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2015年12月18日

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上午10時01分恢復聆訊

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

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林國輝大律師，由孖士打律師行延聘，代表瑞安承建有限公司

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何沛謙資深大律師及殷志明大律師，由羅夏信律師事務所延聘，代表香港房屋委員會

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王鳴峰資深大律師、陳樂信大律師及羅頌明大律師，由律政司延聘，代表水務署署長

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

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

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許佐賓大律師，由的近律師行延聘，代表保華建築營造有限公司

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孖士打律師行梁樂鋒律師，代表中國建築工程（香港）有限公司

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主席：Ms Cheng。

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鄭小姐：係。

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瑞安承建有限公司（“瑞安”）（葵聯邨第二期的總承建商）的第三證人：溫偉豪（瑞安工程經理（葵聯邨二期地盤代表））宣誓繼續作供  
鄭小姐繼續盤問

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問：溫生，其實就住琴日同你討論過嘅幾個題目就想有少少跟進嘅啫，第一就係關於琴日你透過你嘅律師團隊就呈交咗一個電郵，就係由你哋瑞安嗰位 AQCC 就係畀呢一個嘅何標記嘅一個工作人員，呢個電郵而家已經入咗去 bundle 喇，就係喺 H1 嘅 122 頁嗰度開始。個電郵

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就係即係 attach 咗係房委會就住呢啲物料，包括係焊料嘅一個 approval 嘅。琴日你就同委員會講，就話呢一個何標記嘅人員，我哋呢個“Dear Kin”，呢個係梁偉健（譯音）先生，係咪呀？

答：梁偉健先生，係。

問：梁偉健先生？

答：係。

問：而你亦都講到就話梁偉健先生同另外一位叫做黃貴雄嘅先生都係葵聯邨二期嘅打理人嚟嘅，係咪？

答：係。

問：我哋就其實喺其他啲文件嗰度都見到呢位梁生嘅名，或者我哋可以即係睇一睇，麻煩你去文件夾 S1，其實我哋琴日都望過下，S1 呢一度就有呢一個 Prosperity 公司就住葵聯邨二期擺出嚟嘅一啲嘅送貨單或者發票咁樣，譬如話你去 104 頁嗰度，呢一張送貨單，個日期就係 2013 年嘅 4 月 24 號，係咪呀？

答：見到。

問：就稍為早過頭先我哋睇個電郵，呢一度個送貨單嗰度寫個聯絡人就係梁偉健嘅。

答：見到。

問：而個送貨單嗰度第一個 item，嗰個貨物就係英國 50 力扁錫條嘅，係咪？

答：係。

問：跟住你可以睇埋 105 頁，嗰度就有張發票嘅，呢一個發票日期就係 2013 年 6 月 4 號。

答：係。

問：就係嗰個電郵之後㗎喇。

答：係。

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問：呢一度個聯絡人有一個 Mr Leung，我哋唔知道即係呢個 Mr Leung 係咪就係嗰位梁生喇下不過，但係我哋就見到呢一個發票底下就似乎有兩種焊料嘅，溫生，如果你望一望，你見唔見到第二個 item 就係呢個英國 Fry 無鉛錫線？

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答：見到。

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問：二十個咁樣，但係下面又有呢一個英國 50 力扁錫條。

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答：見到。

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問：後期啲嘅日子都有一啲嘅呢啲文件係顯示到梁偉健先生個名嘅，譬如話我哋可以好快睇咁望一望，115，同一個文件夾，2013 年 11 月 14 號嘅送貨單。

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答：見到。

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問：聯絡人係黃貴雄同埋梁偉健嘅。

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答：係。

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問：呢度又係訂咗英國 50 力扁錫條。

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答：係。

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問：另外可以好快睇埋 117，情況好相似嘅，又係有梁偉健先生做聯絡人，50 力扁錫條。

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答：係。

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問：119、121、123，或者我哋可以睇埋，其實琴日主席都指出咗，就話喺呢啲單嗰度有一張就係即係鉛水事件事發之後，即係今年 7、8 月之後，就有一張--我哋可以睇一睇 125，125 呢個送貨單聯絡人又係梁偉健，日期 2015 年 8 月 1 號，訂嘅焊料就係英國 Fry 無鉛錫線嘅，見唔見到呀？

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答：係，見到。

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問：跟住你可以睇埋我哋之前都--即係主席都睇過，有一個寫住超急嘅 fax，127，如果你睇就--你一路望落去文件下面啲嘅部分，首先 item 1 嗰度就寫住「高溫錫線（無鉛）」，係其中一個項目就係即係何標記呢一度就叫呢一個嘅雋景係即係儘快係送去地盤咁樣嘅，係咪呀？

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答：係。

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問：你再睇落去，「地盤負責人：梁偉健」咁樣嘅？

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答：係，見到。

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問：想問下，即係據你所知，喺葵聯邨二期呢個工程嗰度，何標記嘅工作人員嚟講，係咪得一位人士叫做梁偉健咋？

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答：據我了解，係。

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問：據你了解，係。好，okay，跟住落，可以講一講番，琴日我哋都討論過好詳細，即係嗰個物料嚟貨嗰個過程，我諗唔需要再重複，純粹係你個證人供詞嗰度有一點，我想問一問你嘅啫。麻煩你去一去文件夾H1，H1嘅tab 12嗰度係你嘅證人供詞，我想你睇一睇第19段，特別係喺90頁嗰一部分嘅第19段。

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溫生，你呢一度就提到，你話“Sometimes materials delivered to site may not necessarily be for that site. Ho Biu Kee may have asked the supplier to deliver materials to the Project site for reasons which we do not know.”

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我想問下你呢度咁樣講係咪即係係有咁樣嘅事情發生過，即係話何標記其實曾經叫過啲 supplier 去 deliver 一啲唔係嗰個 site 用嘅物料去個地盤嗰度，即係係咪咁樣發生過，所以你呢度先咁樣寫？

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答：據我記憶之中，佢曾經係有話有啲物料係要離開地盤嘅，所以就寫咗呢句，喺 statement 裏面，我就寫咗呢一句說話，至於嗰個物料係啲乜嘢物料嘅內容，我就冇乜印象，但係我曾經係記得佢係有申請過物料離開地盤咁樣。

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問：即係話啲物料送咗嚟地盤，...

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答：之後...

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問：...但係之後又要運番走咁樣？

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答：係喇。

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問：你就唔記得係邊一類型嘅物料？

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答：我就唔記得咗係邊一類型嘅物料。

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問：其實佢將一啲唔係地盤用嘅物料送嚟呢樣嘢，喺公司嘅制度底下容唔容許？

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答：其實容許嘅，因為其實好多時我哋啲判頭一開工，佢就會有一個類似叫做架生箱嘅物體，佢哋基本上好多雜物、雜項嘅嘢，佢哋都會拎過嚟地盤，一般我哋都會畀佢哋咁做，畀佢哋譬如愛嚟 set up 佢哋個我哋所謂嘅架步，因為始終佢哋都可能有啲工具，有啲架生要 set up 佢哋個架步，有啲好零散嘅物件，譬如即係可能整啲鈎畀佢掛衫，整啲更衣室，即係佢哋自己會有好多呢類型嘅物料會送入嚟地盤，所以一般我哋都 okay 嘅，即係我哋都會畀佢咁做。

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問：建築材料呢，建築材料如果唔係用喺個地盤嗰度，但係送嚟嚟嘅，呢個容唔容許呢？

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答：如果建築材料嘅話，係好明顯係建築材料呢，我哋通常都會即係問究竟呢啲材料愛嚟做乜嘢，如果佢話可能想借一借我哋個地方擺一擺嘅，可能我哋都有機會喺地盤嘅初期都會容許嘅，但係一般去到地盤嘅高峰期，我哋都唔會有空餘嘅位置剩嘅時候，我哋都唔會容許佢去擺一啲唔係我哋地盤嘅物料。

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問：或者咁講，關於物料來貨呢個問題，其實我哋都睇過好多即係雋景啲咁樣嘅來貨單啲咁樣，你都會見到其實陸陸續續嚟貨啲啲貨其實都係英國 50 力扁錫條，就唔係房委會 approve 咗嗰一隻 Fry 嘅。其實你喺你證人供詞嗰度你講得好清楚，你話即係你可以 unequivocally 咁樣同大家講你係冇問過即係何標記去擺一啲 delivery notes，佢哋亦都有畀過你睇嘅咁？

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答：係。

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問：但係即係如果我咁講唔啱呢，其實即係當其時如果瑞安做嘅呢一個動作，即係只要擺一啲單嚟望一望，其實好容易就會見到佢哋嚟貨啲一個嘅物料其實係房署 approve 嗰個係不符嘅，係咪呀？

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答：可以--或者我咁樣講，因為始終好多單裏面，佢有好多唔同種類嘅 items，即係當然如果而家諗番轉頭，我哋都好專注--好 aware 呢樣物料嘅時候，我哋當然係會理解到，但係當其時我諗我哋處理嘅物料係數以千計，即係過千款物料，唔同種類，我哋嘅同事，尤其是我哋去收 delivery note 嗰個同事佢睇單，甚至乎 AQCC 係咪百分之一百佢可以完全喺個腦裏面可以即刻 retrieve 到一啲

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information 出嚟，即係我會覺得可能會有困難，但係呢個係有可能係會機會大好多，可以睇得出分別。

問：好，或者就住呢個題目，我問你最後一個問題，因為林德森先生，即係水喉匠，葵聯邨二期嘅水喉匠，佢喺今年好近期，12月10號就入咗一封信係畀委員會嘅，喺文件夾嘅 Q1 第 24 頁嘅，林先生呢度佢即係就話佢係想就住啟晴邨、葵聯邨鉛水事件，佢係想即係講出下面嘅事情嘅，如果你望一望，第一部分嘅第(4)點嗰度，林先生就講咗一句，佢就話「材料到地盤由建築公司檢查好，再交由房屋署檢查無問題書面得到建築公司回覆，房屋署批准才可以進行安裝。」當然佢呢度講得有啲籠統，即係佢冇指到明話係邊條邨盛，但係即係就住佢呢一個說法，你有冇啲咩嘢回應呢？

答：其實我諗亦都根據番我尋日所講嘅說話有少少係吻合嘅，就係我哋嘅判頭係認定我哋係所有物料都會檢查，佢哋以為，但係好不幸就係我之前都講過，就係呢隻物料我哋係冇包含喺我哋檢測裏面嘅其中一部分。

問：好，我哋去一去下一個話題，溫先生，或者麻煩你去番你證人供詞嗰度，文件夾 H1，tab 12 嘅第 26 段，即係第 93 頁開始。

答：見到。

問：由呢一度開始，你就係談及到水務署係就住鉛水事件，就出咗一個嘅調查報告。

答：係。

問：就係有一部分就提及到一啲所謂叫做 deviated 嘅 plumbing materials 嘅。

答：係。

問：所謂 deviated plumbing materials，我諗你呢度嗰個即係演繹嘅方法，即係話有啲水喉部件佢寫喺呢一個水務嗰個表格嗰度，46，form 46 嗰度嗰一個嘅型號就係同真正安裝咗喺屋邨嗰度嗰一隻嘅型號係不符嘅，呢度係咁嘅意思，係咪？

答：係，係。

問：我哋睇一睇你 26 段呢一度呢一個表，你就喺呢一度就列出咗一啲

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deviated plumbing materials 嘅，你就畀咗幾項資料我哋，包括就係話究竟係咩嘢部件、安裝喺個工程嗰度嘅嗰個嘅牌子、型號、寫咗喺 form 46 嗰度嗰個型號同埋你就睇埋冇冇係 on the directory list accepted by the 呢個 WA，即係水務總監嘅，係咪？

答：係，係。

問：最後呢一欄，其實你個意思就即係話究竟其實即係最終安裝咗喺嗰個工程嗰度究竟嗰個型號係咪 on 個 directory list 咁嘅意思，係咪？

答：係，係。

問：我見到似乎有兩隻嘅牌子，你嗰度就寫係即係 not available 嘅？

答：係。

問：你 not available 嘅意思係咪即係話你搵唔到資料去顯示究竟安裝咗嗰隻牌子係咪 on 個 directory list 咁嘅意思？

答：因為根據即係我哋收到呢啲資料之後，我哋就即刻都去睇番，因為喺事前其實我哋係唔知道啲物料入咗係同水務局嘅紀錄係 deviate。

問：不符，係。

答：係，我哋所以即刻都搵番啲物料睇番，搵番 supplier 問番，當其時何標記同埋佢嘅 supplier 嘅回覆就係話 -- 我講番嗰隻 pressure-reducing valve 嗰隻先，Welson 嗰隻。

問：Welson 嗰度，係。

答：佢係回覆就話呢隻物料當其時係唔需要畀水務署批准嘅，所以係唔會喺個 list 度嘅。

問：或者睇一睇，因為你嗰度其實都講得幾詳細，或者我哋可以睇一睇你講嗰啲 underlying documents，何標記嘅回覆，我相信就喺文件夾 B4.5 6753，見唔見到，溫生？

答：見到，見到。

問：或者你睇個 screen。

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答：見到，見到。

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問：文件夾 B4.5，6753。

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答：見到。

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問：呢一封信，我理解就係何標記佢哋回覆瑞安嘅一封信嘅，瑞安嗰一封信就可以喺 6758 嗰度見到嘅，就係頭先溫生你提及就係話喺事發之後，你哋就問番何標記關於呢啲 deviated materials 嘅問題，係咪？

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答：係，冇錯。

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問：Okay，咁我哋去番 6753，似乎何標記回覆你嘅時候就 refer 咗去幾封幾舊嘅信件，呢啲信件都係水務監督嗰度發出嘅，係咪呀？

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答：係，係。

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K

問：譬如話如果我哋望一望 6754，就係一封係水務監督喺 2003 年 4 月 28 號發出嘅信，呢封信就係昇彬記嘅，彬記頭先你都提過，就係其中一個水喉部件嘅 supplier，係咪呀？

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答：係，冇錯。

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問：如果我哋頭先睇番你嗰個證人口供嗰個表嗰度，呢一個彬記係咪就係就住嗰個 Opal，O-P-A-L，嗰個 copper pipes 嗰個 supplier？

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答：係，冇錯。

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問：似乎呢一封信即係就同彬記呢間公司就講，如果我哋望一望，譬如話你由嗰封信中間嗰度開始，佢就話即係 as the metallic pipes are not included in 佢上面講咗幾個 categories of compliance，就話 the "Authority, at present, does not intend to give general acceptance to the metallic pipes. However, depending on the merits of individual project, the Engineer May request testing of the metallic pipes before they could be accepted for installation."

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即係呢度係咪個意思就即係話水務監督似乎就住呢一隻牌子嘅物料就唔肯畀一個 general 一個籠統嘅 acceptance 或者 approval，但係就即係用一個 case by case 嘅 basis，睇下會唔會可以即係批准？

T

U

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B

B

C

答：據我了解，係。

C

D

問：跟住另外有一封信，就喺 6756 頁嘅，呢封就再舊啲，又係水務監督出，1989 年 7 月 31 號嘅信，係咪呀？

D

E

答：係。

E

F

問：就係畀 Welson 呢間公司嘅，你可以見到佢講緊嗰個物料就係頭先你都指出過，就係嗰個 pressure-reducing valve？

F

G

答：係。

G

H

問：其實你就見到呢一封信所講嗰個項目，工程項目就係一個太平邨，係咪？

H

I

答：係。

I

J

問：即係就同我哋今次其實呢一個項目就有關嘅，似乎水務監督嗰陣時嗰個立場，第二段，佢就話 "There is no objection to the use of the proposed 'Welson' pressure-reducing valves in this project."，即係喺嗰個項目嗰度，佢哋就有反對嘅？

J

K

K

L

答：係。

L

M

M

N

問：但係跟住佢下面佢就講，就話 "Please also note that under our present policy the Water Authority will not include pressure reducing valve as an item in category 'C' of general acceptance scheme for water supply fittings. As such each application will be considered on its individual merits. The requirement stipulated above and approval for use, if given, should be considered applicable only in this particular application."

N

O

O

P

P

Q

Q

R

即係似乎個意思都係類似，就係話「我唔會畀一個 general 嘅 approval 你。」即係 case by case 咁樣去考慮？

R

S

答：係。

S

T

問：你喺你嗰個證人供詞嗰度第 30 段，或者我可以即係 summarise 咗佢，基本上你個意思就即係話如果喺工程嘅進行期間，安裝嗰一啲嘅部件同之前喺 form 44 交去畀水務署嗰啲部件係有啲 minor alteration 嘅話，你個證人供詞就講就話個責任其實就係歸喺呢一

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個註冊水喉匠嗰度去修改同埋係即係更新番個一個嘅 form 46 嘅，係咪呀？

C

D

答：係。

D

E

問：以你嘅理解，其實做呢一個步驟個目的係咪就係等即係水務署可以去考慮究竟嗰啲更新咗或者修改咗嘅物料係咪即係可以發出批准呢？

E

F

答：係，冇錯。

F

G

問：喺第 29 段，你證人供詞第 29 段，你就話其實喺呢一個工作上面，瑞安嘅角色就係一個中間人，一個 liaison 嘅角色嘅啫？

G

H

答：係。

H

I

問：就係去即係聯絡持牌水喉匠同埋房委會，就住呢一個呈交 form 46 呢一個事宜嘅？

I

J

答：係，冇錯。

J

K

問：水喉匠林德森先生就住呢一樣嘢，就有啲唔同嘅說法嘅，或者我都畀你睇一睇。

K

L

答：好。

L

M

問：睇下你有咩嘢回應。我哋去番文件夾 Q1 嗰度，都係頭先嗰封信，第 24 頁，溫生，你睇一睇 24 頁「第二部分」嘅第 (1) 段，佢呢一度，佢就係講緊--呢一段就係講緊嗰個修改材料嘅問題，你見到？

O

O

P

答：係。

P

Q

問：林生就話即係「曾經通知修改材料，事隔時間太耐，唔記得清楚。如果有問題的話房屋署就唔可以簽署 WWO46 part 4，完工紙給持牌水喉匠向水務署申請完工報告。當入 WWO46 part 4 完工紙同時，總承建商有責任跟進 WWO46 part 4 材料報告是否無問題，由總承建商安排給房屋署簽署報完工。」

Q

R

S

佢呢一度個重點就係話「總承建商有責任跟進 WWO46 材料報告是否無問題」咁樣，呢個就係林生嘅講法，想問下你有冇啲咩嘢回應？

S

T

答：我唔會同意佢呢個講法，因為喺法例上或者喺我哋合約上面，呢個責任其實都係喺持牌水喉匠身上。

T

U

V

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V

B

B

C

問：另外就住呢一個嘅題目，林生喺第二份文件嗰度都有提出一啲睇法嘅，我哋同一個文件夾，麻煩你翻去第 17 頁。

C

D

答：見到。

D

E

問：第 17 頁呢一度就係持牌水喉匠同水務署就住鉛水事件嘅一個會面紀錄嚟嘅，見唔見到，區生？

E

F

答：見到。

F

G

問：呢個係林德森先生，個會面內容，如果你睇第 4 段，呢一度水務署就節錄咗林生所講，就係話「就啟晴邨及葵聯邨所使用水喉的配件的更改，作為負責該項目的水喉匠的他曾向該工程項目的註地盤屋宇裝備工程師提出需向本署申報，惟該工程項目的註地盤屋宇裝備工程師曾向他表示無須修改及再次遞交有關的水務表格 WWO46 第一及第二部分，由房屋署與署方的相關人員溝通即可，故林先生並無向本署遞交有關更改水喉配件的水務表格。」

G

H

H

I

I

J

J

K

就林先生佢就有特別講話究竟呢一位駐地盤屋宇裝備工程師係邊位同埋係屬於即係邊一個機構嘅，但係我哋早前就聽到一啲證供，就話房委會或者房署就有呢一個職位喺地盤嘅，反之，總承建商例如瑞安咁樣就有呢一個職位嘅，呢個同你嘅理解係咪相符㗎？

K

L

L

M

答：呢個同我理解係一樣嘅。

M

N

問：如果假設呢一度林先生佢係講緊瑞安嘅駐地盤屋宇裝備工程師，而佢亦都提出咗呢一啲說法，即係話瑞安嘅駐地盤屋宇裝備工程師係對佢作出過一啲咁樣嘅講解，即係話「你唔使申報，我哋會同房署溝通嘅。」咁樣，你有冇啲咩嘢回應呢？

N

O

O

P

答：有嘅，其實事前我都有睇過呢一份文件，我首先留意到佢話呢件事已經發生咗超過六年，我相信佢已經有少少混亂㗎，因為其實葵聯邨係 14 年中完工，其實事發到而家，我諗都唔超過年半。另一方面，就係我亦都跟進過我哋當其時嗰位駐地盤屋宇裝備工程師，佢個名叫梁禮傑（譯音）先生，咁...

P

S

問：係咪就係琴日...

S

T

答：尋日我有講過。

T

U

問：唔好意思，尋日你講嗰位梁生，係咪呀？

U

V

V

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答：係喇，應該我喺 witness statement 都有提及佢個名。我亦都問過呢位梁禮傑先生，佢亦都同我再一次澄清，亦都非常肯定咁話畀我知佢係有講過呢一番說話，向林德森。

問：好，我想問下，呢位梁生--因為你話呢位梁生其實就係同持牌水喉匠負責聯絡嘅人員咁嘛？

答：係，冇錯，係。

問：琴日你都講話其實主要就係就住即係話要呈交 form WW046 嗰方面嘅安排，我想問下，我知道你話瑞安就係一個聯絡人嘅角色，...

答：係，冇錯。

問：...但係你哋會唔會都審視一下究竟即係 form WW046 嗰度嗰啲內容嘅呢？因為即係其實最終嗰啲嘅水喉部件其實都係裝喺你哋嗰條屋邨嗰度個嗰。

答：係，係，其實或者我咁樣講番嗰個情況係咁，當其時葵聯邨，當其時佢入咗 form WW046 畀我哋，part I、part II，我哋事實上亦都同事係有睇過佢啲嘢係齊唔齊嘅，當其時因為係開地盤比較初期嘅時間，係講緊係 2012 年可能係 4 月嘅時間左右，所以同事係佢係好--即係最緊要就係睇下啲資料齊唔齊，因為嗰陣時實際係仲未開工嘅，然後發覺啲資料係齊全，所有物料都係根據圖則咁嘅物料又包含在內，佢亦都提議畀房屋署--即係可以拎上去畀房屋署嘅 AP 去簽，跟住簽咗之後就遞交咗咁樣。

但係當一路做緊嘅過程，何標記佢係會再入番真正實質會用嘅辦去畀番我哋去畀番房屋署去批嘅，所以喺呢個過程，其實何標記做咗咁多年，佢亦都相當清楚嗰個程序，就係佢有權去更改佢嘅物料，因為可能送貨嘅問題，可能係缺貨嘅問題，可能種種嘅原因，即係佢係有權去更改佢嘅物料，但係佢係必須畀人 part IV 之前係要得到水務局嘅同意或者係再入番一張後補嘅 annex。

其實喺水務局，佢亦都有個 circulation，係 1 of 2004，嗰度亦都解釋咗個程序係應該點做，其實嗰個程序係好簡單，只係改咗，fax 番，或者 e-mail，簽個名，寫個日子，其實就已經可以。

咁所以其實我哋係唔理解點解水喉匠當其時有做呢個咁簡單嘅程序，然後佢亦都會繼續去入嗰個 part IV。

B

B

C

問：其實你講嗰個水務署嘅通函，我哋之前都有機會睇過，我想問下，更改呢啲部件嘅情況，以你嘅經驗，常唔常見？

C

D

答：常見。

D

E

問：都時有發生嘅，係咪？

E

F

答：基本上都會發生，因為好多時個物料供應事隔咗一段時間，係會--有陣時會有啲更改。

F

G

問：但係即係你個意思就即係話瑞安就住呢一個 form 46 呢一個機制，就話初期就會睇嘅，即係你話會睇下啲資料齊唔齊嘅？

G

H

答：係。

H

I

問：之後即係雖然即係物料時有更改，但係你哋就唔會再繼續跟進話久唔久要何標記去即係畀啲資料你哋再繼續睇下更新嘅資料齊唔齊咁樣，嗰度你哋就交咗畀何標記，等佢做㗎喇？

I

J

答：因為嗰個情況係咁樣嘅，通常我哋都會喺比較接近完工之前，licensed plumber 同我哋都解釋過佢哋嘅做法係會點做，但都有曾經同我哋解釋過，就係當完工--接近完工，入 part IV 之前，佢就會再入番一個更新入去裏面，呢個係大家嗰陣時係理解呢啲情況。

J

K

問：即係話完工嘅時候，佢同你交代？

K

L

答：係喇。

L

M

問：今次事件，林德森先生有冇同你哋交代？

M

N

答：呢個我就唔係好記得清楚，但係呢個係一般我哋做開，我哋都有咁嘅理解。

N

O

問：但係除咗由佢同你交代之外，你哋會唔會都問佢攞番份 form 出嚟，自己--即係瑞安係去覆核一下？

O

P

答：我哋冇咁做到。

P

Q

問：如果--頭先你話你唔清楚即係林先生喺葵聯邨二期呢個項目嗰度有冇同你哋作出一個交代，即係關於有冇修改到呢件事咁樣，如果佢有交代，佢要向邊位同事交代？

Q

R

S

T

U

V

T

U

V

B

B

C

答：通常佢會向梁禮傑先生交代。

C

D

問：都係向番梁禮傑先生？

D

E

答：係。

E

F

鄭小姐：我有其他問題。

F

G

主席：唔該。有冇人有問題？Mr Tam，係。

G

H

H

I

譚先生盤問

I

J

問：有兩、三條跟進嘅問題嘅，頭先鄭大律師都同你講到，就係關於個 pressure-reducing valve，同埋亦都啱啱講到嗰個水務表格，我諗即係公正啲，我都係畀你望一望，好快嘅啫，望一望番嗰個 bundle B4 嗰份嘅 WWO46 嘅 tab -- 4.3，唔好意思，bundle B4.3，tab 84 嘅，首先望一望 5030 頁先，就係瑞安就畀呢個房委會嘅一封信，就夾附咗一個 WWO46 嘅，我哋直接就去到 5034 頁，就係一個關於呢一個嘅附件嚟嘅，可唔可以再落少少？唔知你睇唔睇到嗰個 pressure-reducing valve？應該係冠二個一項，係咪？

J

K

K

L

L

M

M

N

答：見到。

N

O

問：寫住“Yuen Hing”，係咪呀？

O

P

答：見到。

P

Q

問：另外我亦都係想畀你望一望 bundle B4.4 tab 86 嘅 5689 頁，呢個就係嗰個 sample submission and approval form，係咪？我諗大家都見到，喺 1a 嗰度就係“‘Welson’ Pressure Reducing Valve”，你見唔見到？

Q

R

R

S

答：見到嘅。

S

T

問：我頭先嗰一份 WWO46 就大約 2012 年嘅中係入嘅，呢一份--可唔可以再落少少？喺下一頁嘅，就係 2013 年嘅 9 月入嘅。

T

U

答：係，冇錯。

U

V

V

B

B

C

問：我知你嘅講法就係你純粹都係做一個 onward submission，即係都係何標記負責。

C

D

答：係。

D

E

問：但係其實瑞安自己有冇見到有呢個咁嘅--即係有兩個嘅差別，一個係“Yuen Hing”，一個係“Welson”，有冇走去問下何標記點解會發生呢個情況？

E

F

F

G

答：就住呢件事--就住葵聯邨呢件事，我亦都有諮詢過我嘅同事，佢哋都係唔記得咗即係嗰個詳細情況係點樣。

G

H

問：唔記得咗，有冇一個機制係話-- WWO46 你哋有嘅，喺呢個 sample submission 嘅時候，雖然你哋做 onward submission 啫，但係你哋會唔會有一個機制係會睇下有冇啲咩嘢嘅--即係攞番份 WWO46，攞番出嚟喺度對一對睇下有冇啲咩嘢更改，如果有更改嘅話，會詢問呢個何標記呢？

H

I

I

J

J

K

答：其實我哋有同事係會咁樣--佢未必會揸住個表去對每一樣嘢改變咗，但係佢會知道有嘢改變咗，佢哋係會叫 licensed plumber 去跟進番，先至入 WWO46 嘅 part IV 咁樣。

K

L

L

M

問：會有嘅？

M

N

答：會有嘅。

N

O

問：會有嘅，但係就住呢一個就完全唔記得發生咩嘢事？

O

P

答：就住如果好 particular，係講某...

P

Q

答：...--葵聯邨某一件物料，我就唔記得，但係我絕對相信我嘅同事佢係會有提醒番 licensed plumber 即係「你要更新番你嗰個表格」。

Q

R

R

S

問：邊位同事負責，如果係葵聯邨？

S

T

答：係梁禮傑先生。

T

U

問：都係梁禮傑先生？

U

V

答：係。

V

B

B

C

問：好，好。

C

D

D

譚先生：我有其他問題。

E

E

主席：唔該。仲有冇人有問題？

F

F

G

林先生補問

G

H

H

問：頭先鄭大律師問過你一個我相信其實係假設性嘅問題，佢就話如果有睇，係講緊嗰個--即係有 check 過嗰個物料，就係應該會睇到嗰個 soldering 嗰個--即係應該睇到嗰個 invoices 嘅不同之處，你嘅答案就係話--或者我想澄清你嘅答案，7月之前，如果係有睇到呢啲咁嘅 Prosperity 嘅 invoice，你有冇咁嘅認知係會分辨得到究竟係有鉛吖，無鉛吖，定係點樣呢？或者你自己講。

I

I

J

J

K

K

答：我諗7月之前，甚至乎7月之後，我淨係見到張單，我都分唔到嗰隻係會含鉛嘅物料，因為佢係寫--我記得佢係寫錫條同埋寫錫線，我諗憑單，我哋係有辦法分辨到佢裏面嗰個含量係啲乜嘢。

L

L

M

M

問：關於嗰個 WWO46 個 form 嘅內容，你嘅講法就係即係初初初期嘅階段，就你哋都會睇下啲資料齊唔齊嘅，係咪？

N

N

答：係，冇錯。

O

O

問：後期嘅階段就係持牌嘅水喉匠同埋何標記就會負責嗰啲咁嘅 detail，不過亦都有機制去睇下啲資料會唔會有改變嘅。

P

P

答：係。

Q

Q

問：我想請問你，其實响關於水務方面，其實瑞安或者你嘅立場係咪其實係都幾倚賴持牌水喉匠？

R

R

答：我哋係會倚賴持牌水喉匠，因為其實我哋有咁嘅 qualification，所以變咗嚟講，我哋係要相信番持牌水喉匠嗰個專業。

S

S

T

T

林先生：主席，你等我一陣。

U

U

V

V



B

B

C

C

D

問：最後一個問題就係如果何標記上呢個 form 46 嘅 part I annex 1 嘅時候，佢需唔需要畀一個副本畀你，或者諮詢你？

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答：佢唔需要諮詢我哋。

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林先生：冇其他問題，主席。

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主席：冇人有問題呵？

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主席問

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問：其實你係應該知嘅，如果你睇嗰張送貨單或者發票，你係可以睇到個分別嘅，譬如你 105，S1 105，不過個問題就係你就話唔知，你唔知就唔知，不過唔緊要，即係我話畀你聽，如果你認真睇係睇到個分別嘅，105 S1，一個寫住「英國 FRY 無鉛錫線」咁嘛？

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答：係。

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問：一個直情寫住「英國 50 力扁錫條」，一個講到明無鉛，係咪？

M

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答：係。

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問：即係如果你要睇，如果你又知道，又認真去睇，其實係睇到，不過你話唔知，咁就唔知喇。

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答：唔。

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主席：好，唔該晒。

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林先生：主席，我可唔可以跟進一個呢個 invoice？

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主席：不可以，唔該。走得，唔該。

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許偉強先生：主席，或者我交代一下跟住嘅安排係點。因為我哋跟住落嚟都會有兩個禮拜即係放假，返嚟 1 月 4 號，我哋就會開始保華建築嗰

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邊嘅證人，應該佢有兩份證人口供嘅，但係都應該係從同一個證人做嘅兩份口供嚟嘅，一位姓梁嘅先生。

保華之後，我哋應該係會開始 Golden Day，即係金日工程。金日工程之後，就我認會先傳召張達欽先生水喉匠，然後就係何標記嘅證人，何標記嘅證人之後就會係林德森持牌水喉匠。咁就完成咗呢一個系列嘅 subcontractors、水喉匠之後，就會到啲 supplier，即係供應商，就包括 Prosperity。

呢個就會係跟住 1 月 4 號嚟緊呢一個禮拜左右嗰個安排，我哋亦都會更新嗰個證人嗰個出嚟畀口供個次序。

主席：好。

許偉強先生：唔該。

主席：有冇人有問題？冇問題？Mr Ho。

何先生：主席，想問一問就係我哋而家聖誕節就有兩個禮拜嘅休庭，我想睇遠少少，主席，如果譬如我哋 1 月 4 號開始番之後，再講緊嘅假期就可能係農曆新年假期，主席，我想知道打唔打算會有一個短嘅休庭，因為我相信有啲人都會可能想作少少安排嘅，如果主席係諗住——農曆新年，我知道應該公眾假期就係嗰個假期嘅禮拜一、二、三，就係年初一、二、三，我唔知係咪年初一、二、三，對唔住，應該係公眾假期就係嗰個禮拜嘅——星期一、二、三，我想知道嗰個禮拜譬如四、五，主席諗唔諗住係會開庭定抑或係會係好以而家聖誕假期有一個短暫嘅休息咁樣？

主席：我有諗到咁長遠啫。

黎先生：四、五實唔會嘅。

主席：四、五，黎生話實唔會啫。

何先生：我多謝先。

主席：咁咪一、二、三、四、五，暫定咪一、二、三、四、五，不過就四、五都應該唔會啱喇，你話會唔會多啲，我就覺得應該都唔會多過呢一個禮拜啱喇，除非好特別，除非我哋嘅進度係突然之間係快得好緊要，除非，就不過我都睇唔到會特別快得好緊要，因為除咗頭先許大狀所講嘅之外，跟住仲會有水務署，跟住水務署完咗之後，仲會有兩

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位專家，所以其實我相信一定係會去到 2 月，即係所以就應該就係嗰個禮拜啲喇，應該就係，唔會有其他嘅--唔會再有多啲喇。

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何先生：多謝主席。

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主席：好，我哋就 1 月 4 號就再見，預祝各位聖誕快樂。

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2015 年 12 月 18 日

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上午 10 時 43 分聆訊押後

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C Friday, 18 December 2015

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(10.01 am)

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(Transcript of simultaneous interpretation

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except where otherwise specified)

MR WAN WAI HO (on former affirmation)

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F

CHAIRMAN: Ms Cheng.

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Cross-examination by MS CHENG (continued)

H

H

MS CHENG: Mr Wan, yesterday I took up a number of issues with you. I would like to follow up on them.

I

I

First of all, through your legal team, there was an email that was remitted. AQCC of Shui On wrote an email to Ho Biu Kee, one of the staff there. The email has been incorporated into the bundle. H1, page 122.

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The email has attached a material approval letter in it.

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Yesterday, you told the Commission that the Ho Biu Kee staff, Mr Leung Wai Kin -- you said yesterday also that Mr Leung Wai Kin and Mr Wong Wai Hung were the persons in charge of Kwai Luen Estate Phase 2. From the other documents, we also saw this Mr Leung.

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Please go to bundle S1. We took a brief look yesterday at this. In S1, there is this Prosperity company producing the invoices and delivery notes.

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Please go to page 104. This delivery note is dated 24 April 2013.

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A. Yes.

Q. It is earlier than an email that we looked at a moment ago. In the delivery note, the contact person is Mr Leung Wai Kin. In this delivery note, the first item is the WL50D flat solder strips.

Also please refer to page 105. There is an invoice there. It is dated 4 June 2013, after the email, later than the email. The contact person is Mr Leung. I am not sure whether this is the Mr Leung that we were talking about.

There are two types of solder materials. Item 2, that is the FRY lead-free solder wire. Under that, the 50D solder strip.

Later on, there were documents showing the name Mr Leung. Page 115 in the same bundle. 14 November 2013, there is this delivery note there. Contact person: Mr Wong Kwai Hung and Mr Leung Wai Kin. Again, W5D solder strip.

Page 117, a similar situation there; Mr Leung Wai Kin being the contact person, 50D solder strip.

Page 119. Page 121.

Page 123. Yesterday, the chairman pointed out that in these delivery notes, one of them was issued after July, August this year, after the lead in water incident.

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Page 125, the delivery note, the contact person, Leung Wai Kin, 1 August 2015. The materials ordered, UK FRY lead-free solder wire.

If you may also refer to the urgent fax alluded to by the chairman, page 127. Towards the end of the document, item 1, "High temperature solder wire, lead-free".

In one of the items there, Ho Biu Kee ordered the materials post haste from Prosperity, and the contact -- the person in charge is Leung Wai Kin?

A. Yes.

Q. From what you know, in Kwai Luen Estate Phase 2, this Ho Biu Kee project, is there only one person by the name Leung Wai Kin?

A. Yes, as far as I know, yes.

Q. Yesterday, we discussed in detail about the delivery of the materials. We don't have to go into that. There is, however, one point in your statement that I would like to take up with you. Bundle H1, tab 12. This is your statement. If I may refer you to paragraph 19. In particular, the part on page 90. Mr Wan, here you said:

"(In English) Sometimes materials delivered to site may not necessarily be for that site. Ho Biu Kee may have asked the supplier to deliver materials to the project site for reasons which we do not know."

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For you to say this, has it really happened before, that Ho Biu Kee asked the supplier to deliver materials to the site that were not used on that particular site?

A. From recollection, they said that there were materials that had to leave the site, so in my statement I put down this sentence. I don't quite remember what materials they were. They did say --

Q. They did apply for some materials to be taken out of the site?

A. Yes, some materials delivered to the site, they were taken out.

Q. You don't remember what?

A. Yes, I don't remember what materials.

Q. So they delivered some outside materials to the site -- would that be allowed?

A. Yes, that would be allowed. The contractors would have what we call the two boxes, they would bring them to the site. We allow them to do so, to set up what we call the workstation. They may have some tools and equipment with which to set up the workstation. They may have some odds and ends and some books to hang the clothes on, and changing room, and so on. We would allow them to take materials into the site.

Q. What about construction materials not for the site; would they be allowed into the site?

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A. For construction materials, we would ask them what these materials were for. They may say that they would just use the site to deposit the materials for some time. We would allow them at the beginning, but at the peak of the project, when we are running out of space, we would not allow them to store any materials not for the site.

Q. Let me put it this way: for material delivery, we looked at the Prosperity delivery notes, and you saw that a lot of materials being delivered were 50D flat solder strips, not FRY solder wire approved by the HD. You said unequivocally that you didn't ask Ho Biu Kee for the delivery notes; you were never shown the delivery notes.

Am I right in saying this: at that time, if Shui On asked for the delivery notes, then you would have been able to see that the solder strips were not those approved by the Housing Authority?

A. Let me put it this way. In the delivery notes, they contain a whole raft of different items. If we were aware of this material, we would have paid attention, but at that time we dealt with well over 1,000 different materials. Our colleagues, in particular those looking at the delivery notes, also whether the AQCC would be able to retrieve the information there and then, there may be difficulties. But if we were aware then we would



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have been able to pick up the difference.

Q. The last question on this. Mr Lam Tak Sum, licensed plumber for Kwai Luen Estate Phase 2, on 10 December this year, submitted a letter to the Commission. Q1, page 24.

Mr Lam, for Kai Ching and Kwai Luen Estates, the lead in water incident, would like to make the following statements. Point number 4, in part 1, Mr Lam said that the materials were delivered to the site. The construction company would check them, and then the Housing Authority, at least with the approval of the Housing Authority, the installation would take place. He didn't mention which housing estate, it is rather vague, but how would you respond to what he said?

A. Like what I said yesterday, our subcontractor would check all these materials, but unfortunately, as I said, this material wasn't incorporated into the checklist.

Q. Let's move on to the next one. Mr Wan, please refer to your statement, bundle H1, tab 12, paragraph 26, starting from page 93.

A. Yes.

Q. From here on, you mentioned the Water Supplies Department having issued an investigation report on this incident, and also mention of deviated plumbing materials. By deviated plumbing materials, I think you

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mean to say that there are certain components or certain fittings in form WWO46 that were inconsistent with what they were installed in the housing estate.

Now, let's have a look at this table here, in paragraph 26. You have listed the deviated plumbing materials. There are a couple of items there:

"Components", "Installed on site", "Brand"; and also, vis-a-vis the brand submitted in WWO46, and there is a column, "On the directory list accepted by the WA".

On this last column, you refer to whether the materials are on the directory list.

It seems that there are two brands that you put down "not available". By "not available", do you mean you haven't got the information to show whether the materials installed were on the directory list?

- A. After we have received the information, we immediately referred to the record, because prior to that we did not know that the material submitted deviated from the Water Supplies Department record. So we found the document and asked the supplier.

At that time, the reply from the supplier and Ho Biu Kee were in relation to the pressure-reducing valve Welson. The reply was that at that time the material did not need consent or approval from the WSD. That's why.

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Q. Perhaps we will refer to your underlying document. In B4.5/87, there is a document of Ho Biu Kee.

Can you see it, Mr Wan?

A. Yes, I can see it on the screen.

Q. It's B4.5, page 6753. My understanding is that this is a reply from Ho Biu Kee to Shui On. For the Shui On letter, you can find it at page 6758. It's the one referred to by you. It is in relation to the deviated materials.

Let's go back to page 6753. In the reply from Ho Biu Kee, it appears that a number of rather old letters have been referred to, and they were sent or issued by the Water Authority.

Let's go to page 6754. It's a letter from the Water Authority, dated 28 April 2003. It's addressed to Bun Kee. You mentioned that that is one of the suppliers of plumbing material.

When we refer to your witness statement, this Bun Kee, is that the copper pipe supplier, Opal, and in this letter it says, in the middle:

"(In English) As the metallic pipes are not included in these categories of compliance, this authority, at present, does not intend to give general acceptance to the metallic pipes. However, depending on the merits of individual project, the engineer may require testing of

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the metallic pipes before they could be accepted for installation."

Does it mean here that the Water Authority, by the looks of it, in relation to this brand of material, refused to give a general acceptance or approval; however, it would be considered on a case-by-case basis as to whether approval would be given?

A. That's my understanding.

Q. There is another letter, on page 6756. This is an even older letter, issued by the Water Authority, dated 31 July 1989. Can you see that?

A. Yes.

Q. It's to Welson, a company. You can see that the material was the pressure-reducing valve mentioned by you just now.

A. Yes.

Q. You see that in this letter the project is at Tai Ping Estate.

A. Correct.

Q. It is not related to this current project.

A. Right.

Q. The stance of the Water Authority, it says, in paragraph 2:

"(In English) There is no objection to the use of the proposed 'Welson' pressure-reducing valves in this

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project."

So there is no objection in this project?

A. Correct.

Q. "Please also note that under our present policy the Water Authority will not include pressure-reducing valve as an item in category 'C' of general acceptance scheme for water supply fittings. As such each application will be considered on its individual merits."

So it's a similar meaning, that general acceptance would not be given but it would be considered on a case-by-case basis?

A. Right.

Q. In paragraph 30 of your witness statement -- let me summarise. You said to the effect that during the project, the installation of components, there may be some minor alterations which makes it different from form 46 submitted, and it's for the plumber to revise and update form 46.

A. Right.

Q. According to your understanding, this procedure is to enable the WSD to consider the revised or updated material, as to whether approval would be given.

A. Correct.

Q. Paragraph 29 of your witness statement, you said that the role of Shui On is liaison between the licensed

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plumber and the Housing Authority in relation to the submission of form 46?

A. That's right.

Q. The plumber, Mr Lam Tak Sum, said differently. Let me refer you to it and see what he says. Let's go to bundle Q1. It's also the same letter. Page 24. Let's refer to part 2 of this page, the first paragraph. It says -- well, this part is about revision of material.

A. Yes.

Q. Mr Lam said that at one point there was a notification of revision of material, but it was a long time ago and he could not recall, and if there are problems, the HD could not assign form 46 for the completion certificate, and at that time, when form 46 was submitted, the main contractor had the responsibility to follow up, to see if the material stated in part IV of the form is in order, and then the main contractor will make arrangements for the HD to sign to report completion. It says the main contractor has a responsibility to follow up to see if the material stated in form 46 is in order.

A. I don't agree with what is said here. Under the contract, the responsibility is vested with the licensed plumber.

Q. On this topic, in a different document, Mr Lam said --

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it's a different version. Please refer to page 17.

A. I can see that.

Q. This is a record of interview in relation to the lead in water incident between the Water Supplies Department and the licensed plumber; do you see it?

A. Yes.

Q. This is Mr Lam Tak Sum. If you refer to paragraph 4 of the record of interview, here the WSD extracted that in relation to the plumbing material revision of Kwai Luen and Kai Ching, as the licensed plumber he has at one point raised the issue that a report has to be made to the department in relation to the building installations. However, if the resident BSE indicated to him that there was no need to make a revision and resubmit form 46 part I and part II, as long as there is communication between the department -- with the department and the relevant staff, hence Mr Lam did not submit the revised form.

So, in relation to the resident BSE, we wondered who it was and we asked about it and we heard from the evidence that there is no such post. However, there is such a post under the main contractor. Is that the same as your understanding?

A. That's right.

Q. If Mr Lam here is referring to the Shui On site BSE, and

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- that's what he said -- that is, the Shui On site building services engineer explained to him that there was no need to make a report, as long as it's communicated to the department -- what do you say?
- A. I have read this document. I notice that he said that this took place over six years ago, and he might be a bit confused because Kwai Luen was completed in the middle of 2014. I think it's no more than six months. And I have followed up with the site BSE named Leung Lai Kit.
- Q. Was it the person you mentioned yesterday?
- A. Yes. I have mentioned this name in my witness statement as well, and I have asked this Leung Lai Kit and he clarified with me again and he said with certainty that he did not say that to Lam Tak Sum.
- Q. About this Mr Leung, he said that Mr Leung is responsible for liaising with the licensed plumber?
- A. Right.
- Q. You said that in relation to submission of form 46 as well -- you said that Shui On is the liaison. Did you review that -- would you vet the content of form WW046, because in the end the components will be installed in your project?
- A. Let me put it this way. This is how it went. In relation to Kwai Luen Estate, form WW046 part I and



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part II have been submitted, and our staff member have indeed checked to see if everything was in order. It was the beginning of the project. It was around April 2012. The most important thing for our staff member to check was whether all the information was in order, because work has yet to commence. It was in order and plans were included as well, so there was a suggestion that they could be submitted to the AP of the department for signature, and when it was done it was submitted.

Ho Biu Kee would submit the actual sample to be used, to show us and to show the HD. Ho Biu Kee has been doing similar works for many years. They were very clear with the procedure that they had the right to change the material because of short of supply, because of delivery or other reasons; they had the right to change the material. However, they had to obtain an approval or consent before they submit part IV, or they had to supply an annex.

There is a circulation 1 of 2004 which explained the procedure, and the procedure is very simple. If there is a revision, fax it, sign it, date it; that will do. So we don't understand why the plumber did not do something as simple as this and submit part IV.

Q. We had a chance to have a look at it before.

In relation to revision of material, is it common,

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according to your experience?

A. Yes. It happens quite a lot. Well, after a certain period of time, sometimes there may be some changes to the supply of material.

Q. So you mean that in relation to form 46 submission procedure, at the beginning Shui On would check to see if the information is in order; from time to time, there may be change of material, however you would not follow this up; you would not ask information from Ho Biu Kee or check to see if everything is in order? You handed the responsibility to Ho Biu Kee?

A. Well, this is how it goes. Close to completion, the licensed plumber explained to us what they would do. They explained to us at one point that close to the submission of part IV, they would submit an update. At that time, we all understood the situation to be like this.

Q. So they would tell you about it. Did Mr Lam tell you about it?

A. I don't quite remember. But there is such an understanding all along.

Q. Other than him telling you, would you also ask him for the form, Shui On ask him for the form?

A. We didn't do that.

Q. You said you were not sure for Kwai Luen Estate Phase 2

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whether he told you about the changes. If he had, who would he have told?

A. He would have told Mr Leung Lai Kit.

MS CHENG: I have no further questions.

CHAIRMAN: Any further questions? Mr Tam.

Cross-examination by MR TAM

MR TAM: A couple of follow-up questions, if I may.

Madam Cheng mentioned the pressure-reducing valve and also the WWO form. To be fair, I would like to show you this. Please have a look at bundle B4, WWO46.

Bundle B4.3, tab 84. Please refer to page 5030. That's a letter from Shui On to the Housing Authority, with the WWO46 attached.

Please refer to page 5034 for the attachment, further down the page, please. I can see the pressure-reducing valve, the penultimate item. It says "Yuen Hing".

A. Yes.

Q. Bundle 4.4, tab 86, page 5689, please.

A. Yes.

Q. This is the sample submission approval form, in 1a, Welson pressure-reducing valve; can you see that?

A. Yes.

Q. WWO46 was submitted in mid-2012. Move down a little bit, on the next page, submitted in September 2013. You

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said you made the onward submission and it was the responsibility of Ho Biu Kee, but for Shui On, have you seen the discrepancy, Yuen Hing and Welson? Have you asked Ho Biu Kee why? You haven't?

A. For Kwai Luen Estate, I did consult my colleagues and they didn't quite remember the details.

Q. They didn't remember the details. But don't you have a mechanism for saying WWO46, you do have the mechanism. You may carry out the onward submission, but don't you have any mechanism, like you would dig out WWO46 to check for changes, and if there are changes then you would ask Ho Biu Kee? Would you do that?

A. My colleague may not check the changes against the form, but if they knew that there were changes, they would ask the licensed plumber to make the changes before submitting WWO46 part IV.

Q. So there were colleagues, but here you don't quite remember?

A. For Kwai Luen Estate, for a specific material, I don't quite remember, but I'm sure my colleagues would remind the licensed plumber to update the form.

Q. Who would do that?

A. Mr Leung Lai Kit.

MR TAM: Also Leung Lai Kit.

I have no further questions.

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CHAIRMAN: Any further questions?

Re-examination by MR LAM

MR LAM: Madam Bonnie Cheng asked you a hypothetical question. She said that if the materials were checked, then you would have been able to pick up the difference of the solder materials in the invoice.

Let me clarify with you regarding your reply.

Before July, if you looked at the Prosperity invoice, would you have been able to pick up the leaded or unleaded solder materials?

A. Before July, if I looked at the invoice, I would not have been able to pick up the difference. The items list solder strip and solder material. From the invoice, I wouldn't have been able to pick up the difference.

Q. WWO46. You said that at the beginning stage, you would check the information to see whether everything is in order. But towards the end, the licensed plumber and Ho Biu Kee would look after the details, although there isn't a mechanism to check for changes.

For plumbing works, as far as Shui On or yourself is concerned, do you rely on the licensed plumber?

A. Yes, we rely very much on the licensed plumber, because we don't have the qualification, so we have to trust the expertise of the licensed plumber.

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Q. When Ho Biu Kee submitted WW046 part I, did they have to consult you or make available a copy?

A. They didn't have to consult me.

MR LAM: I have no further questions.

CHAIRMAN: No further questions?

If you look at the invoice or the delivery notes, you should have been able to pick up the difference. Page 105, for instance, of bundle S1. You said you didn't know, but it doesn't matter. I'm telling you that if you look at this in detail, you would have been able to pick up the difference. S1 page 105, UK FRY lead-free solder wire; the other one is the 50D flat solder strip. One of them specified lead-free. If you looked at the invoice in earnest, you should have been able to pick up the difference, but you say you don't know.

Thank you very much.

MR LAM: Chairman, if I may follow up?

CHAIRMAN: Yes, please.

MR LAM: Thank you.

CHAIRMAN: You may leave.

(The witness withdrew)

MR KHAW: Chairman, let me talk about the way forward. We are going to take a break for a fortnight and come back on 4 January. We will be having witnesses from the

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construction site. We have the statement from Mr Leung. After Paul Y, we move on to Golden Day. Thereafter, we will be summoning Mr Cheung Tat Yam and then the Ho Biu Kee witnesses. Thereafter, Mr Lam Tak Sum. That would complete the subcontractors. Then we move on to the suppliers, including Prosperity.

So this is what is going to take place in the week starting from 4 January. We will update the order of appearance of the witnesses.

CHAIRMAN: Any questions? Mr Ho.

MR HO: Chairman, we are going to take a break for Christmas, for two weeks.

If I may look further ahead, we come back on 4 January. The next holiday will be the Lunar New Year. Are we going to take a short break over the Lunar New Year? I get the feeling that some members may need to make some arrangements. Lunar New Year will fall on Monday to Wednesday. These are the first three days of the Lunar New Year calendar. So what about Thursday and Friday of that week? Are we going to have any hearing, or are we going to take a short break, like the Christmas holiday?

CHAIRMAN: I hadn't thought that far ahead. Thursday and Friday, Mr Lai said no.

MR HO: Thank you.

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CHAIRMAN: So we are going to take a break Monday through to Friday, tentatively. Thursday and Friday I don't think we are going to have any hearing. Will there be longer? I don't think so. I don't think the break will be more than that particular week, unless we are galloping very, very fast all of a sudden, but I can't see how we can be very fast with our progress.

Mr Richard Khaw said what he said, and then we will be having the Water Supplies Department, and thereafter we are going to have two experts. So that will take us up to February.

So I think that's the only week off we are going to have, and no more.

MR HO: Thank you, chairman.

CHAIRMAN: All right. Let's meet again on 4 January. Merry Christmas.

(10.44 am)

(The hearing adjourned until 10.00 am  
on Monday, 4 January 2016)



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