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2016年1月15日

上午10時01分恢復聆訊

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

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

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

林國輝大律師，由孖士打律師行延聘，代表瑞安承建有限公司

王鳴峰資深大律師、陳樂信大律師及羅頌明大律師，由律政司延聘，代表水務署署長

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

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

許佐賓大律師，由的近律師行延聘，代表保華建築營造有限公司

楊先生：主席，係，如果主席容許嘅話嚟講，我打算重召鄭家富先生作供。

主席：好呀。

楊先生：鄭生，係，需要宣誓。

鄭家富先生：可以。

主席：宣誓，嘍。

何標記建築工程有限公司（“何標記”）（中國建築（啟晴邨）及瑞安（葵

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聯邨第二期)的分判商)的第二證人：鄭家富(重召)(何標記工料測量員)以本地話宣誓作供

主席：請坐，鄭先生。

楊先生主問

問：好，唔該晒，鄭生。鄭生，今日重召你嘅目的就係因為琴日你畀完口供之後，陳小華先生跟住就响庭上，响呢個委員會嗰個聆訊上嚟講，就作出一啲指控，就係關於你嘅事情嘅。咁我希望就呢啲咁嘅指控嚟講，就同你澄清番，明唔明白？

答：知道。

問：係。咁就陳先生嚟講，佢就同委員會講，佢就話就响啟晴邨開咗工之後，就佢打過電話畀你，打你手提電話，就畀你聽嚟講就乜嘢嘅銅料，我指係咩嘢銅料嘅直徑嚟講，係要封錫嘅；乜嘢銅料嚟講，係用嗰個銀焊嘅。

主席：銅喉。

問：係，你... (聽不清)

答：冇。

問：冇？

答：係。咁你有冇响乜嘢嘅場合之中提及過係 67 mm 嘅銅喉或以上嘅係要燒銀焊，而呢個 54 mm 以下嘅銅喉係用呢個封錫--走錫？

答：冇提及過，因為技術上我都唔係咁理解係咩嘢 size 係用啲咩嘢焊料嘅。

問：Okay，好。就陳小華先生亦都係提及過就話打過電話畀黃貴雄，就關於個啟晴邨嘅一座同二座係用啲乜嘢嘅焊料去燒啲銅喉嘅。咁你有

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冇咁...

答：冇。

問：冇？

答：冇講過。

問：係。咁你有冇打過電話畀范秀鵬先生，就係關於個第五同第六座，啟晴邨嘅，就係用乜嘢嘅焊料呢？

答：冇。

問：係。關於個龍逸邨嘞，咁陳小華先生亦都話你曾經打佢嘅手提電話，話畀佢聽嚟講响龍逸邨係用乜嘢嘅直徑係用乜嘢焊料嘅。你有冇咁做過呢？

答：冇。

問：係，好。最後一個問題就想睇睇嘅，其實就係有一份文件，係 F1/215.2，文件夾。

答：係，見到。

問：係。根據陳小華先生嚟講，佢就話呢張，呢張 memo，就佢响地盤嗰度，從中國建築嗰個箱嗰度，嗰個叫做白鴿箱喇，咁嗰度擺咗，咁然後就因為呢樣，係同呢個安全同埋進度無關嘅，佢就送咗去寫字樓。好嘞，咁然後寫字樓嚟講就有人處理嘞，我想問問，關於呢類型嘅文件嘅你哋，你哋何標記，當時嘅處理辦法係點樣嘍？

答：正常嘅處理方法就係地盤個打理，咁收到呢個文件，咁司機會不定時就會落地盤，就會接收有關嘅文件，咁司機就會送番上嚟寫字樓嘅，咁佢就會交畀黃小姐。咁黃小姐佢就會分番類，即係分番去所有嘅地盤之後就會 pass 畀我，咁我睇咗之後，就我會畀番黃小姐，咁佢會做番 filing 嘅。

問：係，好。咁呢份文件嚟講，你有冇印象係睇過？

答：我琴日睇過。

問：琴日睇過，係。

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答：之前我有。

問：當時呢，當時你有冇印象睇過？

答：當時我真係冇乜印象，好模糊呀，真係。

問：好模糊，係咪？

答：係。

問：好。好，唔該你，鄭生，我有其他問題問你。

答：好，唔該。。

主席：有冇人有問題呀？

石先生盤問

問：鄭生，有少少跟進。就頭先楊大律師，即係何標記嘅代表律師，就話過畀你聽陳小華先生對你過嘅一啲--即係關於你嘅一啲說法喇，就話你用電話同佢聯絡，話畀佢聽乜嘢口徑嘅管就用乜嘢方法，咁你就解釋咗有喇。

答：唔。

問：咁你係咪話技術上你即係都有呢個認知，點燒，咁係咪呀？有冇...

答：係呀。

問：即係你嘅訓練都唔係學燒焊喇？

答：唔係。

問：好。但係陳小華--我有啲補充嘅。因為陳小華點解咁講呢，佢話因為計算落標嘅時候，成個邨有幾多喉，係幾多直徑，掉番嚟，預咗乜嘢嘅焊料，係要嚟應付邊一種直徑嘅喉管，就係負責落標或者計標嗰個同事，即係你，就會知道嘞，所以佢先至講得出，就係話係由你去話畀佢聽，幾多直徑以上嘅就用銀焊，幾多直徑以下嘅就用走錫，因為佢話係你先至知道訂啲料返嚟係點樣去分配。你會點應對呢，對

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呢個說法？

答：我唔認同嘅，因為喺我落標嘅時候，其實我會嗰個單價都係預咗大約 5 個 per cent，嗰啲小五金，其實就有話好特定係一個確實嘅金額係有幾多錢係喺個單價裏面嘅。

問：得。即係其實你用番尋日嘅答法，就係你唔係真係仔細地話計咗一條好精細嘅數，就係話銀焊，你要計番條數，用某嘅焊料，跟住你就做一個 quote，就話「啊，呢種焊料，我用咗幾多錢」咁，唔係咁樣做嘅？

答：係。

問：即係你同意就不是這樣做的？

答：我同意。

問：好。講番嗰 5 per cent，就因為尋日都有提過。其實你嘅意思係咪話你哋個單價裏面，譬如話做喉管，可能係--我唔知你哋嗰個 unit 係咩嘢喇，可能係譬如話 100 釐，每呎係 100 釐，或者每呎 x 咁多錢咁，呢個 x 價錢裏面，其實已經隱含咗大約有 5 per cent 嘅就係我哋叫做 spread 勻咗做焊料嘅價錢喺裏面咁樣，係咪？

答：係小五金嘅價錢。

問：吓？

答：係小五金嘅價錢。

問：小五金嘅價錢，即係喺 x 裏面已經包含咗，你就唔係喺 x 呢個價再加 5 per cent，唔係嘅？

答：唔係。

問：而係你哋嗰個 standard 嘅 price list 裏面其實已經係計埋入去裏面？

答：係。

問：Okay，好，唔該。我有其他嘅問題。

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主席：唔該。

林先生：主席。

林先生盤問

問：鄭生，我想問一問你，問清楚，响油麗商場，你當日或者當時入嗰個 submission，關於嗰個焊料，係 FRY 嚟㗎嘛，係咪？

答：係。

問：咁亦都响龍逸邨，同樣地亦都係嗰個 sample，同埋亦都係...（聽不清）亦都係 FRY 嚟㗎嘛，係咪？

答：係。

問：唔該。

主席：唔該晒，鄭生，可以走得㗎嘞，唔該。

答：唔該晒。

楊先生：我另一個證人，就係黃慧萍女士。

主席：好呀。

何標記建築工程有限公司（“何標記”）（中國建築（啟晴邨）及瑞安（葵聯邨第二期）的分判商）的第四證人：黃慧萍（何標記董事總經理的私人助理）以本地話宣誓作供

主席：請坐。

楊先生主問

問：係，黃女士，我哋知道嚟講，响 2015 年 12 月 23 號，你就住委員會嘅律師嘅要求，你就做咗一份證人口供嘅。

答：係。

問：咁就總共嚟講係有二十一頁，咁就响個文件夾嘅 K3，2333 嗰度開始嘅。

我就打算係讀出嚟，但係係用英文嘅，咁麻煩你就戴上個耳機，好唔好？

答：好，唔該。

THE GOVERNMENT OF
HONG KONG SPECIAL ADMINISTRATIVE REGION

Commission of Inquiry into
Excess Lead Found in Drinking Water

Re: Ho Biu Kee Construction Engineering Company Limited

WITNESS STATEMENT OF WONG Wai Ping (黃麗萍)

I, WONG Wai Ping (黃麗萍) (Hong Kong ID No.: K719395(5)), Personal Assistant to Managing Director, of Unit 605, Tins Enterprises Centre, 777 Lai Chi Kok Road, Cheung Sha Wan, Kowloon, Hong Kong make this witness statement for the purpose of providing answers to those questions raised by Messrs. Lo & Lo (solicitors for the Commission of Inquiry into Excess Lead in Drinking Water) in their letter dated 10th December

2015 to Messrs. Chiu, Szeto & Cheng (solicitors for Ho Biu Kee Construction Engineering Company Limited) and will say as follows:

1. Question

Describe the positions held by them in Ho Biu Kee and their scope of duties and responsibilities.

Answer

(a) I am the Personal Assistant to the Managing Director Mr. Ho Man Piu of Ho Biu Kee Construction Engineering Company Limited ("Ho Bin Kee" or "the Company"). I oversee the work of Ms Jess CHIU ("Ms Chiu") who is the Head of the Purchasing Department and the two other staff in the Purchasing Department, namely, Ms CHAN Wai Ling, Catlin (陳惠玲) ("Catlin") who joined Ho Biu Kee in March 2012 and Ms. TSANG Tsz Him, Purple (曾紫謙) ("Purple") who only joined Ho Biu Kee in April 2015. Both Catlin and Purple worked under Ms Chiu and received assignment from her from time to time.

(b) Within Ho Biu Kee, Mr. Kevin KWONG ("Mr. Kwong") is responsible for tendering and planning for the plumbing and drainage works in all building projects which included the 2 Estates (i.e. Kai Ching Estate and Kwai Luen Estate). Fresh water plumbing system was one of the items of works to be undertaken by Ho Biu Kee. After the tender was successful and sub-contracts were awarded to Ho Biu

Kee by the main contractors, Mr. Kwong was then responsible for the submission of plumbing materials (covering copper pipe & fittings, valves and solder material etc.). In respect of the 2 Estates, I understand that following the usual practice, Mr. Kwong also arranged samples of materials such as pipes, valves, fittings etc. to the main contractor of these 2 Estates (i.e. China State for Kai Ching Estate and Shui On for Kwai Luen Estate).

(c) Upon obtaining the approval of the HD, Mr. Kwong would provide the quantity of the materials anticipated in the plumbing sub- contracts to Ms Chiu (under measurable items) who would seek quotes from suppliers. Ms Chiu would then prepare price comparison for Mr. Ho Man Piu vetting and consideration so that he could decide which materials suppliers Ho Biu Kee should place order with for their supply and delivery of these materials. However, as soldering materials were sundry items and the quantities of them would vary depending on the workmanship of workers, there was no supply contract for them with material suppliers.

(d) When purchase orders would be issued depends on the works progress on site. From time to time, the supervisor/officer-in-charge would notify the Purchasing Department through written purchase requests how much materials would be ordered and when they should be delivered to site.

(e) Regarding the sundry materials for the fresh water plumbing system, the requirement (including what

materials, quantity and when required) was stated by the supervisor/officer-in-charge of the site. These sundry materials included soldering material. They usually sent purchase requests to the Purchasing Department of Ho Biu Kee for placing orders with suppliers.

(f) When requests for purchase of sundry materials were received by the Purchase Department, purchase orders would be prepared and issued to material suppliers for delivery to site of the materials so requested. For welding/soldering materials which were considered as sundry items, they would be supplied by Prosperity and purchase orders would be placed by us with them.

(g) I worked as a clerk to Mr. Ho Man Piu in around May 1997 and later became his Personal Assistant. Prosperity has become the regular supplier of the welding/soldering components and materials to Ho Biu Kee. From time to time, Prosperity provided to Ho Biu Kee price list of common sundry materials (typical one as Annex A dated April 2012). Prosperity updated and revised their price list at regular intervals. When we received updated price list from Prosperity, we would usually check and compare with the old ones to see what revision had been made and by how much. We would then talk to Prosperity (usually Mr. CHOW Ka Ping regarding pricing) and ascertain the reasons for increase. For those items which had substantial increase in unit rate, we might check the market prices from other suppliers to see if the rates offered by Prosperity would still be competitive. If we found that Prosperity rates were significantly higher than the market, we would negotiate lower rates with

Prosperity. This would usually end up with discount (say 5% to 10%) offered by Prosperity to its published rate.

(h) In any event, when we received request for supply of materials from Ho Biu Kee's site personnel-in-charge, we would usually telephone the staff of Prosperity informing them of the particulars of materials which we would like to purchase and ask them to quote for them. As Prosperity had a standard price list for sundry items (such as the consumables for welding including soldering materials), they would usually revert and tell us that we could follow the standard price. Sometimes we might negotiate with them for a better discount; sometimes we might not. All depends on how urgent Ho Biu Kee wished to have the materials and what quantities.

(i) In the case of Kai Ching Estate, since Mr. Chan Siu Wah ("Mr. Chan") required solder strips in addition to solder wire, we therefore asked Prosperity whether they had these materials and the price. Mr. Chow Ka Ping of Prosperity told us that they had "英國50力扁錫條" available and the rates for supply of this could be found at the price list of Prosperity previously sent to Ho Biu Kee. We then prepared purchase orders setting out the quantity of "錫線" and "錫條" requested by our site people and asked Prosperity to send them to the Kai Ching Estate site. In our purchase orders, we also set out the unit prices which were based on the Prosperity's price list.

(j) For the sake of completeness and upon perusal of records kept by Ho Biu Kee in respect of Shui Chuen O Project (which is still ongoing), I wish to point out that we had obtained quotation from Tung Wah Metal & Machinery Limited (東華五金機械有限公司) ("Tung Wah"), who is also one of our suppliers, on their supply of "錫線". The unit rate of "錫線" from Tung Wah was only HK\$67 per pound, which was significantly lower than that supplied by Prosperity (which was of about HK\$145 per pound (being of net price of HK\$160 per 500 gram and with 500 gram equal to 1.1 lb)). However, since Ho Biu Kee had in business with Prosperity for many years and we had confidence in the quality of product supplied by Prosperity and further the sundry items did not take up much of costs, we therefore decided to purchase from Prosperity "錫線" for use in Shui Chuen O Project and other plumbing projects. There is now produced and shown to me marked Annex B the relevant documents evidencing the above.

(k) Within Ho Biu Kee, purchase orders with value below \$100,000 would be signed by myself. For those above \$100,000, the Purchasing Department staff would prepare the purchase orders for my checking and Mr. Ho Man Piu would thereafter sign on behalf of Ho Biu Kee.

(l) Upon receipt of the purchase orders (which were usually sent by fax), Prosperity would arrange for delivery of materials to site. Upon receipt of materials, the officer-in-charge (and sometimes supervisors in charge of blocks) of each site would check that the materials conformed to the delivery note. If yes, they would sign on the delivery notes

with quantity marked and return copies of them to the head office of Ho Biu Kee. Prosperity would later send the original delivery notes (signed for acceptance by Ho Biu Kee's site personnel) to the accounts office of Ho Biu Kee for payment application.

(m) If partial delivery was made by Prosperity and the total quantities did not match with the quantity we ordered in the purchase orders, the purchase orders issued before would be revised and resent to Prosperity. When delivery was made, Prosperity would submit invoice for the quantity actually delivered. Thus there could be several invoices for the same component but for different quantities delivered at different times.

2. Question

Describe their background, qualifications and experience in the plumbing industry and in the procurement of plumbing materials, in particular, soldering materials for the jointing of fresh water pipes.

Answer

I was a secondary school Form 5 graduate. I have worked for Mr. Ho Man Piu since graduation in around May 1997. Prior to joining Ho Biu Kee, I did not have previous experience in metal pipes (including copper pipes) and soldering materials for jointing of fresh water pipes.

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V**3. Question**

Confirm whether they were responsible for procuring soldering materials for jointing the fresh water pipes in the 2 Affected Estates and for placing the related orders for soldering materials with Prosperity.

Answer

I oversee the procurement of soldering materials for jointing the fresh water pipes in the 2 Affected Estates and the placing of the related orders for soldering materials with Prosperity. In carrying out the aforesaid work, I was assisted from time to time by Ms. Chiu and Catlin.

4. Question

Confirm whether they were aware that soldering materials for the purpose of jointing fresh water pipes must be lead-free.

Answer

At that time, I was NOT aware that soldering materials for the purpose of jointing fresh water pipes must be lead-free.

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V**5. Question**

Explain and describe the instructions given by Mr Chan and/or Mr Wong and/or Mr Kwong and/or any other person (s) from Ho Biu Kee to each of the Procurement Staff in relation to the procurement of soldering materials for each of the 2 Affected Estates.

Answer

(a) M

r. Kwong is not and was not at all material times attached to the Purchasing Department of Ho Biu Kee and I do not work under Mr. Kwong. Hence Mr. Kwong did not give me any specific instructions on or was ever involved in procurement of soldering materials for any estates including the 2 Affected Estates. Soldering materials were sundry items and Mr. Kwong was never involved in procurement of them.

(b) A

fter site works commenced at Kai Ching Estate, Mr. Chan (the person-in-charge of site work for Kai Ching Estate plumbing and drainage sub-contract) requested that soldering material in the form of solder strips and solder wire be supplied for the plumbing works in Kai Ching Estate project.

(c) A

t the material times, we (i.e. all staff of the Purchasing Department of Ho Biu Kee) did not know that solder strips might contain lead; nor did we

pay attention to whether solder strips contained lead or not as we were not aware of the requirements that solder strips should be "lead-free". In following up Mr. Chan's request, we simply asked for the supply of "solder strips" (錫條) from Prosperity. We did not request for particulars brands of "solder strips" or specify what metal content the "solder strips" should contain or should not contain.

(d) A
s the costs of soldering materials were not expensive and we had long history of working in collaboration with Prosperity, we then placed orders with Prosperity for their supply of "solder strips" to comply with Mr. Chan's request. In response to our request for "solder strips", Ho Biu Kee was then supplied with "英國50力扁錫條" by Prosperity.

(e) A
similar request for solder strips was made by Mr. Wong Kwai Hung ("Mr. Wong") in respect of Kwai Luen Estate project. We also complied with his request and placed order with Prosperity for their supply of "solder strips" (錫條). Again "英國50力扁錫條" was delivered to site by Prosperity.

(f) M
oreover I myself did NOT check or verify whether the request for soldering materials were those specified in the submissions of materials to the HA.

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V**6. Question**

Explain and describe how they placed orders for soldering materials with Prosperity. Confirm whether they have informed Prosperity that the soldering materials ordered were to be used for the jointing of fresh water pipes. If they have not informed Prosperity that the soldering materials to be supplied were to be used for jointing fresh water pipes, explain the steps they took to ensure that Prosperity would deliver soldering materials suitable for jointing fresh water pipes.

Answer

- (a) For placing orders for soldering materials with Prosperity, please see my Answer to Question I above.
- (b) As explained in my Answer to Question I, Prosperity has been supplying the welding/soldering components and materials to Ho Biu Kee for many years. Prosperity was at the material times widely known in the plumbing trade as a reliable supplier for pipes and consumables for plumbing work.
- (c) Mr. Kwong dealt with Prosperity for preparing materials samples and details for approval by the HD. I would refer to his witness statement for details. Regarding placing purchase orders with Prosperity for supply of soldering materials and their details, Ms. Chiu was personally involved and

knew better than I. Her answers can be found at Answer to Question I.

(d) Apart from informing Prosperity the name and particulars of the site (i.e. Kai Ching Estate and Kwai Luen Estate), I did not personally inform anybody of Prosperity that the soldering materials ordered were to be used for the jointing of fresh water pipes.

7. Question

On the basis of the Purchase Records, a Summary is enclosed and a total of 43 transactions for the procurement of soldering materials have been identified in respect of the 2 Affected Estates (**Enclosure 1**).

(a) In relation to Kwai Luen Estate, 12 transactions were made by the purchasing department between April 2013 and August 2015:

Question 7(a) (i)

(i) Identify the person(s) among the Procurement Staff who placed the purchase orders for soldering materials in respect of Kwai Luen Estate and those who determined which type or brand of soldering materials should be ordered and acquired from Prosperity and explain the reasons and bases of his/their decision.

Answer 7(a)(i)

(a) As the purchase orders for Kwai Luen Estate could not be located, I could not tell precisely whether it is me, Catlin or Ms. Chiu who actually placed the orders for the first 11 transactions. For transaction 12, the request from site was dated 28 July 2015 and the corresponding order was issued on 13 August 2015. This order was prepared by Catlin and signed by me. In any event and as explained in my Answer to Question I above, we only followed the request of site personnel-in-charge of Kwai Luen Estate (i.e. Mr. Wong) on the soldering materials and placed orders with Prosperity for "solder strips" (錫條) and/or "solder wire" (錫線) without specifying what type or brand from Prosperity.

(b) Based on the materials request form sent by Mr. Wong, Ho Biu Kee asked for the supply of "'solder strips" (錫條) from Prosperity and Ho Biu Kee was then supplied with "英國50力扁錫條".

(c) In respect of Mr. Wong's request for the use of "solder wire" (錫線), purchase orders were issued to Prosperity for supply of solder wire. Prosperity then supplied "'FRY'" lead-free solder wire.

(d) In respect of transaction 12, we placed order

for high temperature solder wire (non leaded) (高溫錫線(無鉛)) as by then, we knew that solder strip was suspected to be a source for excess lead in water. In order to avoid any problem, I and the Purchasing Department were specifically requested by Mr. Ho Man Piu NOT to make any order for solder strip and to specify that soldering materials used should contain "no lead".

Question 7(a)(ii)

(ii) Explain why sometimes Fry lead-free solder wire (transactions 2 and 12) and at other times (transactions 1, 3-11) “英國50力扁錫條” were purchased. Explain in particular why both types of soldering materials were acquired in transaction 2.

Answer 7(a)(ii)

(a) Soldering materials were requested by Mr. Wong in the materials request forms sent from time to time to suit site work progress. Mr. Wong set out his requirement in terms of quantity for the solder strips as well as solder wire to the Purchasing Department and orders were placed by us with Prosperity for their supply of these solder strips/solder wire per the material request form to suit the site work progress.

(b) I did not know why sometimes Fry lead-free

solder wire (transactions 2 and 12) and at other times (transactions 1, 3-11) “英國50力扁錫條” were used. For transaction 2, both “solder strips” (錫條) and “solder wire” (錫條) were required by Mr. Wong. For transaction 1, 3 to 11, “solder strips” (錫條) was required by Mr. Wong. We simply did according to his requirement and asked Prosperity to supply those materials. Nobody in Ho Biu Kee (including myself) knew that these "solder strip" materials might cause problem to the quality of potable water.

(c) For transaction 12, the request from site was dated 28th July 2015, which was after the media reported there was excess lead in drinking waters in public housing estates. Hence only lead-free solder wire was requested per the instructions of Mr. Ho Man Piu.

(b) As regards Kai Ching Estate, the purchase records of 31 transactions may be found (between November 2010 and January 2013). Most of the relevant purchase orders were missing:

Question 7 (b) (i)

(i) Identify the person(s) among the Procurement Staff who placed the purchase orders for soldering materials in respect of Kai Ching Estate and those who determined which type or brand of soldering materials should be ordered and acquired from Prosperity and explain the

reasons and bases of his/their decision.

Answer 7(b) (i)

(a) As the purchase orders for Kai Ching Estate could not be located (except for transactions 27, 29, 30 and 31 as they are now discovered by Prosperity), I could not tell precisely whether it is me, Catlin or Ms. Chiu who actually placed the orders for these 27 transactions (i.e. those other than transactions 27, 29, 30 and 31). In any event and as explained in my Answer to Question I above, we only followed the request of Mr. Chan who was then the site personnel-in-charge of Kai Ching Estate on the soldering materials and placed orders with Prosperity for "solder strips" (錫條) and/or "solder wire" (錫線) without specifying what type or brand from Prosperity.

(b) For transaction 27, it was prepared by Catlin, checked by myself and signed by Mr. Ho Man Piu.

(c) For transaction 29, it was an urgent request. I prepared and signed the purchase order.

(d) For transaction 30, it was prepared by Catlin and I signed the order.

(e) For transaction 31, it was prepared by Catlin, checked by myself and signed by Mr. Ho Man Piu.

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(f) Based on the materials request forms sent by Mr. Chan, Ho Biu Kee asked for the supply of "solder strips" (錫線) from Prosperity and Ho Biu Kee was then supplied with "英國50力扁錫條".

(g) In respect of Mr. Chan's request for the use of "solder wire" (錫線), purchase orders were issued to Prosperity for supply of solder wire. Prosperity then supplied "FRY" lead-free solder wire.

Question 7(b)(ii)

(ii) Explain why sometimes Fry lead-free solder wire (transactions 3, 5, 10, 11, 15 and 18) and at other times "英國50力扁錫條" were purchased. Explain in particular why both types of soldering materials were acquired in transactions 3, 5, 10, 11 and 18.

Answer 7(b)(ii)

(a) Soldering materials were requested by Mr. Chan in the materials request forms sent from time to time to suit site work progress. Mr. Chan set out his requirement in terms of quantity for the solder strips as well as solder wire to the Purchasing Department and orders were placed by us with Prosperity for their supply of these solder strips/solder wire per the

material request forms to suit the site work progress.

(b) I did not know why sometimes Fry lead-free solder wire (transactions 3, 5, 10, 11 and 18) and at other times “英國50力扁錫條” were used. For transactions 3, 5, 10, 11 and 18, both "solder strips" (錫條) and/or "solder wire" (錫線) were required by Mr. Chan. For other transactions, Mr. Chan requested "solder strips" (錫條) only. We simply did according to his requirement and asked Prosperity to supply those materials. Nobody in Ho Biu Kee (including myself) knew that these “solder strip” materials might cause problem to the quality of potable water.

8. Question

Explain the choice of Prosperity as the supplier for soldering materials and confirm the length of Ho Biu Kee's business relationship with Prosperity as far as the procurement of soldering materials is concerned.

Answer

Prosperity has been dealing with Ho Biu Kee for a long time supplying welding/soldering materials as well as comprehensive range of metal works (brackets, thread rods, galvanized bolts/nuts/washers) for use in construction projects. Due to the long working relationship, Ho Biu Kee reposed trust and confidence

on Prosperity for the products they supplied.

9. Question

After an order for soldering materials has been placed with Prosperity, explain how the Procurement Staff would inform Mr Chan, Mr Wong, Mr Kwong or other staff of Ho Biu Kee at the building site of the 2 Affected Estates about the purchase order and the expected delivery.

Answer

(a) In general, we would state on each purchase order the name of the site person (consignee) of Ho Biu Kee for contact by Prosperity (with telephone number provided). Prosperity would then contact the relevant Ho Biu Kee site staff (usually 2 days in advance but if the requirement of material was urgent, then it might be shortly after they received the purchase order) to confirm the time for delivery of materials to match site operation.

(b) For Kai Ching Estate, we usually stated Mr. Chan as the contact person in our purchase orders. However, for those materials needed urgently (for example by block foremen), we wrote down the name of those block foremen (such as Mr. Wong) as contact person.

(c) For Kwai Luen Estate, we usually stated Mr. Wong and I or Mr. Leung Wai Kin (梁偉健) as the contact

person(s) in our purchase orders.

(d) We would not send copies of purchase orders placed with Prosperity or other suppliers to Ho Biu Kee site people. It has been our policy that site staff was not required to know the cost of the items of materials in the purchase order. If materials were urgently required, site staff would call us (with material request form to be provided later) or would on few occasions approach Prosperity directly for their supply of materials and the timing.

(e) As Mr. Kwong was not involved with material delivery, he would not be notified of delivery of material to site.

10. Question

Explain the choice of using the soldering material by the brand name of “50力扁錫條” and confirm whether such solder strips were used as a result of recommendation by Prosperity.

Answer

(a) As the purchasing staff (including myself) were not responsible for site works and did not know how works were being carried out, I could not tell why the soldering material by the brand name of “50力扁錫條” was chosen and used.

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(b) To the best of my knowledge, such “英國50力扁錫條” was used as a result of recommendation by Prosperity. Ho Biu Kee only requested “錫條” in its purchase orders and Prosperity delivered “英國50力扁錫條” to Ho Biu Kee.

11. Question

Describe the steps, if any, taken by the Procurement Staff upon delivery of the soldering materials on the construction site of each of the 2 Affected Estates.

Answer

(a) After delivery of the soldering materials to the construction site of the 2 Affected Estates, Prosperity would submit its invoices together with the signed original of the Delivery Notes (signed by the officer-in-charge of the site acknowledging delivery) to Ho Biu Kee Accounts Office for payment processing.

(b) There were no specific steps by Procurement staff upon delivery of soldering materials (and other items in the Purchase Order) unless the quantities delivered did not match with those requested on the purchase order. By way of example, the quantity ordered might be delivered in tranches to site on various occasions. Sometimes the total quantity delivered might be less than that ordered. On such

occasion, we would then update the purchase order and issue a revised one to Prosperity.

(c) For transactions 27 and 31 mentioned in Question 7(b)(ii), the quantity of solder material (and other sundry materials) ordered was delivered to site in tranches on more than one occasion. We therefore marked on the Purchase Orders the quantity delivered on each occasion and the Purchase order (issued on 2nd November 2012) was later revised (on 13th May 2013) to reflect the actually delivered quantity. For partial delivery, Prosperity would issue separate invoices for the quantities delivered. (Invoice dated 23rd November 2012 for Transaction 27 for 100 lb of solder strip. Invoice dated 22nd January 2013 for Transaction 31 for 165 lb solder strip.) These invoices were in purported compliance of the same Purchase Order KTAP-30208-PB. Indeed a total of 550 lb solder strip under this order was delivered to site on 3 occasions.

12. Question

Confirm whether they were aware that the solder strips “50 力扁錫條” acquired from Prosperity and used in the 2 Affected Estates contained lead.

Answer

I myself, and other procurement staff of Ho Bui Kee (including Catlin and Ms Chiu) was not aware that the

solder strips "50力扁錫條" acquired from Prosperity and used in the 2 Affected Estates contained lead.

13. Question

Explain why, notwithstanding that Ho Biu Kee has caused the two Main Contractors, China State and Shui On, to submit to the HA Form DCMPF716 (i.e. sample submission approval form) for "FRY" 99C lead free solder wire together with supporting information to confirm the lead free composition of such solder material, non-compliant solder strips which contained lead were actually acquired and used to joint the fresh water plumbing pipes in the 2 Estates.

Answer

I was not involved in the material submission or site operation. I am therefore unable to provide meaningful answer save as to those matters which I have already deposited before.

問：黃小姐，我哋睇到呢度嚟講呢，就有個簽名嘅，呢個係咪你簽名嘍？

答：係。

問：好嘞，呢份口供嚟講，你係咪確認個內容係真實嘍？

答：係。

問：係，你係咪打算採納呢個口供裏面嘅內容...

答：係。

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問：...作為你嘅主證供一部分呀？

答：採用。

問：係，好，我淨係有一條問題想請你補充嘅，就係呢就係陳小華先生呢，佢喺佢嘅證人口供嘅第9頁，第39段，即是係K3/2398。

答：Okay。

問：我想請你睇第39段嘅第一頭嗰3行，或者我讀出嚟畀你聽，好唔好？第39段佢話，陳小華先生就咁講，佢話「在我就龍逸村項目向何標記採購部訂購了數次「錫條」後，何標記採購部有一位女職員在電話中對我說在訂購表格上應該寫「錫線」，而不是「錫條」。但我現在已想不起這個職員是誰。」見到嗎？黃小姐，見到嗎？

答：見到。

問：好，我想問問，究竟你有冇打過電話畀陳小華，同佢講關於嗰個龍逸村嘅採購單呢，應該就唔好再寫「錫條」嘞，而係寫「錫線」。

答：冇。

問：咁照你所知，你有冇同其他啲女職員傾過呢？

答：冇。

問：你有冇同你--其他女職員傾過呢件事，係咪呀？

答：冇。

問：好。

楊先生：主席，我有其他問題。

主席：唔該。

石先生盤問

問：黃女士。

B

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答：係。

C

D

問：就我代表委員會有啲問題係更進嘅，咁第一就係呢，關於你嘅即係工作嘅經驗，你就1997年5月就加入何標記。

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E

答：係。

E

F

問：咁你之前有冇做過水喉公司嘅經驗？

F

G

答：冇。

G

H

問：冇，即係你之前，你中五畢業之後係即刻出黎做嘢？

H

I

答：係。

I

J

問：咁你之前係做邊一方面嘅工作？

J

K

答：都係文職。

K

L

問：文職，但係就唔係水喉公司，咁你就...

L

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答：唔係水喉公司。

M

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問：得。好，咁你喺水喉公司做咗--即係由1997年做到諗過咗2000年喇，咁就你都知道其實一般做公屋嘅項目就有一個步驟要向房委會或者房署呢，係申請對一啲建築材料嘅批核嘅，你知道即係原則上係有呢樣嘢嘅？

N

O

答：到2000年我唔知道。

O

P

問：2000年你唔知？

P

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答：係呀。

Q

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問：唔係，咁但係到...

R

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答：因為我唔係接觸嗰個範疇㗎嘛。

S

T

問：係，到2000年，唔好講整整2000喇，但係即係總之到到...

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答：而家我知。

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問：而家你知？

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答：唔。

問：但係就譬如話做啟晴邨，或者做葵聯邨呢兩條邨即係...

答：知。

問：嗰陣時知嘅？

答：知。

問：知道，但係就你只係原則上知道，但係落手落腳做呀，遞啲辦去呢個就係鄭先生負責嘅，對嗎？

答：係，冇錯。

問：好嘞，咁即係話鄭先生佢與主承建商就接洽喇，因為個合約就係主承建商同埋何標記訂立㗎喇，呢樣嘢...

答：係。

問：...你知喇，咁所以鄭先生就會係與主承建商去接洽，就遞啲辦畀承建商，咁後來就得到批覆，咁呢啲--有呢一個步驟你係知嘅？

答：知。

問：知，好嘞，咁鄭先生佢知道咗有得到某一啲嘅建築材料，得到 approval 嘞，得到批覆，okay 嘞，准許咗嘞，咁佢有冇通知你話畀你聽...

答：冇。

問：冇，就係有一度呢，我就想同你對照下，首先我畀一份文件你睇，就 F1，第 215.2 頁。今朝我哋睇過。F1，215.2。你望一望呢份文件先，okay，呢份係中國建築，即係啟晴邨嘅主承建商，就係 2011 年 10 月就出畀何標記嘅，冇寫邊個人喇，咁但係就即係出畀何標記嘅一個備忘錄，okay，咁佢就係寫住「茲通知貴公司下列所示之物料已獲得則師認可及批准使用」，咁就「FRY”99C Lead free solder wire &”FRY” Powerflux，附件為有關之物料樣辦審批表格以供存檔及跟進」，咁呀佢係咁寫，咁如果你睇番佢後面，215.3、215.4，就係一啲呈交嘅一啲申請嘅表格。

我想問你就係--唔好講呢一張嘢先。呢一類型嘅備忘錄，即係中國建築，主承建商，畀何標記，通知佢有關批核咗物料。呢一種嘅

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備忘錄，有冇經你手㗎？

答：有。

問：有經手嘅？

答：有。

問：因為--咁就易辦㗎。因為今朝我哋就聽鄭先生佢作供嘅時候，佢就話就諗呢份嘢就到咗佢手，即係點樣去即係流落去嗰個--個 flow chart，即係點樣去流落去各人嘅手中，佢就係話呢份嘢就先先就會喺地盤，跟住地盤就有司機就會帶番寫字樓。咁你就先先就會第一個就接收呢啲文件，咁跟住你就會畀鄭先生睇。鄭先生睇完之後就會畀番你，就畀你存檔嘅。佢呢個講法，你大致同唔同意呢？

答：同意。

問：同意嘅。好嘞，咁你存檔，你會唔會自己去望下佢講乜嘢嘅呢？

答：人面 detail 我唔會睇。

問：Detail...

答：我淨係睇佢個 topic 嘅啫。

問：你睇個 topic？

答：係嘞。

問：咁個 topic 就係...

答：批咗物料。

問：批咗物料。咁你就有個 file，就係物料審批，咁諸如此類。你將佢 file，你嗰個所謂 filing 嘅制度，個仔細程度去到邊度，你會就咁擺去呢個叫做啟晴邨 file，定係裏面你有一個 category，就係叫做「物料審批」？

答：冇㗎。一個啟晴邨 file。

問：啟晴邨 file，即係跟時序咁樣嘅，可能...

答：係嘞。

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問：跟時序，第一份可能係份合約，咁跟住有任何嘅即係文書嘅...

答：唔會有合約，淨係信件。

問：淨係信件？

答：係。

問：Okay。即係任何外來嘅信件，或者何標記出外嘅信件、memo 之類就 file 咗...

答：出外嘅唔會有。

問：外來嘅就 file 咗落去？

答：係嘞，係嘞。

問：就有話仔細啲再分類，就有㗎嘞？

答：冇，冇。

問：Okay。好嘞，即係你存檔就真係為咗以後有事，有個紀錄咁解嘅啫？

答：唔。

問：咁你...

答：因為以前，我一入嘅時候，上一手教落我係咁樣做，我流水作業去咁樣做囉。

問：得。咁就你就唔會有任何嘅所謂判斷，或者即係叫做 input，或者有任何嘅判斷，話你倚賴佢嘅內容去做任何嘢，就唔會嘅，因為你嘅...

答：因為我收到嘅時候，我會分派畀相關嘅同事去處理。

問：係，明白。所以你...

答：咁佢哋--因為我會有個印㗎嘛，佢哋睇完會簽番個名，畀番我，我就 keep 番 reference，即係 keep 番 record 咁囉。

問：得。所以即係你嘅角色，你嘅理解，就係唔係話望下裏面，「啊，咁樣寫啲，我要做啲嘢去配合」，唔係；以你嘅理解，你嘅角色就係將有關嘅事情，根據個 topic，就畀啲相關嘅人士去過目。你就認為相

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關嘅人士過目之後，有啲乜嘢實質嘅步驟要做、要跟進，就係由相關人士去跟進㗎嘞。

答：冇錯。

問：你嘅角色就係做一個聯繫人，睇完之後分流，「畀你睇」，睇完之後，畀番你，你就 file 佢。

答：冇錯。

問：咁呢個就係嗰個一般嘅做法，對嘛？

答：係。

問：咁亦即係話其實以你當時嘅理解，就係你見到呢一種嘅文件，就係關於物料嘅報批，你嘅判斷就話畀你聽，物料報批，就係鄭先生嘅...

答：冇錯。

問：...任務，咁你就畀鄭先生望一望。咁至於睇完之後要做乜嘢，呢個就係留待鄭先生佢自己嘅專長去決定嘞，係咪咁樣？

答：冇錯。

問：好。咁呢個就係一般嘅做法。咁我如果問你，215.2 呢一份文件，你有冇獨特嘅記憶知道，你有冇呢？定係話，啊，唔係呀，其實一連串呢啲文件你都唔會特別、零零舍舍記得“FRY”呢個字㗎嘞咁？定係你對呢一...

答：入面我唔會睇嘅。

問：係唔會睇嘅？

答：係呀。

問：Okay。總之 topic，畀咗鄭生，畀番你 filing，咁呢個就係個做法？

答：係呀，冇錯。

問：得。好嘞，咁我想問一問你，就係你入職嘅時候，我聽你講，就係其實你係好倚賴即係所謂口耳相傳，你入去嘅時候可能係你嘅上手或者你嘅同事就話畀你聽，何標記裏面既定嘅一啲做法係點樣，咁你就跟

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住做？可能或者會係老細突然間有啲新嘅要求，佢會話畀你聽喇？

答：我入去嘅時候，老細唔會同我講做咩嘢個嘢，只有我阿 head 叫我做咩嘢嘢咋嘢。

問：Okay，得，得。即係其實基本上就係好多時候，一個 project 好多時候嘅既定嘅嘢，手板眼見工夫，講咗，咁你就自己跑嚟嘞，會係，可唔可以咁講呢？就唔使話老細，阿何老細，佢走嚟同你即係...

答：係呀。

問：...畀指示，咁冇嘅？

答：總之我阿 head 叫我做咩嘢--因為嗰陣時我係一個 clerk 嚟嘅，fax、filing、影印，做呢啲嘢囉。

問：得。咁就總之你一路做就一路就學。咁個阿 head 叫你咁做，你就咁做？

答：冇錯。

問：咁阿何老細就唔會話真係走到落嚟同你哋講話「喺，我而家呢就要求就呢啲」？

答：冇。

問：冇？

答：冇。

問：冇。咁所以你就大概知道有呢個審批物料呢一個概念，呢個程序喇。咁當你畀咗份嘢鄭先生，佢畀番你做 filing 之後，你就有諗過話何標記裏面應唔應該有啲乜嘢嘅系統、制度、做法--應該咁講，你有主動地去諗就話「啊，呢個審批咗呢個物料，話淨係用 FRY，咁我使唔使訂立一啲嘅做法或者流程，就係確保我哋落單畀雋景嘅時候，係確保我哋係落啱呢隻嘢呢」，你有冇呢啲念頭喺你腦海中諗過嘅呢？

答：因為鄭生都做落呢個範疇嘅嘢，我好深信佢同啲同事都會夾得到囉。

問：「呢個範疇」嘅意思係咩嘢呢？因為知道鄭生就唔係屬於做採購，真係落手落腳做嘍嘛。

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答：係吖，係吖，係吖，係吖，我講批料。

問：咁「呢個範疇」係咩嘢意思呢？

答：我講你--遞料。

問：好嘞，你哋逐步嚟。遞料就係遞料畀主承建商喇。遞料畀主承建商，主承建商彈番落嚟。咁你都知道鄭先生嘅專業就係做嗰啲物料嗰啲-- quantity surveyor，我哋叫做，物料測量師？

答：係吖。

問：咁佢就係即係計數、計糧，點樣去 bid 嗰啲合約返嚟。咁呢啲就係佢嘅專才喇。但係至於向供應商真係溝通、落單嘅，呢個就唔係佢做嘍，你同意嘛？

答：唔好意思，你講多次。

問：向供應商，即係譬如話雋景，溝通，要落單，無論電話乜好，send fax 乜好，就唔係鄭先生嘅責任嚟㗎嘛。

答：係，唔係佢落嘅。

問：鄭先生係第一步，擺咗個辦返嚟，遞咗去地盤，擺咗個 approval，咁呢個就係佢嘅責任喇，對嘛？

答：啱。

問：咁所以其實就應該有一條橋樑，就係擺咗個批覆返嚟，要令到落單嘅同事知道要落單買啲乜嘢嘢先至符合咗批覆嘅要求，即係籠統、概念上你同唔同意應該有呢條咁嘅橋樑呢？

答：概念，係吖。

問：概念，係。因為否則嚟講嘅話，人哋批咗你用某牌子，跟住你落單嘅時候，一係你就唔知道寫乜好，一係就人哋 supplier 畀啲嘢你，根本就唔係房署批嘅，咁你就斷咗嗰個溝通，個溝通有問題嘅，你同意概念上呢個係正確嘅講法？

答：係，概念上係。

問：好嘞，咁我就問你，咁如果概念上呢個係一個 make sense，叫做合

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乎常理嘅諗法，咁以你嘅理解，當時何標記裏面呢個咁樣嘅橋樑嘅角色係邊個去扮演嘅呢，應該係？收咗批覆返嚟，將批覆嘅結果話畀落單嘅同事聽，呢個溝通嘅角色應該邊個去做嘅呢，其實？

答：鄭先生。

問：應該係鄭先生做嘅？

答：唔。

問：就你本人就有去做到呢樣嘢，因為即係呢個可能你當時嘅理解、個認知就唔係你應該做嘅嘢喇。咁但係我嘅理解就係有陣時嗰啲簽嗰啲 purchase order 都會你簽㗎嘛？

答：係。

問：因為你哋有個系統，就係某個金額以上就要何老闆簽，某個金額以下就你有權簽喇？

答：係。

問：咁就但係至於填寫，咁就但係至於填寫要買乜嘢嘢，你哋嗰個工序就係地盤有關嘅話事人喇，我哋叫做，打理又好，或者每一個 block 佢有話事嘅人都好，佢哋就會將一啲物料請購單 fax 番嚟寫字樓㗎嘛，對嘛？

答：係，係。

問：咁佢哋就會用某一啲字眼寫「我哋要乜嘢」咁，佢哋用一啲詞語、術語或者用一啲叫法，就將佢嘅嘢寫喺度，fax 番嚟。咁收咗呢啲單之後，你哋負責採購嘅同事就會製作一啲嘅 purchase order，因為你哋用文件㗎嘛，係咪？對嘛？

答：係。

問：就將呢啲 purchase order 就會 send 去可能--而家就可能用電郵，定係用 fax 呀？

答：Fax。

問：Fax。Fax 去有關嘅供應商，咁供應商就會跟進呀，供貨。呢個係你哋個流程喇，對嘛？

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答：對。

問：好嘞，咁所以我哋喺呢個案件嗰度見到嘅就係，首先，地盤嗰度相關嘅人士佢會用一啲嘅字眼，寫咗佢需要嘅嘢，send 番嚟寫字樓，就由寫字樓嘅同事去將地盤同事嘅要求轉化成為 purchase order。咁佢哋用嘅字眼，係就咁搬字過紙，定係點嘅呢？我畀個例子你。如果地盤嘅同事寫咗啲字返嚟話「我要呢種嘢」，咁採購嘅同事，譬如話 Jess 咁樣，佢真係照抄地盤同事寫，用呢兩個字，佢就照抄落去，定係佢哋有冇一個統話「啊，我要查下，睇下究竟呢一種物料批覆咗係咩嘢牌子嘅先」咁？有咩嘢做法㗎，我哋以你嘅理解？

答：地盤根據佢哋地盤進度上嗰張請購單，然後我哋相關嘅同事收到之後，就會因應佢個物料去供應商度訂購。咁而佢寫咩嘢，我哋就畀住佢咁樣寫嚟去訂。

問：Okay。咁即係地盤嘅同事用乜嘢嘅詞語寫番嚟，咁你哋採購嘅同事就會照抄番嗰個詞語落去？

答：冇錯，冇錯。

問：咁佢係地盤嘅同事--呢個步驟，呢個動作，即係收請購單，畀住將佢轉化，抄落去成為咗一個 purchase order，呢一個步驟，你日常工作包唔包括㗎？

答：唔包括。

問：唔包括。咁就會係譬如話 Jess、Catlin 佢哋做嘅？

答：冇錯。

問：你就係負責管住佢哋後來可能搵--根據相關嘅金額就負責簽？

答：我係做到呀 final，佢哋畀我審批嗰個喇。即係我要對番地盤落譬如話十盒，咁佢係咪打十盒，同埋個價錢，人哋報價 10 釐，佢會唔會打咗 100 釐呢？最後呢個工序。

問：得。報價嗰個 part 係你做嘅，係咪？

答：唔係。

問：都唔係嘅？

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答：都唔係。

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問：都係佢哋做嘅？

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答：都係佢哋做嘅。

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問：Okay。即係你係做最後把關，check 下佢哋做上嚟嘅步，...

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答：係嘞，冇錯。

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問：...或者可能-- 10 萬釐為限嘍嘛，你嗰個簽名嘅權限？

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答：係，冇錯，係。

I

J

問：就有陣時好急嘅時候，就我見到好似有啲例子，就係太急嘞，所以就
算過咗權限都好，你簽喇，咁有陣時都會咁嘅，係咪？我記得見過有
呢個例子。

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答：係，冇錯，冇錯，冇錯。但係我都會請過老闆先嘅。

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問：係。即係可能老闆唔喺度，但係急要，咁佢就電話 okay 你，咁你就
簽咗咁喇？

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答：係，冇錯，冇錯。

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問：Okay。咁就但係你以前呀，即係未升到而家呢個位置之前，有冇試過
都係做接收地盤 send 番嚟嘅請購單...

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答：都有。

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問：你都即係曾經經歷過呢個階段嘅？

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答：都有，都有，都有。

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問：好。好嘞，咁你經歷呢個階段。咁地盤嘅工友佢寫番嚟--舉個例子畀
你，如果地盤工友寫番嚟，佢話要一種嘢叫做--講番轉頭先。你知道
呢一單事情，就係其實你後來睇新聞都會知道，就係其實我哋而家大
致嘅就係關於用咗一啲含有鉛份嘅焊料，你而知喇？

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答：而家知。

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問：好嘞，咁一個地盤做水喉，佢做銅喉係需要用一啲焊料燒焊接駁嘅，
咁呢樣嘢你籠統係有呢個認知嘅，對嘛？

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答：冇。

問：冇。咁但係你當時你做，真係落手落腳接地盤工友嘅請購單同埋寫 purchase order 嘅時候，咁你都曾經接觸過地盤工友要求去訂一啲燒焊用嘅物料㗎，係咪？或者我單刀直入㗎，我問你，你有冇試過接過一啲地盤嘅請購單返到嚟，係寫住話「我要幾多卷錫線」或者「我要幾多條或者幾多盒錫條」？呢兩個名詞，「錫線」同埋「錫條」，有冇印象或者認知，以你咁多年嘅經驗？我唔係淨係講而家調查...

答：我知，但係跟住多年嘅嘢，我唔--真係唔係好記得，好模糊。即係你話要好刻意睇係咪呢兩樣嘢，一日接咁多張 order，講真我未必會記得，咁多名詞。

問：即係你嘅意思係我哋而家就針對呢兩樣嘢，但係...

答：真係兩樣嘢之前有冇見過咩嘍？

問：係。

答：我而家我答你，我唔記得之前有冇見過，因為太多年前㗎。因為太多名詞，因為佢唔係淨係單單呢兩樣嘢㗎嘍，落。

問：我明白。

答：係囉。佢一張單可以落幾十樣嘢嘅，咁我冇可能記得我當年今日佢落係咪呢兩樣嘢囉。

問：但係總之就係地盤嘅工友--你知道--應該咁講。地盤工友 fax 啲單上嚟--我哋講番你當時仲係做緊即係一般文職嘅時候，做呢啲單嘅時候，你嘅做法就係地盤工友 fax 個請購單返嚟，你就照抄佢哋要嘅字眼，...

答：冇錯。

問：...就抄落去個 purchase order 嗰度？

答：唔係抄，係打。

問：打，係打。咁就中間就有一個過程係要 check 下，如果地盤工友要呢種物料叫做 x 水喉--水喉頭，或者乜乜，「啊，我使唔使 check 下其實有冇審批過淨係准用邊種物料呢」，你就有經過呢一個步驟嘅，係咪？你就係佢哋用咩嘢字眼...

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答：冇經過嘅，因為我訂嘅時候已經係大個啲，譬如話銅喉、膠喉，有 contract 啲喇嘛，咁佢寫上嚟，咁我哋對番價錢落囉。但係呢啲係小五金。小五金我哋個認知就係畀小五金嘅舖頭，去落囉。

問：我明。但係小五金都會有啲係有審批過啲嘛，你知道？

答：呢個我唔知。當時我做嘅時候，我唔知道。

問：得，我明。即係話大件啲嘅，或者你話緊要啲嘅，嗰啲你就會直情係簽晒正式嘅供應合約，咁嗰啲就叫做...

答：本身已經同事做咗份合約，有個 standard 喺度啲嘞。咁我哋根據嗰個地盤，佢有合約嘅話，我哋就對番囉，照落，係嘞。

問：所以嗰類，就算同事淨係話要 x 呢一種嘢，你都會叫做心照，就係話呢種嘢其實已經經過一個比較 formal 嘅程序，就係你已經搵咗相對嘅供應商，簽埋一個合約。喺簽呢個供應合約嘅時候，其實都應該確保咗係用啲審批咗嘅嘢，咁所以就唔需要再由你手再去 check 下，「啊，合唔呢」，唔使啲嘞，因為個供應合約本身其實已經係就住嗰個 approval 嚟到做啲嘞，應該，對嘛？

答：呢個我唔清楚㗎。總之我就跟有關嘅合約做。你話 a 唔 approval 呢，我當時我係唔知嘅。

問：得。咁但係同供應商訂立呢一個咁樣嘅供應合約，係咪你做嘅？

答：都唔係我做嘅。

問：都唔係你做。邊個做㗎？

答：我唔清楚，我唔記得㗎，當時。因為我係只不過當時係一個 clerk，去做呢個位嘅時候，收到地盤嘅 order，佢話要落乜嘢，譬如話銅喉，咪畀銅喉佢囉。佢要小五金，我咪 fax 去小五金度報價，就係咁簡單。

問：Okay。咁即係基本上你嘅認知或者假設，就係其實一係就已經有一個 supply contract，所以你 send 畀有關嘅 supplier 嘅時候，佢就已經一早已知道 supply contract 要求佢 supply 乜嘢牌子、乜嘢 specification？

答：總之呢個地盤要 ABC 嘅，已經有 contract 喺度啲嘞，咁我哋就訂 ABC 喇。

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問：得，明白。好嘞，咁至於冇一啲長線嘅 supply contract 嘅一啲小五金喇，學你話齋。小五金就冇一啲 supply contract 㗎嘛，因為叫到就先至訂嘅。

答：係喇。

問：咁就唔有簽訂一個 supply contract，咁就叫到先至訂。叫到先訂，就你有冇諗過點去確保地盤工友寫嚟嘅嘢，嗰兩個字，其實就係包含咗審批咗嗰種物料呢？因為佢嗰兩個字可能係好籠統嘅兩個字嚟㗎，螺絲、油漆。油漆可能係有 supply contract 喇。但係佢寫嚟嘅嘢可能係其實係有一個標準去規管嘅，但係佢就咁好籠統咁用一個詞語寫過嚟，咁你有冇諗過，「喂，咁我就咁將呢個詞語照 dup，打落去，send 去 supplier，supplier 知道畀咩嘢我㗎喇咩」，有冇諗過呢？

答：冇，我當時冇呢個認知㗎。

問：冇呢個認知？

答：係呀。

問：咁即係話你會覺得，就一係就地盤工友寫得上嚟，佢應該知道佢訂啲乜嘢合適嘅用料，或者就係供應商收到呢個信息，佢應該知道執啲乜嘢合標嘅物料畀你，係咪咁解？即係一係就 send 嗰個人知，一係就接收信息嗰個人知，係咪？

答：唔係好明你問乜嘢。

問：唔係好明個意思，係咪？

答：係。

問：我而家用個實際嘅例子話畀你聽。呢單事情裏面，我哋而家大約知道，呢個事件發生就係因為房委會審批咗，係有審批過焊料嘅，okay。焊料係有審批咗嘅，我而家話畀你聽。審批咗嘅焊料就係一啲一卷卷呢一啲卷裝嘅不含鉛嘅焊料，個牌子就叫做“FRY”，嗰個型號叫做“99C lead-free solder wire”。即係唔係淨係牌子，仲係呢隻牌子裏面某一個型號嘅焊料。咁就係頭先我畀你睇嗰張 215.2，就係包含呢樣嘢嘅。好嘞，咁但係你就話你有睇過呢一張嘢，仔細咁睇喇。咁你有冇見過呢種嘢呀，一卷卷呢啲綠色嘅嘢，喺公司？

答：冇。

問：冇見過。好嘞，而家嗰個問題出現在乜嘢呢？就係批就係咁批嘞，但係就地盤嘅工友 send 啲 fax 返嚟寫字樓，跟住寫字樓就向雋景訂有關嘅物料嘅時候，雋景就送咗啲咩嘢貨去地盤呢，就唔係送呢啲一卷卷嘅批核咗嘅 FRY 嗰，有都係少數喇，絕大部分就係送咗一啲長形呢一種叫做「英國 50 力扁錫條，裏面就係咁嘅一條條嘅。停一停先。你有冇見過呢啲一條條嘅錫條？

答：冇。

問：都有。好嘞，個事情就係出在咁樣。咁所以我哋而家--同埋呢啲就係含鉛嘅，okay，50 力就係 50 lead，即係有百分之 50 含鉛量。咁就所以我哋就要睇下，即係好宏觀咁講，就係話「哎吔，原來用錯咗料喇」，咁但係仔細啲，就係其實嗰個問題出在喺邊度呢，咁樣？所以頭先我就會問你，有冇一個機制，就係收咗批核咗 FRY，應該通知邊啲人，確保訂嘅時候係訂啱料喇，咁你講過就話你覺得應該鄭先生去負責。

好嘞，我哋所接收到嘅一啲信息，就係話有啲嘅工友就叫呢一種一卷卷嘅，即係啱嘅焊料，叫佢做「錫線」嘅；線，幼啲嘅，錫線。工友嘅叫法亦都係長啲一條條嗰啲含鉛啲啲，佢哋就話畀我哋聽，佢就叫嗰種做「錫條」嘅，okay。市面上有冇約定俗成一定係咁叫，我哋唔知，但係總之就係我哋聽過有啲工友係咁同我哋講嘅，okay，錫線就係卷裝，錫條就係長形。

咁個問題就係在於如果工友淨係識得咁叫，工友亦都唔會對呢個佢哋呢啲條又好，線又好，嘅內容，含金量或者含鉛量有任何嘅認知嘅話，佢哋可能就隨便憑口叫，「嘎，我舊時用開邊種，我就寫番叫錫條喇、叫錫線喇」，就寫，就 send 番嚟。所以佢哋嗰度就可能冇呢個認知，就 send 咗返嚟。咁寫字樓，你哋就見到，「你寫『線』，我就照 dup，向雋景就訂線。你寫『條』，我就照 dup 就向雋景就訂條」嘅話，咁地盤工友用錯詞語或者唔知訂乜，即係訂唔正 FRY 呢個用料，呢一個錯漏就一路就傳咗落去，就到到雋景手上，雋景就淨係會見到一拵嘅採購單就要條或者線。咁雋景可能就跟佢自己對條同埋線呢兩個詞語嘅認知就執番條或者線畀你。你明唔明呀？個問題就係咁樣。

答：我明呀，我明，我明呀。

問：咁所以就係你要知道，明白就係我哋頭先所講嗰個溝通嗰個問題，就

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係話如果有人話畀人聽，「喂，咪住，你訂，你確保有人知道其實整個過程裏面你要 supply 要 FRY 呢種嘢先，否則大家自顧自咁樣用呢啲術語去講呢，咁就會構成你用某種術語落單，人哋就淨係用番個種術語所代表嘅嘢畀你，就完全冇人諗過合唔合規格呢樣嘢嘞。個問題大致就係咁樣，其中一個可能。所以我就問你，就係你有冇諗過其實地盤嘅工友寫嘢上嚟嘅時候，其實佢哋會唔會用一種方法去形容呢種嘢，係形容得嚟係合標嘅呢？舉個例，你淨係寫「錫條」或者「錫線」，係唔包含 FRY 呢個概念嘅。你淨係用呢種咁樣嘅「錫條」、「錫線」呢個講法。

答：咁佢哋都大我好多年喇，喺地盤有相關嘅工作經驗，我深信佢哋都應該知道點樣去落，打個譬如，佢落個手錘，唔通我又要諗下佢個手錘，佢要嚟用乜嘢，做咩嘢，係咪去打劫或者去扑其他嘢。我唔可能樣樣佢落，我去諗去用嚟做咩嘢或者合唔合規格㗎嘛。

問：即係你嘅諗法就係經驗在佢哋嗰度，所以...

答：係呀，佢哋咁多年水喉經驗，佢都知道應該要落啲乜嘢囉，同埋喺我哋個立場，呢啲係小五金，有冇審批，我哋冇呢個認知。

問：係。咁所以你嘅講法就係佢哋嘅經驗，佢哋應該知道點講，係咪？即係好簡單咁嘅說法。

答：咁落單嗰個有一般嘅認識嘅話，即係有相關認可嘅認識囉。

問：即係喺地盤寫上...

答：如果唔係，佢都唔會識寫「線」或者「條」，係嘞。

問：而你亦都有特別嘅記憶當時嗰啲 material request form，嗰啲請購單，用咩嘢詞語，因為太多嘞，你話？

答：係呀。

問：咁嗰啲請購單又已經係攞咗嘞，即係冇咗嘞，係咪？

答：係呀。

問：就雋景會唔會知道其實條同埋線嘅分別呢，你覺得？

答：我唔清楚㗎。

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問：你都唔清楚？

答：係呀，因為我唔會--我唔係雋景，我唔知佢會唔會清楚啲分別㗎嘛，我又唔會去問。

主席：我想問下你，雋景畀你哋嗰張價目單上高，就住...

問：你睇一睇 2354 頁。

主席：...--就似乎就住錫嘅焊料㗎講就係得三種。冇另外一張㗎喇呵？就係得呢張㗎咋，係咪？

許先生：「燒焊用品」，2354，係得呢張嘅啫。

主席：燒焊用品有好多種唔同嘅焊料，有銀、有不鏽鋼，我哋見到有各種唔同嘅，但係就住講錫條㗎講，就淨係得--上嗰面嗰度淨係得咩嘢話，三種定兩種呀？

許先生：佢係松香膏一種、錫條一種、錫線一種，即係每種得一個牌子嘅啫。

主席：係嘞，就係即係冇第二張㗎嘞，雋景係得呢一張嘅啫？

答：係，佢畀我哋嘅係。

主席：就係得咁多㗎嘞？

答：係。

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主席：得。

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問：咁所以就在你嚟講，即係你嘅範疇，就會係一個 checking 嘅工作，學你話齋就係？

E

F

答：冇錯。

F

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問：因為未必一定係跟足呢個價目表㗎嘛，因為有陣時你會同佢有 bargain㗎嘛，你...

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答：係，冇錯。

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問：...下面負真係落手落腳做嘅同事？

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答：係，冇錯。

J

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問：可能訂得多就會同佢講下價，「喂，唔好\$190呀，平啲」咁樣？

K

L

答：係，冇錯，佢哋個崗位應該要呢樣嘢。

L

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問：係嘞。咁就因為公價係咁，講就係咁講喇，即係通常可以撇到佢平啲，因為大量訂咁樣。呢個就係真係採購部 Jess 佢哋嘅做法，...

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答：係，冇錯。

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問：...可能要用電話咁喇，係咪，會牽涉到？

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答：係，冇錯。

P

Q

問：咁你就話你嘅工作就係主要就係 focus 有冇訂錯料，所以譬如話人哋寫要 x，你要確保佢係 x 先，一盒、十盒？

Q

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答：同埋個數量同價。

R

S

問：同埋數量。同埋你話 quote 番嚟，如果人哋打咗折扣嘅，你要確保你唔好傻傻地照抄番個正價，原來有折扣嘅，你要訂啱價？

S

T

答：係，冇錯。

T

U

問：咁你點樣知道其實採購部嘅同事同人哋傾咗返嚟嗰個折扣係咩嘢呢？佢哋會 mark 喺嗰個請購單上面，係咪？

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答：係，冇錯。佢都會畀番資料我。

問：即係可能佢會成套畀你，就話...

答：成套。

問：...「請購單我 fax 咗去雋景，跟住...」

答：人哋報價返嚟。

問：...--係嘞，「我同佢講話 x 咁多錢；bargain 完，好嘞，最終我同佢 bargain 咗原來\$160...」

答：啊，對方都會 send 番過嚟 bargain 咗之後 final 個價錢或者個 percentage 都會寫番喺個 price 度。

問：Okay，得。總之有一套嘅文件，就可能係手寫或者盛喇，總之有一套文件記錄咗，大家總之議價之後嘅最終嗰個價錢，咁你哋嘅同事就會製作一個 purchase order，你就要跟番嗰個所謂文件嘅 flow chart，就確保應對番價錢、數量、品種？

答：冇錯。

問：係，okay。跟住就簽名，...

答：係。

問：...一係你簽，一係佢簽。呢個就係你嘅流程？

答：冇錯。

問：好。對牌子方面，你係有任何嘅認知，...

答：冇。

問：...因為你覺得呢啲唔係你嘅即係專長嘅範圍。所以至於何標記喺一路嚟講--我知道其實水喉包括好多部件嘅，我哋而家就淨係睇焊料，即係可能。你所理解何標記一路嚟講佢訂焊料係叫做訂錫條定係錫線，你有冇籠統嘅一個認知呢？

答：冇嘍。

問：冇嘅？

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答：地盤 fax 咩嘢上嚟，我哋就跟地盤個名稱去落囉。佢哋地盤叫啲乜嘢，可能佢地盤 A 君同 B 君講，佢唔會同我講㗎嘛。

問：得。

主席：想問下二三--即係呢個價目表裏面，就係你哋何標記同雋景訂嘅小五金，所有有關嘅項目？

答：唔係所有。呢個餐牌佢係其實--除咗何標記，其他公司佢都會派呢個單價出去，只不過唔同公司，佢就唔同嘅 discount，係嘞。

主席：我知。唔係，我...

答：但係唔包括佢所有。因為佢好似一間百貨公司咁㗎，佢咩嘢都有。咁佢係大路啲啲就有喺度囉。

主席：係，得。即係呢個係其實好多張價目表嘅其中一張...

答：係，冇錯，冇錯。

問：而亦都可能係有啲我哋叫做比較刁鑽啲嘅，唔係大路嘅，佢就可能費事分門別類寫落去，可能就係你問佢要到，佢就逐件...

答：因為太多呀，佢--係。

問：...單件同你 quote 價嘞，啲啲就會係？

答：係，冇錯。

問：不過呢啲就係佢覺得話「5 主要多人問嘅，我就整定張單畀你咁」，即係畀定個 quote 你，一個 standard 嘅文件，就方便你睇，咁解嘅啫？

答：我諗佢係咁啫。

問：係，得，好。我就想畀你睇一睇一啲嘅文件，就等我哋知啲啲文件邊個簽嘅。睇睇 S1 吖，唔該，S1。S1 裏面，就 194，呢個就係一個何標記嘅 purchase order，咁呢度右下角就寫住“Buyer”，就係

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“wai”同埋“catlin”。Catlin，我哋知邊個喇。呢個“wai”係邊個呢？

答：都係我。

問：都係你。好嘞，所以我哋有陣時如果見到呢一啲嘅 purchase order 裏面，即係我唔會逐張同你講咁樣，寫住“catlin”嘅，Catlin 喇。但係有陣時寫住“catlin”同埋“wai”嘅，咁個個“wai”就係你嘞，即係黃慧萍，個“wai”就係 standard for 即係「慧」喇？

答：係。

問：即係用乜嘢嚟到決定乜嘢時候就淨寫“catlin”，有啲咩嘢時候就寫埋你個名呢？因為即係我唔麻煩你逐樣睇，因為有啲淨係寫“catlin”，有啲寫“catlin”同“wai”咁樣嘅。點樣去決定幾時寫 buyer 係邊個呢？

答：我哋嘅做法就係...

問：舉個例你睇下，200 頁。200 頁嗰個 buyer 淨係你嘅。200，嗰個 buyer 就係你喇。202，個 buyer 就係“catlin”嚟嘅。你見到嘛？

答：見到。

問：202，嗰個簽名係你嚟嘅，係咪？

答：係。

問：因為八千九百幾，咁呢個係簽名權限係屬於你嘅，所以係你簽嘅，呢個係。好嘞，咁我就想問一問你，就係咩嘢情況下決定個 buyer 個名係寫邊個呢？

答：邊個同事負責開呢個 PO 囉。即係譬如話我打嘅呢張，咁我就會寫番係我打囉。即係個名嘅意思就係邊個去打呢張 PO。

問：咁即係其實有陣時你都會落手落腳去做打--而家呀，直至而家，我都係負責去落手落腳做？

答：而家唔會。

問：得。2013 年嘅時候呢？其實睇番 200 頁。

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答：因為有時同事會放假㗎嘛。

問：Okay。咁就即係叫做係客串喇，...（聽不清）

答：係。

問：即係俗啲就係你客串做，但係主職就唔係你嘅？

答：係。

問：Okay。咁有陣時點解會有兩個名...

答：同埋你睇番 200 個張，係後補 PO 嚟嘅，基本上已經係送咗貨，咁我哋之後再補番單畀雋景嘅。

問：哦，okay，得。即係一啲特事特辦嘅情況嚟嘅，嗰個係。即係平常落單，流水作業式嘅，就唔會由你，真係要勞煩到你去打嘅？

答：係，冇錯，冇錯。

問：呢個可能係一個即係特別嘅情況？

答：係。

問：可能係一早可能係咪口頭叫咗佢已經送咗貨，或者有啲溝通，佢送咗貨，你就後來要補番一個文件，咁就呢個...

答：因為趕工急。譬如好似佢今晚打嚟，聽朝要要嘞，咁我哋就會叫佢，「唉，好急，你送咗先喇，我哋聽日晏啲再 fax 番畀你喇」咁。

問：得。即係呢個係特殊情況喇，可以咁講喇？

答：特殊情況，係，冇錯。

問：特事特辦喇，我哋叫做？

答：係。

問：係，好。你嘅證人供詞曾經講過，就係你哋唔會將嗰啲 purchase order send 去地盤嘅，對嘛？

答：係，冇錯。

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問：咁就地盤啲工友，如果有人送貨去嘅話，咁佢要點收，就純粹就係點收人哋送貨單上面話送十件，佢就確保係送咗十件，就係咁嘅啫，係咪？

答：佢點收囉。

問：咁佢點收就係確保人哋話送嚟嘅數量係啱，實際送咗嚟嘅數量啫，但係佢哋就唔會知道你哋落單係訂咗咩嘢嘅，唔會知道嘅，係咪？

答：呢啲係因應佢寫上嚟落嚟嘛，佢應該知道嚟緊會有咩嘢貨到囉。

問：明白。咁即係話你就覺得制度上就無需要零零舍舍架床疊屋，fax 番張 PO 畀佢嘞，因為...

答：唔需要。

問：...你嘅 PO 都係跟佢嘅意思做嘅啫。

答：係，冇錯。

問：「咁即係所以你都應該知道嚟得嘅就梗係跟你嘅意思訂嚟嘞」？

答：係。

問：即係講得白啲就係咁樣嘞，係。

答：冇錯。

問：咁佢哋亦都有乜理由走去猜度，就係話你哋會訂錯嘢嘅，一路講個信字，流水作業咁做嘅？

答：如果錯，佢會即時打上嚟話送錯料。

問：因為佢話--係嘞，佢訂咗十樣，點解嚟到完唔啱嘅，佢哋會嘈嘍嘞？

答：係，佢哋絕對係會打上嚟嘅。

問：得。咁所以其實一路嗰個順住做嗰個過程就係佢話畀你聽要十樣，你跟佢意思訂十樣。正路就應該送十樣去，佢望一望就知道，「欸，咁係即係聽咗我嘅意思做喇，啱喇」，送錯就自然會嘈你喇？

答：係。

B

B

C

問：或者可能送得一半，另外嗰半點？咁呢啲可能會特殊嘅情況就要處理喇，但係一般嘅情況...

C

D

答：佢都會追嘅，如果係冇嘅話。

D

E

問：係嘞，partial delivery，咁就話「點解嚟得五盒，另外嗰五盒去咗邊度？」咁就會追嘞，係咪？

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答：係嘞。

F

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問：追邊個呢？

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答：都係採購部同事喇。

H

I

問：係嘞，打電話返嚟話「喂，點解？」即係你哋到同事就會追雋景，話「喂，點解我訂十盒，你嚟得五呀？」

I

J

答：係吖，幫佢跟進囉，冇錯。

J

K

問：一般嘅做法就會係咁樣嘞？

K

L

答：係，係。

L

M

問：好。所以其實直接同雋景聯絡嘅責任都係採購部同事嘅？

M

N

答：冇錯。

N

O

問：嗰個所謂聯絡嗰個網嗰個流程就係地盤嘅工友或者同事就淨係會同寫字樓聯絡嘅啫。佢要追都係問你哋追，你就會向雋景追，就係咁樣嘞？

O

P

答：正常嘅程序係。私底下佢有冇再打去，我就唔知。

P

Q

問：佢哋會唔會知道雋景嘅人嘅聯絡嘅方法㗎，地盤嘅工友？

Q

R

答：咁佢個送貨單度有寫個公司抬頭㗎嘛。我唔知佢會唔會打去人哋公司㗎。

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問：好，得。

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主席：不過一般會唔會咁做呢，一般？

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答：我唔知佢哋嘅做--即係佢打咗去，佢唔會話畀我聽，「我打咗去呀」，咁樣㗎嘛。佢唔會同我講囉。即係佢哋有冇打，我唔清楚。

主席：明白。因為石大律師問到，咁我都想問一問，因為我哋聽到有啲證據，基本上就係陳小華就講，就係話譬如佢--頭先石大律師講到唔夠貨嘅時候，咁佢就曾經講過就話如果唔夠貨，就有機會就係採購部--即係譬如佢訂開錫條，而雋景又唔夠貨嘅話，就唔單只將錫條，甚至將呢個錫線都一齊係送埋落去，因為有一隻 A 唔夠貨，於是就畀埋隻 B 嘅貨落去，咁就會係你哋決定嘅。

答：唔係。

主席：唔係。

答：唔夠貨，我哋會同佢講唔夠貨。跟住順便同供應商，「你幾時有貨？」再問下佢等唔等到。我哋唔會亂咁去送啲佢唔要嘅嘢去嘅。

主席：得。

問：啱嘞。咁亦都話曾經有一個說法就係咁嘅，就係話何標記其實落單係要十盒某種嘢嘅，但係雋景冇十現貨咁多㗎，所以雋景就話「不如我畀五盒你，另外你要啲五盒喇，我用呢五卷第二啲嘢去代替喇。」如果有呢一種情況出現嘅話，正確嘅做法應該係點呢？

答：頭先我答咗陳主席。

問：係嘞，咁就係即係會透過你去跟進嘅？

答：如果佢冇貨，咁我哋會打番地盤，「佢冇貨，追咗人哋嘞。」譬如話「你而家要嘅，但係人哋要兩個月後先至有船返㗎，你等唔等到呀？」問番佢個決定。

問：得。所以就唔會存在地盤...

答：我哋幫佢改。

問：係嘞。同理有貨、冇貨都會有個好完善嘅一個溝通，你會從雋景口中知道冇貨。地盤工友亦都會知道係因為冇貨，佢亦都有個決定就話「我接唔接受替代品先。我堅持要正嘅十盒嘅」，佢就同你講。所以全部唔會靠估嘅，對嘛？

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答：唔靠估嘅。我哋都會聯--因為我哋寫字樓唔喺工地，知道佢個進度要用乜嘢，咁我哋點可能幫佢改呢？

問：係。會唔會再出番一啲替代嘅 purchase order 㗎，如果係咁？即係...

答：點樣為之替代？。

問：舉個例，你一開頭訂十盒，purchase order。即係你個 purchase order 寫要十盒某種嘢。雋景同你講話「我得五盒啫，」「咁所以呢我就 suggest 你收住五盒先，另外嗰五盒呢，你用啲叫做五卷嘅嘢去替代。」你問過地盤工友，地盤工友話「我都收貨喇。」咁你就同雋景講話「好喇，你送五盒嚟，另外嗰啲就五卷喇。」咁你文件上係咪會要做番就話「欸，咁我要整番一套 purchase order 訂五盒加五卷」去...

答：從來有替代個啲。

問：冇替代嘅？

答：冇替代個啲。

問：所以其實即係頭先我哋講嗰個情況，其實都係一個比較假設嘅情況，因為即係以你嘅經驗，其實就有發生過呢一啲唔夠貨要替代？

答：冇發生過，係。

問：只不過你就係同我哋講如果咁樣發生，你會確保個做法係乾淨俐落，清清楚楚，係咪咁解？

答：冇錯。

問：但係實際實踐起嚟就有試過咁嘅事情，對嘛？

答：冇貨，冇。你話地--即係譬如話個供應商，「喂，呢排好多人攞呀，冇貨呀」，冇，呢個冇。

問：但係搞到要替代就有嘞？

答：替代就有嘞。

問：得。即係原本你訂 A 嘅...

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答：因為替代已經變咗第二樣嘢喇。

問：係，冇錯。

答：譬如話你個 size，譬如話可能佢要四吋半嘅，根本嗰樣嘢都有四吋半，得三吋半嘅，咁呢啲算唔算替代呢？已經變咗第二樣嘢喇嘛。

問：但係佢有冇話你--咁就已經係另外一種嘢喇。但係...

答：係喇，冇錯。

問：或者你用嗰隻嘢，用開嗰種牌子 A 冇，但係牌子 B 都一樣嘅啫，一樣咁好嘅，唔啲咁嘅情況出現過呢？

答：我哋唔會立亂去譬如訂開 A 就轉去 B 啲。

問：唔會立亂訂開 A 轉去 B？

答：係呀。

主席：或者我哋早休先喇，早休。

石先生：有少少問題，但係我諗而家我哋可以 take 咗個 morning break 先。

主席：係，take 咗個 morning break 先，二十分鐘，我哋休一休息先。

上午 11 時 36 分聆訊押後

上午 11 時 59 分恢復聆訊

何標記建築工程有限公司（“何標記”）（中國建築（啟晴邨）及瑞安（葵聯邨第二期）的分判商）的第四證人：黃慧萍（何標記董事總經理的私人助理）宣誓繼續作供
石先生繼續主問

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問：黃女士，最後幾問題。我想同你澄清番就係剛才你講話採購部嘅同事一般嘅做法就係接收到地盤工友 fax 番嚟嘅請購單之後，佢哋係會照跟請購單上面嘅物料嘅形容、數量同埋單位都係照跟嘅，對嘛？

答：對。

問：對。咁就而你剛才亦都講過就係理論上係唔應該存在話寫字樓 send 咗個 purchase order 去供應商，去訂譬如話十盒嘢，跟住供應商佢發覺唔夠貨，得五盒，而自把自為塞咗另外幾樣嘢，覺得差唔多替代，就送咗去地盤，而有話畀寫字樓聽，跟住地盤又照收貨，照用。呢個情況，你覺得會唔會有存在呢？

答：唔會。

問：因為你嘅認知就係如果供應商係冇貨，佢係會同你溝通同聯絡嘅，對嘛？

答：冇--嘎。

問：即係你嘅意思係即係寫字樓喇？

答：係，冇錯。

問：係。但係會唔會有啲情況--我哋而家都係假設緊喇，會唔會有啲情況係咁，就係寫字樓 send 張 PO 去供應商，譬如話係訂十盒，我哋用呢個假設嘅例子。供應商見到話「你訂十盒，我得五盒，但係有啲差不多嘅替代品，差唔多喇，我同你計番啱條數」，咁就五盒，可佢自己揸主意，供應商，佢話「五盒加五卷，價錢唔係爭好遠」，就費事同寫字樓同事溝通嘞，佢就直接送咗去地盤。地盤嘅工友見到，欸，又差不多，就照用喇，冇所謂。咁到頭來返番張 invoice 返去寫字樓嘅時候，呢啲小五金，細眉細眼就唔會真係逐樣 check 嘅，價錢差不多，地盤工友又有投訴，替唔替代冇乜所謂，就照畀錢喇咁，會唔會有呢一種嘅情況出現呢，你覺得？

答：咁我哋 fax 張 PO 出去，佢文咩嘢落去，我哋唔係收貨嗰個。

問：冇錯。所以其實佢送到落去，下面啲同事選擇收貨，你都未必會知道？

答：係，冇錯。

問：佢選擇收咗貨，跟住人哋整番張 invoice 上嚟，張 invoice 可能係寫啲嘢同我個 PO 唔夾。如果係咁，...

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答：如果唔夾，我哋就會發問。

問：Okay。如果唔夾會發問，但係 follow up...

答：如果佢係--即係佢自己換咗貨，但係佢打番個樣嘢，我哋唔會知㗎嘛。

問：對。所以我問你，又係用番頭先十盒個例子，如果你 PO 係寫十盒嘅--最大嘅問題我哋而家就真係搵唔到全套嘅 PO 同埋請購表嘅，可能已經事後咁耐冇咗喇。好多時候就係靠一啲理論性嘅推測。舉個例，如果 PO 寫十盒，供應商冇貨，淨係得五盒，佢就砌夠五盒加五卷送咗去地盤。地盤工友見到，佢哋嘅認知大家都係叫錫，差唔多，照用喇，收貨。雖然佢哋知道佢訂十盒㗎，但係人哋送五盒加五卷，佢照用，收貨，又唔 down 聲畀寫字樓聽。寫字樓到頭來見到人哋 send 張 invoice 過嚟，同個 PO 唔係好夾個嘢，因為 PO 要十盒㗎嘛，後來供應商 send 上嚟就五盒加五卷，佢照用，收貨，又唔 down 聲畀寫字樓聽，寫字樓到頭來見到人哋 send 張 invoice 過嚟，同個 PO 唔係好夾個嘢，因為 PO 要十盒㗎。後來供應商 send 上嚟就五盒加五卷，但係價錢差唔多，或者唔係賺得好遠可能叫做。咁嘅情況之下，其實會唔會寫字樓，你哋嘅同事，其實呢啲嘢就睇下賺幾錢嘅啫，如果個數目唔係賺太遠，可能都照收㗎嘞，即係照畀嘅。

答：唔得，都唔得。

問：唔會嘅？

答：唔會。

問：即係唔夾就要即係...

答：就要出聲。

問：Okay。

答：係。

問：得，咁有冇呢個情況發生過呢其實實際上以你嘅認知？

答：冇。

問：冇嘅？

答：暫時都冇。

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問：暫時冇認知過，即係總之你嘅...

答：喺我接觸嘅就有囉。

問：係。

答：喺我接觸嘅就有。

問：得，即係你記憶中就係--唔係，但係如果有 invoice 返到嚟。

答：唔。

問：咁你哋一定係有一個步驟，就係對番 invoice 收你錢嘅數，同送你哋 purchase order 嘅單。

答：Invoice 係好後期㗎喇，我哋係收到嗰張 DN 先㗎。

問：係，明白，但係找數就係跟 invoice 找㗎嘛。

答：係。

問：咁呀首先你一套文件就係會有 DN，跟住佢開單嘞，就有個 invoice。

答：唔。

問：即係你哋係有個步驟係要去 check 番個 invoice 同你個 PO 同埋個 DN 係確保開出去嘅單，同送番嚟嘅貨，同你開單收我嘅錢係吻合嘅。

答：係。

問：咁所以以你嘅認知，同埋以你嘅經驗。

答：唔。

問：即係而家就話啲 PO 冇咗，但係當時你嘅記憶中就冇話一啲情況下，你 PO 要十樣，但係人地實質上 DN 或者 invoice 嚟係唔配合嘅，你嘅記憶中有發生過呢個事情。

答：冇。

問：但係呢個係小五金係一啲比較細微嘅嘢你都會咁做呀？你哋嘅寫字樓。

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答：點樣做話？

問：呢啲係小五金嚟個嗎，即係比較相對係細微嘅嘢，頭先你話你連人哋訂嘅...

答：但係佢個--佢--你嘅意思就係話佢送五盒，佢返嚟嗰張 DN 落咗--落多咗五卷咩嘛，即係五盒加五卷，即係佢...

問：你--我當你訂十盒，但係人哋送貨係送...

答：五盒加五卷咩嘛。

問：...五盒同五卷，收錢又收五盒同五卷。

答：咁已經唔同咗喇，卷同盒。

問：係。

答：係喇，我哋唔使睇價錢，一睇嗰個 item，卷同盒，同我哋訂...

問：Okay，即係你嘅做法就係不分話貴或者唔貴，但係你會睇個 description，description 唔計嘅，就無論係斷千釐計，定係斷萬釐計，你都開聲㗎嘞？

答：係呀。

問：實際 check 嘅唔係你，係咪呀？係你下面嘅同事 Jess 佢哋做嘅，係咪？

答：係，冇錯。

問：而家我哋就發現呢就係諗啲請購單呢，我哋就當時同啟晴有關啲就即係搵唔番喇。

答：唔。

問：咁其實連 PO 都唔係好齊嘅，因為我哋啲 PO 好多時候都係由雋景幫我哋搵番。

答：唔。

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問：咁何標記裏面 keep 呢啲文件嗰個制度係點樣嘅呢，用乜嘢嚟到作為所謂 cut off 話幾時我哋就攞咗某邊類嘅文件咁呢，可唔可以同我哋講講？

答：一路以嚟，何標記接好多工程。

問：係。

答：咁我哋嘅寫字樓唔係大咩。

問：係。

答：咁完咗工程，我哋去埋個 final account，咁唔需要用嘞，咁我哋就唔會用㗎嘞。

問：完咗 final account 即係同建築商清咗條數嘞，即係佢找晒數？

答：通常都係老細話，得㗎喇，呢個地盤完㗎喇，唔使要嘞。

問：係。

答：咁你哋就可以銷毀嘞。

問：係，咁但係跟...

答：係嘞，我哋唔需要 keep--keep 呢啲嘢囉。

問：係，咁但係你都要報稅㗎。

答：咁呢個係另外一個部門，即係另外一個同事負責個囉嗰。

問：噏...

答：我哋採購部係採購部㗎嘛。

問：係，咁...

答：係喇。

問：...採購部--但係處理呢啲文件，老細同你哋講話呢套文件可以攞，可以銷毀㗎嘛？

答：請購單㗎嘛，同 PO 㗎嘛。

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問：好嘞，請購單同 PO 就可以銷毀，咁你知唔知如果報稅要 keep 財政文件，第時稅局走嚟 check 話你報細咗啲，咁啲關於即係報稅嘅文件係邊個 keep 嘅呢？

答：會計部囉。

問：邊位同事嚟會係？

答：鍾小姐。

問：哦，鍾小姐？

答：係。

問：但係就總之以你嘅理解，就係請購單就完咗 final account 之後，收--即係收足錢，咁就會即係銷毀，攞嚟係咪？即係會係？

答：我哋唔會保存囉。

問：你哋...

答：因為實在太多，你保存，即係冇咁嘅...

問：得，咁 PO 呢？

答：都係。

問：一樣？

答：係。

問：唔，啲 DN 都係？

答：DN？

問：嘎。

答：你--你所講嘅 DN 係...

問：Delivery note 即係送去地盤。

答：...係單定係乜嘢呀？

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問：Delivery note，送貨單。

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答：總之我哋嗰面，採購部嘅，就唔會 keep 任何文件。

D

E

問：唔。

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答：因為已經係完咗喇嘛，喺我哋嘅部門度。

F

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問：係。

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主席：Invoice 就會 keep？ Invoice？

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答：Invoice pass 咗畀會計部找數，佢哋點樣處置，我唔清楚。

I

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問：得。

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答：你話咩嘢報稅，我亦都有呢方面嘅...

K

L

問：得，即係實際上...

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答：...知識。

M

N

問：...比咗幾錢嗰啲就可能係 invoice，即係人哋問你收幾錢嗰啲就 invoice 喇，嗰啲就 pass 咗問會計部？

N

O

答：係。

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問：Okay，得。頭先我問過你關於一啲同事落訂嘅時候，寫上要訂乜嗰啲詞語，你就話太多喇，即係其實做一個水喉工程咁多，即係你唔會特別上心記住錫條定錫線咁樣，你記得你答過呢樣嘢喇。

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答：係，係。

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問：我哋睇睇水泉澳，水泉澳嗰個例子呢，就係 K3 呢個 file。2355。呢一個文件呢就係你嘅證人供詞裏面提出嘅，你--呢份證人供詞，呢份單就 2014 年，就唔關啟晴同葵聯事嘅，咁呢就係地盤一個工友就 fax 番嚟寫字樓喇，咁我哋就見到，或者即係你嘅證人供詞就話畀我哋聽其實你見到地盤，或者你哋寫字樓，見到地盤有呢啲要求，就

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要求呢一炸中間物料名稱下面嗰炸咁嘅嘢呢，就係向東華係擺 quotation，呢個你證人供詞有提過，你記得嗎？

答：記得。

問：咁我哋都見到就係呢，喺中間嗰度呢，係有一啲手寫嘅價錢咁樣嘅，譬如話銅焊曲，咁就係 25 釐咁樣，跟住到到錫線嗰度一百卷就見到磅就係 67 咁樣，係咪，見到？

答：見到。

問：首先就係呢一張請購表 fax 到嚟寫字樓之後，跟進擺 quotation 唔係你做㗎？

答：唔係我做嘅。

問：係邊個做嘅？你記唔記得？

答：相關嘅同--記唔記得，我唔記得喇。

問：哦，okay。

答：即係相關同事喇，我唔知係 Catlin 喇，定趙小姐。

問：Okay。

答：或者其他，因為嗰個部門嘅流失率都好多㗎。

問：得。

答：嘅。

問：我知。Purple 就好後期先加入喇？

答：後期，十五年，上年。

問：係，所以就佢冇作供，好嘞，咁就即係話呢，其實你提供呢一個例子出嚟呢，就其實都係--係咪可以咁講，係事後你做呢份證人供詞嘅時候，睇番你哋嘅文件紀錄...

答：運作緊...

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問：...就擺出嚟做一個例子，係即係講下你哋擺 quotation 同埋決定用邊個供應商嗰個做法而事後嘞出嚟嘅，即係呢個唔係你實際落手落腳經手做嘅，咁樣講啱唔啱呀？

答：係。

問：係，因為擺 quotation 嗰個就唔係你？

答：唔係我。

問：咁就見到呢個字眼都唔係--因為呢度我哋見到，你見到第六項係寫住錫線嘅，你見到嗎？

答：係，見到。

問：咁所以其實當日你仲做緊即係類似嘅工作，即係未升到而家呢個職位嘅時候，你都會即係成日見到呢啲請購表嘅，對嗎？即係呢種請購表嘅表格係咪一模一樣...

答：14年嘅時候我都已經係而家嘅崗位。

問：我知，但係我係講再之前呀。

答：再之前？

問：我係講一般經驗，其實之前何標記一路都用緊呢種表嘅，係咪？

答：係呀，冇錯。

問：咁所以其實當年你仲做緊，唔係講14，之前，你未升到而家呢個職位嘅時候，你都經常要處理呢一啲嘅請購表，將佢哋轉化成為PO㗎嘛，對嗎？

答：冇錯。

問：係，咁所以就我哋見到啲工人，起碼呢度有個例子就係寫錫線嘅，咁但係當然喇，係七樣嘢其中一樣係錫線喇，咁但係我想知就係話，雖然其實你話一個工程可以牽涉好多嘢嘢，咁但係其實常理嚟講，你如果流水作業式，你日日都見到，咁你寫松香膏嗰啲冇理由唔記得咗曾經有人 order 過一啲叫松香膏嘅嘢嘢，即係我而家問你，你記唔記得有人會 order 啲松香膏嘅嘢嘢呀，咁你記唔記得㗎？我嘅意思係，即係有啲嘢你話係好特別好高深要特別記嘅就話唔記得啫，但係即係呢一

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啲日日都會見住，差不多經常會出現嘅嘢，我就好有興趣知道點解你話你真係唔記得咗有冇人 order 錫線、錫條呢？即係常理...

答：咁你好 minor 講呢兩種咩嘛。

問：嘎。

答：咁當年你話有冇呢兩樣嘢，我真係唔係好記得。

問：唔。

答：你話日日...

問：唔好理錫線或者錫條，...

答：係嘞。

問：...即係錫乜咁樣，係關於燒焊用嘅嘢咁樣，你會唔會有印象呢？

答：冇印象㗎，佢--總之佢日日都咁多單，日日都係寫埋同一樣嘢，學你話解。

問：唔。

答：咁好多名稱，我唔會日日去記住㗎嘛。

問：唔。

答：我做完，完咗我個 part，咁我就...

問：Okay。

答：...攄低㗎喇。

問：得，即係譬如...

黎先生：我想問一問呢，你呢個係...

答：係喇，咁我有理由成日帶工作嘅嘢返屋企，成日諗住㗎嘛。

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問：得，明白，係。

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黎先生：我想問一問，呢個係咪范秀鵬嚟㗎？

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答：吓？

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黎先生：呢一張單嗰個係咪范秀鵬？

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答：係呀，范秀鵬。

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黎先生：范秀鵬，即係其中一個以前係喺啟晴嗰度係第五、第六座就係佢范秀鵬？

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答：聽唔到呀，唔好意思。

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黎先生：范秀鵬，呢一個係范秀鵬個名嚟嘅？

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答：係。

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黎先生：佢係當年負責係啟晴嗰度嘅第五、第六座？

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石先生：第五、第六座。

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答：係呀，第五、第六座。

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黎先生：即係佢擺焊料嗰陣時呢，佢就會係擺係錫線呀，係咪呢？

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答：當年嘅嘢我--我唔係好記得。

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黎先生：係咪佢凡係擺親焊料呢，都係用係錫線呀？我見呢一張單係寫錫線喇，係佢填㗎嘛。

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答：係佢填，呢張單就係佢填。

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黎先生：係。

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答：但係你話當年...

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黎先生：即係係咪通常...

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答：...係咪填親都係錫線呢...

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黎先生：...佢做親啲工程都係落錫線？

答：...我唔係好--即係好模糊喇個印象。

黎先生：哦。

答：係嘞。

黎先生：我又想問一問嘞，另外一樣我想問一問就係咩嘢呢，而家有出示
啲啲呢，啟晴同埋葵聯呢，譬如陳小華先生，或者係黃貴雄先生攞料
嗰陣時呢，就攞錫條，就係有鉛喺入面喇，咁但係我想知呢，其他啲
啲工程，你哋接觸咁多啲人係攞，買料嗰陣時，同你哋攞，你哋都係
聽佢要求，乜嘢就寫乜嘢喇，係咪其他啲啲既然都有出事，係咪通
常佢哋都係攞錫線嘅呢？

答：其他係咪攞錫線？

黎先生：嘎，打電話同你哋話落單，要攞--買嘢嗰陣時。

答：佢唔係打電話㗎，佢通常佢都係...

黎先生：一定係寫單嘅？

答：一定係寫單㗎，...

黎先生：如果咁，即係...

答：...我哋唔接受打電話，因為有事會講錯，或者太多電話我哋--好多人
打電話㗎，咁驚遺忘，最好㗎嘞，白字黑紙寫，唔會忘記。

主席：即係地盤要求係一定...

黎先生：如果你咁記憶之中呢？

主席：Sorry。

黎先生：你記憶之中你係咪通常啲人都係攞錫線嘅呢咁樣樣？其他啲啲工
程，其他啲人？因為而家有出事嘅呢就係陳小華同埋黃貴雄佢哋都曾
經同你哋攞錫條㗎。

答：唔。

黎先生：就出咗事喇。

B

B

C

答：唔。

C

D

黎先生：咁其他冇出事嘞，咁多其他你哋工程，係咪其他嗰啲嘅判頭落單
係同你哋話出呢一個請購表嗰陣時呢，都係申請擺錫條嘅呢？你記唔
記得呢？

D

E

答：你講當時吖，定係而家先？

E

F

黎先生：你好多其他工程呀。

F

G

答：我--我哋...

G

H

主席：當時呀。

H

I

黎先生：當時呀。

I

J

答：當時，當時咁多年前，我唔記得嘞真係。

J

K

黎先生：哦。

K

L

答：即係你話好 exactly 係咪錫線定錫條。

L

M

黎先生：咁樣龍逸邨你記唔記得呢？

M

N

答：龍逸邨，屯門？

N

O

黎先生：嘎，佢哋擺--要求買嘢嗰陣時，佢係...

O

P

答：其實佢哋都係同時期㗎...

P

Q

主席：係吖，都係唔記得。

Q

R

答：...因為我哋都係嗰--嗰個形式，我哋個部門都係照單執藥，佢落 A，
我哋就畀 A 囉。

R

S

黎先生：唔。

S

T

答：因為佢日日都落 A、A、A、A、A 咁，其實咁多個地盤，我都唔係好記
得佢當時係落啲乜嘢。

T

U

黎先生：唔。

U

V

答：因為太多料喇，佢除咗...

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黎先生：因為理論上呢...

答：...落小五--小五金都好多樣，好多種類。

黎先生：因為理論上呢，就應該呢其他啲咩工程，個個都係寫錫線嘅，因為錫線就冇事咁嘛，其他你哋啲咩嘅工程呢，都冇事發生咁嘛，理論上呢，梗係以前啲人落單呢，個個都係要求個人士呢，都係買錫線。

答：唔。

黎先生：咁所以你咪冚嚟買錫線，就冇事囉。

答：唔。

黎先生：咁呀唯一出事呢就啟晴邨同埋葵聯邨出事咁嘛，就係買咗錫條咁嘛，即係理論上你以前收收埋埋啲咩嘅請求呢，啲咩嘅報價，啲咩咁嘅請購表呢，通常應該都係寫錫線㗎嘞，如果唔係就應該其他都好多事，出--都出現問題喇，我喺度咁諗啫。

答：理論上係。

黎先生：不過你就唔記得嘞？

答：唔記得，真係好--小五金都好多種類。

主席：有冇睇過有啲請購表上嚟係寫高溫錫條呀？

答：而家有囉。

主席：而家有呀？

答：係呀。

主席：唔。

答：你話有冇睇過，而家有。

主席：就係呢個出咗事之後？

答：係，冇錯。

石先生：即係新嘅寫法，係咪？

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答：係，新嘅寫法。

石先生：即係新嘅做法，即係你而家...

主席：就括住後面寫埋「無鉛」嗰兩個字添。

答：而家佢哋地盤多數係高溫錫線。

石先生：錫線，係，高溫錫線。

主席：錫線呀，唔係錫條呀？

石先生：線，係。

主席：得。

問：少少嘅問題係關於嗰張同東華擺 quotation 嗰張單。

答：唔。

問：咁就你嘅意思即係話呢，有採購部嘅職員呢，就會真係就同東華溝通，東華就會畀咗一個 quotation 佢一磅 67 元，咁佢就會對比下雋景嗰個 quotation，即係嗰個 price list，就喺 2354，我就想問一問你嘞，呢度嗰個寫法要求係要錫線一百卷，咁東華就畀咗個 quotation 嚟，就斷磅 quote 個喎，一磅 67 釐咁樣。

答：唔。

問：咁跟住你對比番左邊，你話我想睇下同雋景點比喇咁，雋景嗰度呢，如果係寫錫線呢，佢斷網計個喎。

答：唔。

問：斷磅計嘅就唔係錫線嘅，斷磅計嘅係錫條嚟個嘢。所以我就想知道究竟其實你嗰個 quotation，人哋畀個一磅 67 你，點樣去即係所謂 convert 番，即係計數，點樣去轉番可以比較到同雋景係同邊項畀呢咁？因為你嗰啲同事實會裡面有個認知就知道，人哋 quote 個咁嘅價嚟，我同雋景邊項畀先得嚟。

答：同事接到呢單--即係接到呢張單去報價。

B

B

C

問：係。

C

D

答：東華報咗過嚟，咁佢見到佢哋賣嘅嘢有嘅，佢先寫落去，但係同事畀咗我呢，已經決定咗係用邊間...

D

E

問：我明，我明，但係我想知道就係，當然呢個 quotation 唔係你擺嘅，我明白。

E

F

答：唔。

F

G

問：但係你亦都講唔到呢個 quotation 係邊個同事擺㗎，係咪？

G

H

答：佢呢度有名，我唔係...

H

I

問：有名，okay，...

I

J

答：...冇乜印象邊個。

J

K

問：...我哋即係唯一一個，另外一個 Jess 喇，遲啲問 Jess 喇可能。

K

L

答：係喇，係喇，係喇，係喇。

L

M

問：但係因為我有興趣就係，人哋訂嘅係叫做錫線。

M

N

問：咁呢度佢嘅要求就係一百卷嘅。

N

O

答：唔。

O

P

問：係一卷卷嘅嘢，咁我哋常理推測就係人哋要一卷卷嘅嘢，我哋就應該係知呢啲一卷卷嘅嘢喇。

P

Q

答：唔。

Q

R

問：咁你某位同事走去搵東華擺個 quotation 喇。

R

S

答：唔。

S

T

問：咁佢手寫寫住 1 磅 67 釐咁喇。

T

U

答：唔。

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問：咁呀已經個單位唔係好啱喇。

答：唔。

問：你人哋即係請購要卷，你畀個 quotation 番嚟就係斷磅計，咁究竟一卷等如幾多磅，你點樣計番個 unit，你明唔明呀？咁都要中間有個運算㗎？

答：我知，但係我唔係嗰個同事。

問：係嘞，冇錯，另外就係...

答：所以我唔識答你呢個...

問：明白，咁跟住你話我要對比下雋景平，定係東華平呢咁。

答：唔。

問：雋景斷磅計嘅呢，就得一樣啫，就係 50 力扁錫條，okay？就每磅約 8 條，就每磅 90 釐。

黎先生：不過我相信佢喺第 2337 頁，第 (j) 段已經解釋㗎。

問：佢嗰度講呢，就係話大約 145 釐一磅喇，即係你嗰個證人供詞裏面講，咁但係即係其實即係應該係有個即係同事係--即係對呢啲唔同嘅名詞，都有認知嘅，對嗎？

答：點樣為之名詞呀？

問：即係話有同事係知道錫條係一卷卷嘅，佢要睇番雋景嗰個價目表，作出一個運算，知道呢個無鉛錫線一綑係幾多，我將佢運轉番，等於幾錢磅呢，咁先至可以同東華嗰個作為比較㗎嘛。

答：佢唔會同東華作比較。

問：唔會？

答：因為我哋一貫嘅呢啲 item，小五金，都係落雋景嘅，咁佢唔理東華報啲乜嘢，我哋唔會集中喺佢嗰個價錢度。

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問：邊度呀？睇番第 2337 頁喇，因為呢個 (j) 就係你喺 (j) 呢一個段落嗰度，就帶出呢一樣嘢，我知道，呢個 quotation 唔係你擺嘅，所以即係如果你覺得即係你有個人嘅認知，我哋可以問第二個，但係即係由於係你嘅證人供詞選擇講呢樣嘢咁嘛，你講嘅，我用中文譯畀你聽喇，不過你都睇得明，你就話呢，水泉澳呢個項目呢，你就實際真係同東華擺過呢個 quotation 嘅，東華亦都係你哋其中一個供應商，對嗎？

答：唔。

問：可能未必一定係供應開小五金喇，係咪呀？

答：唔。

問：佢供應開第二啲嘢喇，係咪呀？

答：都係小五金。

問：都係小五金嘅，okay。

答：唔。

問：咁你問佢擺 quotation，佢就 quote 咗畀你錫線就係 67 釐一磅，okay，就比起 Prosperity，即係雋景嗰個價目表就相對呢就係平好多嘅，跟住呢，你就有度呢就係話呢，用番雋景嗰個價目標嚟到運算呢，雋景嘅錫線為起呢就係 145 釐 1 磅嘅。因為就有個運算方式嘅仲，仲有數計嘅。就係 160 釐就每 500 gram，每 500 gram 就 160 釐，咁跟住 500 gram 就係 1.1 磅咁樣。

所以有同事就係經過呢個步驟知道如原寫錫線係應該同 “FRY” 嗰個價目嚟到比。係唔係同 “FRY” 嗰個價目比都唔知嘞，因為呢度唔係咁講，佢話 145 釐 1 磅，the net price 160 釐；但係我又睇唔到雋景嗰個 price list 係點計。總之基本上就係你哋有同事係知道下面寫上嚟要錫條，係應該同雋景嗰個價目表嘅邊個 item 相比較個嘞，如果照睇番你嘅 j 呢一段。係咪呀？

答：唔，係。

黎先生：...（聽不清）有幾重？

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主席：500 gram。

黎先生：500 gram 一嚟。... (聽不清)

主席：1 磅呀。

問：因為你嗰段係咁講咩嘛，我見到東華就係用磅嚟到 quote。跟住佢就對比番究竟相應雋景個價目表，雋景用同樣嘅計法係幾錢磅呢咁。你哋有同事係知道其實錫線係相應雋景價目表嘅乜嘢嘍嘛應該。未必係你本人，但係你哋採購部同事係有人識得去 check 呢啲價錢嘍嘛，對嘛？係咪呀，對嘛？未必係你本人，但係你同意，你講得出嚟，即係表示你比較得呢樣嘢，就即係表示你有同事係識得去睇呢個價目表，同埋知道乜嘢，邊樣打邊樣，對嘛？對嘛？

答：睇呢個價目表，係咩。

問：即係其實就算你本未必有認知，但係實際落手落腳去接 material request form，跟住去做單啲啲同事，又要攞 quotation 又盛，咁佢哋都有呢個認知嘍應該？

答：佢哋嘅認知就係話，佢見到錫--因為佢畀東華報呢，我嘅概念佢淨係畀啲車仔、鋁梯。即係佢唔係 focus 咗啲個錫線度。因為佢深知道錫線唔係同東華攞嘍。

問：即係順便攞，即係其實佢攞呢個嘢，根本佢冇諗住問東華攞？

答：唔係，唔係順便攞。係咁啱佢有，佢填埋啫。

問：Okay。

答：唔係我哋要求，因為我哋成本 blank 嘅，淨係得個數量，冇價錢嘅，fax 出街。咁佢見呢樣 item 佢有啲，佢填咗過嚟咁解嘍啫。

問：又係一個流水作業式嘅做法。

答：係。

問：因為你呢一張 form 裏面有一拃其他嘅嘢係你需要同東華攞 quote 嘅。

答：係。

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問：你就成張 fax 咗畀東華。

答：係。

問：咁東華亦都流水作業，就每項都畀個 quote 你。

答：係。

問：但係其實你哋心中嘅焦點，...

答：佢有嘅佢就會。

問：係，你哋心中嘅焦點，就唔係諗住問佢擺錫線嘅？

答：係。

問：只不過就係你而家事後要草擬呢一份證人供詞，你哋就睇番啲舊紀錄，就咁擺出嚟做一個對應，就係去證明其實你哋同雋景阿周先生可能係由於即係做咗好耐，對佢哋有信心。所以就算有人嚟手畀個平啲嘅 quote 你，你根本都唔會考慮，係咁解，對嘛？

答：係，對。

問：又講番嘞，人哋寫地盤有嘢 fax 番嚟，你要擺住佢嘅要求向雋景擺 quotation 同佢哋講價，呢樣嘢你之前做緊文員嘅時候，採購嘅時候都有做過㗎，對嘛？

答：都有做過。

問：其實當時你都應該經歷過呢個階段，就係擺住呢個請購表，睇下人哋要條定線，就對應番雋景嗰個 price list，起碼知道單價係幾多，就同對方討價還價話平啲喇咁㗎嘛。你都有經歷過呢個動作，係咪呀？

答：有。

問：所以其實當時你都應該係經歷過，就係話「咦，你要錫乜嘢，我睇番價目表相應嗰個 item 幾錢先。」你當年都有經過呢個動作㗎嘛其實？

答：當年有。

問：當年有？

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答：唔。

問：咁但係你而家話畀我哋聽，就總之而家你真係有咩嘢記憶，就係話錫線、錫條呢啲名稱而家有記憶嘞？

答：係。

問：龍逸邨頭先楊大律師就問過你，陳小華有一個說法，就係有一個不知名嘅何標記嘅女士就會打電話去畀佢，就叫佢龍逸邨啲請購單唔該你以後寫錫線，咁你就話你自己有咁做過？

答：係。

問：你亦都有叫其他嘅同事咁做？

答：冇。

問：其實呢個可能係一個好明顯嘅問題，就係如果你已經知道要訂嘅係乜嘢嘢，你有冇需要去叫佢喺個單上面寫另外一個名呢？

答：我梗係要叫佢寫清楚啲喇，如果唔係我點知佢要啲乜嘢呀？

問：噏，誒...

答：因為我哋係單憑佢寫上嚟要啲乜嘢，...

問：係，係。

答：...我哋依照佢要啲乜嘢去訂嚟嘛。

問：係，係。

答：咁我梗係要佢寫清楚啲喇。

問：好嘞，噏，...

答：我唔會要佢改個名稱，因為我唔喺工地，我唔係落手落腳，我唔知道佢做邊個步驟。

問：係，明白。即係話如果佢寫上嚟嘅嘢含糊不清，咁你就話「唔該你寫清楚啲。」

答：係。

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問：但係如果佢寫咗 X 上嚟呢，你就話你有咩嘢理由走去叫佢寫 Y 嘅。

答：係。

問：因為你會覺得要嘢係佢，唔係你咁嘛，係咪呀？

答：係，冇錯。

問：佢嘅說法，講得詳細少少，佢嘅說法就係呢，其實佢當日要求--即係喺啲請購單上，要求採購部 fax 番嚟，佢要嘅貨其實就錫條嚟嘅，佢咁講，佢 fax 番嚟嘅係錫條。但係唔知因乜事呢，雋景送去龍逸邨地盤嘅呢，就係一卷卷呢啲線嚟嘅。過咗冇耐佢就收到啲個不知名採購部同事，或者即係何標記寫字樓同事嘅電話。就話「唔該以後你啲請購單都寫錫線喇。」呢個係佢嘅說法。

作為即係所為睇住採購部嘅 staff，即係你對佢呢個講法有咩嘢意見或者評語，make 唔 make sense 呢，我哋叫做合唔合乎常理呢？

答：唔認同，唔認同。

問：唔認同。因為頭先你講就話要貨嘅係佢，...

答：係呀。

問：...即係佢寫你就跟，...

答：係呀。

問：...就唔係你指示佢寫乜？

答：冇錯。因為我唔喺工地，我唔知道佢起幾多樓。究竟佢揀緊石仔，定係裝緊喉，用啲乜嘢，我哋寫字樓唔會知。亦都唔知道佢係需要啲乜嘢。要憑佢「喂，我而家裝緊個潔具，裝緊個廁所喎。咁你畀啲廁所嘅用具我喇。」咁我哋先會知㗎嘛。

問：得。

答：如果我哋知--我哋唔會落地盤囉總之就，我哋個部門。

問：唔，得。最後，麻煩你睇睇 S1，194 頁。頭先我問過你就係有關啲單出咗 PO 之後會唔會有要改呀，有替代呀，即係原本就要 A 種類，跟住呀改咗要 B 種類咁樣呢。呢度 S1 194 頁，我哋見到呢個 PO，佢

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寫住“REVISED”嘅，左面有個印，你見唔見到呀？

答：見到。

問：即係修改過嘅。你就咁驟眼望一望，你講唔講到其實呢一個修改過嘅 purchase order，佢修改嘅係乜嘢嘢呢？

答：數量。

問：係修改數量，即係同樣個樣嘢，不過要嘅數量唔同咗，係咪呀？

答：係。

問：而唔係話原本要 A，不過就有貨，所以就呀不如改要少少 B 喇，就唔係呢樣嘢？

答：係。

問：即係舉個例，你可唔可以解一解，你求其搵一樣係你可以解釋到個數量係點樣改咗呢？

主席：錫條咁用。

問：嘎，錫條，原本 550 咁樣。

答：錫條冇改呀。

問：冇改？

主席：冇改呀？

答：錫條冇改呀。

問：錫條冇改，邊樣改咗呀咁係？

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答：羅絲咁嘛，羅絲減數量咁嘛。

問：Okay，即係改嘅地方係會直情有個括號寫住減嘅？

答：係，係。

問：好，得，明白。請等一等吓。好，唔該晒，我有其他問題。

答：唔該。

MR PENNICOTT 盤問

問：Ms Wong, can you hear me through the headphones?

答：聽到。

問：Thank you. Ms Wong, I want to pursue with you a few questions on a topic that Commissioner Lai raised a few minutes ago. Before I do that, can I ask you this: you became Mr Ho's PA in 1997, you've told us; is that right?

答：唔係。

問：When did you become his PA?

答：98 至 99。

問：Can you tell us this: when who did you first become involved with the purchasing of materials on behalf of HBK?

答：其實我一入去都已經有做，不過係好皮毛。Fax 出街，打下字咁囉。但係你話係咪淨係採購，就唔係囉。因為我一入去唔係喺何標記工作，係喺另外一間公司工作，不過都係我老闆做老闆嘅。但係你話真係做採購呢，就係我諗 99 打後喇，99 打後。

問：That's helpful. Can I ask you please to be shown file F2, page 1340.

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主席：邊個未問電話，唔該問電話，問電話，唔該。

問：Ms Wong, this is a list of 16 unaffected estates constructed by China State. Do you see that?

答：睇到。

問：In respect of 11 of those unaffected estates, your company was the subcontractor. Do you see that listed in the middle column?

答：見到。

問：As I say, these are unaffected, lead-free estates. Would you have been involved in the procurement of materials for these unaffected estates, to the best of your recollection?

答：如果有都係問唔中參與，唔會係--即係--我係成個坐落去做嗰個囉。

問：Do you have any recollection of any of your site supervisors or officers in charge of the subcontracts on site ordering solder strips?

答：唔記得。唔該。

問：Could I ask you, please, to go to bundle H1, page 121. Ms Wong, this is a similar schedule to the one I have just shown you. It lists the 12 unaffected estates constructed by Shui On. Do you follow?

答：睇到。

問：In respect of 11 out of the 12 unaffected estates, again, your company, HBK, was the subcontractor; do you see that?

答：睇到。

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問：Ms Wong, again, would you have been involved, to the best of your recollection, in procuring the materials in relation to these unaffected estates?

答：就算有都係一、兩單，即係我唔係坐落去做嗰個。即係你話記唔記得我有冇幫呢啲地盤落過料，我而家唔肯定答你，但係就算--即係有--即係有都唔會係話全職嗰個，我個記憶就係咁。

問：If it wasn't you, Ms Wong, who would it have been?

答：其他同事囉。因為有啲走咗喇喇嘛，因為有啲冇做喇嘞。因為呢啲地盤好耐歷史㗎。

問：I see.

答：即係你問我，唔係我係邊個，我答你唔到囉。因為我頭先都講過，procurement 嗰面流失率好大，成日換人。咁你話係邊個，唔記得。

問：I assume it follows, therefore, that you have no recollection of whether or not solder strips as opposed to solder wire was ordered by your site staff in respect of these unaffected estates?

答：係呀。

問：Just finally on this topic, if you can go, please, to file G1, page 628.

Ms Wong, this is the equivalent schedule but this time it relates to seven unaffected estates constructed by Paul Y. Do you see that?

答：係。

問：In respect of two of the estates, again, your company was subcontractor for blocks 1, 2 and 3 of the Upper Ngau Tau Kok Estate, and the subcontractor for Tin Ching Estate; do you see that?

答：睇到。

問：In respect of those two estates, Ms Wong, again, do

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you have any recollection as to being involved with the purchase of plumbing materials in relation to those two estates?

答：我唔記得，真係。

問：Okay. All right. There is one final question, Ms Wong. I wonder if you could be shown, please, bundle S1, page 128.

答：睇到。

問：Could I ask you, please, to look at the entry dated 14 October 2011, the third one down; do you see that?

答：睇到。

問：Against that date, one sees "FRY", 20 rolls, and then a box of WL50D material; do you see that?

答：睇到，睇到。

問：As I understand it, Ms Wong, the effect of your evidence is that what the site staff would have ordered is one box of solder wire and one box of solder strips. Is that right?

答：你可唔可以問多次呀？

問：Yes. My understanding of the effect of your evidence is that in respect of that entry, what the site staff, Mr Chan, would have ordered is one box of solder wire and one box of solder strips. Is that correct?

答：睇呢個表我睇唔到陳小華落幾多盒喎。

主席：一盒無鉛錫線就係 20 網，我話畀你聽。

答：唔，唔。

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主席：一盒 50 力呢就係 55 磅，咁所以呢就每樣一盒。就係如果係陳小華做打理嘅話，就係佢叫呢兩樣嘢嘞，每樣一盒嘞，啱唔啱呀？

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答：係唔係盒我唔...

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主席：即係我而家話畀你聽，一盒就係 20 網，一盒就係 55 磅。

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答：係。

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主席：如果我講嘅係啱嘅話，咁即係每樣叫咗一盒喇，係咪？

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答：係吖。

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主席：唔。

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MR PENNICOTT : Thank you, Mr Chairman. No further questions.

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林先生：主席。

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林先生盤問

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問：黃小姐，你去睇一睇 S1 102，唔該，我有啲問題想問你。

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答：好呀。

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問：首先睇睇 103，你見唔見到呀，103？

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答：睇到，睇到。

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問：係，我見到好多發票，日子係 4 月 24 號。咁係發票畀何標記，咁係九龍長沙灣嗰個係你哋公司寫字樓個地址喇係咪？

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答：係，冇錯。

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問：咁我想知道嘞，聯絡人係鍾小姐，鍾小姐你頭先就講過話係一個 account 嗰個 department，係咪？

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答：係，冇錯。

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問：咁呢個梁先生，我想知道係咪梁偉健先生呢？

答：係吖。

問：應該係梁偉健先生，okay。

答：係。

問：即係換句話講呢，如果有聯絡嘅話，一係聯絡鍾小姐，一係聯絡梁生，就關於呢個 50 力嘅扁錫條，係咪？

答：唔係。呢張單係雋景打㗎。

問：我知，我知。送到你公司吖嘛？

答：佢聯絡鍾小姐可能係因為發票問題先話打畀佢。

問：我明，我明。即係如果要聯絡，我頭先都係咁講，即係有需要聯絡呢，就會係聯絡一係就鍾小姐，一係就梁生，係咪？但係可能係一啲聯絡都有，唔需要嘅，因為如果你打啱咗，發票係啱嘅，就唔需要聯絡。會唔會係咁？

答：佢打，我唔知佢個聯絡人嗰個係咩嘢意思。

問：我明，我明。即係換句話講，總之如果需要聯絡，呢兩個就係聯絡人，係咪？因為係人哋打咗落嚟。咁當然人哋知道你哋嘅聯絡人係邊個喇，係咪，啱唔啱呀，可唔可以咁講？

答：你指邊方面嘅聯絡人先？收貨嘅...

問：對於嗰個發票，因為收貨我跟住有張收貨單畀--送貨單畀你㗎嘞。

答：係，係，係。

問：即係如果關於呢一個發票有問題呢，嗰兩個就會係雋景嘅聯絡人？

主席：寫就係咁寫喇。

答：佢寫係咁寫，但係...

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問：當然，有冇咁做我哋唔知。

答：...我唔知佢有冇聯絡，嘎。

問：我頭先都係咁講喇，...

答：係，唔。

問：...有冇聯絡唔知咩嘛，係咪？

答：唔。

問：跟住你再睇送貨單。因為如果你睇番個送貨編號係一樣嘅。換句話講係到送貨嘅時候，聯絡人亦都係梁偉健先生，啱唔啱呀？

答：係吖，佢打係咁打。

問：冇錯。我亦都見到收貨嘅阿健亦都係簽咗個名，係咪？

答：係。

問：唔。咁去到 105，105 又係個發票，又係阿鍾小姐，同埋梁先生，今次就有無鉛錫線同埋扁錫條嘅，係咪？

答：係。

問：同樣地嗰兩個亦都係個聯絡人。但係呢一個反而係冇一個送貨單嘅。因為我見到--如果你睇 102 頁，响 6 月 4 號嗰個 DN 嗰度係冇，亦都係我哋搵唔到有張咁嘅送貨單，關於呢兩個或者呢三樣物品係送咗去呢個地盤嘅。當然我搵唔到喇我哋，係咪？

答：唔。

問：照道理呢，即係好似之前嗰張 104 嘅送貨單，就會有張送貨單嘅，照道理喇，聯絡人亦都係梁偉健，梁偉健亦都應該簽收嘅，因為如果你有畀錢呢個發票嘅話，咁當時應該...

主席：咩嘢話，再講多次。

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問：如果你有畀呢一張發票，但係冇證據話你冇畀，但係如果你有畀呢一張發票嘅錢，當時亦都會有一張同樣地嘅送貨單，好似 104。而嗰個聯絡人亦都應該係梁偉健先生嘅，可唔可以咁講？

答：我唔敢肯定。

問：唔敢肯定？

答：係。

問：但係照道理應該係？

主席：未必一定個喎，未必一定個喎。嗰啲發票就永遠都係--發票...

答：嘎，呢兩個人。你睇下...

主席：好多時都有呢兩個人。

林先生：係。

答：係嘞。

主席：但係送貨單未必個喎。

答：因為佢可能 copy and paste 落去，...

主席：係囉。

答：...成日都打呢個人，佢就唔改咁囉。

問：或者--係嘞，或者咁樣，有冇可能嗰個送貨單嘅聯絡人呢，就會係黃貴雄呢？

主席：有㗎。

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問：如果唔係梁偉健，就係黃貴雄。

主席：有啲係㗎嘛。

答：係吖，係吖，係吖。

問：係咪呀？

主席：你見...

問：因為我哋見到之後嗰啲就好多都係黃貴雄先生。

答：係吖。

問：如果你由108--sorry, 107開始睇, 108落去全部黃貴雄。

答：係吖。

主席：係吖。

問：我想問你又知唔知道當時响葵聯邨，幾時由黃貴雄先生直接打理個地盤呢？

答：佢一開波就已經係佢打理。

問：咁點解--我哋見到第一張嘅送貨單, 104就變咗梁偉健先生係嗰個聯絡人呢, 你又知唔知？

答：佢哋兩個成日一齊個喎。

問：兩個都一齊喺度嘅？

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答：係呀。同埋每個地盤收貨呢，我哋係得一、兩個...

問：明白。

答：...認可去收貨嘅啫。

問：明白。即係...

答：咁如果淨係得一個嘅話，嗰個人譬如話頭暈身癢唔返，咁冇可能成個地盤停咗喺度㗎嘛。

問：明白。

答：我哋都要搵多一個去做 spare。

問：係，明白。即係換句話講，响葵聯邨就係梁偉健先生同埋黃貴雄先生就有權收貨？

答：係，冇錯。

問：所以如果有聯絡人通常都係呢兩位？

答：係，冇錯。除非佢哋覺得「唉，我呢排好忙呀」，或者「我成日開會呀」。佢會自己話搵個信任得過嘅伙記，上嗰個人個名去簽單嘅。

問：係。我就想問你呢一頁，117頁。呢個收貨人阿富又係邊個呢當時？

答：就係佢哋嘅伙記。

問：就係嗰個人嘞？

答：係嘞，冇錯，工人。

問：其中一個伙記，亦都可以畀佢授權咗？

答：其中一個，係嘞，冇錯。

問：明白。

答：佢哋認可佢，覺得佢係信得過，畀佢收貨，...

問：明白，明白。

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答：...畀佢負責，咁囉。

問：好。

林先生：主席，我有其他問題。

主席：冇人有問題？

石先生：我有一個問題...

主席：好呀。

石先生：...follow up 頭先其中一個答案。

石先生繼續盤問

問：頭先即係你講到--黃女士就話有陣時可能係 copy and paste 咗啲人名落去。

答：我講雋景。

問：嘎，雋景，okay。

答：我講雋景，因為佢全部都係...

問：突然間講 copy and paste，就引起我諗起一樣嘢就係，你嗰啲 purchase order 呢，何標記自己啲 purchase order 呢，唔係手寫㗎嘛，係電腦打㗎嘛。

答：係，係吖。

問：咁所以其實 purchase order 乜嘢，你哋電腦有冇底㗎？

答：冇㗎嘞。

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問：點解呢？

答：因為電腦佢個儲存系統有限嘍咋嘛，我哋好--即係儲存系統係可能得好少咁樣，咁我哋都唔會留底嘍。

問：即係 hard copy，印出嚟嗰張紙，咁就可能攞咗，...

答：係吖，係吖，係吖。

問：...個 invoice 畀咗會計嗰面喇。

答：係吖，係吖。

問：但係即係你哋打出嚟，咁張 purchase order 本身係一個電腦嘅 file 先 print 出嚟嘍嘛。

答：係吖，都唔留底嘍。

問：即係你會 delete 咗去嘅？

答：係呀。因為我哋個電腦唔係話係大機構，...

問：唔㗎。

答：...即係普通 desktop。

問：咁你哋就係點呀？完咗一個 project，咁就直情連即係 hard copy 嗰啲紙又攞，連個電腦有關嗰個 project...

答：係呀。

問：...嗰個項目嗰啲單，嗰啲 purchase order 嗰啲都會整走嘍嘞？

答：係呀，係。

問：哦，得。另外有一度我想即係 follow up 頭先我哋有個謎團，就係你睇番 2337 頁，K3，就係關於東華嗰個 quotation，即係點樣運算返嚟嗰度呢。2337 頁，j 嗰度，係你嘅證人供詞。

答：唔該。

問：你記得東華有個 quotation，佢講到錫線係 67 釐一磅嘅，quote 咗番嚟。

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答：係吖，記得，記得。

問：你睇番 j 個度，你就有個運算嘅方式。

答：唔。

問：我想問下你點樣運算。嗰度你就話呢係同雋景嗰度比呢，雋景嗰啲錫線圍起就 145 釐一磅。你點計呢，你就話嗰個 net，嗰個實價，160 磅每 50 gram。一卷呢啲 “FRY” 係 500 gram 嘅我哋睇過。

答：點計我唔知喎。

問：哦，你唔知嘅？

答：呢啲都係同事話番畀我聽。

問：哦，即係你聽番嚟嘅？

答：係呀，聽番嚟啲咋。

問：因為我就諗住--我估計點計，但係我想問一問你。不過，即係你覺得應該問番--因為阿 Jess 都有講番同樣嘅嘢應該。

答：係囉，係囉，係囉。

問：即係你就唔知點計？

答：我唔知點計。

問：因為其實我諗我可以估計，其實就係話即係雋景嗰個折實價係 \$160。不過你唔知啲，係咪呀？

答：諗佢--佢...

問：即係啲同事話畀你聽嘅？

答：...--佢個價錢 \$160 我知。

問：係，個價錢表係寫 \$190 一卷嘅。

答：但係當時佢個 quotation，即係佢報番畀我哋，因為佢嗰個係餐牌嚟嘅啫。

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問：係。

答：佢永遠都係打 190 釐。

問：係。

答：咁佢--佢有時...

問：同你熟就畀 160 釐你咁樣，係咪呀？

答：唔係。佢隨住譬如話你連--即係譬如話可能今年啲材料貴，咁佢就加價。今年佢見人哋供應商畀佢--佢嘅講法吓。

問：係。

答：佢平畀佢，我咪平畀你囉咁。

問：得，得。

答：咁佢就會自己調低，就 160 釐，咁囉。

問：但係個餐牌未必改嘅？因為餐牌呢寫 \$190。

答：個餐牌佢唔會成日 update 畀我㗎。

問：Okay，得。

答：呢個 160 釐係而家現有嘅價值。

問：得，得。

黎先生：佢計唔到出嚟，我頭先都計唔到。

答：我諗同事當時係用而家 160 釐個價錢去...

問：即係其實而家可能有一份餐牌寫 160 釐嘅？

答：冇。

B

B

C

問：冇，明白。

C

D

答：都係 190 釐。

D

E

問：明日。即係餐牌唔會 regularly 順應每一個 item 改？

E

F

答：唔會成日話畀你聽，update，update，update，係嘞，冇錯。

F

G

問：明白，明白。所以個價錢真係 160 釐嘅，一卷？

G

H

答：而家。

H

I

問：明白。咁我知點計。

I

J

答：當時就係嗰個餐牌。

J

K

問：得，得，得，我知點計，唔該。

K

L

楊先生：主席，只係一條問題。

L

M

主席：好呀。

M

N

楊先生補問

N

O

問：黃小姐。

O

P

答：係。

P

Q

問：正話林大律師問過你關於葵聯邨嘅，發票就係 10--應該係 S1 103。
聯於個聯絡人嗰度呢，鍾小姐同梁生。

Q

R

答：係。

R

S

問：我想問一問你，照你所知嚟講，我講緊 2013 年 4 月嗰個時間，會計部有冇一個叫姓梁嘅先生？會計部有冇一個梁生呀？

S

T

答：係，都有。

T

U

問：係，嗰個係咪梁偉健呀？

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答：唔係。

C

D

問：係。咁鍾小姐係邊個部門㗎？

D

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答：會計部。

E

F

問：梁生亦都會計部嘅？

F

G

答：係。

G

H

問：係，明白。好，唔該。

H

I

主席：即係呢個梁生唔係梁偉健嚟嘅有機會？

I

J

答：我唔會佢打嘅梁生係指邊個㗎。

J

K

主席：得，即係--唔。

K

L

答：因為都話公司成日即係唔做，...

L

M

主席：得，我明，唔。

M

N

答：...請過。咁印象邊個打邊個我都唔係好記得嘞。

N

O

主席：得，嘎。

O

P

答：但係佢係咪指梁偉健我就唔...

P

Q

主席：唔，唔，唔，唔，唔，得。

Q

R

答：...--因為係對方打過嚟。

R

S

主席：好。

S

T

答：我唔會去為意佢個聯絡人係乜嘢。

T

U

主席：好呀。第時呢，啲 purchase order 呀啲唔好攞㗎。

U

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答：係，收到，知道。

V

主席：一個 hard disk 一百、幾十釐好平咋嘛。

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答：明白。

主席：係囉，500GB 已經。

答：係嘅，係嘅。

主席：好，我哋晏晝兩點半。

答：好，唔該晒。

中午 12 時 57 分聆訊押後

下午 2 時 31 分恢復聆訊

出席人士如前。

楊先生：主席，如果得到主席批准嘅話嚟講，我打算傳召梁偉健先生。

主席：好呀。

何標記建築工程有限公司（“何標記”）（中國建築（啟晴邨）及瑞安（葵聯邨第二期）的分判商）的第五證人：梁偉健（何標記項目經理（葵聯邨第二期的地盤主管））以本地話宣誓作供
楊先生主問

問：梁生，你全名係 Leung Wai Kin, L-E-U-N-G W-A-I K-I-N, 係咪呀？

答：係。

問：梁生，想問一問你一啲背景先，就你係受過咩嘢教育？

答：中五。

問：中五？

答：中五程度，同埋讀咗四年...

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問：好，除咗中五--唔？

石先生：仲未講完。

答：同埋讀咗四年 TI。

問：TI 你意思係就係 Technical Institute，係咪呀？即係工專，係咪呀？

答：係。

問：梁生，請問你幾時加入何標記嘅？

答：應該係 1997 至 98 至呢段時間。

問：你當時加入何標記嗰陣嚟講，你係做咩嘢工作？

答：學徒，算係，即係細工，堪稱叫。

問：細工，你幾時變成係大工？或者係技術師傅？

主席：TI 讀乜嘢？TI 讀乜嘢？

答：讀電同埋掣櫃嗰啲。

主席：掣櫃，即係 MCD？

答：即係電嗰啲 panel 喇叫做，最初步嘅 panel。

主席：得。

問：你幾時變成一個技術工人？

答：未嘅，冇考嘅。

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問：冇考？

答：冇考嘅，係。

問：好，而家你响何標記嘅職位係乜嘢？

答：PM, project manager。

問：你幾時被提升到係 project manager 呢個位置？

答：2012年2月嘅。

問：好喇，作為何標記嘅 project manager，你嘅職責係--可唔可以簡略講講畀我哋聽你嘅職責係乜嘢？

答：最主要都係譬如落地盤去了解番，即係搵番啲 main con. 嘅 manager，佢哋返番地盤有冇啲咩嘢運作唔暢順、有冇啲咩嘢甩漏啲嘢，多數基於。

問：好喇，想問一問，你幾時開始接觸銅喉嘅安裝嘅工作？

答：應該八年前嘅，元州邨開始嗰時。

問：八年前嘅，即係大概係 2008 嘅？

答：差唔多，08、09 年左右。

問：你認唔認識黃貴雄呢個人？

答：識。

問：你幾時開始認識佢？

答：應該係 06、07 年左右。

問：你咩嘢情況之下認識佢嘅呢？

答：嗰時係做到叫做補師階段，即係所謂嘅中工，但係未到師傅，嗰段時間就跟黃生手嘅，即係純粹係幫黃生嘅，喺下面幫佢打工，黃生就因為之前我哋做個地盤嘅時候，就我跟開嘅，本身就有一 part 叫留窿，我嗰時喺度留開窿嘅，就由佢嚟接手做打理嘅當時。

問：又想問一問你，你幾時加入啟晴邨呢個項目？

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答：約莫係 12 年嘅 4、5 月嘅，應該中嘅，12 年中嘅。

問：根據你正話咁樣講嘅話，你當時已經係升咗做 project manager 呢個位置㗎喇，係咪呀？

答：係，冇錯。

問：咁樣啟晴邨呢個項目，特別針對啟晴邨呢個項目，你嘅工作係做啲乜嘢？

答：工作，其實最主要都係了解地盤有冇甩漏同埋有啲咩嘢阻礙之類啲啲，即係譬如會阻到我哋做唔到，或者了解番地盤工人裏面返工嘅情況、足唔足、會唔會有投訴、夠唔夠人做嘢咁啲啲，主要都係。

問：進度呢方面係咪你亦都要負責？

答：進度都會問。

問：都會問？

答：會問，係，冇錯。

問：好，我哋知道你係 project manager，但係你當時係淨係睇啟晴邨一個地盤抑或有其他地盤要兼顧？

答：唔止嘅，即係差唔多叫我哋公司所有嘅地盤。

問：當時照你記憶嚟講，何標記有幾多個地盤？

答：至少都八、九個，總共。

問：好，响啟晴邨嗰度嚟講，你有冇觸及到或者參與到就係原料--即係我講係嗰個焊料嗰個呈交，我哋知道啟晴邨嚟講，嗰啲銅喉係用焊料係焊接，係咪？你有冇參與到嗰個物料嘅呈交呢個過程？

答：物料呈交，冇。

問：吓？

答：冇。

問：冇，係。

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主席：上辦呀。

答：上辦冇。

問：好喇，亦都你有冇參與到採購呢個或者訂喇，訂呢個焊料呢方面嘅程序？

答：都有。

問：都有。我想問一問你，當時嚟講，嗰個何標記佢個物料採購嗰個步驟係點樣，你認唔認識？

答：知道，都知嘅。

問：你可唔可以大概講講畀我哋聽係當時何標記用緊乜嘢嘅物料採購步驟--物料要求步驟？應該話。

答：要求步驟？

問：係，即係地盤，舉個例子，要料嘅，佢點樣做法？

答：由地盤打理按現時嘅進度去落單，要啲乜嘢物料同理數量，跟住之後就會 fax 上去寫字樓，我哋寫字樓就會跟番打理落嘅單，要求啲乜嘢或者數量，而至到去送貨，通知打理，由打理去攞番自己嗰一張請購表去對番到料嘅數量，再簽收，搵印。

問：就係咁樣，地盤打理係根據乜嘢嘢去決定用啲咩嘢物料嘅？

答：Sorry，可唔可以講多次？

問：地盤打理佢係根據乜嘢情況去決定要譬如幾多盒呢個錫料嘅咁樣，佢係根據乜嘢去決定？

答：根據地盤嘅進度嘅咋嗰都係。

問：根據地盤進度？

答：係，按進度嚟落料嘅，佢哋都係。

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問：而呢方面，你有冇參與？

答：冇。

問：冇參與。好喇，我哋知道嚟講，你都係响葵聯邨有上咗你個名嘅？

答：係。

問：葵聯邨你嘅職位係乜嘢，葵聯邨呢個項目？

答：葵聯邨個項目？

問：係。

答：上名，當初都係以工人嘅形式上嘅。

問：葵聯邨？

答：係。

問：但係葵聯邨嚟講，我哋知道係 2014 年完成，2013 年嗰陣時嚟講係開始比較多嘅工序嘅，嗰陣時你已經係升咗做 PM，係咪呀？

答：12 年升。

問：12 年升？

答：係。

問：咁葵聯嗰陣時嚟講，你已經係 PM？

答：係。

問：但係你嘅意思，上名都仲係用工人上？我講緊葵聯邨。

答：係，哦，唔係，即係我意思係我哋嗰個譬如僱員合約咁樣，因為我哋僱員合約嗰度，我係直屬寫字樓出糧嘅，但係我哋都要出入，要打卡，所以個形式上，只不過係僱員合約寫咗就係以工人形式嚟上。

問：但係你嘅職位都係 project manager？

答：PM，係喇，因為我都要出入地盤，我唔可以自己就咁行入去。

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問：你正話同我哋解釋咗你响啟晴邨你個角色係點樣，葵聯邨嘅角色又係點樣？你係做啲乜嘢？

答：都係會落去對番譬如建築啲經理、site agent，了解番情況，地盤有冇甩漏、有冇嘢阻、個進度、情況，會問番打理呢啲。

問：問番打理？

答：係。

問：葵聯邨係邊個做打理？

答：黃貴雄。

問：你係咪其中一個打理之一？

答：唔係，但係我係負責埋呢一單 project。

問：好喇，葵聯邨如果有需要啲物料嘅，舉個例子，要啲焊接料嘅，係邊個要求係送啲料落地盤？

答：打理落單嘅咋喎，呢個係。

問：打理即係邊個？

答：黃貴雄。

問：黃貴雄，你有冇參與到呢樣嘢？

答：冇。

問：冇。我想請你睇睇有兩份文件先，睇第一份文件，就係 S104 嘅，你見到呢一份文件就係一張送貨單，就係雋景建材有限公司，就係送落去何標記葵盛圍嘅地盤，當時嗰個大判就係瑞安建築，見唔見到？

答：係。

問：好喇，個日期就係 2013 年嘅 4 月 24 號，睇到嘛？

答：睇到。

問：喺右上角。好喇，送咗一拵嘅貨品，未睇貨品之前，嗰個聯絡人就寫住「梁偉健」嘅，見到嘛？

B

B

C

答：係。

C

D

問：好喇，亦都見到嚟講，就係第1項嚟講，就係英國50力扁錫條，就每磅約八支咁樣，數量就係110磅，見唔見到？

D

E

答：係，睇到。

E

F

問：我哋亦都見到就係呢個嚟講，就係啲貨何標記收咗嘅？

F

G

答：係。

G

H

問：就响嗰度見得到就係有個日期就係2013年嘅4月28號，見到嘛？响何標記建築有限公司個印嗰度隔離。

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答：喺個印隔離？

I

J

問：係，見唔見到，個日期。

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答：係。

K

L

問：見到嘛？

L

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答：睇到，睇到。

M

N

問：亦都有個「健」呢個字嘅？

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答：係。

O

P

問：呢個「健」係邊個嚟㗎？

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Q

答：我嚟嘅，我簽嘅。

Q

R

問：你簽呢張送貨單嗰陣時係即係代表就係你代表何標記收咗呢啲貨嘅，係咪？

R

S

答：係。

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T

問：你當時嚟講，你正話講過就係個地盤嚟講，就打理人就係黃貴雄嘅，點解你會响呢度簽咗個--變咗你係做咗收貨呢個角色呢？

T

U

答：因為我哋落--我落去開會嘅時候，我會搵埋打理一齊落去嘅，但係我落到去嘅時候，個伙記已經收緊貨，擺緊個PO單對緊，佢喺門口嘅時候，我就同佢簽咗名，叫佢對完，就搵埋個印，因為嗰時我哋地盤

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係單程路嚟嘅，如果你有部貨車擺咗喺門口，就其他石屎任何嘢都唔使郁、唔使做嘍喇，因為我個打理畀我嗌咗上去上面寫字樓嗰度，即係中--建築嘅寫字樓。

問：建築？

答：係喇。

問：你嘅建築嘅意思係即係...

答：即係瑞安。

問：瑞安。

答：因為我哋落嚟係搵瑞安開會嘍嘛。

問：明白，明白。

主席：即係你嘅意思即係啱啱嗰日咁啱就喺地盤開會？

答：係喇。

問：但係梁生，你見到個聯絡人係寫住你嘍喎，係咪即係送貨嗰度送...

答：唔係，我升咗職之後，其實個地盤唔只呢個地盤嘅，所有地盤都有我名嘍度嘅，因為我唔知佢哋係收地盤嗰一刻，譬如我係一個 PM，我落去收地盤，變相上名就好多時會打咗我先嘅，但係你繼續延續落去，送貨嘅時候，當有打理進咗場，或者我會通知番佢哋，留番個打理電話，嗰啲咁就會打埋落去嘅，因為唔只一個地盤係我名，其實所有何標記嘅地盤都有我名嘅。

問：明白。好喇，問番，當時你見到呢個英國 50 力扁錫條，你知唔知呢個用途响邊度？呢隻料。

答：唔知，呢個嗰時候，唔知，呢個真係。

問：你唔知嘅？

答：係呀。

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問：你只不過係知道要收咗呢一樣料啫，係咪呀？

答：係呀，有望過張單，因為我叫個伙記喺度已經收緊，我叫佢對晒，連埋張 PO 對齊嘅，先好扱印。

問：好，我想請你睇多一份文件，就係 H1 122 嘅，呢度嚟講，就係一個電郵，電郵嚟講係由文--萬坤華（譯音）先生，係咪呀？Man Kwan Wa，見唔見到？

答：睇到。

問：就係個寄件日期係 2013 年 6 月 3 號嘅，個收件人嚟講就係寫住“hbkleung@yahoo.com.hk”嘅，呢個電郵嘅地址係咪你嘅電郵地址？

答：係，冇錯。

問：好喇，佢個主旨係叫做“KSC - Approval Material Form”咁樣，佢就話“Dear Kin”，即係呢個健係講緊你嘅，係咪呀？

答：係。

問：好喇，佢話“Please find the attached material approval letter for your information.”，呢個就係萬生，佢當時嘅職位嚟講就係葵盛圍嘅 AQCC，見唔見到？

答：係。

問：佢就係通知咗就係何標記--即係應該話係你，就關於嗰個審批嘅物料嘅，見唔見到？

答：係。

問：審批物料個資料就係响 123 至到呢個 126 --其實唔只，應該係 123 至到呢個 128 嘅，見唔見到？

答：見到。

問：好喇，你睇番就係响第 123 頁嘅話嚟講，嗰度有啲物料嘅描述嘅，見到嘛？

答：係，睇到。

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問：中間嗰部分，係咪？

答：係。

問：我哋見到嚟講，就係嗰度有寫咗個第 4 個項目，“Brazing Alloys”即係銀焊，同埋“Soldering Alloys”就係而家嘅錫焊，就係 for 個“Copper Fitting System”，見唔見到？

答：睇到。

問：就响呢度嚟講，就係亦都見到後面就佢有個 sample submission 嘅，變咗就可以睇到，尤其是响 128 頁嗰度，128 頁嗰個，你睇番底部嗰度嚟講，或者個物料個描述嗰度第 4 項都有同番一樣，然後跟住睇番相嘅左下角就係呢幅，係咪？

答：係。

問：好喇，呢個係電郵發咗畀你，你記唔記得當時你有冇睇過呢個電郵？

答：呢個真係冇乜印象，呢個。

問：冇乜印象睇過？

答：冇乜印象睇過，因為我一日都收幾百個 e-mail。

問：好喇，你有印象睇過，但係如果你睇過嘅話嚟講，你會個處理辦法係點樣？即係簡單嚟講，就係話如果你作為一個 PM，收到大判通知你嗰啲物料嘅批核嘅，你會點樣做？

答：冇啲嘢，一個資訊咁睇嘅咋嘢都係。

問：點解你覺得一個資訊呢，你可唔可以解釋畀我哋聽？

答：因為上 submit 嗰個第一唔係我，第二，上 submit 嗰個同事，我哋公司嘅同事係對番 main con. 㗎嘛，main con. 會應該 E 番畀佢㗎嘛正常，我係當一個資訊咁去睇嘅咋，呢個係。

問：你話你哋公司嘅同事係負責物料嘅 submission 嘅，係邊個？

答：鄭生。

問：鄭生？

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答：係。

問：你有冇參與响呢方面？

答：冇嘅。

問：鄭生上咗啲乜嘢料畀大判嗰方面嚟講，你認唔認識？

答：唔認識。

問：但係如果你唔認識嘅話，你點知道你用--地盤用嘅料嚟講，係咪得到大判批准呢？

答：聽唔到，可唔可以講多次？

問：好，唔好意思。如果你唔知道呢樣嘢，你點知道究竟地盤用緊嘅料嚟講係咪大判批准咗呢咁樣？

主席：點樣確保？

問：確保，係。

答：即係你意思係落單...

主席：你聽我講，你就唔負責上辦㗎？

答：冇。

主席：鄭生負責上辦？

答：係。

主席：上完辦之後，批准咗，根據你所講，就係鄭生知道，係咪？

答：係。

主席：你就純粹係資訊咁樣樣望一望嘅啫？

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答：係。

主席：你唔會記番心度㗎？

答：係。

主席：係咪咁嘅意思呀？

答：係。

主席：而家你個--何標記請呢位林大律師想問你，因為我哋聽過鄭先生嘅證供，鄭先生就話上完辦就佢嘅工作就完喇，採購就採購部嘅小姐負責，佢又有話畀採購部小姐聽--佢冇話畀採購部小姐聽邊一隻係審批咗，你又唔知邊一隻係審批咗，你純粹係資訊嘅啫，係咪？

答：唔。

主席：我哋頭先聽到你哋何標記黃小姐又話「我又唔知道㗎，老老實實，總之地盤嗰啲人話畀我聽要買乜，我就買乜。」我又想問下你，你哋公司咪成間公司都冇人知道究竟訂貨要訂嗰隻料是否合乎已經審批咗嘅材料囉？

答：唔係，因為佢批咗嘅話，地盤嗰邊會應該有一張 memo 咁嘅嘢可能會放喺白鴿籠入面，即係一個箱愛嚟放文件夾，由打理去簽收，收完嘅會遞番畀司機，司機車番去寫字樓。

主席：係吖，但係嗰個我哋聽到你哋有一個打理上嚟畀口供，嗰個叫陳小華，佢又話乜都唔知㗎㗎，咁成間公司有邊個知呀？

答：唔會，擺喺個 tray 度㗎嘛。

主席：我知，即係佢又可能話我--佢好似話連睇都唔睇添，我唔知，就算佢睇，佢又可能會話「我都係資訊性咁睇嘅啫，到我落單嗰陣時候，我咪叫番我要叫嗰啲嘢，錫條咁咪錫條，喉碼咁咪喉碼，但係究竟後來送落嚟嗰隻係唔係最初批准咗嘅錫料，又或者係唔係最初批准咗嘅喉碼，你唔好問我，我一概不知。」你成間公司咁咪冇人知？

答：如果正常程序就會返番寫字樓㗎喇，都係，喺個 tray 裏面。

主席：我哋知道返番上...

答：但係我就真係...

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主席：即係你唔知？

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答：冇，因為我唔係 full time 喺個 site 裏面，所以佢入面個 tray 入面的嘢係唔知。

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主席：得，繼續。

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問：採購部啲同事做嘅嘢你唔清楚，係咪呀？

G

H

答：唔清楚。

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問：Okay，好。

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楊先生：主席，我有其他問題。

J

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主席：好。

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石先生盤問

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問：梁先生，我想問一問，你 1997、98 年左右就加入何標記？

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答：係。

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P

問：你幾時讀完 TI？

P

Q

問：98 年畢業，即係你畢業前已經入咗何標記，定話 97、98...

Q

R

答：唔係，我係讀完中學之後入何標記，夜晚黑再讀。

R

S

問：夜晚讀 TI？

S

T

答：係，冇錯。

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問：哦，okay，okay，okay，唔該。即係你一路做一路學咁樣嘅？

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答：係，冇錯。

問：得，你有考到大工牌？

答：冇。

問：你有中工，係咪呀？你話。

答：升到中工。

問：升到中工？

答：係。

問：唔好理大中細，你對實際焊接銅喉管嘅實務焊接方法，你略懂一二嘅，係咪呀？

答：知。

問：知，你都知道其實焊呢個銅喉係用一啲叫焊料嘅嘢喇，焊料？

答：原裝 fitting 有嘅。

問：原裝 fitting 有嘅？

答：係。

問：即係你學師嘅時候所用嘅焊接方法就係用一啲已經內含焊料嘅嗰隻中間嗰隻叫做咩嘢？錫曲，咁有個錫曲，咁就兩條喉擺咗入去，然後就喺個錫曲嘅外面燒熱佢，入面已經內藏嘅焊料就會熔咗，就係咁做嘅，係咪呀？

答：係。

問：所以在你學習焊銅喉嘅時候，你就冇用到一啲外在嘅、要揸住貼落去整熔佢嘅焊料去做嘅？

答：冇嘅，因為其實我正式學師嗰段時間係連銅喉都未做嘅，做 lining 喉嘅，即係我哋堪稱嘅 lining 喉，叫內搪層喉。

問：Okay, okay, 即係你學嘅時候仲未普遍性地用銅喉，你嘅意思係？

答：係，都係 lining 嚟嘅，我哋做嗰時。

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問：但係你有冇聽過就算用錫曲，理論上就係裏面內藏嘅焊料就會熔咗，就縫合咗兩條喉，但係有冇聽過有啲叫補錫嘅嘢，即係有陣時佢裏面--就算靠佢裏面啲錫都未必足--啲錫焊料都未必足夠，你要喺外面補啲焊料，有冇聽過呢樣嘢？

答：聽就聽過。

問：實際做，你有冇做過呢？

答：我哋成個鋸咗佢拆嘅，即係喺中間將個曲位--個 bend 位鋸咗佢，甩番出嚟，再重新燒過第二隻落去。

問：哦，okay，所以就你唔會--你聽過人哋會用補錫呢一個方法，但係...

答：係，因為我哋嗰時打理，即係黃生喇嗰時，因為我都係跟黃生㗎嘛嗰時。

問：黃生就總之教你就係如果用錫曲個效果唔係太理想嘅話，就唔好補錫，就中間切咗佢，再用--即係用第二個錫曲再嚟過，係咪呀？

答：係，因為你係漏水嘅時候，你先會睇到㗎嘛，你滴落嚟㗎嘛，咁當滴落嚟，因為我哋有時啲配件可能譬如有啲「沙眼」，即係我哋堪稱嘅「沙眼」，有時即係譬如未必係滑面嘅，可能有啲窿或者滲水啲啲，一概全部都會斬咗佢、換咗佢嘅，換咗啲新嘅落去。

問：Okay，斬咗佢，咁即係斬咗佢就用個新嘅錫曲再整過？

答：係，冇錯。

問：好，就唔會用補錫嘅方式嘅。即係總之長話短說，就係你嘅實踐經驗就有接觸過一卷卷綠色呢一停嘅焊料？

答：就算我未升職前做緊嗰時嗰個地盤都係用原裝配件有錫嘅，內錫嘅配件嚟嘅。

問：錫曲，okay，即係總之你實踐就有用過呢一種一卷卷嘅綠色呢種嘅焊料嘅？

答：冇。

問：至於另外一種我哋喺呢個案嗰度見過嘅焊料就係一盒盒咁嚟，而裏面係一條條直條咁樣嘅，呢一啲你有冇用過呢，實踐中？

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答：冇。

問：都有嘅，好。留窿係咩嘢嚟㗎，話時話？

答：譬如未落石屎之前，紮咗鐵㗎嘛，如果你有兩個模板嵌咗埋去嘅話，你會落石屎，但係我要留一條譬如膠喉喺個牆中間，就係 for 嚟日後愛嚟穿...

問：留番個位第二時插條喉入去嘅？

答：冇錯，冇錯。

問：Okay，得。基本上就係所需要嘅就係你要知道嗰個窿嗰個位喺邊度？

答：係喇，同埋個喉 size。

問：咁就要喺裏面整定個位喺度，等你落石屎嘅時候就唔好塞埋嗰度咁，係咪呀？

答：係，冇錯。

主席：你嘅意思即係喺嗰個鉛水事件爆發之前，從來冇見過呢啲一卷卷嘅焊料，係咪咁呀？

答：我哋冇。

主席：你，唔係「我哋」，你。

答：冇。

主席：你有見過？

答：（沒有可聽到的回答）

問：但係你有喺地盤出現㗎？

答：係。

問：好喇，我哋籠統啲咁講，你就頭先話齋，就唔係長駐一個地盤嘅？

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答：係。

問：我哋先講--我哋唔好講某一個特定嘅地盤，我哋話你一般嚟講，你嘅地盤出現嘅時間相比你嘅寫字樓出現嘅時間，大概嗰個比率係幾多？五五、六四、七三？

答：都有，我係譬如喺 A 地盤咁，我一日裏面喺 A 地盤、B 地盤，可能如此類推，一路行，某一個地盤去，我就算可能一個禮拜可能譬如偶然會有一、兩日會返去寫字樓，但係都唔會長駐喺寫字樓。

問：得，即係你其實就係巡迴啲地盤嘅，你就...

答：係，即係喺我哋而家下面地盤啲伙記咁講，即係所謂叫做總巡，所有地盤我哋都會去，每一日會去了解番有冇啲咩阻滯、甩漏或者各方面啲。

問：得，你會唔會起碼巡完之後，每日或者早上返一返去坐低，跟住先至出去巡，或者巡完之後返去坐一坐低，涼一涼冷氣先走，定係唔係嘅，...

答：唔會嘅。

問：...即係你可能全日都唔會返去嘅，巡完？

答：唔會嘅，有時唔會嘅。

問：因為其實每個地盤都有自己寫字樓，你有啲咩嘢要做，其實你可以喺嗰啲寫字樓裏面都處理嘅，係咪呀？

答：都好少。

問：都好少？

答：都好少。

問：主要就係巡...

答：我去親多數都係去開會，...

問：得。

答：...即係譬如上番去建築嗰啲寫字樓開會。

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問：得，所以其實你主要接觸嘅對象反而就係地盤嘅同事，而唔會係寫字樓採購部譬如話黃女士、Jess Chiu（譯音）、Caitlyn（譯音）嗰啲你就比較少接觸，對嘛？

答：好少。

問：好少？

答：係喇。

問：你喺地盤出現，你會見到啲工友做焊喉嘅工作，我唔係講你個人當年學師，講你去地盤見到何標記係做喉，做喉其中一樣就係焊接，你有見到人哋點焊㗎，有冇？

答：我哋會睇個外牆同埋會同番個地盤嘅經理或者代表去夾進度，但係因為我如果咁多個地盤，我一日咁樣逐個地盤咁多座逐個行，我甚少會上。

問：係，我明，你唔會特登走去擺個放大鏡望，但係你日做夜做咁樣，其實呢啲流水作業嘅嘢，你唔使特登望㗎嘛，你經過你都會見到人哋喺度焊緊㗎嘛，我知你個焦點唔係走去驗下你做得好唔好，你會見到㗎嘛？會唔會㗎？

答：會。

問：會。

答：即係外牆，但係會睇到喺牆有人做緊，即係譬如做緊銅喉嗰啲我哋會睇到。

問：你會唔會睇下「你用咩嘢焊呢」咁樣？

答：冇為意嗰時。

問：冇為意嘅？

答：係，真係純粹睇到有個伙記喺度外牆做緊，同埋個距離，即係知道係進行中。

問：有冇入架步㗎？

答：好少，好少，就算我入架步，都係會搵...

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問：所以你唔知啲料喺架步點擺嘅？你有冇睇下啲架步裏面啲料夠唔夠、點擺咁樣？

答：冇嘍，會問打理，落地盤開會嘅時候會問打理。

問：即係你去地盤，你所謂巡就唔係真係用眼走去觀察，你就係基本上同啲人面對面嘅接觸，就口頭可以問嘅？

答：係，盡量去了解番地盤會唔會有其他甩漏，因為即係譬如地盤有問題嘅話，我哋去到開會，即係譬如喺 main con. 咁樣，我哋會搵埋 BS 或者啲 site agent、經理啲啲咁樣去傾番地盤有冇嘢阻或者點樣、進度有邊啲跟唔到各方面啲啲，之後就會--都會同時間會嗌埋打理上去開會嘅。

問：得。

答：會一次過問埋「會唔會有咁嘅情況阻你呀？」點樣啲啲。

問：得。

答：會係傾呢啲。

問：得，即係...

主席：講慢少少。

答：Okay。

問：即係你去巡地盤嘅時候，你所吸收嘅資訊就主要係靠咁樣口頭會面形式、開會形式，同相關嘅人等去了解？

答：係。

問：而唔係靠對眼去望下實際做嘢...

答：會有望佢哋做嘢，但係唔會咁 detail 去望佢哋做緊乜嘢。

問：Okay，會望佢哋做嘢，籠統地望，而唔會留意...

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答：係，即係譬如喺外牆，我望到...

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問：...用嘅係咩嘢物料呢咁就有？

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答：係。

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問：所以如果個地盤嗰度攤咗一大堆一盒盒呢啲即係直嘅錫條或者一卷卷呢啲你都唔會有記憶嘅，唔會留意嘅？

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答：冇留意。

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問：冇留意嘅？

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答：真係冇留意，係呀。

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主席：何生會唔會同埋你一齊去巡地盤？

J

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答：Sorry，可唔可以講多次？

K

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主席：何生會唔會同你一齊巡地盤？

L

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答：何生同我落去，多數會上番去建築嘅高層，即係譬如啲經理嗰啲，會去傾一傾大致有冇問題...

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主席：傾偈。

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答：...或者話番「呢一個嚟緊會接我去睇嘢、跟嘢。」咁樣啲啲。

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主席：即係何生有幾何會--即係我想知道何生有幾多--就住每一個地盤個參與程度去到幾多？即係你知喇，佢係大老闆咁嘅，佢就話畀我哋聽你就係佢嘅左右手嚟嘅，基本上你係佢嘅副手，即係你嘅參與，事無大小都好多嘅，即係佢--何生，佢知嘅嘢同你一樣咁多咁，少過你咁，抑或佢其實冇乜興趣嚟水嘅，因為有其他生意要打理，佢嘅參與程度又你點樣形容呢？

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答：參與程度，老闆--除非佢有時自己落咗去地盤，喺我升職嗰段時間，老闆就同我差唔多每個地盤都去一轉嘅，即係好似一個簡介咁樣，「嚟緊呢個會代表我嚟喇。」咁啲啲囉。

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主席：跟住之後佢仲會唔會好似你咁頻密日日都會嚟地盤咁，抑或一個禮

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拜最多都係一、兩次落去，就重要啲啲嘢，譬如好重大啲啲嘢佢先至決定㗎，抑或佢親力親為，事無大小乜嘢都要知嘅呢？

C

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答：呢個我落去地盤就多數我自己，但係你話如果老闆，因為老闆去邊唔會同我交代，佢有--即係譬如我去 A 地盤，我去 B 地盤或者其他地盤，所以呢個我真係唔知。

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主席：我知，你可能唔知，不過佢如果去完 A 地盤，下一次你去到 A 地盤，你啲啲工人會話畀你聽，你啲啲代理會話畀你聽「老闆啱啱兩日之前嚟過，又問呢樣，問啲樣。」㗎嘛，因為你問公司其實講嚟講去都係得啲十個八個人--唔係，應該咁講，管理人可能都係得兩、三個嘅啫。

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答：都唔會。

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主席：我想知道你老闆嘅參與程度。

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問：首先我哋...

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答：同...

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問：首先逐步嚟，逐步嚟，我哋先講何老闆同你一齊出現嘅，因為啲啲你有一手資料，你會一手知道，你頭先講過，就係起碼會去一次，你話？

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答：係。

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問：每個--即係會去一次，佢就會介紹下，就話「呢位係阿健」咁樣，...

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答：係喇。

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問：...啲啲就係你起碼會有一次就係你自己親眼見到成個何老闆戩咗嘅度嘅，係咪？

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答：係。

R

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問：跟住你話啲單 project 開咗工，你嘅意思係咪話就何老闆同你同時一齊仔公仔出現嘅成數就...

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答：唔係㗎，唔係㗎。

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問：唔係，聽埋我講。

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答：Sorry。

問：...冇咁多或者冇，係咪呀？斷地盤計。

答：喺我見到嘅就有。

問：冇。

答：如果佢自己有冇落去，呢個佢作為老闆，佢唔會知會我。

問：我明白。好喇，一齊去嘅，你就話會係開始嘅時候會去一次，以你所知，同佢一齊去嘅？

答：係。

問：跟住你嘅記憶，就印象中就有乜嘢係會一齊落去㗎喇同佢，除咗第一次之外？籠統，我哋籠統講，任何事都有例外，我哋講籠統，okay，每個地盤去開頭嗰次，對嘛？

答：係。

問：跟住就唔會話再一齊落去，對嘛？

答：都唔會。

問：唔會？

答：係。

問：你就話佢可能會選擇自己獨行形式，喺唔同你一齊嘅情況之下自己去，不過你就唔會知，對嘛？

答：係，因為老闆做，我哋冇可能問「你去邊？」或者點樣。

問：好，頭先主席就問你「咁會唔會有同事八畀你聽頭先老闆先嚟完？」有冇呢啲習慣嘅呢，你啲同事？

答：冇嘅。

問：定係大家地盤工人做嘢就做嘢，唔會咁喺度講「哎吔，老闆又嚟過呀。」咁？

答：係，唔會提嘅。

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問：唔會提嘅？

答：唔會提嘅。

問：即係大家落手落腳做嘅啫？

答：係。

問：就有話八下「老闆嚟嗰，頭先喺度鬧到反肚嗰，醒定呀。」冇啲咁嘅嘢？

答：冇嘅。

問：冇嘅？

答：係呀，反而地盤最多都係問幾時會加人工啲嘅啫。

問：Okay，即係老闆出現呢個唔係一個大家會講或者閒談講到嘅課題嚟嘅？

答：唔會嘅，唔會嘅。

問：唔會嘅？

答：唔會嘅。

問：總之就冇人話畀你聽，就算有都？

答：係，因為我落地盤嘅時間，即係除咗喺建築嘅寫字樓裏面，我基本上落去可能係半個鐘、十五分鐘咁樣。

問：好，因為你咁多地盤去巡...

答：除非有特別嘢，譬如經理講到「你個伙記前日又」點點點點啲啲，或者「你叫佢點樣安排喇，啲嘢。」咁啲啲，啲啲嘅時候，我就會搵埋打理。

問：得，何老闆好鍾意講嘢嘅，係咪呀？好鍾意傾偈，係咪呀？

答：何老闆鍾意傾偈呀？可能我哋始終係佢嘅下屬，...

問：下屬。

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答：...都有乜點樣咩嘢閒談即係。

問：哦，okay。黃貴雄先生其實起初你可唔可以話其實佢係你師父嚟，可唔可以咁講？

答：可以叫老細喇亦都。

問：老細？

答：係。

問：你有好多嘢都同佢學嘅，係咪呀？

答：吓？

問：你好多嘢都同佢學嘅，係咪呀？

答：係。

問：但係跟住久而久之，就反而你而家就係即係做嘅嘢就同佢唔同㗎？

答：係，冇錯。

問：即係你就會係反而就少做咗一啲真係落手落腳要做嘅嘢？

答：係。

問：你亦都唔會話做一啲駐死嚟一個地盤做嘅嘢？

答：係。

問：你會係比較要了解多啲所謂管理形式--即係管理嘅性質重啲嘅嘢，對嘛？

答：係。

問：而家你會當佢係你恩師、下屬定係老友呢？

答：可以係老友，因為我多數去親，我比較會多去佢啲地盤。

問：即係可能又有得傾兩句咁樣會，係咪，大家都會？

答：都會嘅。

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問：都會嘅。我哋知道好多時候大家同事做嘢就做嘢，冇乜兩句，但係同黃貴雄，由於佢真係睇住你出身，有陣時大家傾偈都會傾一啲工作上嘅嘢，會唔會？

答：反而都少，工作上嘅少。

問：工作外就有？

答：工作外都唔係傾工作嘅嘢，嗰啲多數都。

問：我明，okay，得，好。即係你哋會有即係傾下偈咁樣，即係多於普通萍水即係相逢嘅一啲工人，但係就都唔會講工作嘅嘢嘅？

答：係，因為我多數逗留喺地盤嘅時間唔係太多，因為我去完一個地盤，我要即刻趕去第二個地盤去了解其他嘅地盤情況。

問：好。

答：因為我自己獨立揸車，因為一個地盤同一個地盤唔係話隔離左右。

問：你自己一個人出巡嘅？

答：係呀，一個嘅咋。

問：好，地盤送貨，送完貨之後嗰啲用具，即係嗰啲水喉嘅用具有啲情況之下就你如果喺度，就由你簽收，我哋頭先見到？

答：係。

問：收咗貨之後擺喺邊㗎？

答：啲伙記應該搬番上架步嘅，多數都。

問：喺架步？

答：係，擺喺架步嘅。

問：但係頭先你話齋，你就唔會負責即係仔細去點、去觀察咁嘅？

答：唔會。

問：唔會？

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答：係。

問：好喇，頭先楊大律師佢就畀過一啲嘅收貨單--送貨單，sorry，送貨單畀你睇，睇番 S 嗰個文件夾，S 嗰個文件夾，我哋睇 105 先算，105，呢個係雋景嘅單嚟嘅，呢個係雋景嘅單嚟嘅。

答：係。

問：首先你知唔知雋景係咩嘢？

答：知。

問：而家知，當時知唔知？即係做緊葵聯同埋啟晴嘅時候，你知唔知雋景係咩嘢？

答：知。

問：知，供應商？

答：係，因為佢成日有部貨車會入地盤，我見到。

問：你加入何標記嘅時候，就已經用緊雋景，係咪呀，應該？

答：嗰陣時就真係唔知，因為打工，都唔係我收，唔係盛。

問：唔緊要，但係採購，即係同佢同供應商買貨都唔係你做嘅嘢嚟嘅？

答：唔係。

問：你接觸或者知道有雋景就係因為喺地盤度，雋景會送貨，係咪呀？

答：係。

問：主要係因為呢個渠道，所以你知道有雋景呢樣嘢？

答：係。

問：但係雋景呢個發票就寫畀何標記，個聯絡人就係鍾小姐，鍾小姐應該係你會計部嘅一位同事嚟嘅，係咪呀？

答：係，冇錯。

問：佢有個 Mr Leung，當然，呢個 Mr Leung 呢個名就係雋景打嚟喇，

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雋景心中打呢個 Mr Leung 係邊個，我哋都好想知道，但係其實以你嘅認知，即係其實呢啲單上面寫話要搵一個 Mr Leung，呢個梁先生會唔會係你嚟嘅呢？

答：唔會，應該係 Osa...

問：定係你哋有其他，你認知其實有另外一個同事係叫做梁先生？

答：另外一位同事嚟嘅。

問：你知道有個姓梁嘅同事，就喺會計部負責管數、找數啲嘢嘅，係咪呀？曾經一度。

答：我知佢喺會計部，但係佢管乜嘢，我就唔清楚。

問：總之你知道學--即係總之寫字樓都有個姓梁嘅梁生嘅？

答：係，冇錯。

問：曾經一度，係咪呀？

答：係。

問：Okay，得。睇番 104 嗰個送貨單，你簽收得，即係起碼呢一張你係點貨嘅會，係咪呀？

答：嗰日啖咗個伙記落去，叫佢攞番嗰張請購表，即係黃生打理落嗰張請購表去對貨，因為我約咗黃生上去開會，如果唔係，黃生都落嚟簽收緊。

問：啱。

答：啱啱我到嘅時候，佢已經搬緊。

問：總之黃先生就唔喺度，你...

答：喺寫字樓--喺地盤，唔係唔喺度，即係喺地盤嘅建築寫字樓開緊會，我約咗佢。

問：你就叫一個--即係黃先生就...

答：黃先生叫咗個伙記去收緊貨嚟喇，但係就攞咗張請購表，對張請購表嘅單，如果啱嘅，我叫佢對埋先好扱印，咁我就簽咗名。

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問：得，即係話其實實際上擺住逐件逐件 check，睇下啱唔啱，有送錯貨呢個動作唔係你做嘅？

答：打理做嘅。

問：打理做。

答：但係啱啱嗰日我上去，佢落緊貨，因為畀人趕緊車嗰日。

問：得，咁...

主席：即係你嘅意思即係你簽咗個名，跟住你就行，嗰陣時你啲伙記仲係收緊貨，係咪咁嘅意思？

答：係。

主席：即係你連...

答：佢哋已經點咗貨，係點完貨，簽收，因為我到嘅時候，我已經問咗係點咗貨未，點咗嘍喇。

主席：即係你純粹就簽個名就行，你嘅意思係咪咁？

答：係呀，上咗去...

主席：得。

問：即係你信賴地盤裏面點貨嘅伙記佢哋已經將送嚟嘅貨同埋呢個送貨單與請購表啲 item check 過，係冇問題喇，扱咗印，你就信賴佢哋，你就話「好喇，我信你。」咁就簽個名，咁就行喇，對嘛？

答：係，因為嗰時我趕住開會。

問：得，明白。

答：所以就即係其實...

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主席：我想問下，點解你會記得呢？

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答：唔？

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E

主席：點解你會記得呢？

E

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答：我嗰日落去地盤係講留套通嗰個問題嘅。

F

G

主席：吓？

G

答：嗰日落地盤係講留套通嗰個問題嘅。

H

主席：我知，你問我--即係你講套通，呢啲即係好普通嘅嘢啫，即係你啲工作基本上嘅嘢，你問我 2013 年 4 月 25 日審緊乜嘢案，我答你唔到㗎㗎。

H

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答：唔係，因為呢個問題我係甚少簽單同埋會對單嘅。

I

J

主席：更加唔會記。

J

K

答：佢就係頂住我部車吖嘛。

K

L

主席：吓？咁蹺？得。

L

M

答：因為貨車頂住我部車。

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主席：哦，okay，繼續。

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問：其實另外有個例子嘅，即係其實而家我哋手頭嗰啲單就未必齊，你睇番 180 頁，180 頁，同一個 file。

P

Q

答：180...

Q

R

問：180，180 頁，呢度就係另外一張送貨單，180，呢度嗰個聯絡人就寫黃貴雄同你，簽名嗰個亦都係你嘅，你見到嘛？你見到嘛？

R

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答：係。

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T

問：咁今次呢個你簽收，又你記得係嗰個情況大約會係點呢？你有冇經歷過即係真係親自走去點嘅呢個程序，定係你都係倚賴或者係信賴--信任地盤裏面嗰啲工友點完，check 過啲請購單，然後就話畀你聽嘅

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呢？

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答：係呀，都係啖...

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問：呢個係啟晴邨嘅，呢個係啟晴嘅，我話畀你聽，頭先嗰張就係葵聯嚟嘅，但係即係你都係話畀我聽就係你係呢兩張有你簽名嘅送貨單其實真係點收嗰個都唔係你，你係簽名，你淨係依靠人哋畀你嘅資訊去簽嘅，對嘛？

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答：呢個我真係反而冇乜印象，如果係，應該我對單嘅。

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問：不如咁講，你嘅日常工作當中，去地盤，有人咁啱送貨點收啲 item 係唔係你常做嘅嘢嚟嘅，你嘅一般嘅職責嚟嘅？

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答：唔係。

I

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問：唔係？

J

K

答：唔係。

K

L

問：Okay，所以係因為咁，所以你就覺得就話有你簽名，都唔會係因為你點咗，都係你信任地盤啲人點咗，話畀你聽嘅啫，係咪呀？

L

M

答：都會。

M

N

問：好喇，我哋睇一睇，呢張送貨單裏面有一項係叫做 50 力扁錫條嘅，見到嘛？

N

O

答：係。

O

P

問：睇番 104 頁第 1 項都有一個 item 叫做英國 50 力扁錫條嘅，對嘛？

P

Q

答：頭先嗰張呀？

Q

R

問：係。

R

S

答：係。

S

T

問：頭先嗰張係 104 頁，104，見到嘛？

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答：係，係。

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問：見到。我想問你嘅就係你當時簽收嘅時候，你有冇特別留意嗰咩貨品

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嘅形容或者名稱嘅？定係你真係覺得簽個名嘅呢？

答：有望一望嘅。

問：有望一望嘅？

答：有望一望。

問：但係你望一望有咩嘢意思呢，即係？

答：有睇下係啲乜嘢嚟。

問：睇下啲咩嘢嚟？

答：係。

問：但係得個知嘅啫？

答：係呀。

問：知道咗，如果有啲乜嘢係特別係唔妥嘅，你都會開下聲㗎，即係在你
認知範圍之內唔妥，係咪呀？

答：係。

問：但係你見到「50 力扁錫條」呢個形容詞，你就冇覺得特別咩嘢唔妥？

答：冇。

問：冇？

答：當時冇。

問：冇。以你嘅理解，你自己嘅經驗就係焊接銅喉就用錫曲喇？

答：唔。

問：但係你知唔知道其實喺何標記做嘅水喉工程，佢哋係用焊料呢樣嘢？
唔好理邊種焊料，起碼你知唔知道何標記嘅工程係用焊料呢樣嘢嘅？

答：知。

問：知嘅？

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答：知。

問：你知唔知道啲地盤嘅打理或者起碼負責填寫請購表嘅工友佢哋係點樣去形容呢啲焊料嘅呢，喺寫呢個請購單嘅時候？

答：呢個真係唔知。

問：唔知嘅？

答：係呀，因為佢哋落完料，佢自己 fax 上去寫字樓，我係唔會逐張去睇，咁多條，佢哋落。

問：你自己有冇寫過或者填過請購表？

答：呢個真係冇乜印象。

問：冇乜印象，我畀你睇一睇啲嘢，陳小華嘅證人口供，K3 tab 13 2391 頁，1391 --唔係，2391，對唔住。首先佢第 8 段，2391，陳小華就話你同黃貴雄係第 1、第 2 座嘅判頭，你點回應呢，對佢呢個講法？你係咪叫做第 1、第 2 座嘅判頭呢？

答：唔係。

問：唔係？

答：因為我係未判過嘢做。

問：未判過嘢做？

答：點會係判頭？

問：得，判嘢做，你都知道大約我哋所理解個意思就係唔係用公司工去做 --有啲嘢唔係用公司請嘅工人去做嘅，而係叫做搵一個人佢叫做即係判頭，就由佢負責去搵啲工人，但係就斷件咁樣去做，即係大約呢個概念你知道嘅，係咪呀？

答：係，知道。

問：但係你就係話畀我哋聽你唔係第 1、第 2 座嘅判頭，啟晴？

答：係。

問：第 1、第 2 座嘅判頭，以你嘅理解係邊個？

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主席：有冇判頭先？

問：有冇判頭？即係有冇人判咗啲嘢嚟做，第 1、第 2 座？

答：我印象中冇。

問：冇？

答：我印象中冇。

問：冇，唔緊要。你睇第 12 段，2392 頁，呢個係陳小華嘅說法，「在啟晴邨項目中使用」嘅小五金物料，包括焊料，早期全都係由佢，即係陳小華，「向何標記採購部落單，再由何標記採購部向雋景訂購回來的。到了工程」嘅「後期，即大約」2012 年，嗰度係打錯咗嘅，應該係 2012 年嘅，okay。

答：係。

問：2012 年嘅，「9 月至 10 月開 8，因為水喉工程全速進行，要訂購及送來地盤」嘅「物料太多」「太亂，所以黃貴雄、梁偉健及范秀鵬亦有就他們負責的座數自行向何標記採購部落單訂料，不須通過我。由黃貴雄、梁偉健及范秀鵬都替何標記打工多年，與何文標十分相熟，所以老闆何文標當時知悉及容許他們直接向採購部落單。至於陳思南，他替何標記打工」嘅「時間相對較短，與何文標不太熟絡，所以就算到了工程」「後期，他仍然是通過我向何標記採購部落單的。」停。一般嘅做法係唔係由打理負責填寫請購表，然後 fax 番寫字樓嘅？

答：係。

問：啟晴嘅打理就係陳小華，對嘛？

答：係。

問：所以一般嘅做法係陳小華填寫、陳小華 fax 嘅，對嘛？

答：係。

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問：你唔好理佢呢度提你嘅名。

答：Okay。

問：有冇一啲情況係有陣時即係特事特辦，可能緊急又搵唔到個打理，就係會由某啲即係特定有足夠即係地位嘅一啲工人又好，工頭又好，判頭又好，或者話事人又好，即係佢哋負責代替咗陳小華填啲請購表 fax 番寫字樓都有嘅，唔係常見，會唔會係咁？

答：即係你意思係咪陳小華啲伙記寫完？

問：係。

答：真係唔知。

問：唔知？

答：係呀，陳小華嗰啲唔知，真係。

問：即係 fax 呢啲請購表返去寫字樓呢啲嘢，你係即係有冇經你手做過嘅呢？

答：正常係打理自己寫完，佢 fax 上去嘅。

問：Okay，咁以...

答：即係如果譬如假設每一日十個地盤咁，十個寫完張單，我都要去，即係我一日裏面我要去晒十個地盤，所以直接係打理寫完，佢就 fax 上去。

問：我明。好喇，但係以你知道就係--我唔係話你有份去所謂監察或者要你允許，先至准 send，唔係咁嘅意思，但係有陣時會唔會有啲做法係打理唔得閒或者係太急、太趕，可能 1、2 座佢本身有個判頭佢覺得「我有需要某種物料，我費事走去搵打理填嘢，我自己去寫字樓搵張嘢填咗，我就 fax 番去。」有冇呢啲事情發生？

答：正常唔會亂咁填嘅，係打理先填得，唔會個個伙記都填得。

問：正常係打理先填，好喇，佢就直情呢...

答：我哋嘅規矩係咁，如果唔係，個個都填得，咪個個都可以自己寫單落料？

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問：得，呢度有提你個名，梁偉健亦有就佢負責嘅「座數自行向何標記採購部落單訂料」，即係話你都有用呢個請購單向何標記嘅採購部訂料嘅，你點回應呢，對呢個講法？

答：因為嗰時 1、2 座，啟晴邨所謂嘅 1、2 座係我同黃生兩個睇嘅，但係就唔係...

問：睇嘅意思係咩嘢呢？

答：叫做管理，做番自己嗰兩座，即係喺成個 project 裏面其中兩座。

問：即係唔係判嘢返嚟做，但係叫做睇住，即係管理，係咪呀，叫做？

答：係，冇錯。但係因為係我同雄以前因為跟黃生，即係所謂黃生出身，但係實質嗰段時間我同黃生都已經分離咗㗎喇，我一睇，根本上係差唔多叫做成單嘅 contract。

問：即係唔係局限於 1、2 座？

答：唔係局限於 1、2 座㗎喇，因為我已經升咗上去，唔再係 under 黃生。

問：所以黃生就真係叫做管 1、2 座嘅？

答：係喇。

問：你都係管，但係你就唔係局限於管 1、2 座，你管好多 project 添，可以咁講？

答：係，係。

問：對嘛？

答：係喇。

問：好，但係講開呢個問題，你有冇填過呢啲 form send 番去寫字樓擺呢個請購--即係填嗰啲請購單，以你嘅記憶？

答：照道理，應該冇，應該冇，應...

問：唔係，唔好話「照計」，即係實際有冇？

答：我印象中，冇。

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問：印象中，冇，但係就算有都係好例外嘅，應該記憶好深刻㗎？

答：應該都冇，因為我嗰時已經上咗去開始搞管理層嘅嘢，唔會再坐喺度，你真係要落單，我真係要開晒啲圖去 check 番要啲乜嘢或者做到邊一 part，先至會去落單。

問：即係你意思係落單嘅人一定係落手落腳做緊，真係有仔細嘅認知，佢先至可以...

答：唔係落手落腳做緊，甚至乎可能譬如一個打理或者一個管工，我係譬如而家做緊 1 樓、2 樓，2 樓係做緊啲乜嘢嘅，你先至會跟番個 part 嚟緊，譬如我做完 A 呢一 part 嘢，我預備 B，我先會去睇番份圖裏面要幾多呢啲嘢，你先會去寫㗎嘛，唔係求其即係寫一堆咁樣。

問：得，落手落腳可能唔係一個貼切嘅形容詞，即係你要有好緊密嘅牽涉在嗰個工程，你先至可以感受嗰個要求，先至可以寫到嘅，...

答：係喇。

問：...而唔係你巡一巡十五分鐘就可以知道「我要多五箱嘢。」唔係咁嘅？

答：係喇，因為你有好多個個範疇，唔係淨係來水，有去水，加埋其他好多嘢㗎嘛，有潔具各方面啲啲。

主席：想問下，除咗打理可以填嗰張請購單，如果嗰啲管工可唔可以呢？如果譬如喺啟晴邨，因為其實最清--打理就要管六座，係咪？

答：係。

主席：譬如啟晴邨打理係管六座，管工可能管兩座，啱唔啱呀？

答：係。

主席：理論上就要啲乜嘢嘢，係咪你哋一般嘅做法就由管工就話畀打理聽，打理先至填張 form 上去嘅呢？

答：管工話畀打理聽？唔會嘅。

主席：唔使嘅？

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答：唔會管工話畀打理聽叫佢填單嘅，係由打理落單㗎嘛。

主席：唔係，我知，譬如黃貴雄佢要 1、2 座有啲嘢要，佢自己落咗，抑或佢搵陳小華同佢落咗？

答：會搵陳小華㗎喎。

主席：係囉。

問：即係層層匯報上去，我諗主席嘅意思就話，陳小華作為打理，佢之所以知道有需要訂多啲料都係因為 1、2 座個管工話畀佢聽嘅啫，佢啲資訊都由下面咁樣傳上嚟嘅，對嘛？

答：係。

問：但係即係你即係話畀我聽就--攞 1、2 座為例，1、2 座嘅管工就係黃生？

答：係。

問：正當嘅做法就係黃生就應該同陳小華講聲就話「我哋呢度唔夠某種料，我哋要五盒或者十卷。」咁就會由陳先生吸收咗呢個資訊，佢就填咗個請購單，正當應該咁做嘅？

答：係，同埋當時 1、2 座係最後期嘅，因為嗰時係譬如有六座樓，係 3、4 座行先嘅，即係跟佢哋建築個期係呢兩座起好咗先嘅，跟住就再到 5、6 座嘅，1、2 座嗰陣時仲係起緊，即係比較慢嘅，係呢兩座零舍比較慢嘅，當時基本上係陳小華落嘅料都已經係落到去 1、2 座㗎喇，即係會落埋 1、2 座嘅料㗎喇。

問：明白，但係都有可能就係佢開頭估計嘅時候就預--到到臨尾就唔夠，所以就 1、2 座係用人哋用剩啲嘢，即係你意思係，所以可能就係咁啱開頭預唔夠，咁可能要補，即係如果有嘅情況，都係由黃先生話畀陳小華聽唔多夠，就由陳小華負責寫請購單嘅，係咪呀？正當應該係咁。

答：程序上係，係。

問：程序上係，即係...

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主席：嗰陣時，我想問下，既然你提到，對唔住，3、4座就行先，係咪因為當時趕工，所以就要將嗰啲工序就係判咗出去呢？

答：即係你意思係趕工嘅時候？唔會，...

主席：因為...

答：...因為3、4座行先，嗰時應該係最鬆動係3、4座。

主席：係喇，咁點解嗰陣時就要採取呢個多勞多得呢一個咁樣嘅步驟方式呢？

答：即係你意思係...

主席：因為我哋知道3、4座就係你呢個陳思南，係咪？

答：係。

問：有啲嘢判咗畀佢做㗎嘛？

主席：有啲嘢判咗畀佢做㗎嘛，係咪？

答：係。

主席：佢基本上就係做走廊，除咗天面唔做之外，差唔多好多嘢都判咗畀佢做㗎嘛？

問：你知唔知呢件事情先？

答：應該唔係...

問：你知唔知道有啲嘢判咗畀陳思南？

答：知。

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問：你知？

答：知，但係佢係局部嘅咋喎。

主席：你講畀我哋聽，因為陳小華就話畀我哋聽陳思南就判咗呢啲、呢啲、呢啲嘢嚟做，佢又唔鍾意天面諸如此類，所以--房口裏面啲啲又唔做，呢啲預製組件啲啲又唔做，所以就...

問：不如咁，你話畀我聽你嘅認知，第3、第4座有啲乜嘢嘅工作、有邊啲 item 係判咗畀陳思南做嘅呢？

答：以我所知，就係房口、外牆喉同埋外牆嘅膠喉、去水喉，其他...

主席：房口裏面嘅接駁？

答：內外，係呀，走廊因為有啲--以我所知，下面啲啲就係公司工做嘅，上面啲啲就佢判咗都係阿南做嘅，因為佢係我唔知嗰時傾嘅時候，佢--即係阿南，呢個陳思南同陳小華係點樣傾嘅，因為淨係知道後期好多嘢都話唔係佢做，佢唔包，因為係佢同陳小華兩個夾㗎嘛。

主席：陳小華就同陳思南就商討就究竟乜嘢嘅工序就判畀陳思南做嘅？

答：係，即係譬如你係判邊啲嘢做，或者叫佢譬如報價係報番邊啲，呢啲係佢哋先知。

問：好喇，講番，邊個搵陳思南返嚟嘅呢，係何老闆搵佢返嚟定係陳小華搵佢返嚟定係唔知邊個搵佢返嚟嘅呢？

答：呢個以我所知，應該係陳小華搵佢返嚟，係咪呀？我見佢咁熟，兩個。

問：你見佢乜嘢？

答：咁熟囉佢哋兩個。

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主席：唔係，你知--兩個好熟？

答：係。

主席：係咪因為都唔知道陳小華判咗乜嘢畀陳思南，所以而家就仲有陳思南追何文標幾十萬數？

答：（沒有可聽到的回答）

問：你知唔知陳思南追緊何老闆數？

答：我呢個唔清楚。

問：呢個唔清楚？

答：即係有啲--因為啲佢哋之前，你譬如 3、4 座係好早前佢哋已經嚟咗，我哋係後期先至入嚟，佢哋點樣定啲啲，真係要問番陳小華先知。

問：即係你開始參與啟晴邨嘅時候就係 2012 年 4 月，你話，係咪呀？

答：係，差唔多 4 月至中。

問：嗰陣時起到第幾座？

答：唔係，嗰時已經六座都喺晒度，1 至 6 座都喺晒度。

問：我知，我講喉，喉，喉係幾時開始做？由入去嘅時候，由頭開始，即係六座嘅喉係一齊做嘅，唔係？

答：唔係。

問：你六座已經起好晒一嚟嚟度㗎喇？

答：係，係。

問：你入去入場嘅時候，你做喉，你都係六座一齊開始做？

主席：唔係。

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問：唔係咩嘢？

答：唔係。

問：所以我就問你，你入去嘅時候就...

答：3、4座先嘅。

問：...做3、4座先咩嘢就係，係咪？

答：係呀，係呀，係呀。

問：好喇，我下一個問你嘅問題就係用乜嘢嘅尺度嚟到決定邊啲座數裏面嘅水喉工程係用公司工做，邊一啲座數裏面嘅邊一啲工程係判畀人做，呢個咁嘅決定係邊個作出嘅呢？

答：即係你話點樣分判？

問：點樣決定邊啲工作係判出去、邊啲工作係唔判出去，係用公司工做，呢個決定係邊個作出嘅，同埋係基於啲乜嘢考慮作出嘅呢？

答：其實呢個係真係--譬如好似嗰段時間，即係起緊啟德嗰段時間咁樣，因為你出面比較多工程，變相難搵人，就算你搵到判頭，係判頭同番打理去傾，即係譬如我要斬邊啲，會按番嗰個現時嘅進度，即係譬如冇幾多嘢做，再斬番--都要問番個判頭即係佢哋鍾意做邊啲，即係佢哋會判邊啲嚟做，就唔係話我畀晒佢，佢就一定去判。

主席：我明。

答：呢啲就要由打理同個判頭去傾。

主席：即係喺啟晴邨--因為點解呢？何文標先生就話「你唔好問我，你問梁偉健呢啲咁嘅嘢。」係咪？

答：係。

主席：何文標話唔可以個個上嚟都話認知不足嘅，我叫我啲伙記坦白講晒出嚟嘅，okay。

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問：坦白從寬。

答：係，所以我咪坦白照講，睇個判頭自己，我唔可以逼個判頭。

主席：唔係，我有話從寬，不過佢就話「你問我啲伙記喇，我叫佢哋有咩嘢就講咩嘢，一五一十講晒出嚟，冇嘢隱瞞嘅。」呢個你老闆講嘅，所以我哋而家問你。好喇，呢個第 3、4 座決定分判出去嘅係邊個決定？

答：3、4 座決定分判出去...

主席：係，分判啲工序出去畀陳思南做，唔用公司工做係邊一個嘅決定？

答：即係你意思係判出去畀邊個做係由邊個決定？

主席：唔係。

問：或者判唔判，唔好理邊個。

主席：判唔判，係呀。

答：吓？

主席：判唔判先。

問：判或者唔判呢個決定係邊個決定嘅先？你唔好理判邊個。

答：都係我定。

問：吓？

答：我定嘅。

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問：都係你定嘅？

答：算係我定，係。

主席：「我哋」係...

問：你定，係咪？你個人定？

答：係。

問：你定嘅？

主席：你定？

答：係。

主席：你吖嘛？

答：係。

主席：Okay，咁你係基於乜嘢當時係決定係要將 3、4 座嘅一啲工序--唔好理咩嘢工序住，判出去呢？

答：唔係，嗰時係基於陳小華，佢睇緊六座大樓，我哋仲有連埋外圍，喺啟晴嗰度，仲有啲商場、停車場嗰啲，我哋嘅意向就判出去做就唔使佢咁辛苦去搵啲伙記，即係唔使搵咁多伙記，因為呢個地盤唔係細，唔係話二十零、三十個人可以起貨，咁就會同個打理夾一夾，譬如睇下「會唔會你有跟開嘅師傅，自己有一班人咁樣，外判得就再減省，唔使咁多時間去搵人。」個意向。

主席：咁就即係唔...

問：唔使用咁多公司工，係咪呀？你意思。

答：係呀，因為你公司工，如果係我哋全部接晒，我哋一定要搵人返嚟做

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嚟嘛。

主席：工人喇即係。

答：工人，係喇，冇錯。

主席：好喇，於是就呢個決定就你話咗畀陳小華聽，係咪呀？

答：係。

主席：陳小華就--陳思南就係佢搵番嚟吓，抑或點樣樣嘅情況之下搵番嚟嘅呢？

答：陳思南應該係阿華搵番嚟嘅。

主席：陳小華搵番嚟嘅？

答：係。

主席：於是佢哋兩個人之間就喺度商討究竟邊一啲嘅工序係判畀陳思南做，就邊一啲工序就係你哋自己公司嘅公司工做，係咪咁樣樣呢？

答：係。

問：即係你先決定就係話不如呢度判啲出去，但係判到畀佢哋可以願意接啲咩嘢，就真係佢哋自己去慢慢傾？

答：係呀，同埋要...

問：就係咁傾番嚟？

答：係呀，佢哋會寫番張價單，譬如「我 1 至幾多樓我做，或者邊啲我做，邊啲唔做。」咁樣啲啲。

主席：得，幾多錢係邊一個決定呢？

答：吓？

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主席：幾多錢，即係做呢個工序，譬如咁講，裝廁所鋅盆，假設，加埋水喉，如果係判出去嘅話，幾多錢接呢一個 job 係邊一個決定呢？

答：即係意思係外判出去幾多錢，定嗰個價錢係邊個決定？

主席：係，係。

答：呢個商討，會同--即係譬如有時我會返寫字樓，同老闆再討論。

主席：得，商討係邊一個同邊一個商討？

答：會有同老闆傾過，呢個，即係咁嘅價錢，譬如我哋判出...

主席：咪住先，咪住先，陳思南就一定要商討，陳思南會首先同邊個商討？

答：陳小華。

主席：陳小華，好喇，佢哋商討咗之後，有個價錢，跟住話畀你聽吓，話畀何文標聽吓，兩個都話吓，抑或點呢？

答：話畀我聽。

主席：話畀你聽？

答：係。

主席：跟住你又點做呢？

答：會按番譬如地盤約莫你一工人要做幾耐，咁嚟計番嗰個單位幾多錢，會再搵埋其他打理去商討，譬如第二啲公司約莫幾多錢做一個單位咁樣嚟去對比番。

主席：對比番之後，跟住就將你個分析就呈交畀何文標，睇下佢吸唔吸頭，係咪咁呢？

答：係。

問：即係最終拍板都係何老闆拍板嘅，判出去嘅...

答：唔係，係由我嚟定㗎，即係譬如我睇到如果係市場上係真係要咁嘅價錢或者咁嘅時間去做，我 approve 咗嘅，老闆--會同老闆講聲，老

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闊叫做知道有呢個咁嘅人存在，或者呢個咁嘅判頭存在。

問：得，得，即係你都係知會佢嘅啫，但係即係決定判畀邊個、用幾錢判就係你決定嘅？

答：係。

問：好。籠統地咁講，籠統地講，如果用公司工嘅形式，公司就硬出一嚟人工，定咗嘅薪水㗎嘛係？

答：係，冇錯。

問：工人做幾多都係收咁多薪水㗎喇？

答：係。

問：如果判出去，嗰個經濟模式就唔好唔同，多勞多得㗎？

答：係。

問：做得快就有著數？

答：係。

問：你覺得會唔會係一個誘因，做得快有著數就令到嗰個判--即係接咗呢個判番嚟嗰單嘢嗰個人係有一個誘因，係要用一啲快啲起貨嘅材料呢？我哋唔好講焊料喇。

答：呢個唔夠膽評論。

問：唔夠膽評論？

答：即係人哋諗乜嘢，我唔知，不過...

問：再進一步，就係如果陳思南同陳小華係咁熟，會唔會有一個誘因，就係基於種種嘅理由，你哋之間有咩嘢瓜葛，總之就係陳小華有一個誘因，就係想陳思南同埋--佢包番嚟嗰個櫃可以快快手手做得越多越好，就所以就去採購一啲可以快啲起貨嘅材料，包括快啲熔，容易啲做嘢嘅焊料，有冇呢個可能呢？

答：唔排除呢個可能性。

問：吓？

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答：唔排除呢個可能性。

問：唔排除呢個可能性？

答：係，因為我哋始終唔知佢哋--因為我係唔對方，我唔可以代表佢點答。

問：但係陳思南同埋陳小華呢個配搭其實有冇啲第二啲嘅屋邨都有出現？
譬如話你龍逸邨咁，有冇呢個情況出現？

答：龍逸邨，龍逸邨反而我唔知，因為嗰時起緊，我尾聲過去，升咗職之後，我哋係剩番下面一嚟嘢，叫做 com. hall，即係嗰啲--即係類似嗰啲...

問：會堂？

答：...會堂，社區中心。

問：社區中心，係，係，係。

答：係喇，嗰啲，係呀，因為嗰時得兩座，已經起好咗，嗰陣時候就剩番嗰個社區中心，起咗一半。

問：Okay，但係即係以你所知，陳小華先生做打理，但係陳思南先生又判咗一槓嘢嚟做呢個現象就淨係得啟晴？

答：係喇，我知道嘅係。

黎先生：呢一個咁樣嘅安排係第 3、第 4 座，喺第 1 座、第 2 座同埋第 5、第 6 座有冇咁嘅安排嘅？

答：第 5、第 6 座有。

黎先生：都係有分判咗出去？

答：係喇，但係個分判就係另外再同范生夾嘅，呢個。

問：范先生？

答：係喇，范生，冇錯。

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黎先生：即係一樣有咁嘅安排嘅？

答：係。

黎先生：你可唔可以詳細啲講一講個安排係點？又係分判畀范生？

答：唔係，范秀鵬係我哋嘅公司工嚟嘅，都係我哋嘅公司工嚟嘅，但係佢就再搵咗--譬如幫開佢有啲師傅可能好多年呀啲咁樣，咁就都係--其實判嘅形式都係同番...

黎先生：陳思南一樣？

答：...陳思南啲啲，係喇，冇錯，因為唔會個個唔同...

問：只不過咁啱就係范先生唔係一個叫做外人，而係一個打緊工嘅人？

答：係喇。

主席：陳小華都係一樣㗎？

黎先生：係喇，陳小華...

答：係，冇錯。

主席：都係打緊工嘅人㗎。

問：唔係，陳思南唔係咩？

主席：唔係，咁...

答：陳小華係判頭，陳小華講緊。

問：係，陳小華，係。

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主席：唔係，我知，但係范先生搵嗰個人返嚟，嗰個唔係你哋原本何標記嘅人嚟㗎嘛，范先生搵一個判頭返嚟㗎嘢？

答：係。

主席：嗰個原本唔係你哋何標記嘅人嚟㗎嘢，即係同陳思南一樣㗎嘛，不過佢叫做可能另外一個名啫，係咪？明唔明呀？

答：印象中，唔係，唔係，唔係，唔係，唔係，唔係。

問：第5、第6座係由范先生走去外面搵個人返嚟判出去？

答：唔係，范生本身搵嗰個係一路幫緊范生嘅，只不過就判左嚟做啫。

黎先生：即係都係何標記嘅職員嚟嘅？

答：唔算係何標記職員，算係都係何標記嘅判頭，我哋叫判頭。

主席：即係同陳思南一樣喇。

問：係，即係外人喇。

答：係囉，因為喺佢--係。

主席：不過呢個人同開范先生一向做嘢嘅啫。

答：係喇，係喇，冇錯。

問：得，得。只不過...

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主席：不如我哋...

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石先生：得，明白。

D

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主席：問完未，呢一 part ？

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石先生：未，未。

F

主席：未問完，不如我哋 break 一 break 先，好唔好？

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石先生：好。

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下午 3 時 44 分聆訊押後

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下午 4 時 03 分恢復聆訊

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出席人士如前。

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何標記建築工程有限公司（“何標記”）（中國建築（啟晴邨）及瑞安（葵聯邨第二期）的分判商）的第五證人：梁偉健（何標記項目經理（葵聯邨第二期的地盤主管））宣誓繼續作供

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石先生繼續盤問

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問：梁先生，我想畀你睇一睇，你睇睇何先生嘅證人供詞，K1 第 23 頁，呢個係何先生嘅證人供詞，睇下右下角，何先生就將每一座有邊啲嘢係判咗出去就寫咗出嚟，第 1、2 座，佢就話就嗰啲 PVC 喉管就判咗出去畀一個叫黃柳茂嘅人去做，你知唔知？

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答：我呢個知，膠喉嚟啲，但係呢個係。

Q

R

問：係，膠喉，係，就唔關銅喉事，我知，我唔係話關銅喉事，我畀佢講嘅嘢你睇啫，膠喉就畀咗黃柳茂做，係啱嘅？

R

S

答：係。

S

T

問：喺跟住嗰版，第 3、第 4 座天台以外嘅喉就係陳思南，判咗畀佢，對嘛？

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答：天台以外？唔係，係應該天面唔係陳思南。

問：天面以外囉，即係天台之外，係，係應該話。

答：係喇，係喇，係喇，強哥。

問：除咗天台，就係...

答：楊偉強，係，冇錯。

問：...陳思南，天台，你叫做天面，就楊偉強，對嘛？

答：係，冇錯。

問：第5、第6座就董欽偉，對嘛？

答：係。

問：就頭先你講嗰個就可能係范先生搵番嚟，呢個董先生都不撈夾開嘅？

答：好耐呀呢個，係呀，好耐喇，係呀。

問：Okay，得，明白。我哋擺埋呢個K1呢個先。你知唔知道--睇下先。有一啲陳小華先生講過有關你嘅嘢，我就想都向你讀出或者指出，睇下你有咩睇法或者回應嘅。首先就係我想你睇一睇陳先生佢嘅第十--睇下先，第36段係，K3 2398頁，K3嘅2398頁，見到嘛？第36段。

答：見到。

問：第36段嗰度，佢就話現實中就唔會有人用焊料呢樣嘢去形容嗰啲焊料嘅，佢話就大多數，無論係一條條或者一卷卷都係叫錫條嘅啫，你個人嚟講，對呢一個說法有咩嘢意見，有咩嘢回應？即係你點樣叫嗰啲焊料嘅呢？

答：冇，我哋堪稱--我堪稱--即係我自己，叫錫嘅，就咁叫錫。

問：就咁叫錫？

答：係。

問：就唔會分錫條定係錫線？

B

B

C

答：唔會，因為我哋係跟--譬如好似我哋以前學完期，到尾期，出咗一隻叫做內錫配件，所以你喺我嘅理解，我堪稱我都係叫錫嘅。

C

D

問：有冇聽過高溫錫、低溫錫呢個叫法呢？

D

E

答：呢個冇研究過，冇聽過。

E

F

問：冇聽過？

F

G

答：冇聽過。

G

H

問：你對一卷卷嘅綠色，頭先我畀你睇過嗰啲--頭先我畀你睇過一卷卷呢隻綠色嘅，同埋一條條嘅嗰啲錫條，你當時對佢哋嘅牌子、外貌、特性、內涵有咩嘢嘅認知嘅？

H

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答：當時唔知。

I

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問：乜都唔知嘅？

J

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答：因為我哋用嗰時，我仲做緊嗰時都...

K

L

問：我知你講係用錫曲喇？

L

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答：係呀。

M

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問：所以你當時係--即係畀兩卷嘢你，問你價錢分別，用嘅方...

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答：價錢更加唔知。

O

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問：價錢唔知？

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答：更加唔知。

Q

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問：用法、方便程度，冇認知嘅，當時係？

R

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答：（沒有可聽到的回答）

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問：我另外有一段想你睇一睇嘅，就係 42 段，呢個係陳小華所講嘅，陳小華就話根據何標記嘅指示，就某種直徑嘅銅喉就用某啲嘅氣槍去走錫焊，粗過某個毫米嘅銅喉就用風煤嚟到做銀焊，就何標記鄭生就會喺每個項目開始前都會向打理及判頭給予相關嘅指示，啟晴邨項目亦不例外。由於陳小華先生曾經講過你係判頭之一，我知道你否認，但係佢咁講。

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答：我的而且確唔係判頭。

問：所以佢如果話...

答：我冇可能兩個身分，同一時間。

問：我明，但係佢就話呢個鄭先生就會喺工程項目開始前就會向打理同判頭給予相關嘅指示，以你記憶，呢個鄭生有冇真係打電話同你講任何有關邊一種嘅喉走錫、邊一種嘅喉用銀焊，有冇同你有呢啲咁嘅對話？

答：冇講過。

問：冇講過嘅，好。我想你睇一睇 H1 122 頁，就係頭先亦都提過嘅一個 e-mail，一個電郵，見到喇？

答：係。

問：你頭先都講過，就係呢個 e-mail 你有收過，但係你有印象？

答：冇印象，係，冇印象，因為一日我係講緊嗰時係收差唔多過二百嘅 e-mail，甚至乎我而家自己個電話裏面都去到六千幾個 e-mail。

問：你用 Blackberry 或者手提電話去 check e-mail，即係你唔係即係返去寫字樓坐低對住個電腦先 check 嘅，係咪呀？

答：唔係。

問：即係你一路行就可以 check 到嘅？

答：係，我哋正常我開 Wi-Fi 嘅時候咪會收到囉。

問：Okay，好喇，我知道個個人 check e-mail 嘅習慣都唔同嘅，即係有啲就真係每一個都開，開埋個 attachment，有啲就係真係睇下個 topic，跟住先至決定開唔開嘅，係咪？

答：係。

問：有啲就睇下你係咪個主收件人定係 CC，主收件人可能著緊啲，如果淨係 copy 嘅，可能就即係未必關我事，好多人都有呢啲習慣嘅，你嘅習慣係點樣去決定睇唔睇到嘅呢？

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答：我多數會睇咗個 topic 先，即係睇下個大致係講乜嘢。

問：好喇，你睇 topic...

答：即係如果我知道有我要睇嘅嘢，我會開，如果唔係，基本上即係--因為個 e-mail 裏面包括好多，即係譬如安全、乜嘢，就算唔係我公司嘅，都會 E 畀我嘅。

問：好，呢度嘅 topic 就叫做 Approval Material Form，你都知道就係有關物料嘅審批，物料審批，你知道係鄭生負責遞上去喇？

答：係。

問：收呢一種通知你乜嘢物料審批咗嘅電郵，你係咪枕住收好多？

答：係。

問：枕住收好多嘅？

答：係呀，因為唔同嘅地盤其實即係關於唔關，其實好話唔好聽叫做乜嘢都掉落嚟嘅。

問：佢哋 send 畀你嘅目的都係想你知啫？

答：係。

問：你如果唔開，你會唔會覺得其實漏咗招嚟嘍，其實即係「佢話畀我聽其實瑞安將我係作為與何標記嘅一個 contact point 嚟嘅，send 咗畀我」-- send 咗畀你，你又唔去 forward 畀人，你就淨係由佢喺你個電郵個 server 裏面，你有冇諗過就係話如果真係有啲乜嘢係真係靠佢呢份嘢嘅，「我就由佢即係埋藏於心底，咁就即係可能會有啲人係唔知道。」啲嗎？

答：呢個我係真係冇 forward 過出去盛，因為即係喺我嘅理解，就正常就唔會咁樣 E 畀我，但係因為個個地盤就係覺得...

問：唔係，正常唔會 E 畀你，但係你頭先先講話枕住 E 畀你嚟嘛，正常？

答：係呀，就係個個地盤覺得全部嘢搵我，就掙晒落嚟，因為 material 呢樣嘢，第一，唔係我跟，變相我就算睇到，我係知有呢樣嘢，但係我唔會全部開，因為唔同嘅地盤，唔同嘅 material 乜嘢都掙晒落嚟，我真係唔會咁樣開法。如果唔係，我又要開圖或者其他嘢，仲有

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好多額外地盤，包括埋安全所有嘅嘢，佢都 E 落我度嘅，我諗我放完工後，食完飯後，我睇到每一日凌晨通宵達旦嘅，我睇唔晒，幾百個 e-mail 喎，講緊每一日係。

問：我又問你，我單刀直入就問你一個問題，你如何--以你嘅理解，採購部嘅同事如何可以確保佢訂嘅貨品係與房委會所審批嘅 item 嘅 specification 或者牌子係吻合呢？

答：呢個我哋上 submit 嘅同事跟㗎嘛。

問：即係你覺得應該係鄭生去負責嘅？

答：係呀，即係譬如喺我嘅理解，應該係鄭生，譬如我 e-mail 對頭人係你，你係咪應該 forward 畀我呢？你唔會 forward 畀其他一個，就咁「我掙咗畀你，就你搞掂喇。」咁樣，咁係咪已經有個問題？即係喺我嘅立場，我真係純粹當一個資訊 information 咁樣嚟睇番。

問：即係你話你嘅對頭嘅意思就係話即係瑞安嘅對頭係應該係鄭生？

答：係，因為佢係畀瑞安，應該係有一個工程部或者 engine 去跟呢一樣嘢嘅，係我哋譬如鄭生 E 咗畀 A 呢個人，應該 A 呈番上去房屋署，應該房屋署會批番落嚟或者點樣，會通知 main con.，即係我哋所謂嘅瑞安，瑞安應該係咪要畀番 Kevin 呢？即係如果我畀嘢你，但係就你唔係畀番我，就畀咗第二個。

問：你嘅意思就係既然係 Kevin 負責遞辦畀瑞安嘅，瑞安知道，approve 咗，就應該話番畀 Kevin 聽，係咪咁嘅意思呢？

答：係呀，佢會出番 memo 會畀番--擺番落個 tray 度，即係個白鴿籠，咁由白鴿籠，打理收到嘅，佢都會送番上去畀司機，遞番上寫字樓㗎嘛。

問：好，你對呢個 sender，呢個 Mr Man，你識佢嘅，係咪呀？

答：文生，識。

問：識佢？

答：識。

問：你知唔知因乜解究，佢淨係 send 畀你呢？呢啲好特別㗎喎，即係你話如果佢有陣時--我知道好多人 send e-mail 就手勢好差嘅，即係

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CC 晒全世界，跟住就可以話「我 CC 咗你，唔好賴呀。」咁，佢淨係畀你一個嘅咋喎。

答：係。

問：你有冇去即係查究下，就話「做乜事你 send 畀我？即係點解你唔搵番 Kevin？」定係呢啲你覺得話「你自己選擇 send 畀邊個你嘅事，總之你 send 畀我，唔關我事，我就唔理㗎喇。」咁，定係...

答：咁又唔會，即係譬如我開緊會或者同人傾緊嘢期間，有好多人打電話嚟，「喂，阿健，你要啲乜嘢？知唔知啲咩嘢、咩嘢？」我都係嗰句，「你 E 咗過嚟先喇，我有時間我同你睇番。」我都係叫人 E 咗過嚟先嘅。

問：但係呢度你話你枕住收埋晒呢咁樣嘅嘢，但係其實你都唔係正式應該對口嗰個單位，但係你有冇--即係起碼或者同 Mr Man 講話「唔好成日整啲咁嘅嘢嚟塞住我個 mailbox。」或者話「呢啲要搵番鄭生。」定係你諗住「你應該識 do 㗎喇，我假設你應該識得，亦都 send 咗一份畀鄭生。」所以你就唔開聲？

答：嗰時都有講過呢個問題，但係文生話頭「你係何標記嘅代表嘅，點都好，我都係掙咗畀你先。」咁乜嘢都掙落嚟喇，所以佢。

問：好，我想畀你睇一睇一個聆訊嘅紀錄，12月17號，12月17號嘅聆訊紀錄，122，呢一個122頁，呢個就係瑞安嘅其中一位證人，應該係一個區先生嘅一個供詞嚟嘅，你睇下123頁，123頁，123頁，第J嗰度，主席問呢個證人，佢就話，L嗰度，「我想問一問，佢知唔知道」，「佢」，嗰陣時其實係講緊黃貴雄，就話呢個「佢」係指黃貴雄，「佢知唔知道，就你所知，交上去房署」「係呢一隻99C FRY呀？」呢個證人就話--呢個證人就叫做溫偉豪，有冇聽過溫偉豪？

答：有。

問：你睇一睇116頁就係講，呢個溫偉豪，瑞安嘅溫偉豪，116頁就係講佢名。

答：係。

問：116頁，你見到就係瑞安嘅溫偉豪先生接受盤問嘅，所以呢個係溫偉豪先生，講緊。

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答：L？

問：見到嘛？

答：L 嗰段？

問：係，冇錯。好喇，你睇番，就主席就問佢「交上去，佢知唔知」，即係佢問呢個溫偉豪先生黃貴雄知唔知道交上房署嘅係 99C FRY，跟住呢個溫先生話「我敢肯定佢知道。」「點解你咁肯定？」跟住呢個溫先生話「因為點解呢？如果我睇番我之前嘅紀錄，我哋 6 月 3 號畀咗份嘢，e-mail 畀嗰個阿健，而嗰個阿健當其時佢其實係同黃貴雄一齊做打埋人嘅，喺地盤，佢哋係坐埋同一個架步，冇理阿健知，而佢係會唔知。」你見到嘛？

答：係邊段？呢度我搵到接住...

問：123 頁，我返咗 123 頁。

答：123 呀？哦，sorry。係，係。

問：你見到呢個溫偉豪先生喺證人台嘅答案嘛？

答：係。

問：即係呢個瑞安嘅證人佢嘅一個立論就係佢哋出咗個 e-mail，畀咗阿健，即係你喇？

答：係。

問：而阿健你就同黃貴雄一齊做打埋人嘅，唔好理「打埋人」呢個用字喺唔喺，即係你同黃貴雄一齊好 close 做嘢嘅？

答：係。

問：你哋係坐埋同一個架步，冇理由阿健知，而黃貴雄唔知，跟住主席就問「即係當時佢哋有兩個打埋嘅？」「當時佢有兩個打埋人。」「同一個架步」「即係一個貨櫃箱？」「係。」咁樣，我哋首先講一講，就係話呢個證人佢係話你哋係同時都係打埋人，你有咩嘢回應呢？呢度係講緊瑞安嘅嗰個項目，即係葵聯。

答：唔係打埋人，我可以直接答唔係打埋人。

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問：唔係打理人，得，黃貴雄就係打理人，我哋知道。

答：係。

問：但係就你自己唔係打理人？

答：唔係。

問：你會唔會成日都喺嗰度出現嘅呢？

答：會去開會，但係唔會成日喺度出現。

問：Okay，好。另外就係上面，瑞安就係倚靠頭先我哋睇過嗰個 e-mail，就話畀過個 e-mail 你。

答：係。

問：咁就佢就當你知，就話冇理由黃貴雄唔知添，即係人哋 send 咗畀你就當你知㗎喇，你有咩嘢回應呢？

答：如果 send 咗過嚟就當我知嘅，我諗我真係二十四小時都唔使瞓，呢個係佢嘅理念，我覺得係。

問：另外就係佢就話由於你知，所以其實黃貴雄同你咁 close，黃貴雄都會知，黃貴雄遲啲會嚟，不過我而家就問定你，即係你會冇睇，咁即係亦都表示你都唔會同黃貴雄傾起呢啲咁樣嘅 approval 呢啲咁嘅問題㗎喇？

答：唔會嘅。

問：唔會？

答：係呀。

問：咁即係對呢位證人嘅說法你係唔同意嘅，你唔同意因為 send 咗畀你，所以你知，你亦都唔同意你會同黃貴雄講過？

答：係呀，同埋我落去，見親佢都係喺 BS 嗰個--即係佢哋自己寫字樓嗰個屋宇裝備組嗰個房入面嘅，同埋二來，都有貨櫃，嗰度已經，起咗又點會有貨櫃呢？

問：Okay，得，即係佢係要嚟形容嗰個架步啫，我諗係。好喇，最後就係...

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答：哦，咁就爭好遠。

問：...有少少嘅偵探工作可能想你幫手做一做嘅，睇睇 A3，唔該，A3，你睇睇 tab 44 2409 頁，呢度就係嗰十一條邨，受影響嘅屋邨裏面嘅一啲分析就係邊一啲邨邊一個樓嘅邊一啲單位係驗出含鉛量超標嘅，呢啲係事後做出嚟嘅表嚟嘅，呢個就係全部都係關於啟晴嘅，你見到右手面就紅色嗰啲就係超咗標嘅，黃色嗰啲就係冇超到，不過就我哋叫 borderline，即係儗水嘅，即係超過未到 10 嘅，你見到喇？

答：係。

問：好喇，你睇一睇紅色嗰度，因為佢呢度就唔係叫做 block 1、2、3 嘅用，佢係用嗰個樓嗰個名嘅，但係你知唔知道嗰啲所謂 block 1、block 2 起完出嚟之後畀咗咩嘢名佢？

答：記得有幾個，但係正式分唔到。

問：Okay，我而家 for...

答：因為我哋起完貨，差唔多起貨尾佢先掛上去。

問：Okay，第 1 座叫康晴嘅，應該係，有冇印象？

答：我淨係記得有康晴、...

問：康晴係第 1 座。

答：...樂晴、...

問：樂晴係第 2 座。

答：...滿晴、...

問：滿晴係第 5 座。

答：...悅晴、...

問：悅晴係第 6 座，第 3 座叫做欣晴。

答：好似有個叫賞晴，跟住...

問：第 3 座係欣晴，第 4 座係賞晴。

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答：係。

問：Okay，康、樂、欣、賞、滿、悅。

答：康、樂、欣、賞、滿、悅，係。

問：Okay，好喇，我哋睇一睇，第一嚟你望落去，第 32 個 item，嗰個係賞晴樓，見到嘛？

答：係。

問：賞晴樓係紅咗，即係超咗標，賞晴係第 4 座，block 4。

答：係。

問：落一落康晴，康晴又係中咗，就係第 1 座。

答：係。

問：跟住你望下再落去，item 37，都係康晴，都係第 1 座。

答：係。

問：跟住你望一望，第 39 item，係樂晴，樂晴係第 2 座。即係而家我哋見到 block 1、2、4 都有超標嘅單位。

答：係。

問：跟住第 43 個 item 係樂晴，樂晴係第 2 座，block 2。

答：係。

問：即係而家 so far 呢一版，我哋見到係 1、2、4 座就即係有超標嘅情況？

答：係。

問：搬去後面嗰頁，2410，滿晴，item 57，係超咗標，呢個就係 item --呢個就係第 5 座嘅，block 5。

答：係。

問：跟住 item 58，就係樂晴，樂晴就亦都係超標嘅。

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答：係。

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問：樂晴就係 block 2。

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答：係。

E

問：跟住你望落去，剩番兩個紅嘅就係兩個都係康晴嚟嘅。

F

答：係。

F

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問：就兩個都係 block 1 嚟嘅。

G

H

答：係。

H

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問：你望見就其實嗰個 pattern，即係睇番有冇一個模式呢，你就見到即係其實最多中就係中 1、2 咋喎。

I

J

答：係。

J

K

問：4 就有，5 都有，但係最多中就中 1、2。

K

L

答：係。

L

M

問：但係就如果你睇番，有兩個 block 係冇中嘅，6 冇中同理 3 都有中嘅。

M

N

答：係。

N

O

問：但係 3 同 6 都係叫做判咗啲出畀人哋做㗎嘛？

O

P

答：係。

P

問：但係就反而 1 係全部公司工做，係咪呀？銅喉，銅喉。

Q

答：除咗膠喉。

Q

R

問：銅喉，係喇，1、2 嘅銅喉都係公司工做？

R

S

答：係。

S

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問：反而 1、2 銅喉公司工做，就比較多中，頭先我就即係叫做問過你有冇一個可能就係判出去嘅，啲人就為咗多勞多得，快手，所以就用啲平啲、快啲嘅焊料，你就發表咗你嘅意見，但係我哋又睇番啲統計數字，發覺原來即係含鉛量超標最多嘅反而唔係判出去啲啲，反而係公

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司工個啲，你有咩睇法呢？如果淨係睇番呢個統計？

答：嗰陣時我諗如果你 1、2 座嘅後期嘅係預製咁嘛有，所以你房口個啲係點界定呀？因為我唔知你呢個表係房口定係走廊定係...

問：Okay，即係你會咁樣去分？

答：係。

主席：廚房嗰，係咪呀？

答：係囉，“Kitchen”咁嘛。

問：佢係寫住呢度㗎嗰，譬如話你睇番 1 個度，就話 item 34 係廚房㗎㗎， “Kitchen tap”，你見唔見到？ Item 34 嗰個康晴係 “Kitchen tap”，跟住 item 37 都係 “Kitchen tap”，跟住移咗落下面，39，呢啲就係 “Basin”，即係廁所。

答：係囉。

問：跟住...

主席：你 3、4、5、6、1、2，1、2 嘅時候即係差唔多起貨嘅時候要做，係咪呀？最靚。

答：Sorry，聽唔到。

主席：3、4、5、6、1、2 咁嘛？

答：係。

主席：即係 1、2 係最靚要交貨喇？

答：係。

主席：會唔會因為咁呀？趕工。

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答：應該都唔會，應該都唔會。

問：即係唔會係因為要趕工，所以要快，所以就訂咗啲容易啲做嘅焊料？

答：唔會太趕囉。

問：唔會太趕？

答：係囉。

石先生：主席先生，我有問題問，其他可能有，但係我問完。

主席：四點半，唔好問住喇。

石先生：係。主席先生，另外就係當然證人禮拜一要返嚟，但係我哋禮拜一就--因為禮拜一就我哋原先其中一個證人就係持牌水喉匠林德森先生，因為佢需要特別嘅一啲安排，因為佢係坐輪椅，所以我哋要清咗嗰個通道，咁所以就即係我哋為咗方便起見，我哋早上第一個證人，我哋打算就係傳召咗林德森先生先，林德森先生傳召完之後，我哋先至回復到梁先生繼續。

主席：好呀。

石先生：跟住就係到黃貴雄、趙女士嗰啲繼續。

主席：好呀。梁先生，叫佢星期一晏晝返嚟，好唔好呀？

石先生：星期一晏晝，即係如果星期一早上我哋林德森完唔到，下晝繼續，但係如果完到嘅話，我哋都當 break 一 break，就下晝先至繼續梁先生。

主席：係，費事浪費人時間。

石先生：以防佢喺度要浪費時間等，好。

主席：唔係，因為...

石先生：可能林先生都要好耐，林德森。

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主席：我諗都有一段時間嘅，林德森都，係咪呀？

石先生：梁先生，麻煩你禮拜一下晝兩點半之前返番嚟。

答：就你嘞，冇所謂，唔緊要，好呀，好呀，好呀。

主席：好，得，好，唔該晒。

2016年1月15日

下午4時29分聆訊押後

Friday, 15 January 2016

(10.01 am)

(Transcript of simultaneous interpretation

except where otherwise specified)

MR YEUNG: Chairman, with your permission, I would like to
recall Mr Kwong.

MR KEVIN KWONG KA FU (recalled, reaffirmed)

CHAIRMAN: Please take a seat.

Further examination-in-chief by MR YEUNG

MR YEUNG: Thank you, Mr Kwong. You have been recalled
today because after you gave evidence yesterday, Mr Chan
Siu Wah made some allegation about you and I would like
to seek some clarifications with you.

A. Yes.

Q. Mr Chan told the Commission that for Kai Ching Estate,
after work had commenced, he rang you up on the mobile
to talk about the kind of pipes that should have
soldering and what types of pipe should have silver
brazing.

A. No.

Q. Did you say that for 67 mm diameter or above copper
pipes it should be silver brazing, and 54 mm or below
should be soldering?

A. I didn't mention that because I didn't understand what
sizes should be suited for what connection type.

Q. Mr Chan also mentioned that you rang up Wong Kwai Hung about Kai Ching Estate blocks 1 and 2 and what sort of soldering materials should be used for connecting the copper pipes. Did you say that?

A. No, I didn't say that.

Q. Did you ever ring up Mr Fan Sau Peng about Kai Ching Estate blocks 5 and 6 regarding the type of soldering materials?

A. No.

Q. For Lung Yat Estate, Mr Chan Siu Wah also said that you rang him up on the mobile phone to tell him what soldering materials should be used for certain diameter pipes.

A. No, I didn't.

Q. My last question. There is a document in bundle F1 at page 215.2.

A. Yes, I see that.

Q. According to Mr Chan Siu Wah, this memo, he took it from the pigeonhole of China State, and this has nothing to do with the progress and safety. He sent it to the office, and someone handled that in the head office.

For this type of document, how would Ho Biu Kee handle them?

A. Normal practice would be the officer in charge would receive the document, and we would collect the documents

from the site, and the driver would pick them up and send them back to the head office, and he will hand them over to Madam Wong. Madam Wong would be categorising them and then pass them on to me. I would take a look at them and then send them back to Madam Wong for filing.

Q. For this document, have you seen that -- do you remember seeing it?

A. I saw it yesterday but not before.

Q. What about at the material time; did you see that?

A. Not that I can remember.

MR YEUNG: Thank you, Mr Kwong. I have no further questions.

CHAIRMAN: Any further questions?

Further cross-examination by MR SHIEH

MR SHIEH: Mr Kwong, some follow-up questions. Mr Yeung, HBK's counsel, told you something Mr Chan Siu Wah said about you. He said you rang him up about the kind of soldering materials to be used for certain diameter pipes. You said no.

Technically, do you know how to connect the pipes?

A. No.

Q. You are not by training a welder?

A. No.

Q. Why Mr Chan Siu Wah said this -- he said, when putting

in the bid, they will look at how many pipes of a certain diameter and they would prepare the kind of -- work out the kind of materials for certain pipes of a certain diameter, and one who put in the bid would know about it. That's why he said that it was you who told him that for a certain diameter or above a certain diameter you have to use silver brazing, or below a certain diameter you have to use soldering. He said it's only you who would know how to distribute the materials.

How would you respond to that?

A. I don't agree with that, because when I put in the bid, the quotation would set aside 5 per cent for the minor hardware items, although we don't have any specific price in the quotation.

Q. Yesterday, you said that you didn't have a very precise sum about silver brazing, and then you would set aside a certain sum for a certain method. Do you agree with that?

A. Yes.

Q. Let's go back to the 5 per cent that was mentioned yesterday. In your quotation for piping or plumbing, I'm not sure what unit you use, maybe \$100 per foot or whatever per X, this would assume that 5 per cent would be spread over for the soldering materials?

A. Minor hardware items.

Q. This X would include the hardware items. In your standard price list, you would include that particular item?

A. Yes.

MR SHIEH: I have no further questions.

Further cross-examination by MR LAM

MR LAM: Mr Kwong, let me clarify this. At that time, when you made the submission about the soldering materials, in Lung Yat Estate you submitted the samples?

A. Yes.

CHAIRMAN: Thanks very much, Mr Kwong. You are free to go now.

(The witness withdrew)

MR YEUNG: Chairman, I have the next witness, Madam Wong Wai Ping.

MS WONG WAI PING (affirmed)

CHAIRMAN: Please take a seat.

Examination-in-chief by MR YEUNG

MR YEUNG: Madam Wong, on 23 December 2015, at the request of the counsel of the Commission, you prepared a witness statement. There are 21 pages. That's K3/2333.

I am going to read out the statement but in English.

Please don the headphones.

(Statement read in English)

So we see your signature here. Do you confirm the contents of the statement are correct and accurate?

A. Yes.

Q. Do you wish to adopt this as evidence?

A. Yes.

Q. Okay. I only have one question for you to supplement.

Mr Chan Siu Wah, in page 9 of his statement, paragraph 39, K1/2398 -- I would like to direct you to the first three sentences in paragraph 39. In paragraph 39, Mr Chan Siu Wah says:

"Regarding Lung Yat Estate, where I have placed several orders on solder strip with Ho Biu Kee, a female staff member from Ho Biu Kee told me over the phone that the form should be written as 'solder wire' and not 'solder strip', but I do not recall who that staff member was."

Do you see that?

A. Yes.

Q. I would like to ask: had you ever made a phone call to Mr Chan Siu Wah regarding the procurement order in Lung Yat Estate, you should not say "solder strip", it should be "solder wire"?

A. No.

Q. As far as you know, had you discussed with other female staff?

A. No.

Q. No?

A. No.

MR YEUNG: I have no further questions.

Cross-examination by MR SHIEH

MR SHIEH: Ms Wong, I represent the Commission and I have some questions.

First of all, regarding your work experience. You joined Ho Biu Kee in May 1997. Prior to that did you work in a plumbing company?

A. No.

Q. After graduating from 5, you joined the workforce?

A. Yes.

Q. Previously, what work were you involved in?

A. Secretarial administrative work but not with a plumbing company.

Q. So, in the plumbing company, starting from 1997, you worked all the way past 2000, so you are aware that in public rental housing estates there is a step where an application of construction material needs to receive approval from the HA or HD?

A. I wasn't aware, even up till 2000, because I was not involved in that area. I'm aware now.

Q. For example, in Kai Ching Estate or Kwai Luen Estate, you were aware?

A. Yes.

Q. You were aware in principle that the hands-on work or sample, that was Mr Kwong's work?

A. Yes.

Q. So Mr Kwong, he met with the main contractor, because there was a main contractor who had a subcontracting relationship with Ho Biu Kee, so Mr Kwong would submit samples to the main contractor and receive some responses; you are aware of that step?

A. Yes.

Q. So Mr Kwong, he was aware that some construction material received approval. So did he tell you?

A. No.

Q. I would like to compare some documents with you. F1, page 215.2. We have seen that this morning.

Take a look at this document. It's China State Construction, the main contractor for Kai Ching Estate. It was issued in October 2011 to Ho Biu Kee. It's a memorandum. It says:

"We notify your company that the following materials have been approved by the architects.

FRY 99C lead-free solder wire and FRY Powerflux."

It says that the relevant material sample and approval form is for archive and follow-up.

Then we see a sample submission and approval form.

Set aside this form. So these types of memorandums from the main contractor, China State, they would send it to Ho Biu Kee, notifying them of the approved materials. Did you ever see these memorandums?

A. Yes.

Q. That would make it easier, because this morning we heard Mr Kwong, when he gave evidence, he said this form -- how did it pass through the people's hands. He said that first it would appear in the construction site, the driver would bring it back to the office, and you would be the first person to receive these documents. You would then show it to Mr Kwong, and after Mr Kwong read it, you would archive it and save it. Do you agree with that?

A. Yes.

Q. So you would archive. Would you take a look at the contents?

A. I wouldn't look at the details. I just look at the topic.

Q. You just look at the topic?

A. Yes.

Q. And the topic is --

A. Approved material.

Q. -- approved material, and you have a file for approved materials. When you file, how detailed is your filing

system? Would you just put it in a Kai Ching Estate file, or do you have a category relating to --

A. No. One Kai Ching Estate file.

Q. So it's in chronological order?

A. Yes.

Q. So the first might be a contract --

A. There wouldn't be a contract, just letters.

Q. So incoming letters or outgoing?

A. We wouldn't have outgoing, only incoming.

Q. You wouldn't have a further breakdown?

A. No.

Q. So when you archive these records, it's just for future reference?

A. Because when I joined the company, that's how my predecessor taught me, and I followed instructions.

Q. There was no judgment or input, where --

A. No, because when I received it, I would forward it to relevant colleagues to follow up, because there is a stamp, they would sign, and I would keep records.

Q. So your role, in your understanding, it's not to look at the content and follow up? So, in your understanding, your role was to take the relevant documents, submit them to relevant colleagues, and any actual follow-up work would be the relevant staff's responsibility? You were just a liaison person, you would share the workload

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and then you would just keep records?

A. Correct.

Q. So your understanding is that when you saw these types of documents regarding approved materials, so your judgment was that this was Mr Kwong's responsibility.

A. Correct.

Q. You would hand it over to Mr Kwong, and any follow-up action, that was Mr Kwong's professional judgment?

A. Yes.

Q. So that is the general case. So, in page 215.2, do you have any special recollection? Or you might have no special recollection.

A. I wouldn't read the contents.

Q. So you would submit it to Mr Kwong and you would file it?

A. Yes.

Q. So I would like to ask you -- I heard you say that you relied on your predecessor or your colleagues telling you, within Ho Biu Kee, there is a system that you just need to follow, or the boss has some orders.

A. When I joined, the boss didn't tell me what to do. Only my supervisor would tell me what to do.

Q. So when you have one project, there are a lot of fixed procedures, and you are running on auto-pilot, so you don't need Mr Ho to instruct you?

A. No. My supervisor -- I was only a clerk at the time.

I would fax, file, photocopy.

Q. You were learning on the job, so Mr Ho would not give you specific instructions?

A. No.

Q. So you roughly knew that there was a list of approved material, so when you gave this document to Mr Kwong and you filed it, did you ever think about Ho Biu Kee should have a system or a procedure? You did not take the initiative that "The approved material, FRY, I should create a system such as when we place orders to Prosperity, we place the correct order"? Did that ever flash across your mind?

A. Well, Mr Kwong, he was doing this type of work, and I firmly believed that he would be able to co-ordinate his efforts with colleagues.

Q. When you say "this area", Mr Kwong is not procurement.

A. That's correct. I mean submitting samples.

Q. Let's take it step by step. Submitting samples is submitting samples to the main contractor. You submit samples to the main contractor and the main contractor sends them back.

You know Mr Kwong's professional expertise is quantity surveying; he is a quantity surveyor?

A. Yes.

Q. So he would work out the sum, the pay and how to bid the contract. That's very much his area of expertise.

As regards communication with the suppliers, this is not his remit -- sorry, communicating with Prosperity, placing order, by phone, by fax, this is not the remit of Mr Kwong?

A. No.

Q. Mr Kwong gets the sample, he gets the approval from the site, and that is his responsibility?

A. Yes.

Q. So there is a bridge, the approval has been obtained and the procurement staff should know what they should order to measure up to the approved items?

A. Yes. In theory, yes.

Q. Now, approval has been given to a certain brand. When you place order, you may not know what to order, or maybe when you supply something, this is not what the approved items -- in theory there should be such a bridge?

A. Yes.

Q. Let me put this conceptually, to see if this makes sense, if this is a logical idea. So far as you understood at the time, in Ho Biu Kee, who played this bridging role? Approval has been obtained and the approval should be filtered down to the procurement

C staff; who played the bridge -- Mr Kwong? C

A. Yes, Mr Kwong.

D Q. You didn't play this role because according to your D
E understanding, this is not what you were supposed to do, E
F but my understanding is that sometimes you would sign F
G the purchase order. There is a system whereby above a G
H certain sum, it would be for Mr Ho, and below a certain H
I sum you would sign the orders. As to what to purchase, I
J the process is that the officer in charge on the site J
K for a particular block would fill out these material K
L request forms and fax the form to the head office? L

A. Yes.

K Q. And they would specify the items, they would have K
L certain phrases and jargon that they would specify what L
M they wanted, and faxed them to the head office. Having M
N received the form, the procurement staff would prepare N
O the purchase order, because they ordered in writing; O
P right? P

A. Yes.

P Q. And this purchase order would be faxed -- faxed or P
Q emailed? Q

A. Faxed, yes.

R Q. -- would be faxed to the supplier and the supplier would R
S follow up and deliver the materials; this is the S
T process? T

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A. Yes.

Q. In this particular case, what we saw is that the site staff would specify the materials that they wanted and send the form to the head office, and then the head office would convert that into a purchase order. So the jargon that they use, the phrases that they use, are you lifting these from the form onto the purchase order? Let's say the site staff say that on this item, would the procurement staff, Jess for instance, would she be replicating the words from the form onto the purchase order, or would they be checking to make sure that this material is an approved material? Is there such a process?

A. Depending on the work site progress, they would submit the request form. When we receive the form, we would place order for the materials sought. We would just use the words that they use.

Q. So whatever phrases they use, whatever words they use, you would be replicating the exact wording onto the purchase order?

A. Correct.

Q. This process of receiving the request form and then converting the form into a purchase order, in your day-to-day work would it include this step?

A. No.

Q. So it would be for Jess or Catlin who would take up this role, and you would be supervising them, and you would be signing on the form?

A. I would have to check. Let's say they want ten boxes, are there ten boxes in the purchase order? If the price quoted is \$10, would that be \$10 or \$100?

Q. What about the quotation, is it your job?

A. No, it's their job.

Q. So you are the supervisor, you would check to make sure that everything is in order? Let's say you have a ceiling of \$100,000 and for your signature, for urgent cases, very urgent cases, maybe go over the amount, you would also sign on the purchase order?

A. Yes, indeed it happened, but I would seek my boss's instruction.

Q. Right, and he may okay you on the phone and you would sign on the form?

A. Yes.

Q. Before you were promoted to the present position, did it happen that you would receive the material request form from the site; you did do this kind of job before?

A. Yes.

Q. So you did do this kind of job before. The site staff would write to you -- say for instance, if the site staff were to write in -- let me backtrack a little bit.

You learnt from the news that some solder materials containing lead were used, that caused all these problems?

A. Now I know.

Q. On the site with the plumbing work, the copper pipes, they have to use the solder materials to joint the pipe; you know about this?

A. No, I don't know about this.

Q. When you received the request form and produced the purchase order, you must have been exposed -- have some experience of seeing these soldering materials?

Let me put it this way. Have you received any order form or request form that says certain reels of solder wire or certain boxes of solder strip -- solder wire, solder strip, do you remember seeing them or do you know anything about them?

A. I don't quite remember. After so many years, I have a hazy idea. I have so many orders every single day. I don't think I can remember all of these different terms.

Q. Are you saying that for these two things --

A. These two things, I have never seen them. I don't know whether I have seen them, because that was so many years ago, because they didn't order these two things alone. In a single form there can be a few dozen items, and

I can't quite remember whether they ordered these two items in the form.

Q. So the site workers, you know that when the site workers faxed the request form to you, that's when you were dealing with this area of work, so when the request form was faxed to you, you would just replicate the wording onto the purchase order?

A. Not replicate. I typed out the words.

Q. In the process, there wouldn't be a step where you would check the materials sought by the site staff, like let's say X faucet or whatever -- would you check whether this item was an approved item? You would not take this step, would you?

A. No, because when I ordered the materials, let's say copper pipes, PVC pipes, and there were contracts, and we just check the prices. We are talking about minor hardware items. Our awareness was that we would place order with these hardware companies.

Q. I understand, but minor hardware items, they may have been vetted and approved?

A. I don't know. When I was in the post, I didn't know about it.

Q. So for larger items or more important items, you would have the supply contract?

A. Yes, they have the supply contract. There is

a standard. If there is a supply contract, we would check against the contract and place the order.

Q. So for those items, even if they ask for X, you would understand that there was a formal procedure that you would have a formal supply contract with the supplier, and that would guarantee that only approved items would be used, so you wouldn't have to check whether they were in order, because the supply contract would be put together on the basis of the approval?

A. That I'm not sure. I just work on the basis of the contract.

As regards whether there was an approval, I didn't know, I wouldn't know.

Q. Was it you who set up the supply contract?

A. It wasn't me. It wasn't me, because I was a clerk at the time. When site orders came through, let's say copper pipes, we just ordered them. For minor hardware items, I would just deal with them accordingly.

Q. So your understanding is that either there was a supply contract, so when you send the order to the suppliers, they would know, under the supply contract, what brand and specifications would be required?

A. Yes, if there is a supply contract for ABC, we would just deal with ABC under the contract.

Q. For those items, minor hardware items, for which there

are no supply contracts, they would be ordered when they were needed.

A. Yes.

Q. There was no supply contract per se.

Did you ever think about how to make sure that the items sought by the site staff were the materials already approved? They may say paint, nuts and bolts, the paint may be covered by a supply contract. But how can you make sure that what they are seeking will be governed by a certain standard? If they use a certain wording in vague terms, would you just be typing exactly the same wording and place an order with the supplier?

A. I didn't have this awareness at the time.

Q. So you would think that when the site staff made a request, they should know what they are asking for, or the suppliers would have the awareness that they should be supplying the materials that would be in the order. So either the site staff or the supplier would understand what's in the order?

A. I don't understand what you said.

Q. Let me give you an example. In this incident, we basically know that the whole incident happened because the Housing Authority has approved soldering materials. Soldering materials have been approved, vetted and approved, let me tell you. What was approved was a reel

of lead-free soldering material, and the brand is FRY 99C lead-free solder wire. So it is not just this brand but a specific model under this brand. That's 215.2, I showed you, that contained lead. You said you hadn't seen in detail this document. But have you seen this green reel of soldering material? (Indicating).

A. No.

Q. The problem is that notwithstanding the approval, the site workers sent a request by fax and the head office then proceeded to place an order with Prosperity for all these materials. Prosperity delivered the materials to the site. What they delivered were not these approved FRY materials (indicating), maybe in small quantities, but the vast majority of the materials delivered to the site were these 50D flat solder strips, like this (indicating). Let me pause for a second. Have you seen this kind of strip?

A. No.

Q. So that's how matters developed, so 50 lead strip had -- 50 per cent is lead. So now, if you look at it from a macro level, the wrong material was used, but where did the error occur? That's why I asked you, was there a mechanism where you receive the approved material list and how would you order the correct material, you said that it should be Mr Kwong's responsibility. The

information we have is that some workers call the correct material -- they call it solder wire. It's wire. So for the longer lead strip, they call it the solder strips.

So do we have a market terminology? We don't know, but that's what workers have told us. There is solder wire, it comes in a roll, and solder strips that come in strips.

So the problem here is if workers only call it by these names, whether it's wire or a strip, they don't know what the composition is, so they might call it by whatever name they are familiar with. So they don't have this recognition. And the office staff, when you see the word "wire", you order wire; when you see the word "strip", you order strips. So workers, when they use the wrong terminology or the wrong name, so that error was passed on to Prosperity.

So Prosperity sees a bunch of procurement orders for strips and wires, so Prosperity might then act on its own understanding or what they understand of the terms "wire" and "strip".

A. I follow.

Q. So that is the communication problem. So if nobody intercepted and said, "You have to supply FRY", if you just use your own terminology, then you might apply one

set of terminology and your counterparty might respond with their understanding of what that terminology means. Essentially that is what is potentially happening, so that's why I asked you.

Have you considered that when the construction site workers write orders, would they have an accurate description, if they might ask for solder wire or solder strip, but it would not contain the term "FRY"?

A. Well, they have worked so many years on the construction site. I think they would know what to use. For example, if they ordered a hammer, do we have to think about what their use is or whether they are going to use it for a robbery or other purposes? I cannot second-guess how they are going to use it or whether it's compliant and all that.

Q. So you are saying they have the experience?

A. They have so many years of plumbing experience. They should know what orders to place. From our perspective, this is minor metal hardware. We don't know whether it has been approved.

Q. So you are saying that they should know how to apply the proper terminology?

A. Well, the person placing the orders should have the relevant expertise, otherwise you wouldn't know whether to write solder wire or solder strip.

Q. And you don't have any recollection about these material request forms? You say they have so many different terms, and you've described all the request forms. So would Prosperity know the difference between strips and wires?

A. I don't know. I'm not Prosperity. I don't know whether they would know the difference, and I wouldn't ask.

CHAIRMAN: I would like to ask you, the price list Prosperity provided --

MR SHIEH: Page 2354.

CHAIRMAN: -- it seems that there's only three types of solder. We only have this one; right?

MR SHIEH: We have the solder material.

CHAIRMAN: We have different solders: silver, stainless steel. There are different materials. But regarding solder strips, there are only two or three; right?

MR SHIEH: We have flux and we have the different brand names.

CHAIRMAN: Prosperity only has this one page?

A. Yes, that the gave us.

CHAIRMAN: Okay.

MR SHIEH: So your work just involves checking, and you don't necessarily comply with this price list, there might be some bargaining for discounts?

A. Yes, correct.

Q. So if you place a bigger order, you might get a bigger discount?

A. Yes.

Q. There's a standard price and sometimes you can get a bulk discount. So that is what Jess would do; they would do it over the phone?

A. Right.

Q. You say you will check whether you have placed the wrong order, so when they ordered X, we would have to look at the price and the quantity. So, if there was a discount, you need to make sure that a discount was applied?

A. Yes.

Q. So how do you know what the discount was? Would they write it down on the request form?

A. Yes, they would provide the information.

Q. They would give you the price list, the quotation, and after bargaining, finally --

A. The counterparty, they would also give us the final price or the discount percentage.

Q. So you have a set of documents recording the final price, and you would formulate a purchase order, and you would have to ensure the price, the quantity, the material, and so on. Then it would either be signed by you or your boss?

A. That is the work flow.

Q. So you have no special recognition of brand names?

A. No.

Q. It's not your area of expertise.

So Ho Biu Kee -- well, plumbing involves a lot of components. We are just looking at soldering material here. So your understanding, over the years, when they placed orders for solder, do you have any recollection of whether they ordered strips or wire?

A. We just follow what the construction site staff ordered.

So A might tell B but they won't tell me.

CHAIRMAN: This price list -- so when Ho Biu Kee places --

A. It's not all sundry metal. This price list was sent from Ho Biu Kee. They also send this list to different companies. It's just that different companies have different discounts. They are very like a department store, they have everything. They have the mainstream products.

CHAIRMAN: So this is one of many price lists?

A. Correct.

MR SHIEH: We also have some esoteric material.

A. There's just too much.

Q. They would have to quote individually.

A. Yes.

Q. So we have a mainstream product list, a mainstream price

list. They give you a standard price list?

A. I think that's what they are doing.

Q. I would like to direct you to some documents. Please refer to bundle S1, page 194. This is a purchase order. In the bottom right-hand corner, we have Wai and Catlin.

A. That's myself.

Q. When we see these purchase orders -- I won't go through them one by one -- we have Catlin and Wai, Wai refers to you. It is part of your name. So is your name attached to Catlin's as well? Sometimes it's just Catlin and sometimes your name is attached. So how do we determine the buyer?

Let's take a look at page 200. The buyer there is just you, and at page 202, it's Catlin. You see it?

A. Yes.

Q. The signature on page 202, that is you. It's under \$100,000, so it's you. So when do you determine whose buyer name to attach?

A. Who drafted the PO. If I drafted the PO, then I will attach my name. The name just refers to who drafted the PO.

Q. So, up to now --

A. Not now, not anymore.

Q. But in 2013?

A. Well, sometimes staff take vacation.

Q. So you fill in, you make a cameo appearance every now and then?

A. So if you see page 208, we have an attached PO. The material had already been delivered and we have some special cases.

Q. So normally you wouldn't be involved?

A. That's correct.

Q. So that might be a special case.

A. Right.

Q. So there may have been a verbal order that they delivered, and then you had to attach a postdated PO.

A. They might need the material tonight, they would have them delivered, and then tomorrow we would send the PO.

Q. So those are special cases.

A. Okay.

Q. So, in your witness statement, you said that you would send the purchase order to the construction site. So, when people deliver the material, they need to take delivery, they have to ensure the quantity is correct?

A. Yes, they have to verify it.

Q. They have to ensure the quantity is correct and it's actually delivered, but they won't know what you have ordered. They won't know, right; is that correct?

A. They requested the material so they should know what material would be arriving.

Q. So you think that you don't need to fax them the PO because your PO is just based on their instructions, so you should know what his writing is based on your instructions.

A. Right.

Q. And there is no reason for them to suspect that you've got it wrong?

A. If I have got it wrong, they would ring up straightaway.

Q. If the delivered items are wrong --

A. They would ring up.

Q. Right. So routinely, they told you ten items, and then you would order the ten items, and in theory ten items would be delivered, and the delivery would be in order.

If you got it wrong, they would give you a shout, and if they were delivered in half --

A. Yes. They would chase --

Q. A partial delivery, if five were delivered, they would chase up. Who?

A. Yes, they would chase the procurement staff.

Q. And your staff would then be chasing Prosperity, "Why not ten, why five?" So it is procurement staff who is communicating with Prosperity. So the site staff would only communicate with the head office. If follow-up had to be made, you would follow up with Prosperity?

A. Yes, normally, yes.

Q. Would they know anyone from Prosperity?

A. Yes, the delivery note would have the number. I'm not sure whether they would ring up.

CHAIRMAN: Would they normally do so?

A. They would call them. If they called them, they wouldn't tell me. I don't know whether they called Prosperity.

CHAIRMAN: Mr Shieh put a question. Let me put a question also. There was some evidence to say -- Mr Shieh mentioned the scenario where they ran out of materials, and it was said that, let's say, solder strip, and if Prosperity ran out of solder strip, then Prosperity would supplement with item B instead of item A.

A. No. If they ran out, we would ask whether the supplier would have the materials. We would not have anything delivered to the site that they didn't want.

MR SHIEH: So there was a saying that Ho Biu Kee placed the order, let's say for ten boxes of certain things, but somehow Prosperity didn't have ten boxes available and Prosperity might deliver five, and for the other five they would deliver something else. So if this scenario occurs, what should you do? You would follow up?

A. If they ran out of materials, we would call the site to say -- because the next consignment would not be due until two months, we would leave it to their decision.

So we would communicate.

Q. Whether the materials were in stock, there would be proper communication? You would know from Prosperity that the materials were not in stock, and then it would be for the site staff to decide whether they would accept any substitute; there is no guesswork at all?

A. Yes. Our head office is not on the site. We don't know about their progress. We don't know what they needed. So how would we change this for them?

Q. Would there be any substitute order, ultimately? Let's say in your PO you have ten boxes of something, and Prosperity turned around and said, "I have five in stock", and then, "I suggest that you take the five", and then for the remaining five, let's say they suggest some substitutes, you ask the site staff and the site staff might accept this, and then you tell Prosperity to send the five boxes and also the remaining five, you have a substitute product. So in the PO would you specify that?

A. No, there are no substitutes.

Q. So the scenario that we depicted would be a hypothetical situation? In the light of your experience, this never happened. You are merely saying that if this does occur, then you would suggest that this is what you were going to do, but in actual fact nothing like that ever

happened?

A. Yes, indeed. They ran out of stock -- because of the sheer demand they may run out.

Q. But substitute --

A. We never had any substitutes. Substitute means something else. Let's say they want size 4.5 inches; if they don't have 4.5 inches, only 3.5 inches. Can they ask for substitute --

Q. Or brand A is out of stock and brand B would be just good enough, would this be acceptable?

A. We wouldn't switch around from A to B randomly, no.

CHAIRMAN: Let's take a break.

MR SHIEH: I have some further questions. We might as well take a morning break.

CHAIRMAN: 20 minutes.

(11.36 am)

(A short adjournment)

(11.59 am)

MR SHIEH: Madam Wong, some final questions.

You mentioned that the procurement staff received the procurement form, the request form, by fax, and the procurement staff would look at the quantity, the details, and just replicate them on to the PO?

A. Yes.

Q. You also said that in theory, there is no question of

the head office sending a purchase order to the supplier, to order, let's say, ten boxes, and then the supplier found that they ran out of stock, they only had five boxes, and then they took the decision to substitute the remaining five and delivered them to the site, without telling the head office. Do you think that this scenario would exist? From your understanding, if the supplier ran out of stock, they would communicate with you, the head office, I mean?

A. Yes.

Q. So would there be a situation -- this is hypothetical -- where the PO was sent to the supplier to order ten boxes, for example, the supplier looked at the PO and they had only five, but they had substitutes of a similar nature, and the supplier would take the decision that they deliver five boxes plus five reels and deliver them to the site, and the work staff looked at them, they were similar, and they just used them nevertheless? When the invoice was sent back to head office, you wouldn't check these sundry items -- prices were the same, the site staff didn't complain -- you just paid because the substitute was similar?

A. We were not taking delivery so we didn't know what they delivered.

Q. Right. If the site staff chose to take the substitutes,

you wouldn't know, and then if they took the substitutes, the invoice might not match with the PO?

A. We would ask if they didn't match. If they switched the items around and if they typed the same item, we wouldn't know.

Q. Let's say the PO said ten boxes. The problem is we can't locate the whole set of POs, and we can only make logical deduction. If you said ten boxes and they had only five, and then they sent the five boxes plus five reels to the site, and they just needed the soldering materials, and the site staff accepted them all. In fact, they took them and didn't tell the head office, the head office saw the invoice subsequently, and that didn't match the PO because the PO ordered ten boxes, but the invoice said five boxes plus five reels. The prices were similar, not that different. Under these circumstances, it's all a matter of pricing.

If the price, the cost wouldn't make that much of a difference, would you accept it nonetheless?

A. No. If they don't match up -- we would ask, if they don't match up.

Q. Has that scenario ever happened?

A. No, not that I know of. Not that I -- for the cases that I dealt with, no.

Q. When the invoice came through, there must be a step for

you to check the prices quoted in the invoice against
the PO?

A. Well, it was at a very late stage that the invoice came
through. We received the DN first.

Q. But you pay according to the invoice, so there would be
a DN and the invoice; there was a step for you to check
the invoice against the PO and the DN, to make sure that
the PO and the delivered items and the price that you
had to pay would match up?

A. Yes.

Q. So in the light of your experience -- we don't have the
POs but in your memory, there wouldn't be a situation
where you asked for ten items and the DN and the invoice
didn't match up with the PO?

A. No.

Q. These minor hardware items, you would also go through
this procedure?

A. What procedure?

Q. Well, these are minor hardware items.

A. You were saying that they delivered five boxes but
instead of that they delivered five boxes plus five
reels.

Q. And they charged you for the five boxes and the five
reels.

A. We don't have to look at the prices. We look at the

items. If they don't match up, we would ask.

Q. So it doesn't matter how much they cost. If they don't match up with the description, it doesn't matter how much it cost; you would ask?

A. Yes.

Q. It wasn't you who did the checking, it was Jess who did the checking?

A. Yes, indeed.

Q. We found that for the request forms to do with Kai Ching, we can't find them, we can't locate them. We don't even have a complete set of POs. It is through Prosperity that we got the POs. What system do you have to keep these documents? When is the cut-off point for you to discard the documents?

A. Ho Biu Kee undertakes a lot of projects. After the project -- after the final account, we will discard the documents. The boss will say the project is over and done with, and the documents can be destroyed, and we don't keep them.

Q. But you have to file a tax return.

A. There's another colleague who is responsible. The procurement department is doing the procurement.

Q. The boss would tell you that this set of documents can be destroyed; would the boss say this?

A. Yes, the PO and the request form.

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Q. But do you know that for tax purposes you have to keep the documents; if the Inland Revenue were to question your tax return, you have to have the documents? Who keeps the documents?

A. The accounting department.

Q. Who in the accounting department?

A. Madam Chung.

Q. So your understanding is that the request form after the final account would be discarded and destroyed?

A. We won't keep them because of the sheer volume of these documents.

Q. What about POs?

A. The same.

Q. And the DN also?

A. DN?

Q. Delivery notes.

A. No, the procurement department wouldn't keep them, because the project was over and done with.

CHAIRMAN: You keep the invoice?

A. The invoices would be passed to the accounting for payment. I don't know how they deal with the invoices. Tax return, I don't have the experience.

MR SHIEH: Yes, for the invoices, you would pass them to the accounting?

A. Yes.

Q. Earlier on, I asked you about the request form and they would use certain jargon and you said there were so many items to be delivered, you would try to remember solder strip or solder wire.

Now, for Shui Chuen O Estate, file K3, page 2355.

This document is attached to your witness statement.

That was in 2014. It's got nothing to do with Kai Ching or Kwai Luen. Someone from the site faxed this to the head office.

From your statement, you told us that there is this request from the site, all these items were requested by the site staff, and you got a quotation from Tung Wah.

In the middle, there are prices, handwritten prices: \$25 for silver brazing, solder wire, 67 per pound; can you see that?

A. Yes.

Q. This request form was faxed to the head office. Was it you who sought quotation?

A. Not me. I can't remember who. The relevant staff, I'm not sure whether it was Ms Chan or Ms Chiu. There is a high turnover rate in that department. Purple joined later, in 2015.

Q. So you cited this example. That's because when you prepared this statement, you looked at the operation, you cited this as an example to show how you sought

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quotation and how you decided on the supplier, and that
is not what you did?

A. Right.

Q. Seeking quotation wasn't you. Item 6, solder wire; do
you see that?

A. Yes.

Q. At the material time, before you were promoted to this
present position, you saw this kind of request form
quite a lot?

A. In 2014, I started doing what I am doing.

Q. Before that.

A. Before that?

Q. I'm talking about before that. So this form has been
used in Ho Biu Kee?

A. Yes.

Q. So, not in 2014, but before that, before you were
promoted to the present position, you had to deal with
these request forms a lot, you had to convert them to
POs?

A. Yes.

Q. There is an example, "solder wire", here. One of the
items is solder wire. You may say that there are so
many items in a project, but by common sense, in your
day-to-day work, you see there is Powerflux, so you must
have some memory of the Powerflux. Do you remember

Powerflux being ordered?

What I am saying is there may be things that would be difficult to remember, but these are routinely seen almost every day and this would occur almost every single day. Why is it that you don't remember whether someone ordered solder wires or solder strip?

A. At that time, whether there were these two things, I don't quite remember.

Q. Let's not talk about solder wire or solder strip. Let's say soldering materials. Do you remember these soldering materials?

A. No, I don't remember. There are so many request forms every single day. There are so many terms. I don't try to make it a point to remember them. After my job is done, I would leave it aside. I won't take office work home.

COMMISSIONER LAI: Is this Fan Sau Peng?

A. Yes.

COMMISSIONER LAI: This is the officer in charge for blocks 5 and 6 of Kai Ching?

A. Yes.

COMMISSIONER LAI: He was responsible for blocks 5 and 6 of Kai Ching. He would ask for solder wire? Whenever he asked for solder material, it was always solder wire?

A. He filled out this form. He filled out this form. But

at the time.

COMMISSIONER LAI: Was it all --

A. My memory is fuzzy. I can't recall.

COMMISSIONER LAI: Another thing, the affected estates,

Kai Ching and Kwai Luen, Mr Chan Siu Wah and Wong

Kwai Hung, when they requested material they asked for

solder strips that contained lead. So I would like to

know, for other projects, you come across so many people

requesting material, you just write down verbatim what

they asked. The other estates were not affected, so did

they ask for solder wire? So when they made phone

calls --

A. They have to provide a handwritten form. We don't

accept phone -- when there are too many phone calls, we

have so many calls, we might not remember that, so we

need a black and white, written submission.

MR SHIEH: So the site requirements --

COMMISSIONER LAI: So in your recollection do they always

ask for solder wire in the other projects, other people?

Because the affected estates are Chan Siu Wah and

Wong Kwai Hung, and they had requested solder strips,

and the unaffected estates, on many other projects, the

other foremen or site supervisors, when they put in this

request form, did they also ask for solder wire?

A. Are you asking at that time or --

COMMISSIONER LAI: At the time.

A. It's so many years ago, I can't remember, if you ask me
was it exactly solder wire or solder strip.

COMMISSIONER LAI: Do you recall what happened in Lung Yat
Estate in Tuen Mun when they requested material?

A. It was at the same period. We would respond to their
request verbatim. We would respond. In every
construction site, they would ask for materials every
day. There are so many types of material.

COMMISSIONER LAI: Theoretically, other estates ask for
solder wire, because there's no problem with solder
wire. Your other projects do not have problems, so
theoretically everybody asked for solder wire, so you
would purchase solder wire and nothing occurred. The
only incident, the only estates where incidents occurred
were in Kai Ching and Kwai Luen, and they purchased
solder strips. So all your request forms should have
indicated solder wire, otherwise we would have other
affected estates. That's what I'm thinking.

A. Theoretically, yes.

COMMISSIONER LAI: But you don't recall?

A. There are so many different types of sundry hardware.

CHAIRMAN: Have you seen request forms where they ask for
high-temperature solder strip?

A. Now, yes, I see them now. You asked me have I seen

them, and I have seen them recently, now.

CHAIRMAN: After the incident?

A. Right.

MR SHIEH: That's a new terminology?

A. Right.

CHAIRMAN: (Chinese spoken).

A. They say high-temperature solder wire, not solder strip.

CHAIRMAN: Okay.

MR SHIEH: I have another question regarding Tung Wah, the supplier. So are you saying that procurement staff would communicate with Tung Wah and they would provide a quotation, and you would compare that with Prosperity's price list on page 2354. So I would like to ask you: here it asks for 100 rolls of solder wire, but Tung Wah had given a quotation based on pounds, \$67 per pound.

If you compare that to Prosperity, for solder wire, they sell it per roll. Per pound is solder strip.

So I would like to know, your quotation, when people give you \$67 per pound, how do you make a comparison with Prosperity, because you have to compare side by side the two prices?

A. We have a quotation from Tung Wah. We have to compare that against what they have available. But the colleagues --

Q. I understand. I want to know -- you didn't get this quotation, I understand, but you cannot identify who got this quotation?

A. There's no name attached.

Q. So I'm interested -- we have a request for solder wire, and here they ask for 100 rolls. Things that come in rolls, so we would conjecture it's rolls of this material (indicating green reel).

Then another of your colleagues went to a get a quotation from Tung Wah and they have a handwritten quotation of \$67 per pound, so the units are incorrect. You ask for a roll and the quotation you get in return is per pound. So how many pounds are there per roll, if there is a conversion?

A. I'm not the person involved.

Q. And you want to compare who's cheaper, Prosperity or Tung Wah. So Prosperity, they only have one item that is quoted in pounds. That is WL50F flat strip.

COMMISSIONER LAI: On page 2337, paragraph (j), they explain.

MR SHIEH: It's about \$145 per pound. So some colleagues seem to be familiar with these different units.

A. What do you mean by that?

Q. That is, a colleague is aware that solder wire comes in rolls, and when they look at Prosperity's price lists

and do a calculation, they know that lead-free solder wire, one roll, how much is that per pound.

Then if you compare with the Tung Wah price --

A. Well, they won't compare it with Tung Wah, because these items, sundry metal, minor metal hardware, we will purchase from Prosperity.

Q. But looking at page 2337, in paragraph (j), you have highlighted this -- you have illustrated this practice. You say that the Shui Chuen O project, you had obtained a quotation from Tung Wah Metal, which is also one of your suppliers. They would not be supplying minor metal hardware?

A. Yes, they do supply minor metal hardware.

Q. So you get a quotation, and they give you a quotation of \$67 per pound, which was significantly lower than that supplied by Prosperity, and Prosperity's solder wire was about \$145 per pound. It's HK\$160 per 500 grams, and 500 grams is equal to 1.1 pounds.

So some colleague took that step, that they should compare that with the FRY price. It says \$145 per pound, net price of \$160 per 500 grams, but I don't see how it's calculated.

So one of your colleagues knows that they want solder strips, and which item amongst Prosperity's list should they compare against? Because in Tung Wah it's

quoted per pound, and how does that compare so the Prosperity price list; how much does it cost per pound? You have a colleague who's aware how that compares to the Prosperity price list. Somebody knows how to check these prices, in your company.

It might not be you personally, but from your statement it seems that your colleague can make the differentiation and calculation; is that correct?

A. Yes, looking at the price list.

Q. So you might not be aware, but the person handling the material request form and those colleagues giving the quotations, they are aware?

A. They had asked for a quotation from Tung Wah. My understanding is that they asked for a quotation on ladders and trolleys. They don't get their solder wire from Tung Wah.

Q. They didn't do it out of convenience.

A. They didn't do it out of convenience. They see that they have this item and they filled it up.

Q. So this form has a bunch of other material that you need a quotation from Tung Wah, so you faxed it to Tung Wah, and Tung Wah had given you a quote for each item, but you weren't going to ask them for solder wire. It's just that you need now to produce the witness statement and you see that you can make this comparison to prove

that you might have a lot of faith in Mr Chow of Prosperity, so even if somebody gives you a cheaper quotation, you won't consider that?

A. Yes.

Q. So, when something is faxed from the construction site and you need a quotation from Prosperity, when you were a clerk you had done this work. So you had also come across the stage where you want to see whether they want a strip or a wire and you have to compare it to the Prosperity price list, and then you start bargaining with them; you have gone through that?

A. Yes.

Q. So you had to go through that procedure of checking whether they want a wire or solder and you have to check the price, but you don't recall the names of the solder wire and solder strips?

A. That's correct.

Q. Lung Yat Estate -- just now counsel asked you -- he said Chan Siu Wah said that the unknown Ho Biu Kee female staff called him and asked him to write "solder wire" in his material request form and you said you didn't do that. You had not asked staff to do that either.

A. No.

Q. This might be obvious. If you knew what you were to order, was it necessary for him to write another name or

a different name on his request form?

A. I would ask him to write clearly, otherwise how would

I know what he wanted? We rely on his submission and

make procurement. I don't want him to change. I'm not

on the site. I don't know what the work progress is.

Q. So, if his content is not accurate and you want him to

clarify; if he writes X, are you saying there's no

reason for him to write Y, because he's the one

requesting material?

A. That's correct.

Q. Now, to be more detailed, what he's saying is that on

that day, when he made those request forms, when he

asked for the material he wanted solder strip, he faxed

for solder strip, but for whatever reason, Prosperity

delivered rolls to the Lung Yat Estate construction

site, and not long afterwards he received a phone call

from an unknown female staff from Ho Biu Kee, saying

that in the future your requests should write "solder

wire". That's what he's saying.

So, being a person in charge of the procurement

department, what view do you have of his claim? Does it

make sense.

A. No.

Q. Is it reasonable? You don't agree? You said it's them

who needed the materials. It's not for you to instruct

them.

A. Yes, I wasn't on the site. I'm not sure how high they have built to, whether they were dealing with aggregates or whether they were installing the pipes. We don't know what they need. They may be installing the sanitary fittings and they may be asking for the sanitary fitments. It's only then we know what they want. We don't go to the site.

Q. Page 194. I asked you about whether the POs had to be changed or whether substitutes would be needed.

Page 194. This PO, it says "Revised"; can you see that?

A. Yes, it has been revised.

Q. Just take a glance. This revised PO, what has been revised?

A. Quantities.

Q. Just quantities?

A. Same think but quantities differed.

Q. Not a revision of the items from A to B?

A. No.

Q. Can you explain -- let's take an item -- to tell us how the quantities changed, "solder strip". 550 originally, no change there?

A. No change for solder strip.

Q. What has been changed?

A. The nuts and bolts.

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

B Commission of Inquiry into Excess Lead Found in Drinking Water Day 39 B

C Q. So there would be a bracket for the changes? C

D A. Yes. D

E MR SHIEH: Please hang on a second. E

F Thank you very much. I have no further questions. F

G Cross-examination by MR PENNICOTT G

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

I MR PENNICOTT: Ms Wong, can you hear me through the I

J headphones? J

K A. Yes. K

L Q. I want to pursue with you a few questions on a topic L

M that Commissioner Lai raised a few minutes ago. M

N Before I do that, can I ask you this: you became N

O Mr Ho's PA in 1997, you've told us; is that right? O

P A. No. P

Q Q. When did you become his PA? Q

R A. 1998-1999. R

S Q. Can you tell us this: when who did you first become S

T involved with the purchasing of materials on behalf of T

U HBK? U

V A. When I first joined, I did the purchasing, I faxed V

things out, I would do the typing; but for procurement,

not purely procurement, because when I first joined,

I wasn't working for HBK; I worked at another company

owned by this boss. But for actual procurement, I think

1999 and after 1999.

Q. That's helpful.

Can I ask you please to be shown file F2, page 1340.

CHAIRMAN: Who hasn't switched off their phone, please do
so. Please switch off your mobile phone.

MR PENNICOTT: Ms Wong, this is a list of 16 unaffected
estates constructed by China State. Do you see that?

A. Yes.

Q. In respect of 11 of those unaffected estates, your
company was the subcontractor. Do you see that listed
in the middle column?

A. Yes, I can see that.

Q. As I say, these are unaffected, lead-free estates.
Would you have been involved in the procurement of
materials for these unaffected estates, to the best of
your recollection?

A. Yes, I would have been involved from time to time. I
wouldn't be there the whole time for this.

Q. Do you have any recollection of any of your site
supervisors or officers in charge of the subcontracts
on site ordering solder strips?

A. I don't remember.

Q. Could I ask you, please, to go to bundle H1, page 121.
Ms Wong, this is a similar schedule to the one I have
just shown you. It lists the 12 unaffected estates
constructed by Shui On. Do you follow?

A. Yes.

Q. In respect of 11 out of the 12 unaffected estates, again, your company, HBK, was the subcontractor; do you see that?

A. Yes.

Q. Ms Wong, again, would you have been involved, to the best of your recollection, in procuring the materials in relation to these unaffected estates?

A. Even if I was involved, maybe one or two cases, I wasn't the one fully responsible for the procurement. You asked me whether I have procured for these sites.

I don't think I can answer categorically. Even if I was involved, I wouldn't have been doing it full-time.

That's my recollection.

Q. If it wasn't you, Ms Wong, who would it have been?

A. Some other colleagues. Some have already quit. Some already left. These are sites that go back a long time.

Q. I see.

A. I can't really say for sure. As I said earlier on, procurement, we have a very high turnover rate. As to who did it, I don't quite remember, really.

Q. I assume it follows, therefore, that you have no recollection of whether or not solder strips as opposed to solder wire was ordered by your site staff in respect of these unaffected estates?

A. Yes, right.

Q. Just finally on this topic, if you can go, please, to file G1, page 628.

Ms Wong, this is the equivalent schedule but this time it relates to seven unaffected estates constructed by Paul Y. Do you see that?

A. Yes.

Q. In respect of two of the estates, again, your company was subcontractor for blocks 1, 2 and 3 of the Upper Ngau Tau Kok Estate, and the subcontractor for Tin Ching Estate; do you see that?

A. Yes.

Q. In respect of those two estates, Ms Wong, again, do you have any recollection as to being involved with the purchase of plumbing materials in relation to those two estates?

A. I don't quite remember.

Q. Okay. All right.

There is one final question, Ms Wong. I wonder if you could be shown, please, bundle S1, page 128.

A. Yes.

Q. Could I ask you, please, to look at the entry dated 14 October 2011, the third one down; do you see that?

A. Yes.

Q. Against that date, one sees "FRY", 20 rolls, and then

a box of WL50D material; do you see that?

A. Yes.

Q. As I understand it, Ms Wong, the effect of your evidence is that what the site staff would have ordered is one box of solder wire and one box of solder strips. Is that right?

A. Can you say that again?

Q. Yes. My understanding of the effect of your evidence is that in respect of that entry, what the site staff, Mr Chan, would have ordered is one box of solder wire and one box of solder strips. Is that correct?

A. Well, from the table, I can't determine what Chan Siu Wah had ordered.

CHAIRMAN: One block of lead-free, there's 20 rolls in one box, and one box of WL50D is 55 pounds, so it's one box of each. So if Chan Siu Wah was the site supervisor, he ordered these two items, one box of each. I'm telling you there's 20 rolls in a box and 55 pounds in one box of strip. If I'm correct, then he ordered a box of each; is that correct?

A. Yes.

MR PENNICOTT: Thank you, Mr Chairman. No further questions.

Cross-examination by MR LAM

MR LAM: Ms Wong, I would like to direct you to S1,

page 102. Let's take a look at page 103. Do you have that?

A. Yes.

Q. We have some invoice, on 24 April. This is your company address, in Cheung Sha Wan, and the contact person, Ms Chung, you mentioned she was in the accounting department, and Mr Leung -- is that Mr Leung Wai Kin?

A. Yes.

Q. So, in other words, if they need to contact somebody, they need to contact Ms Chung or Mr Leung regarding WL50D?

A. No. This is issued by Prosperity.

Q. So, if they need to contact people, they would have to contact either Ms Chung or Mr Leung?

A. Correct.

Q. But they might not need to make any phone call at all if the order was correct; is that the case?

A. They typed them in and I don't know who that contact person was.

Q. In other words, if they need to contact these people. These are the two contact persons. Of course you know who the contact persons are.

A. What do you mean, the contact person?

Q. Regarding the invoice. We have a delivery note --

A. Right.

Q. So, regarding this invoice, if there are any problems,
those two persons --

CHAIRMAN: That's what is written there.

A. That's what is written there. But whether they did make
contact --

MR LAM: We don't know whether they made contact.

Then we look at the delivery note. If we look at
the delivery note number, it's the same, and the contact
person is also Mr Leung Wai Kin?

A. Yes, that's what's written there.

Q. I also see Leung Wai Kin has signed his name there.
Then, on page 105, we have an invoice. Ms Chung and
Mr Leung are the contact persons. The order here was
for solder wire and solder strip. But we don't have
a delivery note attached, because if you refer to
page 102, on 4 July, you don't see a DN for 4 June.

We don't see it delivered to that site. We haven't
found that.

So the delivery note on page 104, the contact person
was Mr Leung Wai Kin, and he also took delivery. He
signed.

CHAIRMAN: Could you repeat?

MR LAM: If you did issue this invoice, if you did pay this
invoice, we would also have a delivery note like the one
on page 104, and the contact person would be Mr Leung

Wai Kin; is that correct?

A. I cannot be sure.

CHAIRMAN: Well, it is not necessary. The invoices, a lot
of times have these two people as contact persons.

A. (Chinese spoken).

MR LAM: Is it possible that the delivery note contact
person would be Wong Kwai Hung?

A. Some were Wong Kwai Hung.

Q. Because we see a lot of Mr Wong Kwai Hung in pages 107
and 108.

A. Yes.

Q. So I would like to ask, did you know at the time, in
Kwai Luen Estate, when did Mr Wong Kwai Hung take
responsibility?

A. Starting from the beginning.

Q. So, in the first delivery note on page 104, that is
Mr Leung Wai Kin.

A. The two of them were always together on the site, and
each construction site, we just have one or two
authorised people who can take delivery. If we have
only one person only, if he is sick, then we cannot just
stop all the work. We need another person to stand by
as a spare.

Q. So, in Kwai Luen Estate, Mr Leung Wai Kin and Wong
Kwai Hung, they could take delivery. So, if there's

a contact person, it would usually be these two people?

A. Unless they are very busy or they are in meetings, they would use a trusted colleague's signature to take delivery.

Q. I would like to direct you to page 117. The person who took delivery, their name was Fu?

A. One of the workers. They felt he was trustworthy, he could take delivery.

MR LAM: I have no other questions.

CHAIRMAN: Nobody with questions?

Further cross-examination by MR SHIEH

MR SHIEH: Just now, you said that sometimes the names would be copied and pasted --

A. I'm referring to Prosperity.

Q. The purchase orders, Ho Biu Kee's purchase orders, were not handwritten; they were computer generated.

A. Right.

Q. Do you have copies?

A. No.

Q. Why?

A. There's not much storage memory in the computer. We just had a little bit of memory.

Q. The hard copies might be discarded.

A. Yes.

Q. The invoice would be forwarded to the accounting

department.

A. Yes.

Q. But these are generated from computer files.

A. Right. We wouldn't keep them.

Q. You delete them?

A. Yes, because we are not a big company.

Q. So after a project you discard hard copies, and even the
computer files would be deleted?

A. Yes.

Q. Another area I would like to follow up: K2/2337, the
Tung Wah quotation, how you did the conversion.

In paragraph (j) of your witness statement, you said
Tung Wah has a quotation of \$67 per pound for solder
wire, and then you have a conversion calculation. You
say, compared to Prosperity, Prosperity was \$145 per
pound, the net price was \$160 per 500 grams, and I don't
know how it's calculated.

A. This is what colleagues told me. That's what I heard.

Q. But Jess also refers to something similar. You don't
know how it's calculated? So I think Prosperity's price
is 160 --

A. I know their price is 160.

Q. But the price list says 190.

A. But the quotation -- that's just the menu price. They
always type \$190.

Q. (Chinese spoken).

A. So this year material might be expensive, they increase prices. That's what they say. If their supplier can give them a cheap price, they can give you cheaper. The \$160 is the current price.

Q. (Chinese spoken).

A. (Chinese spoken).

Q. So we might have a menu that says 160 now?

A. No, it still says 190.

Q. So that's not updated frequently?

A. (Chinese spoken).

Q. Okay, I understand. So it's currently \$160.

A. Now. At that time, that was --

MR SHIEH: Okay, I'm aware of how it's calculated.

Re-examination by MR YEUNG

MR YEUNG: Ms Wong, just now Mr Lam asked you about an invoice: page 103 of bundle S1.

Regarding the contact person, Ms Chung and Mr Leung, as far as you know, back in April 2013, was there a Mr Leung in the accounting department?

A. Yes.

Q. Was that Leung Wai Kin?

A. No.

Q. Ms Chung is which department?

A. From the accounting department.

Q. Mr Leung is also the accounting department?

A. Yes.

CHAIRMAN: So this Mr Leung --

A. I don't know which person they are referring to. I said there's high turnover. So I cannot recall who's who now. Was he referring to Leung Wai Kin? I'm not sure, because it was the other party that typed that.

CHAIRMAN: Okay. In the future, the POs, don't describe them.

WITNESS: Yes, noted.

CHAIRMAN: Okay. We will continue at 2.30 in the afternoon.
Thank you.

(The witness withdrew)

(12.57 pm)

(The luncheon adjournment)

(2.31 pm)

MR YEUNG: Chairman, with your permission, I'd like to call Mr Leung Wai Kin.

MR LEUNG WAI KIN (affirmed)

CHAIRMAN: Please take a seat.

Examination-in-chief by MR YEUNG

MR YEUNG: Mr Leung, your full name is Leung Wai Kin,

L-E-U-N-G, W-A-I, K-I-N?

A. Correct.

Q. Some background information first. What education level

| | | |
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| A | <i>Annex: Realtime English Transcription based on floor / Simultaneous Interpretation</i> | A |
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| C | do you have? | C |
| | A. Form 5. | |
| D | Q. Form 5 level. | D |
| | A. I have studied TI for four years. | |
| E | Q. "TI" means Technical Institute? | E |
| | A. Yes. | |
| F | Q. When did you join Ho Biu Kee? | F |
| | A. 1997 or 1998. | |
| G | Q. When you first joined HBK, what did you do? | G |
| | A. I was an apprentice. | |
| H | Q. When did you become a skilled worker? | H |
| | CHAIRMAN: TI, what did you study? | |
| I | A. I studied electricity and the panel work. | I |
| | MR YEUNG: When did you become a skilled worker? | |
| J | A. No, I never sat for any exam. | J |
| | Q. In Ho Biu Kee, what is your position? | |
| K | A. PM, project manager. | K |
| | Q. When were you promoted to this project manager post? | |
| L | A. February 2012 or thereabouts. | L |
| | Q. As PM of HBK, can you describe your job description? | |
| M | A. Mainly, I would turn up on the site, to find out whether | M |
| | there are any problems in the site work, any | |
| N | inadequacies, any problems, and so on. | N |
| | Q. When did you come across the connection of copper pipes | |
| O | kind of work? | O |
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A. About eight years ago, starting from the Un Chau Estate project.

Q. Eight years ago? That was about 2008?

A. Yes, 2008 or 2009 or thereabouts.

Q. Do you know this person, Wong Kwai Hung?

A. Yes.

Q. When did you start knowing him?

A. I think it was 2006-2007.

Q. Under what circumstances did you know Mr Wong?

A. I was apprentice, I was semi-skilled, not yet skilled.

I helped Mr Wong, I worked under Mr Wong. When I worked on the site, I worked under Mr Wong, and there was a part where we had to put the holes there, and he took over as the officer in charge.

Q. Let me put this to you: when did you start working on this estate project?

A. 2012, May, or mid-2012.

Q. You have been promoted to be project manager at that time?

A. Yes.

Q. For Kai Ching Estate -- let's specifically mention Kai Ching Estate -- what specifically did you do?

A. Mainly, I would try to find out if there are any problems, any gaps, any hindrances, and also keep an eye on the workers, whether there were any complaints, and

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

B Commission of Inquiry into Excess Lead Found in Drinking Water Day 39 B

C so on. C

D Q. In terms of progress, is it part of your portfolio? D

E A. Progress, I would find out about the progress, yes. E

F Q. You were the PM. Were you in charge of Kai Ching alone F

G or any other estates? G

H A. More than that. All the sites in our company. H

I Q. From your recollection, how many sites were there under I

J Ho Biu Kee? J

K A. A minimum of eight to nine. K

L Q. For Kai Ching Estate, were you in any way involved in L

M the transaction of soldering materials in Kai Ching? M

N The copper pipes, there was soldering materials for N

O that; were you involved in the transaction of the O

P materials? P

Q A. No. Q

R CHAIRMAN: Sample submission? R

S A. No. S

T MR YEUNG: Were you involved in the procurement or ordering T

U of soldering materials? U

V A. No. V

Q. Let me put this to you. HBK, do you know about the Q

R procedure for procurement? R

S A. Yes, I do. S

T Q. Can you take us through the steps for material T

U procurement in Ho Biu Kee? Let's say if the site want U

V

| | | |
|---|---|---|
| A | <i>Annex: Realtime English Transcription based on floor / Simultaneous Interpretation</i> | A |
| B | Commission of Inquiry into Excess Lead Found in Drinking Water | B |
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| C | some materials, what next? | C |
| D | A. The officer in charge would place the order, and they | D |
| E | would request the quantities and the materials, and the | E |
| F | head office would place order for these quantities, and | F |
| G | then delivery would take place and the officer in charge | G |
| H | would check the materials and the quantities and he | H |
| I | would sign and put a stamp there. | I |
| J | Q. The officer in charge, what criteria would be adopted to | J |
| K | decide on the materials to be used? | K |
| L | A. Say again, please. | L |
| M | Q. The officer in charge, what criteria would be used to | M |
| N | determine the quantities of the materials to be used? | N |
| O | A. Well, depending on the progress of work. Everything | O |
| P | would be dependent on the work progress. | P |
| Q | Q. Were you involved? | Q |
| R | A. No, no, I wasn't. | R |
| S | Q. We know that in Kwai Luen Estate, your name is there. | S |
| T | A. Yes. | T |
| U | Q. What was your position there, for Kwai Luen Estate | U |
| V | project? | V |
| | A. I was a worker. | |
| | Q. For Kwai Luen? | |
| | A. Yes. | |
| | Q. Kwai Luen Estate, it was completed in 2014. In 2013, | |
| | there were so many areas of work, and you have already | |

been promote as PM?

A. I was promoted in 2012.

Q. For the Kwai Luen project, you were PM at the time.

A. Yes.

Q. And you were still a worker?

A. Yes. No, in the employment contract, I got paid by the head office, and we have to clock in and out, and my card showed me as a worker. I have to go in and out of the sites.

Q. You explained to us your role in Kai Ching. What about Kwai Luen?

A. I would meet the site agent and the site manager to find out whether there were any problems, any hindrances to the progress. I would talk with the officer in charge.

Q. Kwai Luen Estate, who was in charge?

A. Wong Kwai Hung.

Q. Were you one of them?

A. No. I was responsible for this project as well.

Q. For Kwai Luen Estate, if they wanted soldering materials, who would make a request for delivery?

A. The officer in charge would make the request.

Q. Who?

A. Wong Kwai Hung.

Q. Were you involved?

A. No.

Q. There are two papers I would like to refer you to. S/104. This document is a delivery note, Prosperity Building Materials Co Ltd, delivering materials to Kwai Shing Circuit. The main contractor is Shui On. It is dated 24 April 2013.

There are a number of items there, and the liaison person, contact person, is Mr Leung Wai Kin.

Item 1: UK 50D flat solder strip, 110 pounds.

Ho Biu Kee took delivery of the materials, 28 April 2013 there, right next to the stamp of HBK; can you see that?

A. Yes, got that, yes.

Q. There is a character "Kin". Who is that?

A. It's me, my signature.

Q. When you signed this DN, you signed on behalf of HBK and took delivery of the materials?

A. Yes.

Q. You said a moment ago the officer in charge was Wong Kwai Hung. Why did you put your signature there? Why did you take delivery of the materials?

A. We went to a meeting together with the officer in charge. While I was there, the workers were already checking the PO, and I asked them to check the materials and put a stamp there. The site was a one-way access. The officer in charge was in the site office. We had

a meeting there, at the Shui On site office.

CHAIRMAN: Are you saying that it so happened that you had
a meeting, a site meeting?

A. Yes.

MR YEUNG: Mr Leung, the contact person is you.

A. There are more than one site. All the sites have my
name there, and my name would be put there. When
delivery took place, when the officer in charge was
there, I would leave the officer in charge's number
there. And I've got my name in all the Ho Biu Kee
sites.

Q. At the time when you saw the W50 solder strip, did you
know what the application was for?

A. I didn't know.

Q. You only knew that you would take delivery of this?

A. The staff was there, he was checking it against the PO
before applying the chop.

Q. Please take a look at another document: H1/122. Here,
we have an email. It was sent from Man Kwan Wa, and it
was dated 3 June 2013; the recipient,
hbkleung@yahoo.com.hk. Is that your email address?

A. Yes.

Q. The subject is "KSC -- Approval Material Form". It
says:

"Dear Kin,

Please find the attached material approval letter for your information."

So Mr Man, he was the AQCC at Kwai Shing Circuit, and he notified you of the approval information, and the approval information runs from page 123 to 128. Do you see that?

A. Yes.

Q. So, on page 123, we have some information there. We see item 4, "Brazing alloys and soldering alloys for copper fittings system"; do you see that?

A. Yes.

Q. The next page, we have a sample submission, on page 128, for example.

A. Yes.

Q. At the bottom, in the material description, in the bottom-left corner we have this picture.

This email sent to you. Do you recall reading this email?

A. I don't have a recollection. I don't have any recollection, because I receive hundreds of emails per day.

Q. So, if you had read the email, how would you process it?

So, as a PM, when you receive a material approval form from the main contractor, what would you do?

A. No, I just read it as a piece of information.

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Q. Could you explain why would you treat it as such?

A. First of all, I wasn't the person submitting the material. Second, I had a colleague who handled the submission and he would liaise with the main contractor.

Q. You said your colleague was responsible for submission. Who was that?

A. Mr Kwong.

Q. Did you participate in that work?

A. No.

Q. So what material did Mr Kwong submit to the main contractor; were you aware?

A. No.

Q. Well, if you were not aware of what material, how would you know that the material you receive at the construction site received the approval?

A. I didn't hear you. Could you repeat?

Q. If you were not aware of this, then how would you know the material at the site was approved by the main contractor?

A. So you are saying--

CHAIRMAN: Listen to me. You are not responsible for submitting this sample; Mr Kwong submitted the samples. After submitting samples, it was approved. Then, according to what you said, Mr Kwong would be aware?

A. Yes.

CHAIRMAN: And you only glanced at the emails. You would not commit it to memory. And Ho Biu Kee's counsel, Mr Yeung, is asking you: we heard Mr Kwong's evidence. Mr Kwong says that after submitting samples, his work was completed. The procurement ladies would follow up, but did not tell the procurement ladies -- he did not tell them which material was approved, and you don't know which is approved; you just receive this information.

We heard Ms Wong from Ho Biu Kee, she said she doesn't know anything. She just says she just purchases whatever the construction site staff ask for.

So your whole company, nobody knows what material has to be ordered and whether it has been approved?
A. Well, if it has been approved, then the site should have a memorandum in their letterbox. They have a document box. It would be signed by the officer in charge, and then it would be delivered to the office by the driver.

CHAIRMAN: Yes. What we hear is that you had one officer in charge, Mr Chan Siu Wah, and he says he doesn't know a thing. So who knows in the whole company?

A. It should be in the tray.

CHAIRMAN: He says he didn't even take a glance at it. So even if he did glance at it, he would say he just took note of it and by the time he wanted to order material,

he would just order whatever he wanted? If it would be solder strip, it would be solder strip; if it was a valve, then it would be a valve. So was it the actual material that was approved? Nobody knows, nobody asked. So there's nobody in the whole company who knows what's going on.

A. Well, normal procedure, it has to go back to the office. It should be in the tray.

CHAIRMAN: So you don't know?

A. I am not full-time on that site, so I don't know what's in their tray.

CHAIRMAN: Okay. Please continue.

MR YEUNG: So you are not aware of what the procurement staff are doing?

A. No, I am not aware.

MR YEUNG: I have no further questions.

Cross-examination by MR SHIEH

MR SHIEH: Mr Leung, you joined HBK around 1997-1998. When did you complete your TIA course?

A. It was 1998.

Q. So, before you graduated, you joined?

A. I joined HBK after form 5 and I took a night course.

Q. So you were learning on the job. You did not get your full trade licence; you have an intermediate licence?

A. I've been promoted to intermediate?

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

B Commission of Inquiry into Excess Lead Found in Drinking Water Day 39 B

C Q. Set aside the licences. You do understand a little bit about welding and soldering? C

D A. Yes. D

E Q. So you are aware that you use solder material to connect joints? E

F A. The original fittings have solder. F

G Q. So when you apprenticed, the soldering methods, you were using components that already had -- so there were T connectors, and outside you would heat up the T and the contained solder would melt? G

H H H

I I I

J A. Yes. J

K Q. So, when you learned how to solder copper tubes, you do not have to use external solder material? K

L A. No. No. When I apprenticed, I did not use copper tubes. We had different tubes. L

M Q. So copper tubes were not commonplace? M

N A. It had a lining. N

O Q. But have you heard of even using the internal solder joints -- have you heard of another type of material, the internal solder was not sufficient, you still have to apply an external solder? O

P P P

Q A. I heard of it. Q

R Q. But have you used it? R

S A. At the T joint, we would have to apply another layer. S

T Q. So you have heard of the term "bo sek"? T

U U U

V V V

A. The officer in charge was Mr Wong and I had heard of it.

Q. So Mr Wong told you that if the outcome wasn't satisfactory, so you would have to apply the solder again?

A. Yes, if there was a leak -- you would see if there was a leak, so sometimes our components, they are not polished, there might be some leaks, so they would have to be replaced.

Q. So they would have to be replaced and you have to install it all again, rather than reapplying solder?

So, to put it short, in your hands-on experience, you had not come across the green rolls? (Indicating).

A. Well, even before I was promoted, we were using original components that contain solder.

Q. So you had not used these rolls of green solder material?

A. No.

Q. Another type of solder material that we have seen, they come in boxes like this, and they are strips (indicating). Have you used these?

A. No.

Q. Could you describe the joint you mentioned?

A. So before we apply solder, if you have two planks, you have to apply the cement, but I need to have a tube in the middle of the wall.

Q. So you have to reserve a conduit to install a tube,
a pipe?

A. Yes.

Q. So you need to know where that conduit lies.

A. Yes, and the diameter of the tube.

Q. So you need to reserve some space, so you don't want to
fill up the whole area with cement.

A. Yes.

CHAIRMAN: So you are saying, prior to the lead incident,
you had never seen these solder rolls?

A. No.

CHAIRMAN: Not us, you personally?

A. No.

MR SHIEH: But you have worked on the construction sites.

So, as you said, you are not based full-time at the
site, so, in general, when you appear on site, compared
to your office time, what's the ratio?

A. Well, if I'm on site A, and then I'll go to site B and
so on. So in a week I might have one or two days at the
office, but I won't be there permanently.

Q. So you do the rounds?

A. That's what the staff will call me, they call me the
general inspector. I will go to see if there are any
omissions or errors.

Q. So every say, would you go back to the office first,

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before you go do your rounds, or would you go back to the office? You never go back to the office?

A. No.

Q. Because each site has its own office; you can do your work in the office that is there?

A. Very rarely. I attend meetings, I go to the contractor's office to attend meetings.

Q. So the colleagues you interact the most with are the construction site workers, not office workers like Jess Chiu and so on.

A. Yes.

Q. So when you appear in the sites, you will see workers doing soldering work, welding work. Have you seen them welding and soldering?

A. Well, we'll look at the external facade and will meet with the site foreman and so on. But there are so many sites --

Q. You cannot inspect the individual joints, but you do this on a day-to-day basis. You don't conduct a specific inspection. I know you are not there to inspect the work quality, but you will see them at their work; right?

A. Yes, I would see people working on the pipes, copper pipes.

Q. Would you take a look at what they use to connect the

pipes?

A. I didn't notice. I mainly saw someone working on the
outer wall, and work is in progress.

Q. Would you go into the site office?

A. Hardly ever.

Q. Would you check the quantities?

A. I would ask the officer in charge.

Q. So when you make the rounds, you would have face-to-face
contact; you interact with people?

A. I would try to find out whether there were any problems
on the site. We have meetings with the main
contractors, we have the BS, the site agent, the
manager, we would find out whether there are any
hindrances, any areas that fall behind schedule. We
would ask them whether there are any obstacles, and so
on.

CHAIRMAN: Slow down a little bit, please.

A. Okay.

MR SHIEH: When you make the rounds on the site, the
information that you get would be through the
face-to-face meetings and formal meetings and other
people. You didn't try to look at the work with your
naked eye?

A. No, I wouldn't look at them in detail.

Q. You wouldn't notice?

A. Yes.

Q. So, on the site, when there are boxes of solder strip or solder wire lying around on the site, you wouldn't have remembered them?

A. No, I didn't notice at all.

CHAIRMAN: Would Mr Ho be making the rounds together with you?

A. Say again, please.

CHAIRMAN: Would Mr Ho be making the rounds together with you?

A. Mr Ho would go and meet the managers. He would have a chat with the more senior people. I will be following up on things.

CHAIRMAN: How often would Mr Ho -- I would like to find out about Mr Ho. For individual sites, to what extent would Mr Ho be involved? As you know, he is the top boss. He is telling us that you are his right-hand man and you are basically his aide, and you were involved in many, many things, big and small. So would you say Mr Ho knows as much as you do or less than you do, or would he be interested in plumbing, because he's got other business to attend to and his involvement -- how would you describe his involvement, or the extent of his involvement?

A. Maybe he would be on the site. When I was promoted, my

boss would take me around the site, all the sites, and he would brief me on the details about the sites.

CHAIRMAN: And, thereafter, would he be turning up on the sites as often as you do, or would he just be there once or twice a week? It's only when there are significant decisions to make that he would deal with them, or would he be very hands-on?

A. I would be turning up on the site on my own. The boss wouldn't tell me where he would be turning up. He may be going to site A or site B.

CHAIRMAN: You may not know, but after you visit site A, the next time you go to site A, the workers would tell you, the agent would tell you, "The boss just turned up a couple of days ago and asked this, that or the other". As a matter of fact, in your company, you have a dozen or so or less than a dozen people, or just a few at the management level. I would like to find out about the extent of your boss's involvement.

MR SHIEH: Let's take it a step at a time. Let's deal with the situation where you and Mr Ho would be there and you said Mr Ho would take you to the site at least once and he would introduce you as Ah Kin and you would see Mr Ho physically there, and as the project has got underway, are you saying that -- listen to me, just hear me out -- Mr Ho wouldn't be turning up together with you that

often?

A. As to whether he would turn up on the site on his own,
I don't know.

Q. He would take you around the sites at the beginning, and
then from your recollection you don't often go together
with Mr Ho, other than the first time, in general.

There are always exceptions to the rule but in general
he would take you down to the site once at the
beginning, and then he wouldn't appear together with
you?

A. No.

Q. You said he might turn up on his own, not together with
you, he might turn up on the site on his own but you
wouldn't know about it?

A. Yes, we wouldn't ask where he is off to.

Q. Would your colleagues be telling you, "Your boss just
turned up"?

A. No.

Q. Would the workers just be minding their own business and
wouldn't say, "The boss just turned up"?

A. They wouldn't mention. They are just working.

Q. They wouldn't be gossiping about the boss, "The boss is
there, you have to watch out"? They wouldn't say that?

A. No. The only thing they would ask is when they are
going to get a raise.

Q. So people wouldn't be talking about the presence of the boss?

A. No.

Q. So nobody told you?

A. When I went there to the site, I would spend about 15 minutes or 30 minutes there. If there is anything special, like one of our workers did needs a certain thing, then I would be told about it.

Q. Mr Ho is very talkative, isn't it? He is very chatty, isn't he?

A. Mr Ho being chatty? Well, we are the subordinates. We don't chat much.

Q. Mr Wong Kwai Hung, he was your master, wasn't he, at the beginning?

A. Well, he was my boss also.

Q. You learned from him?

A. Yes.

Q. As time went by, you were doing things different to what he does, and you don't actually do the actual plumbing work. You wouldn't be stationed on one particular site, and you were beginning to get to grips with the management side of things.

A. Yes.

Q. How would you see Mr Wong? Your master, your friend or your subordinate?

| | | |
|---|---|---|
| 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 39 | |
| C | A. Yes, friends. When I visit the sites, I visited his sites quite often. | C |
| D | Q. Would you chat with him quite a bit? | D |
| E | A. Yes, I would. | E |
| F | Q. The workers are minding their own business, but Mr Wong saw you move up, and you tend to talk about work when | F |
| G | you chat with him? | G |
| H | A. Not much. | H |
| I | Q. Outside of work? | I |
| J | A. No. | J |
| K | Q. You would chat with him? It would be different from some acquaintances, some other workers? | K |
| L | A. I wouldn't stay long on the site. I would be moving around the sites. I would be driving around the sites. The sites are pretty far apart. | L |
| M | Q. So you would be visiting the sites on your own? | M |
| N | A. Yes, on my own. | N |
| O | Q. After delivery of the materials, like the plumbing materials, if you were there you would sign and take | O |
| P | delivery? | P |
| Q | A. Yes. | Q |
| R | Q. Where would you store the materials? | R |
| S | A. I would put them in the site office. | S |
| T | Q. But you wouldn't check the quantities? | T |
| U | A. I wouldn't, no. | U |
| V | | V |

Q. Mr Yeung showed some DNS to you. Let's have a look at bundle S, page 105. This is an invoice from Prosperity.

Do you know what company Prosperity is?

A. I know.

Q. You know now. What about then, when you were working on Kwai Luen and Kai Ching?

A. Yes, I did.

Q. The supplier?

A. Yes. Their trucks will turn up on the site quite a lot.

Q. When you first joined HBK, HBK already used Prosperity?

A. I didn't know at the time.

Q. But for procurement and ordering materials, that's not within your remit?

A. No.

Q. You knew about Prosperity because Prosperity would deliver the materials to the site; that's why you know about Prosperity. This invoice is addressed to HBK, and the contact person, Ms Chung, is one of your colleagues. This "Mr Leung" here, that was put there by Prosperity. We would like to find out who this Mr Leung is supposed to mean. From your understanding, when "Mr Leung" appears on the document, would it be you?

A. No.

Q. Would there be another colleague?

A. Yes, another colleague.

Q. A Mr Leung responsible for accounting?

A. He's in the accounting department. Exactly what he
does, I don't know.

Q. So there is another Mr Leung in the head office?

A. Yes.

Q. Page 104. Let's have a look at the DN. You took
delivery. You signed on the DN and you checked the
consignment?

A. Yes. We asked one of the workers to get the document,
to check the materials. I had a meeting with Mr Wong.
Otherwise, Mr Wong would have come down and took
delivery.

Q. So Mr Wong wasn't there?

A. He was in the office. He was on the site. He was in
the site office. I had a meeting with him. Mr Wong
asked a colleague to take delivery. And he was checking
these against the request form, and then I signed on the
form.

Q. So the act of checking the materials wasn't you; it
wasn't done by you?

A. Well, I mean, on that day the vehicles were being chased
away.

CHAIRMAN: Are you saying that you signed there and then you
walked off, and your workers were still taking
deliveries; is that what you mean?

A. They have only checked the consignment. When I was there, I asked them whether they have checked.

CHAIRMAN: So you just signed on the form and then you walked off.

MR SHIEH: You trusted the workers that they have already checked the materials against the request form and also this DN and there were no problems; everything was in order. Then you just took them on trust, you signed there and then you walked away?

A. Yes.

CHAIRMAN: Why do you remember all these details? Why do you remember all of this?

A. I was on the site to talk about reserving some space for the pipes, for the piping sheath.

CHAIRMAN: This is a very common occurrence. If you ask me what case I was sitting judgment on on 25 April 2013, I can't quite remember.

A. I hardly ever signed on the form.

CHAIRMAN: That's all the more reason why you wouldn't remember.

A. Well, that truck was actually blocking me.

MR SHIEH: There was another example. Let's turn to page 180. At page 180, we have another delivery note. Here, the label has Wong Kwai Hung and yourself as the contact person, and it's your signature down there?

A. Yes.

Q. Now, on this occasion, do you recall what occurred? Did you have to take delivery or did you rely or place your trust in the site staff, that they had counted the goods and took delivery?

A. Yes.

Q. This is for Kai Ching Estate. The previous one was Kwai Luen. So you are saying these two delivery notes with your signature, you weren't the one taking delivery; you just signed and you relied on information provided to you?

A. This one, I have no recollection. I might have counted the goods.

Q. Well, in your daily work at the construction sites, if there is a delivery, is that something -- would you normally take delivery?

A. No.

Q. So it's not because you counted the goods and you attached your signature; you just placed your trust in the construction site staff?

A. (Nodded head).

Q. Okay. In this delivery note, we have the WL50 flat strip. On page 104, there's also another item, the WL50 solder strip, the previous document, page 104. Do you see that?

A. Yes.

Q. I would like to ask you, when you signed the delivery note, did you take a look at the goods description?

A. I took a look.

Q. What do you mean when you say you took a look?

A. I looked at what goods were being delivered.

Q. It was the only information?

A. Yes.

Q. So if something stood out, if there was something extraordinary, you would raise questions?

A. Right.

Q. So, when you see the description "WL50 solder strip", did you notice -- did that raise any flags?

A. No, not at that time.

Q. So, according to your understanding, in your experience, they would use solder to connect pipes, but in Ho Biu Kee, they would use solder material? Regardless of what material it is, do you know that Ho Biu Kee's engineering projects use solder material?

A. Yes, I'm aware.

Q. So do you know the officer in charge or the people filling out material request forms, how would they describe this type of solder material in filling out the request form?

A. I don't know. I don't know, because when they filled

the form and faxed it to the office, I don't look at the faxes.

Q. Well, have you filled out a request form?

A. I have no recollection.

Q. Let me show you something. Mr Chan Siu Wah's witness statement. K3/2391.

First of all, in his paragraph 8, Chan Siu Wah says you and Wong Kwai Hung were the contractors for blocks 1 and 2. Were you the contractors for blocks 1 and 2?

A. No, because I have never contracted work out. How can I be a contractor?

Q. When say contracting work, it's not on behalf of the company, you are not recruiting staff on behalf of the company. There is a contractor who recruits workers and pays them on a piece rate; you are aware of that?

A. Yes.

Q. So you are saying you are not the contractor of blocks 1 and 2.

A. Yes.

Q. So, to your understanding, who's the contractor of blocks 1 and 2? Is there a contractor? Has somebody subcontracted the work out?

A. Not in my recollection.

Q. Please turn to paragraph 12. This is Chan Siu Wah's version. He says:

"Sundry items in Kai Ching Estate including soldering material, this was procured from Ho Biu Kee procurement department. I placed the order."

That is Chan Siu Wah placed the order. Then:

"Ho Biu Kee procurement procured it from Prosperity. But towards the end of the construction [it should be 2012, not 2013], between September and October, the plumbing works were going full steam ahead, so Wong Kwai Hung, Leung Wai Kin and Fan Sau Peng, in the blocks that they were responsible for, they had to place procurement orders to Ho Biu Kee and did not have to do so through me. Since Wong Kwai Hung, Leung Wai Kin and Fan Sau Peng, they have worked with Ho Biu Kee for many years, they are on very intimate terms with Ho Man Piu. So at that time the boss, Ho Man Piu, he knew and allowed them to place orders directly."

So usually, does the officer in charge fill out the request form and fax it to the office?

A. Yes.

Q. And the Kai Ching officer in charge is Chan Siu Wah.

A. Yes.

Q. So Chan Siu Wah would fill out the form and fax it.

A. Yes.

Q. So were there circumstances when you couldn't find an officer in charge and there were people with

sufficient authority, they could be workers or contractors or whatever, a person in charge, they would fill out material request form on behalf of Chan Siu Wah and fax it to the office? Did that occur, even though it is not very frequent?

A. Are you saying Chan Siu Wah's staff? I don't know.

I don't know.

Q. They would fax these request forms back to the office. Have you done that?

A. Usually the officer in charge will fill out the form and fax it himself. Assuming there are ten sites, I have to go to ten sites in a day. So the officer in charge will have to fill it out and send it to the office.

Q. We are not saying that you were responsible for monitoring and inspecting and then you have to follow up, but what if there was a rush, you were too busy, there was a contractor in blocks 1 and 2 and he needed certain materials so he didn't want to bother the officer in charge and he would fill it out himself and fax it to the office -- did that ever occur?

A. Normally, these weren't filled out by anybody. If that were the case, then anybody could place orders.

Q. "Leung Wai Kin also placed orders with Ho Biu Kee's procurement department." So how do you respond to this allegation?

A. Well, blocks 1 and 2 of Kai Ching Estate, Mr Wong and I were responsible for supervision.

Q. What do you mean?

A. Well, we were monitoring and managing the site. Mr Wong, he was my mentor, but at that time, we were doing our separate jobs. I had been promoted; I was not under Mr Wong anymore.

Q. So Mr Wong managed blocks 1 and 2.

A. Yes.

Q. You were also managing but not just limited to blocks 1 and 2; you were managing many projects.

A. Yes.

Q. Coming back to this problem, you had not filled out these forms and sent these to the office?

A. I don't think so, no.

Q. As a matter of fact, did you or not?

A. Not in my recollection.

Q. But even if you did, it was an exception?

A. I don't think so. I was already at management level.

I wasn't -- when you fill up request forms, you have to check the parts, you have to check what material needs to be procured.

Q. You mean it is a hands-on person who would know?

A. Not necessarily. Well, the officer in charge, if you are working on floors 1 and 2, then you would be able to

follow up. I have completed part A and I may need to work on part B, and then you would be able to fill up the material you need.

Q. When I say "hands on", that might not be accurate. You need to be intimately involved with the project in order to understand what material is needed?

A. Yes.

Q. A 15-minute inspection would not suffice?

A. That's correct, because there are many areas, not just water inlet. There is also water outlet, the sanitary and all kinds of --

CHAIRMAN: Well, aside from the material request form, the officers, for example, in Kai Ching Estate, the officer in charge needs to manage six blocks?

A. Correct.

CHAIRMAN: In Kai Ching, there are six blocks. The supervisor might only manage one or two sites. So the foremen would have to tell the officer in charge, and then the officer in charge would fax the form back to the office?

A. No. The foreman will not notify the officer. The officer in charge places the order.

CHAIRMAN: I know. For example, Wong Kwai Hung, in blocks 1 and 2, he needs some more material, so would he do it himself or ask Chan Siu Wah?

A. He would ask Chan Siu Wah.

MR SHIEH: So you report up the chain of command? Chan Siu Wah is the officer in charge. He knows what material is needed, because the foreman in blocks 1 and 2 tell us what is needed.

A. Yes.

Q. So you are telling me that in blocks 1 and 2 the foreman is Mr Wong, so the proper method is that Mr Wong should tell Chan Siu Wah, "We need four boxes or ten rolls", and then Chan Siu Wah would act on that information, and that would be the proper way?

A. Yes. Blocks 1 and 2 were in the last phases. There were six blocks. 3 and 4 were built first, then blocks 5 and 6, and blocks 1 and 2 were falling behind, and Chan Siu Wah was placing orders for blocks 1 and 2.

Q. But it's still possible that he had run out of material, and that the leftover material was not enough for blocks 1 and 2 and he would need to add some orders. So Mr Wong would tell Chan Siu Wah there's a material shortage?

A. Yes, that would be the process.

CHAIRMAN: At that time, since you mention that blocks 3 and 4 went first, was it because of a rush and the works had to be subcontracted out?

A. Do you mean -- well, when block 3 went first, there was

sufficient time for blocks 3 and 4.

CHAIRMAN: Then why did you have to arrange for a piece-rate salary? Why did you have to make a salary adjustment?

Because we know that blocks 3 and 4, that work was subcontracted to Chan Sze Nam.

A. Yes. (Chinese spoken).

CHAIRMAN: Basically, he worked on the corridors. A lot of things were actually outsourced to him.

MR SHIEH: So were you aware that they were outsourced to him? Do you know something was subcontracted to Chan Sze Nam?

A. I did.

CHAIRMAN: Mr Chan Siu Wah told us that Chan Sze Nam contracted all of this work; he didn't want to do the roof and the domestic unit, nor the precast units.

MR SHIEH: Please tell us, for blocks 3 and 4, what items have been subcontracted to Chan Sze Nam?

A. As far as I know, the domestic units, the outer wall, the drainage pipes, the connection within the units. The corridor, as far as I know, it was the company that did it, but for others, it was subcontracted to Chan Sze Nam.

I am not sure how they came to an agreement. There were a lot of things that were not included.

CHAIRMAN: Chan Siu Wah and Chan Sze Nam negotiated over

what procedures would be subcontracted to Chan Sze Nam.

A. Yes, and they would ask them for a quotation, and

I think this is something between them.

MR SHIEH: Who approached Chan Sze Nam? Was it Mr Ho or
Mr Chan Siu Wah? Who approached Mr Chan Sze Nam?

A. I think it was Mr Chan Siu Wah who approached Mr Chan
Sze Nam. They know each other very well.

CHAIRMAN: We don't know what Chan Siu Wah has subcontracted
to Chan Sze Nam, and Chan Sze Nam is chasing Ho Man Piu
for hundreds of thousands of dollars in payment.

MR SHIEH: Do you know about this? Do you know Mr Ho is
being chased for payment?

A. I don't know. Blocks 3 and 4 came first. We came in
much later. As to what we agreed on, I think you had
better ask Mr Chan Siu Wah.

Q. When did you first become involved with Kai Ching?

A. It was April 2012.

Q. How many blocks were there?

A. Six blocks were there.

Q. But what about the plumbing work? When did you start?

The six blocks going together, going at the same time,
were the six blocks there, already built? When you came
in, you did the plumbing, did you start on the six at
the same time?

A. Blocks 3 and 4 went first.

Q. My next question for you is, what criteria would you adopt to decide what part of the plumbing work would be contracted out or what part of the plumbing work would be taken on by the company? Who took the decision?

A. You mean subcontracting?

Q. Yes. Who decided what work would be subcontracted and what part of work would not be subcontracted? Who took the decision, and what criteria would be adopted for the decision?

A. At that time, Kai Tak was being built. There were so many projects outside. The labour was a bit tight. You may be able to get a contractor, and the contractor would talk with the officer in charge and decide on what part of the work would be subcontracted, and it's not a case of handing over the entire project to them; it's something between the officer in charge and the contractor.

CHAIRMAN: For Kai Ching Estate, Mr Ho Man Piu said that, "You had better not ask me, you had better ask Leung Wai Kin." Ho Man Piu said that nobody can hide behind a lack of awareness. He told his subordinates to tell it like it is. He said, "You've got to ask my subordinates, I'm telling them to tell it like it is and nothing will be hidden." That's from your boss.

Let me put this to you now. For blocks 3 and 4, who

took the decision to subcontract the work?

A. Blocks 3 and 4, subcontracting?

Q. Subcontracting part of the procedures to Chan Sze Nam, and not taken up by the company -- who took the decision to subcontract?

A. Are you saying they are subcontracting to someone?

MR SHIEH: Whether to subcontract, the decision to subcontract, who took the decision to subcontract? It doesn't matter who the subcontractor was.

A. Me. I took the decision.

Q. You personally?

A. Right.

CHAIRMAN: You?

A. Yes.

CHAIRMAN: All right. So what criteria do you have to determine subcontracting part of the work for blocks 3 and 4?

A. Chan Siu Wah was in charge of six blocks, and there was a car park and a shopping mall. We subcontracted because we didn't have to look for so many workers, we couldn't manage with just 20 or 30 workers, and we would ask whether they have a team of workers. That would minimise the time spent on looking for the workers. If it's taken on by the company, we have to find the workers.

CHAIRMAN: All right. So that was the decision you took, you told Chan Siu Wah about it, and then Chan Siu Wah, and Chan Sze Nam -- who identified Chan Sze Nam? Was it Chan Siu Wah?

A. Chan Siu Wah identified Chan Sze Nam.

CHAIRMAN: Right, and between them, they negotiated as to what part of the work would be subcontracted to Chan Sze Nam and what part of the work would be taken on by the company; is that the case?

A. Right.

MR SHIEH: So you took the decision that you could farm off some of the work. As to what part would be taken on, it would be negotiated between them?

A. Yes. They would have a quotation. Let's say they cover certain floors and not certain floors.

CHAIRMAN: Who determined the cost?

A. Sorry?

Q. Who determined the cost? For these procedures, like, for instance installation of sink and the WC, together with the traps, if they farm it out, who would determine the cost, the pricing?

A. You mean farming out?

CHAIRMAN: Yes, farming out, who determined the costs?

A. This is negotiable. I would talk with my boss at the office.

CHAIRMAN: Who would be part of the negotiation?

A. I would talk to my boss. With a certain price --

Q. Hang on a second. Chan Sze Nam, he has to be involved
in the negotiation, but who would Chan Sze Nam talk to?

A. Chan Siu Wah.

CHAIRMAN: Right, he talked to Chan Siu Wah. After

negotiation, he came up with a price, and he would tell
you or he would tell Ho Man Piu or both?

A. He would tell me.

CHAIRMAN: And what next? What would you do?

A. Let's say with a man-day, how many man-days would be
needed, and then we would work out the cost per unit.

CHAIRMAN: Then you presented your analysis to Ho Man Piu
and he would see whether he would give the approval.

So ultimately it was Mr Ho who took the decision?

A. No, it was me who took the decision. If, in the market,
we need to pay this much and this many man-days, I will
talk to my boss, and my boss would know about this
subcontractor.

MR SHIEH: You would notify him, but as to the pricing and
the subcontractor, it's your decision, isn't it?

A. Yes.

Q. Generally speaking, if it is taken on by the company,
then the company would pay a certain fixed salary?

A. Yes.

Q. However much they do, they will get paid this much?

A. Yes.

Q. But for subcontracting, it would be a different story;

the more they work, the more they get paid?

A. Yes.

Q. The faster they work, it would be in their interest. Do

you think that this would be an incentive, because the

faster they work, they get paid more? For the

subcontractor who has taken on this work, there would be

an incentive for him to use materials that would enable

him to get the job done fast?

A. I daren't comment on this.

Q. If Mr Chan Sze Nam and Chan Siu Wah know each other so

well, for whatever reason, Chan Siu Wah may have the

incentive to see the part undertaken by Mr Chan Sze Nam

completed as soon as possible, and they may be going for

certain materials that enable them to get the job done

fast, like the soldering materials that can melt faster?

A. I don't rule out this possibility.

Q. You don't rule out this possibility?

A. I can't really comment.

Q. Chan Sze Nam and Chan Siu Wah, this partnership, would

it appear in other housing estates? Lung Yat Estate,

did this partnership appear?

A. Lung Yat, I don't know, because after I got promoted,

C I had the community hall left to be completed. Two
D blocks were completed and the community hall was still
outstanding.

E Q. So Chan Siu Wah was officer in charge, and Chan Sze Nam
F took over some of the work, and that partnership
occurred in Kai Ching only?

G COMMISSIONER LAI: This arrangement, for blocks 3 and 4 --
H what about 1 and 2 and 5 and 6? Does this arrangement
exist?

I A. Blocks 5 and 6, also subcontracting, yes. But that
J involved Mr Fan. There was a similar arrangement.

K COMMISSIONER LAI: Can you elaborate on the arrangement;
also subcontracting to Mr Fan?

L A. No. Fan Sau Peng is part of the company, but he got
M hold of some of the skilled workers, and the
subcontracting arrangement was --

N COMMISSIONER LAI: Similar to the Chan Sze Nam model.

O A. Right.

P MR SHIEH: But Mr Fan wasn't an outsider; he was part of the
company.

Q A. Yes.

R CHAIRMAN: The same can be said about Chan Siu Wah.

S Mr Fan identified someone who is not from HBK, he
got a subcontractor.

T A. Right.

CHAIRMAN: And that one is a member of HBK, so he is in the same situation as Chan Sze Nam, albeit it with a different name. Are you with me?

A. No.

MR SHIEH: Blocks 5 and 6, it was Mr Fan who identified someone to take up some of the work?

A. No. Mr Fan identified someone who had been helping Mr Fan himself. He just took over some of the work.

COMMISSIONER LAI: Is he on HBK's staff?

A. No. He was a contractor of HBK.

CHAIRMAN: It's the same story as Chan Sze Nam. Are you done with this?

MR SHIEH: No.

CHAIRMAN: Let's take a break.

(3.44 pm)

(A short adjournment)

(4.03 pm)

MR SHIEH: Mr Leung, I would like to direct you to Mr Ho's statement, K1, page 23. This is Mr Ho's statement. In the bottom right-hand corner, he has written down whatever has been subcontracted out. The PVC has been subcontracted to a person, Wong Lau Mau.

A. It's a plastic tube.

Q. PVC, it's been subcontracted to Wong Lau Mau.

A. Yes.

Q. On the next page, blocks 3 and 4, the plumbing other than roof has been subcontracted to Chan Sze Nam?

A. No.

Q. Plumbing other than roof, aside from the roof, it's Mr Chan Sze Nam?

A. Correct.

Q. Then we have Leung Wai Keung for blocks 3 and 4, and blocks 5 and 6 were Mr Tung Yam Wai; right?

A. Yes.

Q. So this Mr Tung was recruited by Mr Fan.

A. A long time.

Q. Okay. So we will set aside K1.

Are you aware that Mr Chan Siu Wah had said some things regarding yourself, so I'll set them out for you to respond. First of all, Mr Chan Siu Wah -- K3, page 2398, paragraph 36. He said:

"In reality, people do not call them soldering material. The majority of people, whether it is strips or rolls, they just call it 'solder strips'."

How would you respond to that statement? How do you refer to that material?

A. Well, I personally call it "solder".

Q. You don't discriminate between strips or wires?

A. No, because in the past, as an apprentice, initially we called it "internal solder".

Q. Have you heard of high-temperature or low-temperature solder?

A. No, I have never heard of that.

Q. So the green rolls that I showed you just now -- just now I showed you this green roll (indicating) -- and the strips that I showed you, at the time, were you familiar with their brand name, their composition, the characteristics; did you know anything?

A. No.

Q. You didn't know a thing about it?

A. Because --

Q. Yes, you were an apprentice, you had internal solder components, so price and --

A. I wasn't aware of price.

Q. Application, how convenient it was to use, you had no idea.

I also have one paragraph I would like to confirm with you. It's paragraph 42. This is Mr Chan Siu Wah. He said that according to Ho Biu Kee's instructions, a certain diameter of copper pipe has to be soldered with an LPG gas torch, and a certain diameter has to be soldered with an oxyacetylene torch.

So before each construction site, Mr Kwong would have to discuss with the officer in charge and the subcontractors and give them instruction. That's what

Mr Chan Siu Wah --

A. I'm not a contractor.

Q. I understand, but he says that Mr Kwong, before the works begin, they would have to give instructions. So in your recollection, did Mr Kwong give you a phone call and tell you which types of pipes needed silver brazing and which ones needed soldering?

A. No.

Q. I would now like to direct you to bundle H1, page 122, the email that I showed you just now.

Just now you said the email, you had received this but you have no recollection.

A. Because at that time, I received more than 200 emails, and even on my phone right now I have more than 6,000 emails.

Q. So you used your mobile phone to check email, not even sit in front of a PC? So you would check your email on the road?

A. Yes, when I have my Wi-Fi on I can receive email.

Q. I know everybody's habits are different. Some people will open everything, including attachments. Some people will just look at the heading and decide whether to open the email. Some people will see whether they are the main recipient or they are carbon-copied. If they are just copied, they might think it's not relevant

to them. So what's your habit? How would you decide whether you would read an email?

A. I will first look at the topic and see what the subject is about, otherwise -- my emails will talk about safety, and so on.

Q. So the topic here is "Approval Material Form", and you are aware that it's related to material approval application, and you are aware that Mr Kwong submits the material list. So, when you receive this type of notification, that what material has been approved -- do you receive this frequently?

A. Yes. Different construction sites, we receive all kinds of information.

Q. So the purpose is just to notify you. So if you don't open the email, would you feel that you would have made an omission? "Shui On has decided that I would be a contact point with Ho Biu Kee and they sent me this email" -- you don't forward the email, you just let the email sit on your email server?

A. Yes.

Q. Have you ever considered that should there be any actionable email, and you have left this untouched, then nobody would know?

A. I have never followed up on this. In my understanding, it would not --

Q. You just said that it was sent to you frequently.

A. Well, everybody sends me email. First of all, it's not my responsibility. Even if I read it, I would just take note. Different sites have different material.

I cannot open all emails otherwise I have to open schematics and drawings. There's a lot of other information, safety information. So even after work, after dinner, I would have to read emails all the way up to midnight because we have hundreds of emails per day.

Q. I will ask you straight to the point: according to your understanding, procurement staff, how could they ensure that the products they ordered were in compliance with the items approved by the Housing Authority, how do the brands and models match?

A. (Chinese spoken).

Q. So you are saying Mr Kwong should be responsible?

A. No, in my understanding, let's say I email the counterparty and you are the counterparty, you should forward it back to me. You wouldn't forward it to any third party and let them follow up.

So, from my perspective --

Q. So when you say counterparty, Shui On's counterparty --

A. Yes, an engineering department, an engineer should follow up on this.

So Mr Kwong, for example, emailed it to person A.

Then person A would submit it to the Housing Department.

The Housing Department would approve Shui On, and then

Shui On should respond back to Kevin.

So, if I send you something --

Q. You are saying, since Kevin submitted material to the Housing Department, and it has been approved, then Shui On should notify him?

A. I would have placed the document in the tray and when he received it, the driver would pick it up and send it back to the office.

Q. The send, Mr Man, do you know him?

A. Yes, I know him.

Q. Do you know why he only sent it to you? Because I know some people have bad habits, they would carbon copy everybody, but in fact he only sent this email to you. Did you investigate why he only sent this to you, why he didn't send it to Kevin, or is it a matter of choice and it's not your responsibility?

A. Well, I might be on a phone call, and then I receive this email. I tell people I'm busy, I'm on the phone, and you have to email to me and I'll have to deal with it later.

Q. So you receive this, but you are not the proper counterparty, so you should have told Mr Man, "Don't keep sending this stuff, you are stuffing up my

mailbox", or did you think that you should also send --
you would automatically send a copy to Mr Kwong?

A. I had talked about that. I said that -- Mr Man said, as
a representative of HBK, they would send things to me.

Q. 17 December, let me show you the record of the hearing.
Page 122.

Here, page 122, this is one of the witnesses from
Shui On, Mr Au testified. Page 123, the chairman put
this to the witness, at L:

"I would like to ask whether he knows that this is
with regard to Wong Kwai Hung, he [Wong Kwai Hung],
whether he knows that what was submitted to the HD was
FRY 99C."

The witness is Wan Wai Ho, have you ever heard of
this person? Page 166, this is Wan Wai Ho from Shui On.
Page 166 refers to his name.

A. At L?

Q. Yes. The chairman asked -- he asked Mr Wan Wai Ho
whether Mr Wong Kwai Hung knew that it was FRY 99C that
was submitted to the HD. Mr Wan said he must know,
"Because according to the record of 3 June, we emailed
to Ah Kin and Ah Kin was the officer in charge, together
with Wong Kwai Hung. They sat in the same office.
There is no reason why Ah Kin knew and he didn't."

Page 123. Please turn to page 123.

A. Yes.

Q. You see this Wan Wai Ho -- you see the reply by Mr Wan Wai Ho? This witness from Shui On, his argument is that he sent an email to Ah Kin, that's your goodself, and Ah Kin was officer in charge, together with Wong Kwai Hung. Let's not get bogged down with this term "officer in charge". You work closely with Mr Wong, in essence. You worked in the same office. There is no reason why Ah Kin knew and Wong Kwai Hung didn't. There were two officers in charge in the same container box. The witness said that both of you were officers in charge. How do you respond to this? This is a Shui On project.

A. No, I'm not officer in charge.

Q. We know that Wong Kwai Hung as not officer in charge.

A. Yes.

Q. You were not?

A. No.

Q. But would you appear there very often?

A. I would turn up for meetings but not very often.

Q. Shui On relied on the email. He said the email was sent to you, he assumed you knew, and there was no reason why Wong Kwai Hung didn't know. By sending the email to you, he assumed you knew. How would you respond to that?

A. By sending me the email, he assumed that I knew, then I can't even sleep for 24 hours.

Q. Since you knew, Wong Kwai Hung was so close to you, Wong Kwai Hung should know, Wong Kwai Hung was going to testify soon. I don't think you would be talking with Wong Kwai Hung about these approval things.

A. No.

Q. So you disagree with this witness. Just because an email was sent to you, therefore you knew. You wouldn't agree that Wong Kwai Hung knew?

A. Every time I saw him, he was in the BS office. There was no container box. It was built up.

Q. I was referring to the meeting place.

There is a bit of investigative work I would like you to undertake. A3. Please have a look at tab 44, page 2409. Here are the 11 affected estates, and this is an analysis of the units and the blocks that have water contaminated in excess of the standard. That's for Kai Ching. On the right-hand side, red denotes excess lead, and yellow denotes no excess of lead but in a borderline situation.

Please have a look at the red: blocks 1, 2 and 3. Do you know, blocks 1 and 2, what names they have been assigned?

A. A number of them. I can't distinguish them, because

| | | |
|---|---|---|
| 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 39 | |
| C | they put the name there. | C |
| | Q. Hong Ching for block 1? | |
| D | A. I remember Hong Ching. | D |
| | Q. That's block 1. | |
| E | A. Lok Ching. | E |
| | Q. That's block 2. | |
| F | A. Mun Ching. | F |
| | Q. Mun Ching, that's block 5. | |
| G | A. Yuet Ching. | G |
| | Q. Yuet Ching, that's block 6. | |
| H | A. And Sheung Ching. | H |
| | Q. Yan Ching for block 3, Sheung Ching for block 4. | |
| I | A. Yes. | I |
| | Q. The first block, item 32, that's Sheung Ching House. | |
| J | A. Yes. | J |
| | Q. That's block 4. | |
| K | A. Yes. | K |
| | Q. Further down, Hong Ching. Hong Ching got into trouble, | |
| L | block 1. | L |
| | A. Yes. | |
| M | Q. That's block 4. | M |
| | A. Yes. | |
| N | Q. Further down, 37, Hong Ching, also block 1. | N |
| | A. Yes. | |
| O | Q. Item 39, Lok Ching, block 2. | O |
| | A. Yes. | |
| P | Q. Further down, 37, Hong Ching, also block 1. | P |
| | A. Yes. | |
| Q | Q. Item 39, Lok Ching, block 2. | Q |
| | A. Yes. | |
| R | Q. Item 39, Lok Ching, block 2. | R |
| | A. Yes. | |
| S | Q. Item 39, Lok Ching, block 2. | S |
| | A. Yes. | |
| T | Q. Item 39, Lok Ching, block 2. | T |
| | A. Yes. | |
| U | Q. Item 39, Lok Ching, block 2. | U |
| | A. Yes. | |
| V | Q. Item 39, Lok Ching, block 2. | V |
| | A. Yes. | |

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| 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 39 | |
| C | Q. Then item 43, Lok Ching, block 2. | C |
| | A. Yes. | |
| D | Q. So far, 1, 2 and 4 got into trouble with the water | D |
| E | quality. | E |
| | A. Yes. | |
| F | Q. Over the page, 2410, Mun Ching, item 57, excessive lead, | F |
| G | and that's block 5. | G |
| | A. Yes. | |
| H | Q. Then item 58, Lok Ching, also with excessive lead, | H |
| I | block 2. | I |
| | A. Yes. | |
| J | Q. There are two more red, for Hong Ching House, block 1. | J |
| K | A. Yes. | K |
| L | Q. If you look at the pattern, blocks 1 and 2 got into | L |
| M | trouble more. | M |
| | A. Yes. | |
| N | Q. Block 4, block 5. | N |
| | A. Yes. | |
| O | Q. But mostly the problem lies with blocks 1 and 2. | O |
| P | A. Yes. | P |
| Q | Q. There are two blocks that were okay, 6 and 3. | Q |
| | A. Yes. | |
| R | Q. They are okay, but 3 and 6 were subcontracted out. | R |
| S | A. Yes. | S |
| T | Q. Block 1 was taken on by the company itself, for the | T |
| U | | U |
| V | | V |

copper pipes.

A. Yes.

Q. Blocks 1 and 2, the copper pipes were undertaken by the company, and there were problems with it.

I asked you whether there was a possibility that if the jobs were contracted out in order to get the job done fast, they would use cheaper soldering materials, but statistically, the blocks that gave rise to problems are not the subcontracted blocks but the company blocks.

A. For blocks 1 and 2, we had the precast units. So how do you define the domestic units? I'm not sure this table shows the units or the corridors.

Q. So you would make this distinction?

CHAIRMAN: Kitchen?

MR SHIEH: If you look at item 34, that's the kitchen, the kitchen tap, item 34. That's the kitchen tap. And also item 37, also kitchen tap. Item 39, that's the basin tap of the toilet.

A. Yes.

CHAIRMAN: For blocks 1 and 2, you had the connection done towards the end of the project?

A. Sorry, I didn't hear you.

CHAIRMAN: 3, 4, 5, 6, 1, 2, that's the sequence.

A. Yes.

CHAIRMAN: Blocks 1 and 2 came last.

C A. Yes. C

D CHAIRMAN: So you had to hand over the project. Was it
because you had to rush through the job, the project? D

E A. I don't think so. I don't think so. E

F MR SHIEH: Not because of the rush job? And therefore you
ordered these alternative materials? F

G A. Not that much of a rush, no. G

H MR SHIEH: Chairman, I have no further questions. H

CHAIRMAN: It's 4.30 now. Please hold your questions.

I MR SHIEH: Chairman, the witness has to come back on Monday, I

J but on Monday we are supposed to have Mr Lam Tak Sum, J

K licensed plumber. He is in a wheelchair. He is K

L wheelchair-bound. So, for the morning, we would be L

M summoning Mr Lam Tak Sum. After Mr Lam, then we will M

come back to Mr Leung, then Mr Wong and Madam Chiu.

N CHAIRMAN: Mr Leung, can we invite him back on Monday N

afternoon? N

O MR SHIEH: If we cannot complete Mr Lam in the morning, we O

will continue in the afternoon, but we don't want to

P waste time. P

Q CHAIRMAN: I think it will take a while for Mr Lam. Q

R MR SHIEH: So, Mr Leung, please come back in the afternoon. R

S WITNESS: It's up to you. S

CHAIRMAN: Yes. Thank you.

(4.30 pm)

C (The hearing adjourned until 10.00 am the following day)

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