q. You don't know. Then do you know that for Housing | |
| N | Authority's works, only sub-subcontracting would be | N |
| | allowed? Have you heard of that? | |
| O | A. No. | O |
| | MR TAM: I don't have other questions. | |
| P | Cross-examination by MR YIN | P |
| Q | | Q |
| R | | R |
| S | | S |
| T | | T |
| U | | U |
| V | | V |

MR YIN: Chairman, I want to ask some questions.

I represent the Housing Department.

I want to clarify one thing with you. Previously, in your witness statement, you mentioned that the tin strips are about a foot long each. In relation to that, workers generally prefer to use tin strips; do you remember saying that?

A. Yes.

Q. One of the reasons why they preferred tin strips, as you said, was that they came in a foot long each, so it's lighter to be held in the hand, instead of a whole reel. Then have you ever heard of this? If you buy a reel of solder wire, then workers would normally cut the wire into strips of 10 inches long? So in practice, when they actually perform soldering, instead of holding the whole reel of wire, they would hold wire strips instead?

A. Well, I wouldn't be surprised if that was the case, because it would be heavy if it comes in a reel.

Q. Then do you agree that if that was done, because according to your statement you said that in terms of the prices, it wouldn't be very different?

A. Right.

Q. One of the reasons was that because if you use some 10-inch-long strips, then the last bits held in the worker's hand could not be used and it would go to

waste; whereas if you use a reel of tin wire, you could save more. But in fact, if the solder wire was cut into strips, then the same would apply. So in fact there would be a pricing difference because of the wastage of so many materials.

A. (Chinese spoken).

CHAIRMAN: Mr Mok? You don't have other questions?

Further cross-examination by MR KHAW

MR KHAW: I have a couple of questions. Just now you said about the approach of covering labour and materials, you didn't suggest to take this approach. Do you remember when was the first time the approach was suggested, that is for you to procure the metal fittings as well? Who made the suggestion?

A. It should be Ming Hop, Mr Ng Hak Ming.

Q. So, after taking the approach of covering labour and materials, that happened after Un Chau Estate, and because of that change in the approach, because you had to buy materials as well, the contract sum increased by about \$50? \$50 per unit.

A. Yes, \$50 per unit.

MR KHAW: No other questions.

CHAIRMAN: Mr Mok, in relation to today's evidence, is there anything you wish to add?

A. Yes.

CHAIRMAN: What would you like to say?

A. I am very sorry that so many housing estates have been affected. I really feel sorry about it and I am sorry for such a big loss incurred by Yau Lee. It has to do with the ignorance or lack of awareness. For the affected estates, I express my apology.

CHAIRMAN: So that's it. You may be excused. You may sit at the back, next to Mr Tam.

Do we have other witnesses?

MS CHENG: The next witness is Mr Siu Kin Wong.

CHAIRMAN: Let's take a break for ten minutes.

(3.22 pm)

(A short adjournment)

(3.35 pm)

MR SIU KIN WONG (affirmed)

CHAIRMAN: Please be seated.

Examination-in-chief by MS CHENG

MS CHENG: Mr Chairman and Member, starting from page 9 in 01 of the bundle, you can find the witness statement of Mr Siu Kin Wong.

I will now read out Mr Siu Kin Wong's statement.

CHAIRMAN: Yes, please.

MS CHENG: "I, Siu Kin Wong ... now make a statement to the Commission of Inquiry.

I am the proprietor of Hang Lee Engineering Co Ltd

('Hang Lee' in short). I received education in mainland China up to about secondary 1 or secondary 2 standard. I can read Chinese but I am not proficient in English. In the 1980s, when I was about 19 years old, I joined the plumbing industry. In the year 2000, I started to be licensed as a qualified plumber, that is a construction craftsman. I now attach a copy of CITA trade testing certification card as appendix 1. In the year 2002, I set up Hang Lee so as to take up various plumbing works. I now attach a copy of the business registration search of Hang Lee as appendix 2. Currently, Hang Lee doesn't take up any plumbing jobs.

I haven't, in relation to plumbing works including soldering process, studied any courses. The relevant knowledge was attained through my masters teaching and through accumulation of experience. When I took the trade test for construction craftsmen, candidates didn't have to take a course and they didn't have to study, but we had to take a written test, multiple choices of about half an hour, as well as a practical test before we were issued with a licence. As far as I can recall, the written test didn't involve any questions about soldering materials. For the practical test, within a set time limit, candidates were required to make reference to a drawing to connect the fresh water pipes,

including soldering, and we had to undergo the water pressure test. At the time of the test, I used the soldering materials provided by the CITA, but currently I can no longer remember whether the material used for soldering the water pipes is the built-in soldering material or tin strips. It was not easy to pass the practical test. I recall that on that day, among 25 to 30 candidates, only five to six were able to pass the test and were issued with a craftsman's licence.

Choi Fook Estate project.

For Phase 1, site 3B of Choi Wan Road, that is Choi Fook Estate project, Yau Lee was the main contractor. Ming Hop was the subcontractor. Hang Lee was the sub-subcontractor responsible for the installation of fresh water pipes.

Choi Fook Estate project commenced in the year 2007, completed in 2010. That project was the first time that Hang Lee, as well as the only time that Hang Lee worked as a sub-subcontractor, taking up a job for public housing estates in relation to installation of fresh water supply. Prior to that, I used to work for Ming Hop's contractor, and I was employed for two to three years. It's a long time ago; I cannot recall the dates. I have been working with other companies as well. There is a high turnover rate in this industry.

C It is common to work for different contractors within C
D a short period of time. After the contract of Ming Hop D
E had retired, myself and Hang Lee started to co-operate E
F with Ming Hop directly. But then it happened a long F
G time ago. I cannot recall the date as to when I started G
H to work together with Ming Hop, but I recall that H
I Hang Lee did co-operate with Ming Hop in relation to I
J smaller scale plumbing works, but then in the capacity J
K as a sub-sub-subcontractor, or carrying out remedial K
L work for the sub-subcontractor of Ming Hop. Those were L
M small-scale private sector jobs, without involving any M
N private property developers. N

K The subcontract. K

L Choi Fook Estate project had been completed for many L
M years. Currently, I can no longer find the contract M
N between Hang Lee and Ming Hop in relation to Choi Fook N
O Estate project, signed in the year 2007. But then O
P I understand that in Yau Lee's statement, part of the P
Q subcontract for Choi Fook Estate had been attached as Q
R an appendix, so I will have it as appendix 3. In that R
S document, you see the chops of Hang Lee and Ming Hop. S
T I confirm that this is an extract from the contract T
U concerning Choi Fook Estate project. U

S Clause 78 of the contract indicates that in the S
T Choi Fook Estate project, Hang Lee has to be responsible T
U

for buying the materials, including the metal fittings like LPG, steam tape, solder wire and solder paste. According to the peers in the industry, for the metal fittings, usually it should be the entrusting -- as to whether it should be the entrusting party or the party entrusted to be responsible for the provision, there isn't any fixed approach. It all depends on the clauses in individual contracts. For Choi Fook Estate project, Ming Hop has never told us or specified to Hang Lee as to which brand or which specifications should be adhered to for the metal fittings, and that includes the soldering materials and have never suggested where I should get metal fittings like soldering materials.

As to the materials needed in the project, like the water pipes, sanitary appliances and the gate valves, they have been purchased by Ming Hop and provided to Hang Lee. Hang Lee is only responsible for installation. We did not have to take part in the purchase and we didn't care about the brands or the specifications.

The process of installing the fresh water pipes -- the timber mock-up flat as well as the sample flat.

When the foundation was started on the site, workers would first of all on the ground level set up a timber mock-up flat in the open air. The kitchen and the

toilet would be fixed so that before pouring the concrete we could test the positions for the pipes and we could confirm the positions of the holes. The pipes as well as the drains had to be fixed, and the copper pipes had to be soldered as well. But there was no need to connect with water supply to test the water. It had to be vetted by Ming Hop and Yau Lee, and then further fitted and approved by the Housing Department.

When the building reached about the 10th floor, the Housing Department would assign a particular lower floor as the sample floor. The sample unit floor will be given priority to finish all the construction processes, like installation of fresh water pipes, sanitary appliances, soldering of the copper pipes and testing water as a sample or demonstration for the remaining floors. After approval, other floors can follow suit. According to my recollection, the sample floor for Choi Fook Estate should be on the 6th floor, and then it would take about two to three months from starting work to approval.

In constructing the timber mock-up flat and the sample flat, the HD staff would not particularly require workers to demonstrate the soldering of copper pipes, but when workers performed soldering, when HD staff walked by during inspection and saw the workers' work,

it would not be surprising.

In terms of materials such as pipes, Ming Hop would supply a small quantity for Hang Lee to produce the timber mock-up flat and sample flat. After the sample flat had been approved and vetted by the Housing Department, Hang Lee would then calculate the materials required for other floors based on the materials used in the floor of the sample flat, for Ming Hop to further verify the information.

As for metal fittings, Hang Lee would first procure a small amount for the production of timber mock-up flat and sample flat, and then, depending on the works progress, it would be up to Hang Lee to procure such materials. Hang Lee was not required to produce any documents to Ming Hop or to make a report. Ming Hop never asked me where I bought the metal fitting materials, including soldering materials, brand or specification for the construction of mock-up flat or sample flat. Normally, metal fittings including soldering materials would use the prevailing brands in the trade. Even without special requests, I would know when they could be bought, and normally it would not be difficult to buy metal fittings including soldering materials, as they were sold at any metalware shop.

Soldering of fresh water pipes.

C

C

In general and in the Choi Fook Estate project,
I also would be required to solder copper pipes myself.

D

D

To facilitate work, workers would normally put solder

E

E

paste on various solder joints or fresh water pipes of

F

F

a single unit and perform soldering in one go at the

G

G

same day instead of paste and solder. If the pipes are

H

H

dirty, workers would normally clean the pipes with

I

I

a cloth before putting on solder paste and performing

J

J

soldering. During soldering, the worker would usually

K

K

use a heated gun to heat up the joints of pipes,

L

L

including pipes and its components. When it reaches

M

M

a certain temperature, the tin strips would be placed on

N

N

the soldering joint and the gun would then be used to

O

O

melt the tin strip to fix the pipes. Only a portion of

P

P

the tin strip would be used for each joint. If too much

Q

Q

tin has melted during soldering, then it would be

R

R

possible for tin to leak into the interior of pipes.

S

S

That's called overflow. As for soldering fresh water

T

T

pipes on external walls, workers are required to work on

U

U

a gondola. As a gondola is very safe and stable, there

V

V

is no problem with soldering work on a gondola.

For each PRH project, the soldering joints and the
pipe alignments will be different. In Choi Fook Estate,
one unit will have about 20 to 30 pipes and tap joints.
As for the communal areas connecting each units, there

were about 10 joints, depending on the distance between units.

The major principle for determining whether the soldered joints were all right was non-leakage. Usually, after soldering workers would inspect with naked eyes the exterior of pipes to estimate whether there would be water leakage, and then pressure test would be performed; that is to increase water pressure and the pipes should remain free of leakage for several hours before the work could be accepted.

Whether the fresh water pipes were connected by way of soldering or mechanical methods, Hang Lee would work to the instruction of Ming Hop.

Using tin strips as soldering materials.

All along, including the Choi Fook Estate project, Hang Lee procured tin strips from Prosperity Building Materials Co Ltd as the soldering materials for fresh water pipes. The tin strips were about 2 feet long and it's rather flat in shape. For Hang Lee, in the Choi Fook Estate project, in preparing the mock-up flat, sample flat or other floors, Hang Lee used tin strips. I personally did not see or use any joints or pipes containing soldering materials in Choi Fook Estate project.

Before the lead in water incident, I had never seen

C the solder wire in reels or the solder wire in the brand C
of FRY. As far as I know, towards the end of 1980s in D
Hong Kong, the trade began to use copper pipes for hot D
water supply. At that time, the connection was done by E
compression, not by soldering. I did not know that E
F soldering materials could come in solder wire, in reels, F
G and tin strips, nor did I know that soldering materials G
may be lead-free or may contain lead. H

H I only speculate from the name "tin strips" that the H
I strips are made of lead. I never considered in-depth I
J the ingredients. I am not familiar with the standards J
K such as the British Standards. As I understand, workers K
L in the trade generally do not have this concept or L
knowledge, as to whether tin strips contain lead.

M Ordering of tin strips. M

M Hang Lee had chosen to procure tin strips from M
N Prosperity, because Prosperity is a well-known company N
O in the trade which had a more comprehensive set of metal O
P fittings materials. When I carried out other works in P
Q the past, I understood that other practitioners in the Q
R trade also procured tin strips from Prosperity as R
S soldering materials for fresh water pipes. I also heard S
T from workers in my previous employment about Prosperity T
U and delivery, and I had also seen delivery notes of U
V Prosperity. I therefore learned the telephone number of V

Prosperity.

As tin strips is a common consumable in waterworks projects, or in plumbing projects, it is neither pricey nor could there be any price negotiation. I or Hang Lee all along procure other metal fittings with Prosperity as well, so Hang Lee or myself did not have any price negotiation. In relation to tin strips, I did not know there were different brands of tin strips. Normally, the price of tin strips only accounts for a small portion of plumbing installation projects.

As for the solder joints, in each unit, normally about one to one and a half tin strips would be used, with the cost of about \$10. This is a rough sum, depending on the design of the unit and the number of solder joints. In the trade there is no requirement as to how much should be used for each solder joint. It depends on the worker's habit and craftsmanship. In passing, for a can of LPG used for the soldering gun, it can be used to solder the fresh water pipes in one and a half units, and the cost of each LPG can is about HK\$3.5 to HK\$4.

About the projects undertaken by Hang Lee, I was the one who was usually responsible for placing phone orders for tin strips. Sometimes, if I were too busy, I would ask workers to purchase on my behalf. Usually, as I

myself or Hang Lee did not have any particular contact person in Prosperity, when we placed phone orders, normally we would only tell the staff picking up the phone that we would like to order metal fittings. When ordering tin strips, we only needed to tell the staff of Prosperity that we needed to order tin strips, the quantity needed and the site address. We did not need to specify the brand of tin strips, model or purpose. As far as I know, tin strips would only be used for soldering pipes and no other purpose. Hang Lee usually would procure tin strips in batches; for example, when preparing for the sample flat, the tin strips required would be less, and later, towards the end of the project, we may need to procure more tin strips.

After placing the order, Prosperity would deliver tin strips in rectangular boxes to the site. In my recollection, each time the tin strips would arrive in the same type of carton boxes, and these boxes might have been the original package. As far as I know, I did not notice in detail the appearance of the box or whether there was any wording on the box. The delivery would usually take place at the site and it would be cash on delivery. If I was at the site, I would be responsible for acceptance of goods. Otherwise my workers would do it for me.

On arrival of goods, the tin strips would usually be placed in the store of the site, called workshop. It's usually for placing copper pipes, other components and for use as a changing room for workers. Where necessary, workers would take tin strips for use themselves without registration. As tin strips arrived in the form of strips, workers needed not further cut tin strips into sections. When constructing higher floors, workers would place the tin strips at the working floor for other workers' use.

Generally, the documents for delivery of goods at the site would be left in the workshop of the site. As Hang Lee was solely responsible for the procurement of metal fittings including soldering materials, I would not and Ming Hop had never asked me to tell them that metal fittings had arrived at the site nor requested me to hand in any delivery note for record purpose by Ming Hop.

After the lead in water incident, I at the request of Ming Hop provided four invoices in relation to Choi Fook Estate project, in which tin strips and solder paste were procured from Prosperity in April, May and September 2009 respectively, attached as appendix 4. These four documents were kept by me, the payments were made by me in respect of these four documents. As it's

been a number of years and I worked at the Choi Fook Estate site for three years, together with two years of maintenance period, there were a lot of documents involved. Sometimes Prosperity would mail the documents to Hang Lee; sometimes the delivery notes would be kept at the site. So I am unable to keep a full set of documents.

According to the documents, at the time the tin strips used for Choi Fook Estate project was British 50 strength flattened tin strips. The per pound price was HK\$60. I did not note the relevant name, nor did I know the meaning of 50D. As I mentioned, I did not do a price check on the price of tin strips.

After the lead in water incident was exposed, Ming Hop requested Hang Lee to provide the 50D tin strips involved in the incident for investigation. I also rang Prosperity and asked whether I could buy any more 50D tin strips and I was told by their staff that they no longer sell 50D tin strips.

Housing Department's approval of soldering materials.

I understand that Ming Hop is required to submit some samples for the Housing Department's approval but I do not know the criteria or details of approval, nor do I know whether soldering materials require approval

C as well. Hang Lee and myself had never been asked to
D provide soldering materials for approval, nor had I ever
E provided tin wire in reels to Yau Lee or Ming Hop.
F Hang Lee and myself do not have this concept as to
G soldering materials complying with the Housing
H Department's request.

C

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E

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G Had I or Hang Lee known in advance that the Housing
H Department approved and required that the lead-free
I solder wire in reels designated should be used for
J soldering, Hang Lee and myself would definitely have
found out the requirement.

G

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The sample board.

K I know that during the construction stage, Ming Hop
L would create a sample board to display the materials
M used in relation to the project and kept in the office
N of the HD on the site. Myself and Hang Lee didn't take
O part in the preparation of such a sample board, but we
P have been told by Ming Hop that we had to take out
sections of certain water pipes for the production of
their sample board.

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Q I don't know whether the sample board displays
R things like the solder paste or solder wire in a reel.
S Myself and Hang Lee has never been asked by Ming Hop or
T anybody else to provide, and we have also not provided
U any solder paste or solder wire in a reel for the

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purpose of preparing the sample board.

Technicians responsible for installing the fresh water pipes.

After the mock-up flat has been completed, Hang Lee will start the installation -- I mean, after the establishment of the sample flat then Hang Lee would start to install the internal fresh water pipes. As to the works on the external wall, they had to wait for the colouring or the painting of the external wall and so it had to take place later. As far as I can recall, at that time there was just one month's time to complete the external wall in relation to water pipes installation and the overall water test. For the Choi Fook Estate project, Hang Lee did deliver in time. I don't know what sort of penalty would be imposed, had Hang Lee failed to deliver in time.

The Choi Fook Estate project at its peak had about 50 to 60 workers with a craftsman's licence and about 10 to 20 workers holding an intermediate trade test certification. They worked at the same time, in the three blocks of Choi Fook Estate, and had carried out the fresh water pipe installation work. When manpower was needed, Hang Lee would usually try to recruit workers familiar to us first and then other workers would also refer other qualified workers to us.

For the first day at the construction site, there was only myself representing Hang Lee and there weren't any workers employed by me. On that day, Ming Hop told me that the Housing Department had got a specified ratio on the site in relation to qualified plumbers and intermediate plumbers. As to the actual ratio, I cannot recall, but I understood that there should be a ratio between the qualified plumbers and the intermediate plumbers, and therefore we would specify the kind of workers that we needed when we had to get extra manpower. For the workers recruited through Hang Lee and deployed at the Choi Fook Estate project, in relation to the installation of water pipes, they had all been qualified with either a craftsman's licence or an intermediate trade test licence. Generally speaking, the craftsmen had better soldering skills and I would usually order the qualified plumbers to be responsible for the soldering work for fresh water pipes, so as to prevent having leakage problems. Had they been turned out by intermediate plumbers, I would generally ask the intermediate plumbers to carry out simpler jobs, like the installation of pipe brackets. As far as I can recall, working on the basis of eight hours' work, a qualified worker would get HK\$750 to HK\$800 a day, while an intermediate plumber would get \$400 to \$600,

depending on their work experience.

When a worker first arrived at a construction site, before actually taking up the job, he would first of all complete the safety lessons and submit or produce his green card, ID card and the relevant licence, like either the craftsman's licence or the intermediate licence, so that the safety officer of Yau Lee could take photographs and could take record. The workers had to record his time of coming to work and his time of finishing work at the gate of the construction site, at the metacarpal recognition scheme. In addition, Ming Hop has also asked me to fill out a form every day, that's workman's list for submission to foreman; that is the foreman in charge of the construction site on behalf of Ming Hop for record purpose. In relation to the first year, I did fill out the workers' list and had it submitted to foreman of Ming Hop, but later on, there were too many workers and they were working on different locations of the site and therefore Hang Lee no longer submitted such a workers' list.

The contract fees.

Every month, in accordance with the contract in accordance with the progress of the project, Ming Hop would pay the contract fees to Hang Lee and Hang Lee in turn would pay the workers' wages. There was a fixed

sum for each flat, and in the contract there was a clear list as to which item had to be completed. Say, for example, installation of the toilet and the basin, and then Hang Lee could collect the fees. So it is a matter of distributing the money. Therefore, in accordance with the progress, whenever Hang Lee finishes an item, then Hang Lee can collect the fees for that particular item. For the fees for each flat, the fee already included the cost of Hang Lee, like the money for the metal fittings, wages for the workers and the MPF contributions. As far as I can recall, as to how much we get distributed, it all depended on whether it was busy, and of course when we were busy we would be getting more. Before deducting the labour costs and the material costs, every month Hang Lee was collecting a sum between tens of thousands of dollars up to hundreds of thousands of Hong Kong dollars.

Supervision of the licensed plumber.

My understanding is that the licensed plumber has to be responsible for the following: that is, he has to check whether the installation of fresh water pipes has been in accordance with the requirements of the Waterworks Ordinance, like whether the water meter has a position that is too high or too low. For Choi Fook Estate project, my understanding is that the licensed

plumber was Mr Ng Hak Ming and he would inspect around the construction site. But I don't understand who supervised the work and the criteria that he adopted for the checking, and I'm not sure whether he had checked the solder joints for the fresh water pipes when he was carrying out his supervision. This is because for a long period of time I was working on different locations of the site, so I didn't pay attention and I didn't know about the frequency of Mr Ng's inspection or supervision. Generally speaking, if a licensed plumber finds that there is a problem with the water pipe connection, then he will inform the foreman directly in relation to the rectification needed, and then the foreman will tell me or the relevant workers to carry out the remedial work.

Supervision of the Housing Department.

As far as I can recall, for the construction site of the Choi Fook Estate project, there were about six to eight resident supervising staff members from the Housing Department. My recollection is that they were quite frequent in their inspection. If the supervision of the Housing Department found that there were non-compliances, then the foreman would be notified and then the foreman will tell me or other relevant workers to carry out the rectification. For the Choi Fook

Estate project, the foreman did raise many non-compliances, say for example the height of the drains, the angle, and that the brackets had their position wrong. All of them have been followed up and rectified. I have never been told about any problems or non-compliance in relation to the joints.

The statement is the fact and I believe that all I have said in my statement are the facts.

Siu Kin Wong, on behalf of Hang Lee Engineering Co, dated 27 November 2015."

Mr Siu, I have just read out your witness statement. First of all, in relation to this witness statement, is there anything you want to rectify or anything you want to add to it?

A. No.

Q. Do you confirm that the statement is true?

A. Yes.

Q. Would you like to have this statement being accepted as your evidence?

A. Yes.

MS CHENG: Thank you.

Cross-examination by MR KHAW

MR KHAW: Mr Siu, I understand that you yourself and your company, that's Hang Lee Engineering Co, are not represented by lawyers in this Inquiry. I understand

that lawyers representing the COI took a statement from you, the one just read out. I don't represent you, I don't represent Hang Lee, but in relation to your witness statement, I have a few questions for the sake of clarification.

Let's go back to your witness statement.

Paragraph 11. Again, page 11 in the bundle.

Paragraph 11:

"During the construction of the timber mock-up flat and the sample flat, the staff of the Housing Department would not make a special point to ask workers to demonstrate the soldering of copper pipes, but then, when the workers were carrying out the soldering process, and if the staff of the HD were there for the purpose of inspection and they saw it, then it would not be surprising."

A. Yes.

Q. Now, let me show you the supplementary witness statement from Mr Ng Hak Ming, that is the licensed plumber, with some photographs. Mr Wong from Yau Lee, when he gave evidence, he saw the photographs, so had Mr Ng.

For the photographs: P1, page 240. For Yau Lee and Mr Ng Hak Ming, according to them, for the sample room, they had demonstration of the soldering of the copper pipes in relation to Choi Fook Estate.

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Now, let me go through the photographs with you.

For the first one on page 240, and they run on for a few pages, for every photograph, in the right bottom corner we have a date, 27 March 2009. Can you see it?

A. Not quite clearly.

Q. Maybe you want to refer to the one in the bundle. That could be clearer.

A. Yes.

Q. So, in the bundle, let's start with the first photo on page 240. The first photo, do you see at the bottom-right corner there is the date, 27 March 2009? The fourth photo has better contrast, so the date is clearer. Do you see the date?

A. Yes.

Q. Page 242. Do you see photo 11?

A. Yes.

Q. A person who is wearing a safety helmet, with a copper pipe in hand.

A. Yes.

Q. Do you recognise this person?

A. No, no, hardly.

Q. So photo 13, page 243. This is a bit clearer. Do you have any recollection?

A. No, no. I cannot recognise.

Q. Let's move to page 246. Take a look at photo 28 on

page 246.

A. Yes.

Q. Do you see somebody in a top with stripes, and then this person is holding something? We now understand that for the reel in green, it's the solder wire, but the yellow tin, it's the solder paste.

Let's take a look at another photo. Page 252.

Photo 50, do you see that?

A. Yes.

Q. For photo number 28, the person was holding the solder paste and solder wire, and if you look at photo 50, and then according to Mr Ng Hak Ming, Mr Ng Hak Ming's evidence, and looking at the dates of photos, he confirmed that the person should be you who was involved in the Choi Fook Estate project. That is, the person in photo 28 or 50. Can you confirm that?

A. No.

Q. Do you have any recollection that during the Choi Fook Estate project, somebody took these photos?

A. No.

Q. Do you recall that in the Choi Fook Estate project, some workers demonstrated the soldering process?

A. No, I don't recall, because of the lapse of time.

Q. Let me ask you another question. In paragraph 14 of your statement, that is bundle M1, page 12 -- in

paragraph 14, starting from the bottom, the fourth line,
do you see this sentence?

"Each solder joint would only consume a portion of
the tin strip. If, during soldering, too much of the
tin strip had melted, it would be possible that it would
seep into the interior of pipes. That's called
overflow."

So, in other words, if too much tin got melted
during soldering, then it might go into the inside of
pipes. Has it to do with the craftsmanship of workers?

A. Yes.

Q. Can you explain why?

A. Because when there is overflow, the tin strip would
be -- at least the tin would drop onto the floor.
Of course, I'm not sure if tin would leak into the
interior of pipes, but at least tin would be melted and
dropped onto the floor.

Q. Mr Ng Hak Ming, in his evidence, once said the
following. For subcontracted plumbing works, at the
stage of tendering, he would explain to plumbing
subcontractors, like you, about the use of materials.

A. No, no, did not.

Q. He did not? So he never explained?

A. No, not in my case.

Q. So, at the tendering stage, were you in contact with

Mr Ng Hak Ming?

A. Yes, but only on the price. That is, after submitting the bid, I talked about the price.

Q. As for the use of materials, was there any discussion at the tendering stage?

A. No.

Q. What about when the contract was signed? When the formal contract was signed, was there any discussion on the use of materials and the specifications?

A. No, did not discuss.

Q. In your witness statement, paragraph 24, also page 14 in the bundle -- in fact, before paragraph 24, you mentioned that you learned about the phone number of Prosperity and then you placed order with Prosperity, and in paragraph 24, I think starting from the third sentence in paragraph 24:

"When ordering tin strips, I only needed to tell staff of Prosperity that I needed to order tin strips, the quantity required and the address of the site.

I did not need to specify the brand, model or purpose of tin strips. As far as I know, tin strips are used only for soldering pipes; there is no other purpose."

Do you see that?

A. Yes.

Q. So, as far as you know, every time when you ordered

soldering materials from Prosperity, Prosperity, the supplier, did they know the purpose of these tin strips?

A. They should.

Q. Why?

A. Because when the first order was placed, perhaps we were not familiar with each other, but afterwards we were familiar with each other and they knew that I was in the plumbing business.

Q. Paragraph 39, page 17 of the bundle. The last part of the paragraph, do you see the part about subcontract fees?

"Ming Hop would pay the contract fees to Hang Lee based on the contract and the works completed."

We now know that the subcontracting involved labour plus materials, that is metal fittings. So, when you gave them a quotation, because you would cover labour as well as materials, in Choi Fook Estate project did you price your quotation based on a per-unit price?

A. Yes.

Q. And do you recall how much per unit was your charge for Choi Fook Estate?

A. I think about \$3,000-plus. I don't remember.

Q. So \$3,000-plus per unit. I want to ask about this sum.

How did you come by this number?

A. For price quotations, we were given drawings to do

calculations: number of floors, the size of pipes, and whether there were a lot of works in the communal areas.

For example, if residential units begin on the 1st floor, then you would use the same formula for each floor, but there could be communal facilities on the lower floors.

Q. So that depends on the complexity of the works?

A. Right.

Q. So, in your price quotation, in terms of the cost of soldering materials, did you assess the cost?

A. No, because for each unit, not a large quantity would be used. In Choi Fook Estate, there weren't many joints, not many joints for the units, so that's why we needed to refer to drawings. We needed to see if there were a lot of joints.

MR KHAW: I don't have other questions.

Cross-examination by MR LI

MR LI: Mr Siu, just now, you talked about the price quotation, and the cost of soldering materials, you did not factor that in, in coming up with a per-unit price, and in your witness statement, in paragraph 23, you mentioned that in fact the price of tin strips only accounted for a very small portion of the total price of pipe installation, and about one and a half tin strips would be consumed for the joints in each unit, with

a cost of about \$10.

So, when you put forward a price quotation for Choi Fook Estate, you had in mind roughly how much the per unit cost would be?

A. Please repeat.

Q. Did you already have in mind how much the soldering materials would cost per unit in Choi Fook Estate?

A. No.

Q. You calculated that only after the intake?

A. Right.

Q. So, at the time when you prepared this statement, you were asked to do the calculation and you only calculated at that time?

A. Right, yes, based on the invoices and other documents.

Q. So a per-unit cost of \$10, according to the previous projects that you took part in, that's roughly the cost; very stable?

A. Not necessarily. Like I said, it depends on the alignment of pipes and number of joints.

Q. So, after checking the drawings, you would see whether there are a lot of joints. Sometimes, when there are more pipes, more soldering materials would have to be used, and you would have factored that in in your price quotation?

A. No, I didn't calculate the cost of soldering materials.

| | | |
|---|---|---|
| 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 20 | |
| C | Q. What about the bolts and nuts? | C |
| | A. Well, not bought by me. | |
| D | Q. What about other metal fittings? | D |
| | A. Steam tapes, solder paste and other tools. | |
| E | Q. So, when there are more joints, you need to consume more | E |
| F | steam tapes, solder paste and soldering materials; | F |
| G | right? | G |
| | A. You can put it this way. | |
| H | Q. But you wouldn't include that in your pricing? | H |
| I | A. Well, that's roughly the same. For example, steam tapes | I |
| J | should be used for wash basin and the bathtub or shower | J |
| | tub. That's roughly the same. | |
| K | Q. So you considered that roughly the same, so you did not | K |
| L | put that in your price quotation? | L |
| | A. Well, I just had a rough idea of how much. | |
| M | Q. So you had a cost in mind, and how much time the workers | M |
| N | would need to complete their job. So not many factors | N |
| O | for your consideration; right? | O |
| | A. Right. | |
| P | CHAIRMAN: I don't quite understand what you mean. | P |
| Q | MR LI: That is, when you prepared your price quotation, | Q |
| R | when you did your calculation, you had a lot of figures | R |
| | in mind? | |
| S | A. For the figures, I mean, they only involved the metal | S |
| T | fittings. | T |
| U | | U |
| V | | V |

C CHAIRMAN: What about labour? Well, let's put it this way. C

In your mind, basically, you have two figures?

D A. Right. D

E CHAIRMAN: One is the wages for workers. The other is the E
F so-called cost of metal fittings. So that's basically F
the two figures you have in mind?

G A. Yes. G

H CHAIRMAN: Then you will assess how many workers for how H
I many days will be needed for one unit, and roughly how I
J many metal fittings will be needed, and then you arrive J
K at a figure, to have a rough idea. Then they told you K
L that it would be about \$3,000. Then, since you have got L
M a figure in your mind, and say for example you could M
have a profit of \$100 or so per unit, would that be the
case? But in reality, how much did you make out of
a unit?

N A. For Choi Fook Estate, just break even. I didn't make N
O a profit. That's because that was the first time that O
I was involved in public housing.

P CHAIRMAN: But any time when you took up a job, what was the P
Q rough amount of profit that you had in mind? Q

R A. It didn't occur to me. R

S CHAIRMAN: Then what's the point of taking up the job? S

T A. I thought maybe I should get myself familiar with it, T
U and then I would know the procedures and then U

I hopefully could get a second job.

CHAIRMAN: You have to cover a lot of things.

I turn to your witness statement, paragraph 78 on page 34. Then you would be making a huge loss, if you would only take up one job, because you are supposed to buy a lot of tools.

A. Well, just for the electrical drills. For the rest, not much. For the LPG soldering guns or torch, they aren't really consumables.

CHAIRMAN: Well, here it says that you need to buy the tools -- I will skip that -- because the store place, et cetera. Then the steam tapes, the paint, lead, tapes, glue, et cetera; you have to acquire all of them?

A. No. Sometimes, some of the tools would not be needed. For black lead, that has been banned.

CHAIRMAN: What is black lead?

A. For the drains. For the sleeves of the drains. So we pour it down the drains to make it water-tight.

CHAIRMAN: That's been banned; why?

A. I knew that it was banned, but for what reason I didn't know. I've been told that it has been banned.

CHAIRMAN: So, at that time, you had in your mind not to make a profit; you just hoped that you can get some experience?

A. Yes, I tried to get the first job and I hope that by

getting more experience, hopefully I could get a second job.

CHAIRMAN: But you found that you couldn't make a profit?

A. Correct.

MR LI: You said that black lead was banned. Was something else suggested as an alternative?

A. Yes, supplied by Ming Hop.

Q. But you didn't know why it was banned?

CHAIRMAN: How come that it was supplied by Ming Hop?

A. Because it was another type of material. I don't know.

CHAIRMAN: You didn't know why it was supplied by Ming Hop?

A. That's for the trade.

CHAIRMAN: Let's continue tomorrow. We will resume at 10 am tomorrow.

Mr Siu, please come tomorrow. Thank you.

(4.35 pm)

(The hearing adjourned until 10.00 am the following day)

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