

2015 年 11 月 2 日

上午 10 時 07 分恢復聆訊

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

李柱銘資深大律師及譚俊傑大律師，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

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

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

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

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

麥高義資深大律師及許佐賓大律師，由的近律師行延聘，代表保華建築營造有限公司

諾頓羅氏富布萊特香港康錦煒律師，代表張達欽及金日工程有限公司

鍾建康大律師，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

主席：係，我哋今日就正式開始我哋個研訊。我相信各位都已經收到咗一份我哋秘書處發出嘅信件，就通知各位係冇其他適合嘅地方可以進行今次嘅研訊嚟嘞。咁就我明白係會有少少唔方便嘅，不過就希望大家可以遷就一下，咁我哋就盡量--如果有嘢研訊嘅過程裏面，有任何嘅地方係想我哋改善嘅，都可以隨時提出。

好，跟住下一個議題我想處理嘅，就係上一次我已經講咗，我哋研訊嘅時候嘅程序，其中就係講到就係話任何一方，如果佢傳召證人

嘅時候，就會由嗰一方嘅律師首先就係帶領佢嘅證人係畀證供，跟住之後就係由其他嘅 involved parties 嘅律師盤問，之後先至到我哋調查委員會嘅律師係盤問嘅。但係考慮到--將個次序稍稍調轉，就係我哋調查委員會嘅律師會作出盤問，之後再由其他嘅諗 involved parties，有關嘅人士係盤問呢，可能會比較係節省時間，所以我就打算係將呢一個程序係調一調，咁就基本上就係咁多啫。

係，李大律師。

李先生：係，主席，咁樣到到我哋嘞，咁因為--點樣次序，我哋自己傾咩，定係點樣呢？因為我哋都--呢個問題就今朝就略為傾一傾。

主席：係。

李先生：因為就所有人嘅大律師都唔係話一齊喺度嘅，即係我哋都唔知點樣傾呀。

主席：個程序就係咁樣樣，就係調查委員會個大律師就會係...

李先生：問先，係。

主席：...盤問先，跟住之後就係參與嘅人士，因為未必個個都有興趣...

石先生：係盤問先。

主席：...去問先嘅；咁樣樣就之後就要睇下究竟邊個一有興趣嘅人士。我而家嘅--呢個係我嘅初步睇法嚟嘅啫，咁當然係可以隨時係修改嘅。我嘅初步嘅睇法就係會係水務署、房委會、四個承建商，跟住就係分判商，跟住就係註冊嘅水喉匠，跟住就係其他嘅人士，即係你所代表嘅。咁呢個係我哋個--我暫時諗到嘅一般嘅程序。如果你哋有任何嘅睇法，話想行先，咁你話畀我聽，跟住我再作一個決定。

李先生：係，好呀。咁因為有時，我知道，啲大律師佢因為--個 leader 可能佢自己有特別嘅要求，咁我就提出嚟同你講下，討論下。

主席：可以嘅。咁係冇其他嘅異議呢，咁或者我哋由調查委員會嘅律師開始我哋今日呢個研訊嘅 opening speech，我哋個開場。

殷先生：主席，...

主席：係。

A  
B  
C 殷先生：...我哋今朝開始正式研訊之前，我有一點想提出，係關於上一次  
D 我哋 10 月 20 號嗰日嘅 transcript 嘅問題。因為我見到喺第一  
E 頁嗰度，一開始嘅時候就話「何沛謙資深大律師、殷志明大律師，為  
F 羅夏信律師事務所，代表香港房屋委員會及代表忻林潔儀助理署  
G 長」。諗，忻林潔儀助理署長就唔係呢個研訊嘅一個 parties 嚟嘅，  
H 咁我就想喺嗰個紀錄嗰度修改呢一項。

F 主席：可以。唔該，好呀。係，石大律師。

G 石先生：首先，就我上一次，即係 10 月 20 號嗰一次嘅初步嘅聆訊，我已  
H 經好簡略咁樣向各位介紹咗我哋嗰個研訊一路以嚟已經做落嗰一啲  
I 工夫。我而家呢一個簡短嘅陳詞就只不過係對我當日嘅陳詞作出一啲  
J 嘅補充，簡介一番我哋將會用嘅一啲嘅程序，咁頭先主席先生都曾經  
K 講過㗎嘞；同埋就會前瞻性地去講一講我哋嚟緊即係第一部分，由而  
L 家到到聖誕節即係開始嗰個 break，我哋打算嘅一啲取證嘅程序同埋  
M 方向。

K 關於程序方面，我首先就講一講，就係調查委員會就已經係作出  
L 咗指示，就係如果係有口頭作供嘅話，係需要經過宣誓，調查委員會  
M 就係會決定究竟傳召證人嘅先後次序。

L 至於證人問問題嘅先後次序，剛才主席都已經解釋過，但係有一  
M 點我想係即係仔細啲咁樣擺出嚟講一講，就係如果係一啲嘅證人，係  
N 由調查委員會自己去傳召嘅，亦即係話一啲可能係唔係已經有律師代  
O 表嘅當事人，或者就算可能我哋諗到，就係話有一啲嘅我哋叫做  
P “involved party”，佢哋係叫做係可能係受批評或者係與案件有  
Q 關，所以叫做係“involved party”，係「當事人」，但係可能佢  
R 哋冇選擇由律師代表，咁呢一類嘅人士，如果我哋要傳召佢呢，佢哋  
S 嘅證供就係會由調查委員會嘅律師負責去問問題先，然後之後其他嘅有  
T 律師代表嘅人士，咁佢哋可以向調查委員會申請發問，咁就係頭先李  
U 資深大律師提出過嘅問題。邊個問先，邊個問後，頭先主席已經簡略  
V 咁樣講過。咁到到最後就係調查委員會嘅律師係可以到最後係可以覆  
問嘅。

S 至於有律師代表嘅涉案人士，佢哋自己作供，或者佢哋需要傳召  
T 自己嘅證供嘅話，就由佢自己嘅代表律師係負責問先，然後之後就由調  
U 查委員會嘅律師去盤問喇，叫做，即係簡單咁講，不過就其實唔係叫  
V 做盤問嘅，係叫做問問題喇；跟住就由其他嘅人士，佢哋可以申請向  
呢一啲人問問題；到最終就係由番嗰個當事人嘅律師，佢有權到最後  
係覆問嘅。

如果有任何人佢係之前係已經入咗證人供詞，書面證人供詞，而佢係想將佢嘅證人供詞採納成為佢嘅誓宣證供嘅話，咁一係就係佢本人，或者由佢嘅代表律師，係需要將嗰份證人供詞嘅內容係讀出嚟，成為正式紀錄嘅一部分。

調查委員會嘅主席同埋委員當然係可以問問題，同埋就係調查委員會係有權係作出一啲規定，就係去限制問問題嘅長度同埋陳詞嘅長度。

當有關嘅書面證供同埋專家報告係已經係交咗畀調查委員會之後，調查委員會係會將呢一啲書面嘅證供同埋調查報告係公告畀各方嘅人士。

同埋最緊要就係如果有一啲嘅證人已經畀完口供，作完供，但係後來發現有啲補充嘅問題需要再傳召佢，委員會係有呢個權力。

聆訊嘅時間，上次已經講過，就係由今日至到12月嘅18號，咁呢個我哋叫做第一部分；跟住1月4號就直落，就叫做第二部分。

我哋之前就好多傳媒朋友都曾經對一個問題好有興趣嘅，就係嗰啲證人供詞，有邊個已經呈交咗，有邊個係未呈交，咁我而家簡略咁樣同大家講一講，就係：

水務署嘅副署長，亦都係水務署關於呢個食水含鉛事件嘅專責委員會嘅主席，呢個黃仲良先生，佢嘅證人供詞已經係喺10月26號係呈交咗；

另外，水務署嘅總化驗主任陳健民先生，佢嘅證人供詞亦都喺10月26號係呈交咗；

Housing Authority嘅主席，張炳良先生，佢嘅證人供詞係喺10月29號呈交咗；

而房署嘅副署長 Ms Ada Fung，馮宜萱女士，佢嘅證人供詞亦都係喺2015年10月29日係呈交咗。

另外有一啲係未呈交嘅，就包括我以下會簡單講一講嘅，就係：

房署佢成立咗嘅一個關於呢個食水含鉛事件嘅一個檢討委員會嘅主席，張達棠先生，佢嘅證人供詞係今日到期；

另外，啟晴邨嘅總建築師，佢嘅證人供詞都係今日到期；

啟晴邨嘅總屋宇裝備工程師，佢嘅證人供詞係今日到期；

水務署長林天星，佢嘅證人供詞係 11 月 6 號到期；

另外有五所涉事嘅屋邨，佢嘅總建築師嘅證人供詞係 11 月 9 日到期。

好多時候我唔會將嗰個當事嗰個證人嘅即係姓名講出嚟，因為即係時間方面限制，我唔會好仔細咁講咩嘢名呀咁樣。

另外有五所涉事嘅屋邨，佢嘅總屋宇裝備工程師嘅證人供詞亦都係 11 月 9 號到期；

有四個總承商，佢嘅 CEO，或者係叫做董事總經理 (managing director)，佢嘅證人供詞係 11 月 9 號到期；

有三個二判商，佢嘅有關人士嘅證人供詞，11 月 9 號到期；

三個持牌水喉匠，有關嘅持牌水喉匠，佢嘅證人供詞係 11 月 9 號到期，當中林德深先生佢嘅證人供詞係喺到期日之前，上星期已經呈交咗；

另外，水資源及供水水質事務諮詢委員會，呢一個係正式嘅原名係叫做 Advisory Committee on Water Resources and Quality of Water Supplies，佢嘅主席陳漢輝先生，佢嘅證人供詞係 11 月 10 號到期；

水務署嘅總化驗主任，原本係 11 月 10 號到期，但係我頭先所講，佢已經呈交咗。

另外，11 月 15 號係另外有一批嘅供詞到期，就係有五所屋苑佢嘅總建築師同埋總屋宇裝備工程師嘅證人供詞係到期嘅。

所以我哋係有一連串嘅我叫做 deadline，就係啲證人供詞係會逐批、逐批咁樣入嚟㗎嘞。

關於有三個三判商，三判，係 sub-sub-contractors，佢哋就係永興、森記同埋恆利。咁呢三個三判商，委員會係曾經對佢哋係發出過一啲嘅文件，就包括有一封信，我哋叫做 Salmon letter。Salmon letter，就係我上次講過，就係如果調查委員會覺得佢哋報告有可能，我只不過係可能吓，有可能係對佢哋作出一啲評語或者批評，所以希望，公平起見，係邀請佢哋出席，或者係派律師代表。

呢個 Salmon letter，我哋係對呢三個三判商係發出咗嘅。

另外，我哋亦都有向呢三個三判商係發出咗函件，係要求佢哋係提供一啲嘅證人供詞嘅，之前；亦都係--但係我哋就收唔到佢哋嘅一啲回覆，所以就調查委員會係已經係發出咗證人傳票，就係要求呢個三判商嘅現任或者係前任嘅東主係喺 11 月 9 日係出席呢一個委員會嘅聆訊，咁就到時係處理究竟佢哋幾時需要係作供嘅。咁亦都係突顯咗我哋嘅程序，就係話如果我哋憑函件去邀請一啲嘅人士係提供一啲資料或者係證人供詞，而收唔到回覆嘅話，調查委員會係有權係發出證人嘅傳票，係命令佢哋係出席嘅。

有一啲詳細啲嘅資料，就係恆利，呢個三判商，佢嘅現任嘅東主係已經係收到，個人係收到呢個證人傳票嘍嘞，喺 10 月 28 日。但係執達主任，即係負責派傳票嗰位主任，就一路就係未能夠係向永興嘅現任東主，莫海光先生係送達證人傳票。

至於森記，呢個三判商，根據公司註冊處嘅紀錄，佢喺 2012 年嘅 7 月 13 號就已經佢嘅註冊係已經撤銷咗嘍嘞，但係呢個係唔妨礙我哋係企圖去將證人傳票係送達去佢嘅前東主嘅。森記嘅前東主係有兩位先生，就係李鉅森（譯音）先生，譯名，同埋陳桂英（譯音），咁但係就呢兩位，我哋嘅執達主任都係未能夠向佢哋送達證人傳票嘅。

咁我唔係打算而家就噏咗就係當話咗畀佢哋聽嘅，大家放心。調查委員會嘅即係送--執達主任係會繼續嘗試去將證人傳票係送達畀我哋想傳召嘅呢一啲證人，係希望佢哋能夠出席。

好多人有問到，就係話如果唔出席，係點樣？因為法例係有規定，如果唔--即係接收咗傳票之後唔出席嘅情況會係點樣嘅，咁但係--即係我哋遲啲先從長計議，咁我唔會而家好仔細咁樣去講呢一樣嘢。

另外，我取證嘅方向，就係調查委員會就睇番啲文件之後，就而家係正在準備向兩個物料嘅供應商，尤其是係對呢個所謂鉛，lead --呢個焊料嘅供應商，呢個係實際嘅供應商吓，唔係啲啲 contractor，供應商係進行取證嘅。因為文件係見到有兩間公司係負責將啲焊料係供應畀呢個屋宇--呢個屋邨嘅；咁呢兩間，一間係叫做 Prosperity Building Materials Company Limited，中文係叫做雋景建材有限公司，「雋」就係讚人寫文章寫得好，文筆雋永嗰個「雋」，雋景，「景」係風景個「景」；另外一間叫做和興製品廠，Wo Hing Manufacturing Company。咁就我哋遲啲喺即

係取證有乜嘢嘅結果，或者出咗信件，有乜嘢嘅回覆嘅話，我哋會再向委員會同埋向各位係報告嘅。

首先，我哋聽證供嘅次序，籠統嚟講，我哋首先係希望傳召一啲與有關嘅屋苑嘅供水系統嘅建造、裝嵌同埋監察係有關嘅人士，咁呢啲人士就係包括 Housing Authority 嘅證人，就所有承建商、二判、三判，佢哋一連串嘅呢啲關於建築有關嘅公司嘅證人，然後就會由水務署嘅證人作供，到最後就會係專家證人，係關於一啲化學方面嘅同埋一啲工程方面嘅專家證人去作供嘅。咁中間就我哋係會加插關於鉛對人體嘅影響嘅一位專家，Professor Bellinger。咁我一陣間嘅時間表度會講一講嘅。

我哋而家講一講時間表，就係我而家呢個時間表係暫定嘅，因為，當然，我哋隨時中間可能會有好多嘅人可能會申請係加插自己嘅證人，或者就算係譬如話參加咗呢個聆訊嘅三位住戶，佢哋可能會希望申請自己畀口供或者係傳召自己嘅證人，但係撇除呢啲之外，我哋大約定下咗嘅係證人傳召嘅先後次序就係如下嘅：

首先係張炳良先生；

跟住就係房署嘅副署長，Ms Ada Fung，馮宜萱女士；

跟住就係啟晴邨嘅總建築師；

跟住就係啟晴邨嘅總屋宇建設工程師；

跟住就係另外十所受牽連嘅屋苑嘅總建築師同埋總屋宇裝備工程師。

咁仔細啲個名，同埋先後次序，關於另外啲十個屋苑，我哋容後會宣布。

喺呢一拵嘅證人當中，我哋係有可能中間會加插 Professor David Bellinger，係關於即係衛生方面嘅一個證人。因為佢嘅時間方面嘅限制，佢係會 12 月 14 號啲個星期係嚟香港嘅。即係話我哋到啲個星期，無論到時傳召到邊個證人都好，我哋可能中間要加插呢個 Professor Bellinger 嘅證供，咁然後先至繼續番我哋原本定下嘅一個次序。

傳召完呢啲即係工程師呀或者係建築師，同埋聽完 Professor Bellinger 之後，我哋就會到承建商、分判商、一啲三判、持牌水

喉匠嘅證人供詞。全部佢哋嘅先後次序，我哋係即係容後商榷嘅。到到最後我哋係會傳召嗰個 Housing Authority 嗰個檢討委員會嘅主席張達棠先生。

呢個係好初步嘅一個先後次序。咁你見到咁多呢，其實好多個呢個證人可能係 part one，第一部分，係傳召唔晒嘅，所以好多係可能會係要留到 part two，即係新年之後係繼續嘅。跟住，大家唔好忘記，就係我哋仲有其餘嘅兩位專家證人；咁嗰兩位，我哋都係預咗係新年之後係會傳召嘅。

如果大家想知道我哋嘅時間表有啲咩嘢更改，係可以一路睇住調查委員會嘅網站，咁我哋係會不時更新嘅。但係我哋而家暫定嘅時間表就係我剛才所講嘅。

如果係--當然大家可能而家有第二啲嘅問題或者係申請要提出，但係到到傳召證人，我哋係當今日應該係可以開始傳召證人嘅，咁第一位就應該係張炳良先生。

主席：唔該。有冇任何其他嘅人士想或者律師想喺呢一個階段做一個 opening speech？有嘅話，咁我哋開始傳召張炳良教授，係。叫張炳良教授。

殷先生：主席，或者喺張炳良先生未入嚟之前，我想講一講關於佢嘅證人口供嘅安排。

主席：佢坐咗喺後面。

殷先生：嘎。

主席：佢而家人咗嚟嘞。你唔介意吖嘛？

殷先生：係。

主席：嘎。

殷先生：佢嘅證人口供係已經入咗嚟嘞，就係用英文寫嘅。咁我哋...

主席：請坐先喇。

殷先生：...嗰個--因為喺時間個關係，我哋係以呢個英文原本嘅證供係作實嘅。咁我亦都打算，如果一陣間係張先生係畀口供時候，係將佢嘅英文嘅口供讀一次嘅。



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主席：好呀。

殷先生：但係我哋想話方便呢個調查委員會，我哋亦都係做咗一個中文嘅譯本，可以作參考嘅，但係因為時間嘅關係，我哋係冇辦法去確實佢個內容譯得準唔準確，所以我係想--即係如果委員會係覺得有用嘅，我可以畀呢一個譯本出嚟，但係嗰個--大家要理解，就係呢個只係一個譯本嚟。

主席：好呀。好呀，唔該。可以開始嘞。張先生，或者你宣誓先喇。

香港房屋委員會第一證人：張炳良教授（運輸及房屋局局長）宣誓作供  
殷先生盤問

主席：殷律師，噃。

問：張生，喺你面前有冇一份係你之前簽咗嘅證人口供呀？

答：係。

問：噃，你應該見到呢，係呢一份文件係一共有二十一頁嘅。另外有啲附件添嘅。

答：係，對。

問：咁你見到呢，喺第一頁嗰度呢就講畀大家知，呢一個係你嘅，係關於呢個研訊入面作出嘅證人口供，係作為呢個房委會嘅主席。

答：係。

問：你睇睇第二十頁嗰度呢，就係呢個證人口供嘅終結嗰度係有你嘅簽名嘅。

答：係。

問：咁因為委員會之前有個指示呢就係話證人嘅口供呢，係要讀一次出嚟嘅。咁我跟住落嚟就代表你將你個口供讀一次喇。

答：好。

殷先生：Chairman, I will start:

"I ... Cheung Bing-Leung, was appointed as the Secretary for Transport and Housing ... on 1 July 2012. Among other responsibilities, the [Secretary for Transport and Housing] assumes the office of Chairman of the Housing Authority ...

I make this statement pursuant to a direction addressed to the Chairman of the [Housing Authority] from the Commission of Inquiry into Excess Lead Found in Drinking Water ... via a letter of Lo & Lo Solicitors dated 12 October 2015, supplemented by a further direction set out in another letter of Lo & Lo Solicitors dated 13 October 2015 (collectively [these will be referred to as the] 'Lo & Lo's letters')."

主席：或者我哋喺呢度等一等先，你係咪有一個中文嘅譯本？可唔可以畀一個中文譯本，畀我哋續段續段咁樣樣--畀一個 copy 個翻譯。等佢讀咗呢兩段出嚟先喇。好嘛？

殷先生：我頭先講咗兩段。

主席：係呀，頭嗰兩段喇唔該。

殷先生："As an introductory point, I wish to emphasise as the Chairman of the [Housing Authority] and the [Secretary for Transport and Housing] that the [Housing Authority] and its executive arm -- the Housing Department ... stand ready to co-operate fully with the [Commission of Inquiry]. In due course, [the Housing Authority] will review carefully such recommendations as may be made by the [Commission] concerning the quality of drinking water in Hong Kong and will seek to implement such recommendations which may relate specifically to the [Housing Authority]."

"Concerning the ten Requests raised in the Lo & Lo's letters, I have discussed them carefully with relevant senior staff in the [Housing Department]. We understand that to facilitate the [Commission of Inquiry], we should locate the persons best able to give evidence specific to the questions raised. While

I am able to respond to the Requests to some extent, given the subject matters of the Requests and the historical and technical details involved, we believe the best person to respond to the Requests with such details is the Head of the Development and Construction Division of the [Housing Department] ... As explained at the Preliminary Hearing, Ms Ada Fung, the Deputy Director who heads the [Development and Construction Division of the Housing Department], will provide a statement covering various construction and technical matters in much greater detail. In coping with the many tasks following the first incident of excess lead found in drinking water in public rental housing ... estates, I have worked closely with the Director of Housing and his senior staff, as well as all divisions of the [Housing Department] as a team, contributing to the efforts within and beyond the normal lines of duty. The Director of Housing and his staff stand ready to give evidence as the [Commission of Inquiry] deems fit."

"I think it might be useful to the [Commission of Inquiry] if I provide some background of the organisation and people involved before I respond to the Requests. The [Housing Authority] is the statutory body established in April 1973 under the Housing Ordinance ... The [Secretary for Transport and Housing] assumes the office of Chairman of the Housing Authority, while the Director of Housing assumes that of Vice-chairman. In addition to the Chairman and Vice-chairman, the Housing Authority currently has two official members ([that is the] Permanent Secretary for Financial Services and the Treasury (Treasury) and Director of Lands) and 27 non-official members. Six standing committees have been formed under section 7 of the Housing Ordinance to formulate, administer and oversee policies in specific areas. They are:

(a) Building Committee.

(b) Commercial Properties Committee.

(c) Finance Committee.

(d) Strategic Planning Committee.

(e) Subsidised Housing Committee.

(f) Tender Committee.

Subcommittees and ad hoc committees may be formed on a need basis."

"The [Housing Department] is the executive arm of the [Housing Authority], staffed mostly by civil servants. It is headed by the Director of Housing, Mr Stanley Ying, who also assumes the office of the Permanent Secretary for Transport and Housing (Housing). Under the office of the Director of Housing, there are four divisions, namely [the Development and Construction Division], Estate Management Division, Strategy Division and Corporate Services Division."

"The [Development and Construction Division] is responsible for the production of new public housing units, which include all aspects of project management and production work covering the initial site search and feasibility studies, community engagement, planning, design, construction management, commissioning for occupation, up to the expiry of maintenance period and the settlement of final accounts. The [Development and Construction Division] is also responsible for establishing operational policies on procurement, design construction, quality performance assessment dispute resolution, research and development, safety and environmental management for public housing development in Hong Kong."

"The [Development and Construction Division] is

headed by a Deputy Director who is supported by four Assistant Directors and 25 Chief Professionals, including Chief Architects, Chief Building Services Engineers, Chief Civil Engineers, Chief Geotechnical Engineers, Chief Planning Officers, Chief Quantity Surveyors, and Chief Structural Engineers. The establishment of [the Development and Construction Division] including non-directorate staff is 2,497."

"From the above, we think Ms Fung is the best person to provide the historical and technical details required by the Requests."

"A final part of the background which I think may be relevant is how I have participated in the efforts to manage the incident of excess lead found in drinking water in certain" -- what is PRH? Public rental housing estates; hereafter, we will call them the "Incidents" -- "as it is through this process that I have learned much of the information that I will be using to respond to the Requests."

"I first became aware of the problems when the Director of Housing reported to me that on 7 July 2015 lead had been found in two joint samples taken from two vacant units in Kai Ching Estate. I decided that we had to enter into a 'contingency mode', and that the matter required close collaboration between the [Housing Authority] and the government, as well as high-level concerted efforts of various bureaux and departments within the Government, in particular the Development Bureau, the Food and Health Bureau, the Water Supplies Department ... and the Department of Health ... I notified the Chief Secretary for Administration ... about the incident concerning Kai Ching Estate and kept her updated of the development afterwards. On 11 July, the [Chief Secretary] convened the first of a series of interdepartmental meetings in response to the Incident. I attended this and almost all of the subsequent interdepartmental

meetings chaired by the [Chief Secretary] or the acting [Chief Secretary]. Besides, I participated in the first joint-departmental press conference held on 11 July, and explained that the government attached great importance to the matter and would take immediate follow-up actions to ease residents' concerns and ensure their access to safe drinking water. I have also participated in a number of joint-departmental press conferences that followed. Since the discovery of the problem in Kai Ching Estate, the government has been adhering to three principles in handling the issue:

-- being open and transparent in information dissemination;

-- adopting a people-oriented approach; and

-- carrying out thorough investigations."

"Since the Incident, I have been conscious of the need to keep members of the [Housing Authority] informed of the development. Hence, I, together with the Director of Housing and his senior staff members, gave a briefing to the members of the [Housing Authority] on 16 July 2015. During the same briefing, I proposed that the [Housing Authority] should set up a Review Committee to carry out a full 'body check' on the [Housing Authority's] quality control and monitoring mechanism at different stages of public housing construction. On 24 July 2015, having obtained the [Housing Authority's] agreement, we announced the establishment of the Review Committee on Quality Assurance Issues Relating to Fresh Water Supply of Public Housing Estates ([hereafter called] the 'Review Committee', led by a member of the Housing Authority, Mr Cheung Tat Tong, who will give his witness statement to the [Commission of Inquiry] separately. The Housing Authority was further updated on the development of the Incident via a

[Housing Authority] paper issued on 12 August 2015, and on the results of a systemic water sampling tests for [public rental housing] estates completed in and after 2005 via another [Housing Authority] paper issued on 29 September 2015."

"The [Housing Authority] has attached and continues to attach great importance to the necessary investigations and follow-up actions. The details of these actions are covered in the paragraphs below."

"The Review Committee submitted its interim report to me on 6 October 2015. The interim report was uploaded onto [the Housing Authority's] website on the same day. As the [Housing Authority] chairman, I said openly on 6 October that I agreed with the Review Committee's view that there had been a lack of awareness in the construction industry, as well as the [Housing Department], of the risk of presence of lead in solder and its implications on the quality of drinking water and therefore the associated health risks. I also said that I agreed with the Review Committee's view that the [Housing Authority's] past mechanism for ensuring the quality of drinking water supplied to [public rental housing] estates had some inadequacies. In short, while the [Housing Authority's] past quality control mechanism was consistent with the industry's practice, the law and other [Water Services Department's] requirements, it did not focus on the presence of lead (or other heavy metals) in the fresh water supply system, or in the water, and did not target soldering materials as a high risk item. With hindsight, had we been aware of the associated risk before, [the Housing Authority] would have put in place suitable control and monitoring measures to prevent the use of non-compliant soldering materials in the fresh water supply system."

"The Review Committee, as part of its study, has in its interim report made some recommendations on

measures to reduce the risk of occurrence of the presence of lead in solder on joints and of excess lead in drinking water in respect of new [public rental housing] projects under construction. These measures include requiring the main contractor to test water samples in a newly completed inside service for heavy metal content (including lead) in accordance with [the water service department's] latest requirements, requiring the main contractor to submit and comply with a management plan covering stringent plumbing subcontractor supervision and on-site monitoring, and using quick test methods by both the [Housing Department] and the contractors to check for the presence of lead in soldering joints during construction stage. Throughout its study, the Review Committee has been communicating with relevant and interested stakeholders, including professional organisations as well as industry representatives and frontline workers, to understand their views on the problem and possible solutions. It is possible that it may revise the above measures and consider recommending additional ones. The Review Committee aims to submit a full report to me by the end of 2015."

"In fact, our quest for improvement in the [Housing Authority's] established quality control mechanism for public housing construction has started as soon as ... the problems in Kai Ching Estate was first discovered. During a media session on July 10, the Director of Housing said, for public housing projects under construction, the [Housing Department] was considering requiring main contractors to include testing for lead in the water quality tests. The [Housing Department] was also considering conducting tests for the soldering materials to ensure that they would comply with the lead-free requirement. On 13 July 2015, the Circular Letter No. 1/2015 issued by the [Water Services Department], now produced and shown to me marked 'Exhibit 1', which, among other things, promulgates additional test parameters for



water samples taken from a newly completed inside service, covering four heavy metals of lead, chromium, cadmium and nickel on top of the eight test parameters under the Circular Letter No. 2/2012 issued by the [Water Services Department], now produced and shown to me marked 'Exhibit 2'. Accordingly, we imposed such additional requirements on [public rental housing] projects under construction. In our paper submitted to the Legislative Council Panel on Housing for the meeting on 22 July 2015, now produced and shown to me as 'Exhibit 3', we explained our understanding on why the [Housing Authority's] system had not inspected the joints between pipes for lead content or checked for the presence of lead in soldering materials. The paper also outlined the short and medium term improvement measures that the [Housing Authority] would implement, and some longer term measures that the [Housing Authority] would explore, in addressing the problems identified."

Chairman, before I move on to the next paragraph, I just want to point out that the text of the written statement that was submitted, on the second line, towards the end of the second line of paragraph 16, there is a word "since" which is superfluous. Now, I have omitted that when I read the evidence.

主席：All right. 繼續吖。

殷先生：Paragraph 17, I continue:

"During the debate on two motions under the Legislative Council (Powers and Privileges) Ordinance ... held on 14 and 16 October 2015, I said that since the Incident, the [Housing Authority] had been mindful of not underestimating the risks nor arousing undue fears in the community. We had been adopting a pragmatic approach in addressing the immediate needs and concerns of affected residents, seeking remedies from the main contractors concerned

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C according to contracts, and investigating into the  
D size and cause of the problem including a comprehensive  
E review of the [Housing Authority's] quality control  
F and monitoring mechanism for [public rental housing]  
G construction. I also said that the [Housing Authority]  
H would bear the necessary responsibility as the owner  
I of the [public rental housing] estates concerned, and  
J stood ready to co-operate with the [Commission of  
K Inquiry] fully. I undertook to implement the  
L recommendations to be made by the [Commission of  
M Inquiry] as well as those by the Review Committee and  
the government's Task Force on Excessive Lead Content  
in Drinking Water ... which is headed by the Deputy  
Director of Water Supplies and comprising, among  
others, the chairman of Advisory Committee on Water  
Resources and Quality of Water Supplies, a renowned  
expert in material and corrosion of metal as well as  
a chemistry professor from a local university. I also  
said that, if the [Commission of Inquiry] found that  
there were responsibility issues that needed to be  
followed up, we would act solemnly according to  
established mechanism."

N "In order to address residents' concern over an  
O increasing number of [public rental housing] estates  
P with water samples found to contain excess lead, I  
Q announced on 15 July 2015 that water samples would be  
R taken from all [public rental housing] estates  
S completed since 2013, as well as Kwai Luen Estate Phase  
T 1 (which was completed in 2011), for lead testing. On  
U 20 July 2015, I announced that the scope of water  
V sampling tests would be further extended to all 12  
[public rental housing] estates completed in 2011 and  
2012. On 24 July 2015, I announced that the water  
sampling tests would be extended to all [public rental  
housing] estates in a systematic way. The target was  
to complete such tests for [public rental housing]  
developments completed in and after 2005 in two months'  
time, and then taking into account experience and data,  
consider how to do such tests for developments

completed before 2005. On 24 September 2015, we announced that systematic water sampling tests for [public rental housing] developments completed in and after 2005 (involving 83 developments from 46 estates) had been completed. Among them, excess lead was found in water samples taken from 11 [public rental housing] developments, while samples taken from the remaining developments were found to stay below the World Health Organization's ... Provisional Guideline Value ([that is to say] 10 micrograms per litre) for lead in drinking water. A total of 4,740 water samples were taken from the [public rental housing] estates completed in and after 2005 for testing, among which 91 were found to contain excess lead, representing 2 per cent of the total number of samples. Among these 91 water samples containing excess lead, 63 ([that is to say] 69 per cent) had a lead content of between 10 and 20 micrograms per litre, 10 [of the samples, that is to say] (11 per cent) had a lead content of between 21 and 30 micrograms per litre, and 18 [of the samples, that is] (20 per cent) had a lead content exceeding 30 micrograms per litre (the highest being 153 micrograms per litre)."

"Given the lower risks [associated] with pre-2005 [public rental housing] developments, the water pipes in which were in general connected mechanically and not by soldering, [the Housing Authority] is now carrying out water sampling tests for these estates by applying an objective and representative screening method, with a view to determining the drinking water quality of these estates within a shorter timeframe. [The Housing Authority] aims to complete these tests for pre-2005 [public rental housing] estates by the end of this year. As at today, 66 out of 143 [public rental housing] estates completed before 2005 have been tested, and all 1,482 water samples taken were found to stay below [World Health Organization's] Provisional Guideline Value."

"I now address the specific matters raised by the [Commission of Inquiry]."

Request number 1 is, "Explain and identify the prevailing statutory and non-statutory requirements and WHO and other relevant standards in drinking water". That's request number 1.

"The [Housing Authority] is not exempt from the application of the Waterworks Ordinance ... and the regulations and requirements of the Water Authority ... under the [Waterworks Ordinance]. I understand that the Water Authority ([that is to say the] Director of Water Supplies) is the authority for the enforcement of such laws and regulations. After the Incident, I learnt that there had been no statutory requirements relevant to lead in drinking water, and that water sampling tests required by the Water Authority for newly completed inside service covered eight parameters which did not include lead. These eight parameters are: pH, colour, turbidity, conductivity, free residual chlorine, E.coli, total coliforms and heterotrophic plate count. On 13 July 2015, WSD issued Circular Letter No. 1/2015 to, among other things, promulgate additional test parameters of water samples covering four heavy metals of lead, chromium, cadmium and nickel on top of the eight test parameters. As for WHO, I learnt after the Incident that WHO's Provisional Guideline Value is 10 micrograms per litre for lead in drinking water. Ms Ada Fung will provide more details in her response to this Request."

"Request number 2, "Explain the Measures and quality control system in place prior to the incident of excess lead in drinking water by the [Housing Authority] in order to comply with the requirements and standards and to ensure the safety and quality of drinking water."

"It is the [Housing Authority's] policy to

comply with all prevailing statutory requirements, and where appropriate, to strive beyond such requirements. The [Housing Authority] is not part of the government and is subject to many statutory requirements applicable to developers including the [Waterworks Ordinance] requirements mentioned above. While it is exempt from the Buildings Ordinance ... which governs the planning, design and construction of buildings and associated works, the [Housing Authority] submits building proposals for the vetting and approval of the Independent Checking Unit which, independent of the [Housing Authority], mirrors the functions of the Building Authority under the [Buildings Ordinance]."

"All specifications necessary for compliance with the statutory and regulatory requirements are included in [the Housing Authority's] contracts with the contractors who are contractually bound to perform accordingly. Staff of the [Housing Authority] sample checks contractors' works, targeting their sampling on the basis of risks. As discussed in the paper submitted to the meeting of the Legislative Council Panel on Housing on 22 July 2015" -- that is exhibit 3 -- "the [Housing Authority] monitored main contractors' works regularly to ensure that fresh water plumbing installations were executed in accordance with the contractual requirements, by inspecting the alignment of water pipes, position and quantity of brackets and whether they were firmly fixed, adequacy of pipe sleeves and spacing, the connection of pipes, whether the materials used complied with contractual requirements, et cetera. However, the [Housing Authority's] staff did not inspect the joints between pipes or check for presence of lead in soldering materials. The reason cited then was that the construction industry had all along believed that the widely accepted and used soldering materials should have complied with relevant requirements. Ms Fung will provide details relevant to this Request."

Request number 3 is to "Explain and identify the specific contractual terms and provisions pertaining to (a) the construction of the affected estates to ensure drinking water will be lead-free and safe and (b) prohibiting the use of pipes, fittings and soldering and other plumbing materials from which lead may leach into drinking water."

"The [Housing Authority's] contracts with the contractors are drawn up to comply fully with the statutory requirements under the [Waterworks Ordinance] and the regulatory requirements stipulated by the [Water Authority]. The contracts therefore include specifications to the effect that soldering materials should be of lead-free category, and that other parts of the fresh water supply system should comply with the prescribed standards under the Waterworks Regulations ... which stipulates compliance with the British Standard. Despite the above, however, as pointed out by the Review Committee in its interim report, the [Housing Authority's] system put in place before the Incident had some inadequacies. In short, the past system did not focus on the presence of lead in the fresh water supply system or in the water, and did not target soldering materials as a high-risk item. As far as the contract with the main contractors is concerned, the [Housing Authority's] system did not specifically require the main contractor to put in place a management plan to control, inspect or supervise the use of soldering materials, including quarantine upon delivery of materials. Besides, not until 13 July 2015 when [the Water Services Department] issued Circular Letter No. 1/2015 to, among other things, promulgate additional test parameters of water samples covering four heavy metals of lead, chromium, cadmium and nickel, there had been no stipulations on lead content in water under the [Water Authority or the Waterworks Ordinance] regime, and the [Housing Authority's] contracts similarly had not included such specifications in the

past. With hindsight, had we been aware of the associated risk before, [the Housing Authority] would have put in place suitable control and monitoring measures to prevent the use of non-compliant soldering materials in the fresh water supply system. Ms Fung will provide more details in response to this Request."

Request 4 is, "Explain the choice and decision of joining the pipes by soldering instead of using mechanical compression joints, and why the former method of joining the fresh water pipes was extensively used in the affected estates. If it is a matter of cost, please state the difference in costs."

"This request concerns historical and technical details on which I am less qualified than Ms Fung to provide. She will provide details in her statement."

"Request 5 -- 'Who in [the Housing Authority] was responsible for the procurement, inspection, construction and installation and approval of plumbing materials and the steps taken in (a) discharging such responsibilities and (b) ensuring the safety of drinking water.'

This Request involves details of how professional staff are organised. I should leave it to Ms Ada Fung to provide such details."

"I would like to make the point that the [Housing Authority] has put in place a system for quality control and monitoring in relation to public housing construction, including installation of fresh water supply, and each of the [Housing Authority] staff involved in public housing construction is assigned specific duties contributing to the functioning of this system. The system has evolved over the years to reflect the latest statutory and regulatory requirements, prevalent industry practice and knowledge as well as the accumulated experience of the

[Housing Authority]. As pointed out by the Review Committee, there had been a lack of awareness in the construction industry and the [Housing Department] of the risk of presence of lead in solder and its implications on the drinking water quality and in turn, the associated health risks. Such a lack of awareness contributed to the inadequacies of the [Housing Authority's] system (also referred to in paragraphs 14, 24 and 29) before the Incident as pointed out by the Review Committee."

"Request 6 -- 'Explain how plumbing materials containing lead came to be used in the affected estates and also why the use of the same had been allowed and overlooked.'

This is one of the crucial questions to which we have been seeking an answer since the first incident. With this in mind, and noting that the government has set up the Task Force comprising relevant experts, I, as Chairman of the Housing Authority, proposed to the [Housing Authority] to set up a Review Committee to comprehensively review the present arrangements for quality control and monitoring in relation to the installation of fresh water supply system, in order to detect any inadequacies, systemic defects and oversights. The Task Force published its Preliminary Findings and the Review Committee published its interim report in late September and early October 2015 respectively. I have accepted the Review Committee's interim report. Findings in the interim report are relevant to the Request. By the signed statement of the Review Committee's chairman, the interim report will be adduced as evidence for the [Commission of Inquiry]."

"I note in particular that in the Review Committee's opinion, the past mechanism for ensuring the quality of drinking water supplied to [public rental housing] estates before the Incident had some



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inadequacies. In general, there had been a lack of awareness in the construction industry, including the main contractors, the plumbing subcontractors, the licensed plumbers, as well as the [Housing Department], of the risk of presence of lead in solder and its implications on the drinking water quality and in turn, the associated health risks. I also agree with the Review Committee's view that the past quality control mechanism for the [Housing Authority's] projects that was in place before the discovery of excess lead was consistent with the industry's practice, the law ([that is to say the Waterworks Ordinance and the Waterworks Regulations]) and other [Water Authority's] requirements. In the past, there had not been any focus on the presence of lead (or other heavy metals) in the fresh water supply system or in the water, and soldering materials had not been targeted as a high-risk item. In terms of the building contract with the main contractor, the past system had not specifically required the main contractor to put in place a management plan to control, inspect or supervise the use of soldering materials, including quarantine upon delivery of materials; in terms of in-process supervision, testing and commissioning, the past system had not checked for presence of lead in soldering joints; and in terms of checks on completion of projects, the past system followed the then [Water Authority's] requirements on tests of water samples for eight parameters, and had not included tests for lead."

"Request 7 -- 'Explain what, after lead has been discovered in drinking water, steps taken by the [Housing Authority] (a) to address health concerns of the residents of the affected estates and (b) to ensure the safety of drinking water in the affected estates.'

The two crucial tasks referred to in this Request require the collaboration between the [Housing Authority] and the government and the concerted

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efforts of the relevant government departments. The government's expert health advice is that persons affected by excess lead in drinking water should stop drinking such water as one of the immediate measures. Given this advice, when excess lead was found in water samples from an estate, [the Housing Authority] immediately provided bottled water to the residents. So far over six million bottles have been distributed to the residents of the 11 affected estates/developments. At the same time, the [Housing Authority] and the WSD worked to first arrange for the provision of water tanks or water wagons, and then extend the pipes to the ground levels of each block. The [Housing Authority] then asked the contractors concerned to extend connection pipes from rooftop water tanks to each floor of the block. The [Housing Authority] continued to explore better ways to provide safe drinking water to residents, and with the assistance of the Government Laboratory ... and the WSD, studied options of installing filters commonly used in other jurisdictions. We accepted the proposals from the contractors concerned to install filters with US National Sanitation Foundation 53 certification for lead reduction for the affected households free of charge, with the undertaking to replace the filter cores for them free of charge for two years. As at today, filter installation for the households in all affected estates has been completed except those with whom we have difficulty in making contact. All the above measures have helped to immediately reduce the health risks faced by the affected residents."

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"Besides, the [Department of Health] has made appointments for households with excess lead found in water samples, as well as for residents of the affected [public rental housing] estates who fall into the three more easily affected groups ([that is to say] children aged below six (adjusted to be children aged below eight on 3 August), pregnant women and lactating women)

to receive blood lead testing. The [Department of Health] and the Hospital Authority have followed up jointly on the health condition of those who have borderline raised blood lead level. In particular, [the Department of Health] has arranged preliminary developmental assessment for those children aged under 12 and will provide appropriate follow-up services depending on the assessment results."

"To ensure the safety of drinking water in the affected estates in the long run, the [Housing Authority] has required the contractors concerned to work out proposals to replace the parts of the water plumbing system which have contributed to excess lead in drinking water. Separately, [the Housing Authority] has put in place a systematic programme to check for the lead content in drinking water in all [public rental housing] estates. As mentioned in paragraph 18 above, I announced on 24 July 2015 that water sampling tests would be conducted for all [public rental housing] estates in a systematic way. The [Housing Authority] has now completed systematic water sampling tests for all estates completed in and after 2005 with which a higher risk of excess lead in drinking water is associated because water pipes therein are mainly copper pipes joined by soldering which, according to the Task Force, is the cause of excess lead in drinking water when lead is found in the solder. [Housing Authority] is now carrying out such tests by applying an objective and representative screening method, for the 143 estates which were completed before 2005."

"Request 8 -- 'Describe the test results of plumbing materials taken by the [Housing Authority] for testing and identify the locations of the samples taken.'

Immediately after the first incident, the [Housing Department] took various steps to try to learn

about the problem, including testing some components from the plumbing systems such as pipes, joints and mixers. Details of the test results will be given in Ms Fung's statement. Thereafter, given the Government's decision to set up the Task Force which would conduct different tests and analysis for components taken from the water supply chains [of] some [public rental housing] estates where excess lead in drinking water had been found, the [Housing Authority] has since not focused on examination of components, but instead focused on testing water samples taken from [the public rental housing] estates. As mentioned in paragraphs 18 and 19 above, the [Housing Authority] has put in place a programme for carrying out such tests for all [public rental housing] estates systematically. The Director of Housing chairs a group comprising representatives from the [Housing Department, the WSD, the [Government Laboratories] and the [Department of Health], to draw up the sampling/screening method, procedures and protocol for the water sampling tests, and review the test results every week in general. Under the protocol adopted by this group, if water samples exceeding the WHO's Provisional Guideline Value for lead in drinking water are detected, the Government Laboratory will use a device (X-ray fluorescence ... analyser) to obtain preliminary reading of lead on the surface of the solder of the relevant joint. This is to provide corroborating evidence for the lead reading from water sampling tests and establish grounds for taking follow-up action with the contractor concerned in accordance with the contractual terms. I understand that in all cases, lead was found in such joints where excess lead was found in water samples."

"Request 9 -- 'Describe the Measures and Quality Control System put in place and/or any other recommendations by the [Housing Authority] in order to comply with the Requirements and Standards and to ensure the safety and quality of drinking water

supply.'

It is the [Housing Authority's] policy to comply with all statutory requirements, and where appropriate to strive beyond such requirements and put in place additional ones. Hence, the [Housing Authority] has included all these requirements in its contracts with contractors and expected the latter to deliver and comply with these requirements. The [Housing Authority's] own staff sample checks contractors' works, targeting their sampling on the basis of risks. As mentioned above, the past quality control mechanism for the [Housing Authority] projects that was in place before the discovery of excess lead was consistent with the industry's practice, the law ([that is to say the Waterworks Ordinance and the Waterworks Regulations]) and other WSD's requirements, but had not focused on the presence of lead (or other heavy metals) in the fresh water supply system or in the water, and had not targeted soldering materials as a high-risk item."

"There has been development immediately after the first incident. The [Housing Department] started to consider imposing two additional requirements on public housing projects under construction. During a media session on 10 July 2015, the Director of Housing said, for public housing projects under construction, the [Housing Department] was considering requiring main contractors to include testing for lead in the water quality tests. The [Housing Department] was also considering conducting tests for the soldering materials to ensure compliance with the lead-free requirement. Thereafter, on 13 July 2015, the WSD issued Circular Letter No. 1/2015 by which testing for four heavy metals including lead is now made mandatory for all newly completed inside service. In the paper submitted to the Legislative Council Panel on Housing for the meeting on 22 July 2015, we mentioned that we would implement short and medium term measures (such as incorporating in the [Housing Authority's]

contracts the latest water sampling test requirements specified in WSD's Circular Letter No. 1/2015 and strengthening inspection on soldering materials), and explore other long-term measures (such as working with stakeholders to raise the safety standard of other fittings and materials in fresh water plumbing systems and strengthen the training of licensed plumbers and workers in the industry). A list of enhancement measures for [public rental housing] projects has also been implemented by way of the

[Housing Authority's] Development and Construction Management Board Instruction issued to all in-house Project Teams and Contract Managers on 18 August 2015, now produced and shown to me marked 'Exhibit 4'. These measures include Project Teams conducting random checking upon delivery of materials on site and contractors' completion of checking, for lead content in solder joints; and the contractors collecting water samples for testing in accordance with the new requirements specified in WSD's Circular Letter No. 1/2015. The Review Committee in its interim report has put forward a list of recommendations. I expect to see more in its final report. The [Housing Authority] will strive to put in place all these recommendations as a matter of urgency to prevent occurrence of similar incidents in the future."

"Request 10: 'Given the incident of lead in drinking water, please comment on the necessity, appropriateness, feasibility and effectiveness of replacing the entire fresh water plumbing system (or part(s) thereof) in the affected estates to ensure the safety and quality of drinking water. On this subject, your comment is also sought on the timetable and costs involved."

"[the Housing Authority] attaches great importance to the Incident and the health of the tenants in the affected estates. We have been

A explaining to the public that the Housing Authority  
B has requested the main contractors concerned to submit  
C proposals on rectification of the state of  
D non-compliance in the 11 affected estates, which cover  
E a comprehensive investigation into the problem in each  
F estate, as well as identification and replacement of  
G the pipe joints that are found to be non-compliant.  
H The preliminary findings of the Task Force supports  
I the [Housing Authority's] stance in firming up the  
J proposals with the main contractors. However, the  
K rectification works are no easy task. They are  
L labour-intensive and involve complex technical issues  
M and procedures. The main contractors have all  
N submitted their proposals for rectification works  
O which have all been forwarded to the [Water Authority].  
P Before commencement of works, the [Housing Authority]  
Q needs to submit necessary documents for the [Water  
R Authority's] approval."

L "I am mindful that the rectification works are  
M not pure engineering issues. We have to examine  
N contractors' proposals carefully to ensure that the  
O works involved are able to, on the one hand, rectify  
P the problems and, on the other hand, cater for the needs  
Q and circumstances of individual households while not  
R causing undue disruption and inconvenience to them.  
S Careful planning and preparation including liaison  
T with residents or their representatives are necessary.  
U We have also explained openly that the rectification  
V works will start in the common area first as the  
non-compliant joints in the common area can be replaced  
in a relatively quick manner, benefiting the quality  
of water supplied to all residents soonest while  
causing less disruption to individual households. In  
the phase involving individual households, the  
[Housing Authority] needs to proceed with extremely  
careful planning which will in turn take time. The  
time needed to complete the rectification works varies  
among estates, depending on the size of the estates.  
In any event, this is not going to be a quick process

given the reasons above. As to costs, the [Housing Authority] expects that the contractors concerned will bear all the costs incurred from these rectification works."

問：係，張教授，你同唔同意頭先我讀出你嗰份證人口供嘅內容係準確咁樣反映你喺呢個聆訊入面所作出嘅供詞？

答：同意，不過我想一陣補充幾點。

問：係嘅，張教授。或者你喺你補充你嘅證供之前，你可唔可以確認你係願意將頭先讀過嗰啲內容係確立做你喺呢件聆訊入面成為你嘅證供？

答：願意。

問：咁你有咩嘢想補充，請你講吓？

答：諗主席，就剛才律師讀出我嘅書面供詞，我想簡單強調同埋補充幾點。第一點呢，當房屋署署長話畀我聽，署方喺今年嘅 7 月 7 號，喺啟晴邨兩個空置單位嘅兩個水喉接駁位樣本係驗出含鉛，以及呢係仍然會再次抽取水樣本化驗之後呢，我已經表示，係需要進入緊急狀態作準備。視乎水樣本結果呢係作出部署。

石先生：Perhaps just one small point for translation. The reference to the Director of the Housing Authority should simply be Director of Housing.

林先生：主席，主席係咪應該唔係 contingency mode.

主席："Emergency mode", right?

答：主席，或者我繼續。

主席：仲有冇其他補充呀？

答：我亦都係知會咗政務司司長。喺 7 月 9 號中午我召開咗小規模嘅跨部門會議，出席嘅呢係包括食物衛生局局長高永文、發展局副局長馬紹祥、房屋署署長、水務署署長、衛生署代表，同埋其他人員。就初步係去商討，一旦證實食水含鉛嘅應急措施。我個意思係話喺當日仲未有呢個食水係驗到含鉛，不過我哋當時傾就係一旦證實係食水含鉛，係要採取呢個措施。



喺 7 月 10 號從啟晴邨再抽取嘅三十個水樣本當中，係證實有四個樣本係超標。因此房屋署喺當日嘅黃昏會見傳媒，同埋係召開居民大會，並且係啟動即時嘅舒緩措施，係包括派發樽裝水同埋發出健康嘅資訊。第二點，可以睇到由一開始政府嘅有關局、署同埋房委會都係有低估風險，係沉著應變。我同房署嘅高層同事亦都係即時喺度問「點解屋邨嘅食水會有含鉛呢？係個別大廈抑或係會涉及不同屋邨嘅問題呢？若果係後者，呢個就係結構性、制度性嘅問題」。

所以當涉及啟晴邨同一個持牌水喉匠嘅另外四個屋邨當中嘅葵聯邨二期都係發現有超標嘅水樣本，我哋就認為係實在不容怠慢。主席，或者我再清楚啲講講，因為英文嘅說法，或者唔係咁清楚。我意思就係話啟晴邨嘅同一個持牌水喉匠，佢都有涉及另外四個屋邨，當我哋發覺另外四個屋邨裏面嘅葵聯邨二期都係有發現超標嘅水樣本，咁我哋覺得係不容怠慢。主席，或者我用英文去表述，可能我個結構太複雜。

主席：或者我哋...

答：What I meant to say was that apart from Kai Ching Estate, the same licensed plumber was involved in four other estates. So when we discovered that of those four estates, one, which is Kwai Luen Estate Phase 2, was also -- we also found samples from that Kwai Luen Estate Phase 2 containing excessive or excess lead in water, so we thought that we must not be complacent.

主席：Thank you.

答：主席，我接住。咁於是我哋就逐步去擴大抽樣驗水嘅範圍。首先呢就係 2013 年或者係之後落成嘅屋邨，之後就係 2011 年及 2012 年落成嘅，跟住就係所有剩落嚟，2005 年或者以後落成嘅，然後就係 2005 年前落成嘅。亦都係所有嘅公共屋邨都係納入驗水嘅範圍，以安住戶之心。我哋一直嘅態度係不低估風險，但係不製造恐慌。實事求是，公開透明，以人為本。

第三點，為咗徹底弄清楚事情嘅底蘊，雖然政府，即係發展局方面，已經喺 7 月 15 號成立咗由水務署副署長主持水務專家組成嘅專責小組，去確定食水含鉛超標嘅源頭，作科學嘅鑒證。

但係我作為房委會嘅主席，認為係有必要由房委會係對現有食水品質控制同埋施工嘅監管，作一次全面嘅體檢。於是喺 7 月 14 號記

者會上係提咗出嚟，而喺 7 月 16 號房委會簡報會上係得到委員嘅支持，透過既定嘅程序，喺 7 月 24 日係正式成立公屋食水質量控制問題檢討委員會。

第四點，亦都係最後一點，正如我喺書面證供所講，房委會除咗要遵行所有法定同埋規管要求之外，亦都喺適當嘅情況下超越有關嘅要求。但係點解我哋係冇去測試食水之中嘅含鉛量呢，正如檢討委員會喺 10 月 6 日向我提交嘅中期報告中指出，呢個係因為過去建造業內包括水務嘅分判商等，以至房屋署，普遍對焊料含鉛嘅風險，同埋佢對食水品質嘅影響，以至相關嘅健康風險都係認知不足，佢哋以為係符合相關法規同埋水務監督嘅要求就可以。

而水務監督喺今年 7 月 13 日發出新通函，第 1/2015 號之前，並未有要求就新安裝嘅內部供水系統係採集水樣本去測試鉛或者其他重金屬嘅含量。事後睇嚟假若以前係意識到相關嘅風險，相信房委會同埋房屋署係必定會落實適當嘅管制同埋監督措施，並且係去測試新內部供水系統嘅含鉛量，以及喉管焊料是否含鉛，以確保食水嘅安全。主席，我補充完畢。

主席：唔該。殷律師，你有冇嘢仲想？

殷先生：主席，我有其他嘅問題畀呢位證人。我要修改一個係關於聆訊嘅紀錄。因為有在座嘅同事話畀我聽，我喺讀嗰個證人嘅供詞嗰陣時，讀到第三十一段嘅時候讀錯咗一個字。第三十一段嗰度，最後嗰句應該講話 "In particular, [the Department of Health] has arranged preliminary developmental assessment ...", 我應該係讀錯咗做 departmental, 應該係 developmental 先啱。

主席：唔該。或者我哋今朝早聽住咁多證供先，我哋晏晝兩點半再繼續，晏晝兩點半再繼續唔該。好，我哋暫時休庭先喇，唔該。

下午 12 時 41 分聆訊押後

下午 2 時 33 分恢復聆訊

出席人士如前。

主席：想同各位律師講一講今朝早嘅翻譯嘅問題。咁我諗你哋都注意到，就今朝早就翻譯上就唔係咁理想，咁樣樣就因為今次基本上係一個行政機關主導嘅調查委員會，所以就係翻譯員嗰方面就並非一般嘅法庭嘅翻譯員嚟嘅，唔係我哋法庭派嚟嘅翻譯員嚟嘅，所以喺呢一方面就唔係咁理想。咁就我同黎先生都商討過，似乎喺咁多位律師當中，就係 Mr McCoy 就係唔識講廣東話嘅啫，可能佢識嘅，不過似乎...

講者（不能辨別）：好好嘅。

主席：就係好好廣東話，咁就梗好喇，咁就似乎唯一係佢可能會出現有啲問題。但是我哋就唔想阻礙我哋呢一個研訊嘅程序，所以我哋其實某程度上我哋已經有即時嘅傳譯嘅，咁而我哋嘅即時傳譯係政府行政機構派嚟嘅總即時傳譯主任，所以個水準係一啲都係唔差嘅。所以喺咁嘅情況之下，我就係--而家個意思就係我哋會繼續係用廣東話進行呢一個聆訊。如果係喺一啲重要嘅問題上高係出現到有翻譯上嘅差別又好，唔滿意又好，咁到時候就可以就係同我講，我睇下點樣樣可以係解決呢一個翻譯上高嘅問題。如果唔係嘅話，即係咁我哋就會一路係用廣東話係去進行呢一個研訊，直至到我哋可以搵到一啲係比較滿意嘅翻譯員為止。

咁喺呢一方面，請問有冇律師係想作陳詞？

殷先生：主席，我其實聽到你頭先所講嘅嘢，都令我某個程度上係定咗落嚟嘅。因為我有個憂慮，就係證人嘅口供係應該係以佢自己作供嘅語言所講嗰個紀錄為準嘅，咁我最大嘅憂慮，就係佢哋嘅證供喺呢個翻譯過程之中係失咗真嘅，咁我而家唔知道而家我哋嗰個研訊嘅官方嘅正式紀錄，係唔係會以嗰個證人作供嘅語言為準。因為呢個我哋就算在場嘅律師係雙語並用，個個都識聽英文，又識聽廣東話，係有辦法係專注喺個過程之中聽住個翻譯準唔準確，逐一句去睇下證人講咗乜，翻譯講咗乜乜，傳唔傳譯得好呢咁。

因為我哋如果係一般嘅雙語式進行嘅法庭聆訊，好多時口供都會係盤問證人都係用廣東話，但係喺嗰個 final submission，陳詞嗰陣時，係即係啲律師係可以各自表述佢哋理解到嗰個證人嗰個證供係點樣嘅。即係將--如果我哋嗰個陳詞係用英文寫嘅時候，我哋都係自己去根據番嗰個中文嘅原文嘅口供去轉譯嘅啫。但係如果你話有一個--即係當然如果你話譬如喺--方便 Mr McCoy 咁樣，靠嗰個即時傳譯，就有問題。但係我好擔心，就係即係到時如果去到尾我哋做嗰個結案陳詞嘅時候，我哋係咪都可以即係根據嗰個證人嗰個作供嘅原文嚟轉譯呢，抑或係我哋會某個程度上係受到咗嗰個翻譯嘅掣肘

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呢？

主席：係，我就唔覺得會受掣肘嘅。廣東話審訊已經好耐喇，係咪？只不過可能未去到--或者高等法院未咁普及啫，但係實際上各級嘅法庭都一路用緊廣東話進行緊。你去到廣東話，一般嘅市民係畀廣東話，你去到陳詞嗰陣時候，你鍾意畀廣東話，如果係你想係援引一啲個證人嘅證供，咁佢係用廣東話講，你咪用廣東話援引。去到一啲法律上高嘅問題，如果你認為「啊，我要援引好多外國嘅案例。」咁嗰啲全部係英文，你咪用英文講囉，基本上冇乜大嘅問題，我諗唔到你嗰個問題喺邊度。

殷先生：我淨係想知道，即係我哋其實係而家係作準係用證人...

主席：作準係用個廣東話嘅。我其實一早已經開始嘅時候已經講咗，我哋今次呢個研訊嘅 default language 就係廣東話嘅，不過就我就話有陣時候就不拘一格。

殷先生：或者換句話講，係咪我.....

主席：係嘞。所以你上一次你代表--即係何大律師就曾經同我講過，就話「啊，我個 junior 好多時候喜歡用英文。」咁我就話「哦，基本上不拘一格。」不過個問題就咁，而家個問題就係沒有翻譯員，係咪？咁而喺咁嘅情況之下，我而家見到真係需要話好似我哋今朝早咁樣樣嘅翻譯嘅狀況，就係只係 Mr McCoy，但係 Mr McCoy 個情況，又可以用我哋嘅即時傳譯員係可以傳譯到嘅。咁你話有啲未必係百分之一百一字一句咁翻譯呢，咁我接受係有可能有咁嘅情況出現，不過如果有呢啲咁樣嘅情況出現，而又真係可--真係喺一啲證據上高係起咗一啲具關鍵嘅時刻，而又有爭議嘅話，到時候就可以再叫我哋係作出一個係決定。但係一般嘅情況之下，冇爭議嘅，根本就唔係一個 issue 嘅。

殷先生：即係我想澄清，就係我哋而家係嗰個證人嘅供詞嘅正式紀錄，係以佢作供嘅原文為準。

主席：中文呀。其實所以今朝早我都有啲奇怪嘅，因為你想引導你嘅證人作供，咁當然冇問題，你引導你嘅證人作供，不過你就讀咗你嘅英文出嚟，都有問題其實，其實係可以叫個證人用廣東話讀嘅。

殷先生：因為我嘅理解就係...

主席：啱唔啱呀？佢識廣東話㗎嘛，嗰份嘢係佢寫㗎嘛理論上，理論上，

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啱唔啱呀？唔係律師寫㗎嘛，係佢寫㗎嘛，佢如果用廣東話會唔識用廣東話講番個份用英文寫嘅嘢出嚟呢？

殷先生：我嘅理解，就因為就收到呢個研訊委員會嘅指示嘅時候，就話呢個證人嘅書面口供係可以用英文嘅。

主席：中、英文冇乜所謂，完全冇乜所謂。喂，咪住先，殷大律師，我哋係咪需要花咁多時間糾纏喺呢個問題上呢？如果呢個唔係一個問題嘅話，我好想繼續聽張炳良先生嘅證供嘞。

係，李大律師。

李先生：主席，我覺得呢個問題要解決嘅，因為而家就我睇到——雖然唔關我啲客事，但係我睇到係你哋嘅大律師係用英文問佢哋嘅，即係用英文。

主席：欸，係阿殷大律師啫。

李先生：係呀。

主席：係嘞。

李先生：咁佢用英文問過嚟——淨係英文問佢個客，係咪呀？

主席：係，暫時就係嘞。

李先生：嘎。英...

主席：唔係，佢其實係中、英夾雜嘅，有時又中文嘅，不過有陣時都用英文。

李先生：我本人同意你嘅睇法嘅，但係個問題係出在呢，因為如果你想個證人用中文讀佢個英文嘅口供紙呢，係好難做嘅。

主席：諗...

李先生：就惟有早啲話畀佢聽用英文——用中文寫咗先，咁然後用中文讀出嚟容易嘞。

主席：唔係，我明嘅，嗰份證人口供就係英文撰寫，當然佢如果用廣東話講出嚟，就唔會好似英文啲啲文法咁漂亮，就會比較本地化一啲，咁都唔緊要，我哋都可以用本地化嘅廣東話去聽，係咪？

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李先生：最弊，最弊有啲字根本係平時冇用㗎。

主席：啱。咁我哋可以用其他方式去表達嘅，唔需要...

李先生：可唔可以咁樣，我可唔可以建議畀你，主席？

主席：係。

李先生：就直情叫佢哋，「喺，如果你有晒英文嗰啲口供紙入嚟呢，唔該你自己譯晒中文，你讀出嚟。」咁容易解決問題，如果唔係，你兩邊唔埋岸嗰度慘呀。

主席：我可以叫，不過有啲 statement 係好長個嘞。

李先生：係嘞，就係嗰度。

主席：係咪呀？

李先生：係呀。如果叫一個普通人，雖然係雙語用嘅，...

主席：係。

李先生：...我相信如果佢嗰個口供紙真係用英文寫出嚟，如果英文個口供紙，好多時都係啲大律師有幫手嘅，一定有幫手嘅。

主席：係。

李先生：咁嘅時候又唔係佢嘅原文嚟㗎嘛，變咗。

主席：係吖。

李先生：咁你叫佢用中文嚟讀係好困難。即係我自己嘅經驗就咁樣，好困難。

主席：如果佢哋可以做嘅，咁呀最好喇；如果佢哋唔做嘅，就咁喺庭上高讀出嚟嘅，都有問題。因為我嘅經驗，就係我做呢個死因裁判官嘅時候，基本上差唔多所有啲專家證人，全部用英文撰寫。

李先生：唔。

主席：佢哋嗰啲--尤其是嗰啲醫生嗰啲報告，即係更加係用英文撰寫，當佢哋上到嚟畀口供嘅時候，佢哋一樣可以用廣東話。即係好簡單，你

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係好 technical，好技術性嘅語言，但係當你對住一班普通嘅人嘅時候，你就唔可以用一啲好技術性嘅語言...

李先生：哦，我明白。

主席：...去表達。你要你啲啲--聽你啲啲觀眾明白你所講嘅嘢先得啲嘛，你講到好技術性嘅冇用。

李先生：我同意，我同意。但係醫生佢點都係，佢行醫嘅時候，佢見到中國嘅病人，佢用中國語言話畀佢聽。而家呢啲就普通人，譬如張炳良，我識佢啲，佢平時都--鉛佢會識嘅。你基本上就講啲四個--啲三個字呢，佢平時就會未必識，即係係喺呢個問題。即係我只不過係表--加多啲意見落去，因為唔關我範圍事，...

主席：係。

李先生：.....我個客用中文寫嘅。

主席：係呀。咁暫時都...

李先生：但係我想知道，就係因為你上次你話過呢，我哋係隔一日就有個謄本嘅紀錄。

主席：係呀。

李先生：咁個謄本而家係中文定英文嘅？

主席：中文啲。

李先生：中文謄本？

主席：係呀。好，咁我哋叫番張先生入嚟，我哋用中文繼續。

石先生：唔。或者再澄清一下，就係我嘅理解，就係如果係有所謂唔係即時傳譯，因為如果用即時傳譯嘅話，即時傳譯講啲嘢係唔會落咗謄本嘅。

主席：係呀。

石先生：所以如果一陣間，舉個例，我問張先生，我會用廣東話問佢，佢會用廣東話作答，咁我哋嘅對答，撇除咗耳筒聽啲嘢即時傳譯之外，落咗個謄本度係用中文嘅。

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主席：中文。

石先生：唯一有可能係用英文落咗個謄本度嘅，就係即係可能--舉個例，遲啲係真係因為會牽涉到一啲外籍大律師，一定要用英文譯咗先聽到嘅嘢，即係或者我哋遲啲搵番一個即係法庭嘅傳譯嚟嘅時候，咁可能如果佢用--唔係 SI，唔係用即時嘅傳譯，而係要等埋所謂 consecutive 嘅傳譯，...

主席：係。

石先生：...咁啲落咗謄本就會係用英文。

主席：或者英文證人...

石先生：係。

主席：...嚟畀證供。

石先生：嘎，或者英文證人。即係舉個例，如果遲啲英文嘅專家證人，咁佢就會用英文畀口供。

主席：冇錯。

石先生：嘎。

主席：有冇問題？冇問題，咁我哋繼續。

石先生：即係一般嚟講，如果講廣東話嘅證人，佢講出嚟嘅嘢係會用廣東話。

主席：用廣東話做。我哋個 Live Note，亦都係之後係廣東話，唔。

李先生：不過如果個證人唔識用中文講，佢用英文講，咁就用英--英文有個謄本，係咪？

主席：如果佢係唔識講廣東話嘅，...

李先生：係。

主席：...淨係識用英文嘅...

李先生：即係啲兩個字，啲兩個字唔識咁呢，係咪英文...



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主席：哦，咁就會個英文詞...

李先生：擠番落去？

主席：...就會擺咗喺廣東話裏面。

石先生：我諗即係分辨清楚先。如果直情係完全唔識講廣東話嘅，譬如話  
Professor Bellinger, ...

主席：係。

石先生：...咁啲係全英嘅，咁你肯定係全英喇。

主席：冇錯。

石先生：但係如果係一個人講講下，我無端端我要講 nickel, 我唔記得  
咗 nickel 係乜嘢嘅話，我全中文中間插 nickel 呢個字落去，我諗  
冇人會有異議嘅。

主席：冇，冇人會有異議，好，唔該。

香港房屋委員會第一證人：張炳良教授（運輸及房屋局局長）宣誓繼續作  
供

石先生盤問

問：我都唔知點稱呼你，張教授，定係張局長，定係張主席，因為你有好  
多個--我叫你張主席，因為今日你係以主席嘅身分嚟到。我不如我就  
即係長話短說，我就知道其實張主席，你喺房委會裏面都係叫做係處  
理嘅係一啲即係比較高層次嘅一啲事項，對嗎？我哋叫做話落手落  
腳，譬如話要你去地盤即係驗料呀啲，就唔係係自己做嘍喇。所以  
我對你嘅問題，都會係問一啲政策上或者係高層次一啲嘅事情。

答：唔，好呀。

問：有四個字我哋成日都聽到嘅，無論係官方嘅說法，或者係你剛才嘅作  
供，就係認知不足。

答：唔。

問：咁我想同你探討一下，其實係對邊一方面嘅嘢認知不足。咁我想你睇

睇你個人嘅證人供詞，你面前有冇呀？

答：（沒有可聽到的回答）

問：有。第 14 段，我唔知道個頁數嚟講喺個 bundle 嗰度係幾多。

答：唔。

問：係 B15.1 嘅 37424。如果冇用緊 E bundle，37424 第 14 段。

答：14 段？

問：14 段，係。你嗰度就話你係作為房委會嘅主席，你喺 10 月 6 號你係公開地講，你係同意嗰個檢討委員會嘅意見，就話喺建築業也好，或者喺房署也好，係對於在焊料裏面含有鉛份呢一樣嘢嘅風險，同埋對焊料含鉛對食水品質嘅影響，同埋對健康嘅影響，對呢一類--呢一拵嘅嘢係認知不足，你就同意呢一個咁嘅說法。

另外，你就有一份立法會嘅文件，請你睇睇你面前嘅 bundle，37457。呢一份就係房署就係喺今年嘅七月呈交立法會嘅一份文件，37457 裏面嘅第 13 段，就講到房署去檢驗建築物料嘅程序。咁裏面，第 13 段中間有講到，就話房署就有好多嘢都會去檢驗，檢驗啲管呀、喉呀接駁得好唔好呀，緊唔緊呀咁，但係就有去檢驗到水喉之間嘅焊料有冇鉛。個原因就係建築界一路都相信，就係大家一路以嚟用開嘅焊料係符合有關嘅要求。

第三樣你有講過，就係第 27 段，你個人嘅供詞。睇番你個人嘅供詞，第 27 段，37431。37431 上面就話--你就係重複番檢討委員會裏面所講，就係話建築業界同埋房署，就對焊料裏面含有鉛份嘅風險，同埋對呢啲鉛份對食水品質，加上對健康影響嘅一啲風險就認知不足，所以就影響到房署喺出事之前所採取嘅制度就有不足。我提醒番，呢個係你嘅說法。

答：唔。

問：好嘞，我有一連串嘅問題就要問你，就係其實所謂嘅認知不足，並唔係指鉛對身體有害呢一個事實，對嗎？鉛對身體有害呢一個事實，唔會認知不足，對嗎？

答：我相信我哋社會上，大底上一般人都會認為即係鉛係唔係對身體有用嘅物質。

問：唔。

答：但係當然喺我嘅供詞裏面，或者係房委會所成立嗰個檢討委員會，佢係了解咗過去房屋署嘅一啲物料嘅品質管制，同埋嗰個施工過程裏面嘅不同階段嘅監管過程，同埋檢討委員會亦都係會見咗一啲業界嘅人士，包括啲承建商呀、水喉嘅分判商呀等等。個問題喺邊度呢？就係過去，就唔覺得--即係我個印象，佢咁個判斷，就係過去就唔覺得呢個鉛--水裏面含鉛係一個問題。因為就個法例係規定咗，焊料係要屬於無鉛嘅級別嘅，亦都一直認為呢個係已經係做到。因為嗰個工程嘅施工初階段，啲物料係需要拎一啲嘅樣本去測試--去認可嘅。同埋就喺水務監督過去所發出嘅通函，呢個係指 2012 年個通函，裏面係要求有八項嘅所謂參數要進行水質嘅測試，睇睇佢咁嘅含量，亦都有包括鉛。我相信就過去嗰個制度上，無論係房署嘅人員，或者係業界，包括係發展商、呢個承建商等等，都係以為呢個鉛嘅風險唔係高，如果係高嘅話，應該係喺水質嘅嗰個參數嘅測試裏面應該係包括在內。

問：所以就係話，對乜嘢認知不足，就唔係話對鉛嘅唔好處認知不足，對嗎？即係鉛呢樣嘢，對身體潛在地所可能帶嚟嘅健康危機呢樣嘢係認知應該係充足，對嗎？

答：我覺得呢個，就如果你擺喺我哋社會裏面，好坦白，其實我哋人體接觸到個鉛都好多機會。

問：唔。

答：即係包括皮蛋，都係可能有鉛嘅成分。

問：唔，唔。

答：我聽聞就蠔豉都有。

問：唔。

答：即係喺人嘅生活裏面，或者喺所食嘅東西，有啲時候可能會有鉛，不過問題就話社會上有冇一種警覺，就其實鉛係有一個標準，如果超過呢個標準，就好嚴重或者係會影響到身體。咁呢度，過去喺社會上，我自己睇，可能都係比較少咁樣去關注。

問：唔。好嘞，麻煩睇你嘅證人供詞第 24 段。

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答：唔。

問：第 24 段就係講到，就係話房委會與承建商之間嘅合約。

答：唔。

問：裏面就提到就話，呢啲合約係包括咗一個要求，就係焊料係應該係唔含鉛。應該係不含鉛。

答：係。

問：邊個去草擬呢一啲嘅合約條款？

答：呢個合約條款就係由番房屋署，呢個應該係叫發展與建築署，佢哋同埋下底嘅負責每個項目嘅總建築師，相關嘅同事，佢哋嘅分工底下去...

問：Okay。即係可能我問 Ada Fung 或者係...

答：係，佢會熟啲。

問：...Chief Architect，或者係...

答：係嘞，係嘞。

問：...Chief Building Services Engineer 佢哋？

答：馮女士佢就係負責嗰個發展及建築署嘅嗰個副署長。

問：係。

答：佢下底有好多嘅...

問：咁一係就馮女士，一係就佢下底嗰啲 Chief Architect？

答：係嘞，總建築師呀或者係其他嘅專業人員。

問：咁嗰啲佢哋就會比較了解啲呢啲合約嘅條款？

答：冇錯，冇錯，唔。

問：Okay，好。但係就合約條款就無可置疑，就係話要用一啲無鉛嘅焊料，咁.....

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答：佢正式嘅用語就係叫做無鉛嘅級別。

問：係，無鉛嘅級別，okay。你知唔知點解要要求無鉛呢？或者呢個級別呢？

答：呢個我相信係因為，如果係食水，呢個係最--即係對人體嚟講，係最接近即係人體嘅消耗，同理可能會影響健康。

問：係，唔。

答：所以我估當初定嘅時候，呢個規定係喺--如果我有掌握錯，應該係水務監督嘅一個要求嚟，亦都係寫咗喺嗰個--所以喺房署嘅合約裏面有寫到。

問：唔。

答：我相信呢個亦都唔係單係房署。

問：唔。

答：對私人嘅建築都係同樣適用。

問：唔。

答：咁就係一個屬於無鉛嘅焊料。

問：唔。

答：無鉛級別焊料。

問：可唔可以咁講？就係因為--而我哋頭先見到就係房署佢哋嘅立場，就係佢哋一路喺現場嗰度就抽驗一啲嘅物料，就有去驗嗰啲喉管之間接駁嗰個焊料裏面有冇鉛。而佢嘅解釋，我哋剛才睇過立法會嗰份文件，佢就話嗰個解釋，就係因為大家業界都有個假設或者有個信念，就係大家用開嘅一啲物料，裏面都應該係無鉛嘅，呢個係即係房署嗰份文件引述番。

答：的確喺 7 月 13 日--即係今年 7 月 13 日，呢個水務監督發出一個通函之前，特別係呢個啟晴邨嗰個驗到有水樣本含鉛呢個事故之前，佢哋係有去睇--有去驗嗰個喉管嘅接駁位有冇鉛。

問：係。

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答：不過我相信呢個可能唔單只係房署係冇去驗，我相信可能好多嘅私人嘅發展項目可能都冇。因為我了解，就係房委會成立嗰個檢討委員會，亦都係見過一啲承建商，咁承建商佢唔係淨係做房署嘅工程，亦都有其他嘅工程。

問：唔。但係我哋唔好講人哋點做先，但係嗰個立法會嗰個文件裏面嗰個解釋點解冇去驗呢--即係事實係冇去驗嘅，...

答：係冇驗。

問：...當時其實就係。後面呢個事實，我哋唔使爭辯。

答：嘎，嘎。

問：畀嘅理由，就係大家都相信嗰陣時所用嘅焊料應該就係安全，無鉛嘅。係基於呢一個信念，所以就房委會就係冇去驗，呢個係...

答：可以咁講。

問：...你嗰個說法，係咪呀？

答：唔。

問：好嘞，至於點解會有呢個信念呢？係咪就係因為合約條款就規定應該係屬於無鉛級別，大家就相信大家可能會依照規矩辦事，咁就唔應該出事嘞咁。

答：唔。

問：會唔會係因為咁樣呢？

答：如果我作為主席，喺件事發生之後，我所理解就係咁樣樣。

問：唔。

答：當然會唔會再有其他嘅一啲嘅資料呢？譬如話會唔會喺過去咁多年嚟，如果從喺執行工作嘅同事嗰個層次，佢哋唔覺得有呢方面嘅風險嘅發現呀等等，可能有冇其他原因呢，可能馮女士可以再畀多少少背景資料。

問：好。但係我想了解嘅，就係以你嘅了解，房委會或者房署，佢哋其中一項職能會唔會係去參加一啲交流嘅活動，或者去了解一下？

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答：唔。

問：唔好淨係局限於香港，去了解一下譬如話世界第二啲地方，同埋喺公營房屋，或者私人房屋，佢哋一啲發生過嘅一啲安全問題。咁作為一個盡責任嘅政府，或者公營機構，以你嘅理解，房署也好，房委會也好，有冇一啲--裏面嘅架構，有冇一啲人或者係一啲部門係專職去負責呢啲交流呀，或者係去確保佢嘅知識係與時並進呢個系統嘅呢？有冇嘅呢？

答：我所知係有嘅。就正如律師你所講，就有時好多業界佢都有啲研討會呀，國際上啲會議，咁其實都雙向嘅，有啲時候佢哋出席呢啲會議，係去了解其他地方一啲新嘅做法，或者一啲新嘅技術；調番轉頭，亦都有啲時候介紹香港嘅技術上一啲比較進取嘅地方。我喺供詞裏面亦都講到，以嗰個房委會嘅政策，我哋唔係淨係話有規定就遵守，我亦都希望係有啲時候係超越一啲...

問：超越規定。

答：...規定，希望有個即係優質啲嘅表現。

問：唔。所以譬如話有陣時會去了解？因為其實做任何一行都係嘅，唔可以淨係放眼自己，你都要知道人哋第二啲地方咩嘢事，出咗事，咁你就有則改之，無則加勉，睇番自己嘅做法，對嗎？

答：對。

問：所以就未必一定係睇下自己同事有冇話過佢哋喺自己做嘢嘅時候，發現過「啊，原來有呢啲問題喎。」佢都要了解一下第二啲地方有冇類似嘅問題？

答：唔。

問：如果有，咁套用番落嚟香港，類似事件發生嘅風險大定細，呢個其實係任何一個盡責任嘅政府部門，唔好淨係講房署，都應該採取呢個態度，對嗎？

答：我同意。即係如果係感覺到係有一個風險存在，就算現有嘅法例冇規定，當然需要正視嘅。不過喺鉛呢個問題，我所了解--當然呢個了解係基於喺七月份發生咗事故之後，我哋掌握呢，就過去一直以嚟，無論係房署或者係其他部門又好，或者係業界，可能都係有呢方面嘅個--你可以話個意識喇，即係我哋講話認知不足，因為唔覺得--唔知

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道係呢個係一個高風險嘅問題。

問：唔。我就想了解一下，即係房署裏面，即係系統上如何去確保佢嘅認知？即係認知不足，咁可能係一個不足，但係可能我而家就要進一步睇下呢個不足係何來喇。

答：唔。

問：我哋就委員會係請咗幾位專家去幫助我哋了解個事情嘅發展，同埋係即係畀嘅意見我哋。

答：唔，唔。

問：其中一位專家，Professor Fawell，係英國嘅專家，佢而家係草擬緊佢報告。

答：係。

問：但係佢就草擬報告期間，佢就好好咁樣就即係話咗畀我哋聽，其實類似香港鉛水嘅呢個事件，其實喺外國都發生過。

答：唔。

問：我哋就一啲嘅有關嘅文件，BBC 都有個節目㗎，我哋就擺咗落去啲文件夾裏面。

答：唔。

問：咁我想畀你睇一睇。

答：唔。

問：即係仔細嘅嘢你未必知道，因為件事係發生於 2000 年，嗰陣時你都未做局長，但係即係我講定畀大家聽，就係你都未必會了解到啲細節。

答：唔。

問：但係我而家一早擺定出嚟，事先張揚，就係希望即係可能個公營機構同埋相關嘅人士都知道，其實我哋其中一個方面就係話--即係學你所講嘞，認知不足，咁呢一啲嘢當時有冇類似嘅認知？如果有認知，究竟個問題出在邊度呢？係咪系統上？原來大家淨係顧住小島心態，淨係理香港，定係點呢？即係我想即係喺呢一方面同你探討下。想你睇



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睇就係 A1，第 134 頁。A1，134。呢件事情同大家講講先，就係喺 2000 年，喺蘇格蘭發生。

答：唔。

問：134，見到嗎？

答：係，見到。

問：係。咁就我哋有幾份呢個文件，第一份就係英國廣播公司（即係“BBC”），佢喺 2000 年嘅時候做過一個節目，就係我哋叫做一啲偵查式嘅新聞採訪，“investigated journal”，可能去。咁就係去調查蘇格蘭有一個發展項目，裏面啲人就係發現咗原來水有含鉛。

答：唔。

問：我即係好簡潔咁講講，有個 reporter 叫 Jane，咁就開頭講咗一啲 -- 一樣嘢，就話「啊，即係應該好好㗎，即係夢想中嘅家園呀」咁樣。跟住就睇到落去中間嗰度，就係見到 -- 你見到 reporter 嗰度嗎？

答：係，見到。

問：個記者咁講，就係話有一個危機，就可能影響緊蘇格蘭即係幾百間嘅新居，就係水裏面有鉛。

答：唔。

問：咁就係講到 -- 跟住就係話食水係被污染。以前，即係喺格拉斯哥嘅歷史裏面，就食水裏面就可能含好多鉛，因為歷史嘅原因。但係應該呢啲即係歷史遺留嘅嘢，應該唔再存在，因為供水嘅即係機構，當地嘅 counsel，即係嗰啲地方議會，同埋即係業主，使咗幾百萬鎊就去換咗嗰啲用鉛做嘅喉管，因為知道以前古代係用鉛做嘅喉管。咁以前用鉛做嘅喉管，就會即係帶入埋啲鉛入去食水度，跟住就換晒之後，應該冇㗎喇。但係跟住你睇番落去最靚嗰兩行就話，但係喺啲新建嘅屋苑裏面，就發現咗好高嘅濃度嘅鉛喺啲水度。跟住講到呢一個發展嘅項目，就有呢個 Fyfe 嘅呢個家庭就搬咗入去，就係 98 年聖誕之前搬咗入去。跟住就即係訪問嗰啲家人，咁就講到就係 -- 你見到中間嗰度，就係有 reporter 嗰度，係咪？

答：唔。

問：Brandon was just two then。呢個小朋友叫 Brandon，嗰陣時

就兩歲，呢個兩歲嘅小朋友就令到呢個戶主就發現屋企有啲嘢唔妥。咁個爸爸 Mr Fyfe 就話，係囉，佢就即係一路就即係一個好乖嘅 BB 嚟嘅，咁就即係好活躍、好曳咁樣，但係突然間開始夜晚就即係又作嘔，好拗呀，又唔想玩呀，頭痛呀，唔舒服呀，哭哭啼啼咁樣可能，咁就即係發現又胃抽筋咁樣，咁呀發現咗好多嘅問題。長話短說，就掀--去到跟住嗰頁，你再掀一頁。

答：唔。

問：就係 page 3 of 16，即係 136 個度，……

答：係，見到。

問：……中間個度，咁就係你見到就係嗰個 Mrs Fyfe 個度，佢話“ten days later”，你會見到。

答：係。

問：佢話十日之後，總之佢向好多地方投訴又盛，十日之後收到個電話，晴天霹靂，佢話原來呢個電話話畀佢聽，就話「你屋企啲水裏面好多鉛嘞，你千祈唔好飲呀」咁。記者就話，當時喺英國蘇格蘭個度，法定嘅--佢哋已經有法定嘅鉛嘅含量嘞，水裏面，法定嘅水裏面嘅含量，最多就係每公升 50 微克，即係高過晒--即係仲寬鬆，就係 50，我哋而家用嘅叫做 10。

答：唔。

問：即係佢係蘇格蘭個陣時用係 50。但係驗出嚟就係呢個家庭佢哋個個洗手盤就 380 微克，就嚴重超標，咁就發現咗好多問題，就好嬲呢個家庭。一路就即係個節目就一路講落去。

答：唔。

問：咁你繼續掀，就掀到呢度，第 138 頁，138 頁。138 頁個度就係講到就係話，嗰個戶主就話啲醫生都話唔到畀佢哋聽，究竟即係鉛份太多會有咩嘢問題。跟住就你睇同埋一頁落去，你就會見到 reporter 個度講“ Research over years in America and Europe.”。即係喺美國同埋歐洲嘅研究，就話畀我哋聽鉛如果吸收得太多，就會有即係唔好嘅效果。有呢個 Dr Beattie 就喺度講解可能影響腦部嘅發展咁樣，咁呢啲十五年前英國已經喺度討論緊。

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答：唔。

問：咁就我哋遲啲 Professor Bellinger 會...

答：係。

問：...同我哋解釋即係關於健康方面嘅嘢。

答：唔。

問：好嘞，跟住你睇番後面嗰頁，最頂嗰度，139 頁，你見到 “No one was taking me seriously” 嗰度，見唔見到？

答：唔，唔，唔。

問：即係啲人都即係當我有到嘅。即係當然佢周圍投訴，佢就話好似對住墘牆講嘢咁樣，呢個戶主。

答：係。

問：佢話「即係冇人想答佢，就大家喺度推卸責任。呢個發展商就喺度埋怨，或者推卸責任畀呢個環境衛生嘅部門。環境衛生嘅部門，就係推卸責任畀供水嗰個部門。供水個部門就推卸責任就畀個發展商。」佢話「就係兜兜轉轉，就冇人即係認錯。」供水個部門就話啲水入嚟屋嘅時候冇問題嘅，咁發展商就唔認，就話啲水入嚟嘅時候已經唔妥，就係個水塘出事。

答：唔。

問：所以個供水嗰個部門，就要即係挖晒啲啲喉出嚟驗，發覺原來入屋啲啲水係冇問題，咁就喺度即係兜轉咗好耐，你見到呢一個咁樣嘅說法。好嘞，跟住你就見到就即係發現咗嗰個問題嘅所在，就係中間 139 頁，中間嗰度，你見到 Mr Fyfe 嗰度呢，就係 “And he told us that they'd investigated.”，嗰度你見唔見到？

答：係，見到。

問：就係有人話畀佢聽，就係調查完之後，原來就係裝水喉嗰間公司就做錯事。點解會做錯事呢？就係啲喉管就被污染。點解會被污染呢？就係因為原來裝嵌水喉嘅公司就用咗含鉛嘅焊料。

答：唔。

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問：我哋暫時見到香港有做過嘅一啲報告，起碼我哋見到嘅結論，都係話用咗啲含鉛嘅焊料。

答：唔。

問：我哋而家--當然我哋嘅獨立調查委員會係會獨立去調查，但係我哋暫時當係呢個係原因先。

答：唔，唔。

問：咁發覺原來十五年前已經喺第二啲地方已經有，我哋起碼見到呢一度係有咁嘅情況出現過。我哋繼續，個記者就話「係嘞，嗰啲焊料係做咩嘢嘅呢？就係你燒熔咗佢，就要嚟整實嗰啲喉。」但係個記者繼續講，就係話「1989年起，其實已經禁止咗係用含鉛嘅焊料嚟到縫合，即係嚟到焊接呢啲水喉。因為用咗呢啲含鉛嘅焊料，對--即係用咗呢啲含鉛嘅焊料，對我哋嘅影響仲危險過用啲含鉛嘅水喉嘅。」

答：唔，唔。

問：跟住就訪問咗呢個叫 Dr Oliphant 嘅人去講點樣危險。跟住你睇睇，跟住到 the reporter 嗰度，你見到 “The law is clear” 嗰度，你見唔見到？

答：係，見到。

問：佢話「喺，法例就好清楚嘅。」呢個記者話「水管所用嘅焊料一定係唔可以含鉛嘅，或者我哋叫做無鉛級別」，叫做。

答：唔，唔，唔。

問：但係問題就係，市面上係仍然可以買到一啲含鉛嘅焊料，因為含鉛嘅焊料可以用嚟做第二啲嘢。

答：冇錯。

問：所以市面上係仲可以買到含鉛焊料。

答：唔，唔，唔。

問：而負責做水喉嘅工人好多時候就兩樣都帶住，因為可能佢哋要咁多嘢，需要用啲含鉛嘅焊料。

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答：唔，唔，唔。

問：同埋財政上，即係金錢上，其實違反法律規定走去用一啲含鉛嘅焊料，係一樣即係都幾誘惑性嘅嘢嚟嘅，“financial temptation”。佢話因為用含鉛嘅焊料係平啲，同埋佢話可能係容易啲，同埋用得會比較快啲、方便啲，同埋可以快啲搞掂，我一陣間會畀你睇睇。即係有利呢間公司，佢做嗰個內部調查報告，佢都有類似咁樣嘅調查做過，我畀你睇睇。

答：唔。

問：有個 Dr Oliphant 就講過，就話其實--你繼續睇，就話佢哋研究就係覺得，其實用啲含鉛嘅焊料--應該話用無鉛嘅焊料，你嗰個造價係會貴百分之二十嘅，即係用咗啲無鉛嘅焊料係貴啲。

答：唔。

問：但係呢個 Dr. Oliphant 就話「不過咁，即係就算貴都唔係貴好多啫，比起成間屋嗰個價值，就慳得幾多。即係一方面嘅理據可能係咁；但係另一方面嘅理據，呢個記者你見到佢咁講，...

答：唔。

問：...就話 “Maybe be quite negligible to the house buyer”。你買間屋成間屋嘅價錢，當然畀少少焊料就係睇好少。

答：唔。

問：但係對負責進行工程嗰個--做水喉嗰個工人，或者做水喉嗰--負責嘅人，佢可能攞一單大合約做幾十間屋，就未必係好少。咁呢一個係即係當時嘅一個即係憂慮，好似一個論據。你跟住睇睇後面，就係話嗰個記者繼續咁樣追查，就係話其實嗰個發展項目，嗰個 Calder Gardens，其實全部嗰啲屋都係同埋一間公司去做呢個水喉嘅，所以佢哋未必係即係單獨嘅一個受害人。

答：唔，唔。

問：跟住你睇番佢下面，佢就走去訪問番就嗰個公司，嗰個--唔係，訪問番個 Mrs McGee，呢個係另外一個受害人嚟嘅，Mrs McGee 係。

答：唔，唔。

問：佢話「我開頭就係諗住係啲水嗰個來源嘅問題，但係發現原來水嘅來源有問題。」跟住佢就話 “It was then they told me.” 即係話跟住佢就發現原來係做水喉嗰啲工人，佢哋就有兩種嘅焊料；一種有鉛、一種無鉛。佢哋就應該係用無鉛嗰種焊料係要嚟處理食水嘅系統。但係佢話就可能當時就係嗰個焊工就求其攞咗一嚟焊料就焊咗落去，發現原來係含鉛嘅。咁就所有嘢都污染咗。跟住就講咗好多嘢，又訪問咗好多 Mrs McGee 又盛。

答：唔。

問：跟住就--你走去睇番 reporter，你睇番 142 頁，142 頁。就係嗰個發展商話 “In a statement to us, Bryant Homes say all their contractors have been reminded that leaded solder is illegal.”，見唔見到？第 142 頁...

答：係。

問：...上面嗰度。

答：唔。

問：就係嗰個發展商呢就.....

答：哦，reporter 嗰度，係。

問：142 頁。

答：係，見到。

問：你見到個發展商就有個聲明，就話佢已經提醒咗所有嗰啲即係工程嘅承辦商就話係唔准用呢個含鉛嘅焊料，因為係非法嘅。

答：唔，唔。

問：同埋係佢哋係--author 係提議就係幫嗰啲 McGee 呢個家庭係換晒所有係有問題嘅焊料同埋水喉。跟住我想你攞幾頁，我想你攞幾頁，就係攞到第 144 頁，144 頁。你見到有個叫做 Ian Ball 嘅人，就係嗰個做水喉嗰間公司。見到嘛？

答：見到。

問：Worthingway Limited。

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答：唔，唔。

問：咁呢位被訪問--佢哋搵到--佢哋搵到直情做水喉間公司出嚟訪問佢。

答：唔，唔。

問：呢個人就話其實有兩種焊料，一種就係無鉛、一種就有鉛。佢話「好簡單啫，我哋有個人用錯咗。」

答：唔。

問：問佢點解做錯咗，佢話「哦，搞錯啫」咁。問點解搞錯，佢話「唔知呀，總之搞錯喇。就佢哋冇盡--盡--佢哋冇好好地做咁咪搞錯咗囉。」

答：唔。

問：「至於因為貪方便，定係發現原來即係佢哋冇--即係掉以輕心，冇買到啱嘅焊料，總之人為錯誤喇」。總之就即係講咗好多嘢你見到。噏，我唔會再即係好細仔咁樣去--去講喇，因為即係每一單事情都係唔同嘅，咁呢度見到喺蘇格蘭十五年前已經有過一件咁樣嘅事情，就係一個發展項目裏面係含有呢個。咁不特止嘅其實，因為就唔係淨係啲電視節目呀，貪得意咁樣去即係做呢個專題。因為電視做專題嘅話--可能大家話係炒作。但係實際上其實後來官方係做咗好多嘢。我想你睇睇同一個文件夾，198 頁，198。你見到 198 頁呢，就係叫 “Scottish New Homes Lead Survey” 就蘇格蘭方面就係對呢個新建起嘅房屋，係作出一個鉛嘅一個統計，一個調查。

答：唔。

問：你見到佢嗰個--負責嗰個機構就係叫做 “SCIEH”，Scottish Centre for Infection and Environmental Health。但係其實你睇下 204 頁，其實呢一個 SCIEH 係受到--你睇番第 204 頁，就係受到蘇格蘭政府，The Scottish Executive Health Department 嘅委托走去做。即係官方就做咗好多嘅嘢。207 頁就係講到就係嗰個背景。就講到 1987 年嘅時候，就立例禁止咗係用含鉛嘅焊料嚟到做呢個啲水喉，啲嘢部件係唔畀嘅。但係就喺呢一頁嘅中間你見到，it was（咳嗽聲）...（聽不清）你見到嘛？

答：唔，見到。

問：大家一路就假設就係話唔畀用鉛嘅嵌料，就即係唔畀用就係唔會用。

就直至到 1999 年，就喺格拉斯哥嗰度就發現咗新建嘅屋，就原來都有人係用呢個含鉛嘅焊料。就係因為一個小孩子，就發生咗一啲嘅病徵，跟住就件事情就搞大咗，大家就發現咗原來有食水含鉛一直都。呢個就係有呢個咁嘅 survey，你見到有呢個咁嘅調查。你跟住睇番第 244 頁，又係有個“Scottish New Homes Lead Survey Stage 2”。即係有第二部分嘅調查。蘇格蘭即係引致到一連串嘅調查，就係呢一個食水含鉛事件。

答：係。

問：其實就咁問你--當然好多年前嘅事情。但係以你嘅認知，其實房署或者房委會裏面有冇一啲嘅部門其實係去所謂 reach out，去外面去了解一下第二啲地方，公營或者私營房屋可能會出現嘅問題，有冇類似嘅架構或者機制去了解外面嘅問題？例如我哋而家睇緊嘅呢一個蘇格蘭嘅問題。

答：正如我剛才較早前回答你，一般嚟講佢哋會參與一啲外面嘅研討會，或者有時本地業界嘅專業團體搞。咁但係佢哋--即係你正話提到蘇格蘭呢啲咁樣嘅報告嗰啲，我就唔--唔知道佢有冇即係接觸過。

問：唔。

答：我自己喺過去--無論我做房委會個委員，即係我入政府做局長之前也好，或者我做咗局長之後，直到今次喺 7 月份發生啟晴邨出現呢個含鉛嘅水樣本之前，我都唔意識到有呢個調查。

問：唔。

答：當啟晴邨出事之後，我哋啲同事都四周圍去--去--去了解下喺其他地方係點嘅樣。咁我亦都睇--我--譬如我自己，我都睇過就喺多倫多，佢哋一啲處理食水如果有鉛嘅時候點樣處理；或者喺呢個愛爾蘭，愛爾蘭佢--原來佢發現就係喺一九--七十年代或以前，所有嘅喉管都係鉛嘅。

問：係。

答：所以佢哋都覺得一個好重大嘅一個風險嚟處理。睇嚟都係一個--唔係單係一個國家、一個地區存在嘅問題。

問：係，嘅。同理即係唔係叫做一啲落後地區，係咪呀？



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答：唔，唔，唔。

問：即係文明大國都會發現嘅一啲問題？

答：係，係，係，係。

問：至於--咁我想了解，當然唔會落手落腳做喇...

答：唔，唔。

問：...但係即係譬如話房署，或者房委會嘅架構裏面，其實有邊一個--即係我哋應該問邊個？即係關於即係呢一類所謂自強不息，點樣去即係裝備自己呢一類嘅工作，係邊一個部門或者邊一個單位負責？

答：如果從分工嚟講，因為無論係嗰個作為建--建築物嘅安全結構嗰方面，同埋一啲屋苑嘅裝備，同埋呢個建築物裏面嘅食水供應，呢啲全部都係剛才我所講發展及建築處，即係嗰個範疇嘅。

問：唔。

答：所以--同埋佢呢個範疇裏面嘅同事，其實都係好多不同嘅專業嘅類別嘅，建築師、屋宇裝--裝備嘅工作、呢個物料嘅測量等等。所以應該係佢哋--即係從嗰個本身個專業嘅需要，佢都應該係睇下最新嘅--喺管理上，或者個專業覺得最新嘅--用英文就“Good practice”或者甚至“Best practice”，應該係有啲咩嘢要去注意。

問：即係話其實係問馮女士，或者佢未必個個人答到，佢都可以話到畀我哋聽，其實喺佢嘅架構之下，係邊一個部門，或者邊一個證人可以幫到我。

答：佢哋未必一定係個別一個部門。

問：哦。

答：正如我所講，喺佢個處裏面呢，因為佢有--都有相當多數目嘅呢啲專業人士㗎，嘎，嘎，唔。

問：明白，明白。即係唔會有個部門專係去履行，去開會，唔係嘅，...

答：係，係，係。

問：...即係可能其實你做任何嘢，part of 即係作為你其中一部分，佢

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要自強，可能你要去參加下啲研討會咁樣？

答：唔，唔，唔，唔，係。

問：好嘞，咁頭先我哋睇番 BBC 嗰個專題，咁佢有講到計數，佢就話其實原來慳埋都可能即係都幾係嘢，……（聽不清）

答：唔，唔，唔，唔。

問：我畀少少嘢你睇先，有你--你面前文件夾 7.4。咁當然呢一份係有利佢自己內部嘅一個調查，佢就呈交咗畀房署。

答：唔，唔。

問：咁我哋就拭目以待有利佢自己入嘅證人供詞會點講。但係我手頭上就有一啲有利計過嘅數。

答：係。

問：我點解即係借你作為一個所謂……（聽不清）呢，就係因為即係當然你係第一位證人，同埋有一啲比較即係我哋叫做常理啲、常識啲嘅嘢，我哋唔好講啲真係要攞住個嘢去吓下有冇鉛，即係我哋講番啲常理啲嘅嘢。我想睇下你作為即係最高嘅領導人有咩嘢見解。亦都作為事先張揚，因為其實我會問其他嘅證人，都會問番同樣嘅嘢，最緊要公道，我事先講定，因為我唔係要嚟去即係收埋啲嘢去--去--去騙人哋。

答：唔，好。

問：你睇一睇有利一個內部嘅調查報告，佢係一--八--17877 頁，17877。我哋先睇 17876 先喇，17876。

答：唔。

問：我可以好簡單咁同你講講就係，出咗事之後，房委會就要求即係各大嘅承建商就「唔該你內部做下啲報告話畀我聽咩嘢事」。

答：唔，唔，唔。

問：所以其實各大嘅承建商，我哋睇番啲文件夾都各自交咗啲報告畀房委會。有利都有交到，呢一份就係有利交嘅一個補充報告。詳細嘅嘢我唔講，因為未必關我而家要問嘅問題，即係總之佢就話我查咗

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之後，就係其實有利判咗落去之後，下面有啲人唔知點解就用咗一啲含鉛嘅焊料。

答：唔，唔，唔。

問：有利就喺度--喺 17874 頁嘅右下角，佢就講到--佢就喺度講到就係你見到 B1 右下角，...

答：見到。

問：.....你見到 Procurement process solder。

答：唔。

問：“Solder”就係啲啲「焊料」。佢有提到 Ming Hop 呢個名，明合。

答：係。

問：明合其實係一間有利嘅同一個集團嘅一間公司。即係有利就係作為呢個--判咗番嚟，佢就判咗落去畀明合，即係同埋一個機構嘅一個即係附屬嘅公司去做。

答：係。

問：佢就判咗落去就係畀呢個莫先生，呢個永興嘅呢個莫先生去做呢個關於水喉嘅工程。跟住佢就整咗一啲嘅單返嚟咁樣。你跟住睇番 17876，右下角，見到 “Cost difference in solder materials”。你見到就係有利自己都做咗一個內部嘅計算，就係你用啲含鉛嘅或者即係唔含鉛，有咩嘢分別呢咁樣。

答：唔，唔。

問：你睇番 17877，你睇番上面，“If suitable equipment is used.”即係如果用一啲啱嘅裝備去做呢個焊接嘅工作，就用無鉛嘅焊料，同埋一啲唔好嘅，substandard 嘅焊料，嘅時間其實就唔睇得好。你見到第 1 段，話“the time required for carry out the lead-free soldering works are comparable to that for carrying out soldering works with Substandard Solder.”。

答：唔。

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問：咁有利--我哋唔知佢啱定唔啱，佢話時間冇乜賺好多，但係佢話錢就賺啲嘞，佢話“we estimated the cost of using lead solder”。我哋發覺，就係如果用無鉛嘅焊料，相比之下就會貴過係用一啲次等嘅即係含鉛嘅焊料，加埋，每個單位就會貴咗七十六釐。

答：唔。

問：咁佢計番，就係話就成個發展項目，四千幾個單位，就三十幾萬。咁有利所講，就係話--有利咁大，或者明合同有利係同一個集團，就即係三十二萬幾，佢覺得係即係雞碎咁多，好少，“very small amount”有利嗰度話。

答：唔。

問：所以就--其實就即係唔會話特別係有利或者明合係因為呢三十幾萬，就去做一啲唔合規格嘅事情，呢個係有利嘅講法。啲數點計，我哋遲啲可能有利佢嘅證人嘅供詞會講，但係三十幾萬，即係用番頭先 BBC 嗰個邏輯。

答：唔。

問：你做大生意嘅，或者買樓嗰個人，即係折實每個單位幾十釐，就可能賺好少。我接件--純粹我如果齋係做喉嘅，齋三十幾萬，其實都講得白啲都係幾和味嘅，即係都幾好賺嘅，係咪，如果賺三十幾萬？可唔可以咁講？一個常理嘅問題。

答：如果用你正話推理或者好似...

問：係，如果用番呢一個數字，當然。

答：...你引述呢個蘇格蘭，即係如果純粹從即係呢個水務嘅工程，呢個都係一個數字。

問：即係用一個常理，就係即係山大斬埋有柴，其實你即係可以慳得嘅原來，係咪？即係有呢個我哋叫做 temptation，有咁嘅誘惑嘅其實會係？

答：係，係。如果從數字上，係可以有咁樣嘅一個推算。不過有個值得--有趣嘅，即係我自己喺跟進呢件事嘅過程裏面，又發現到一啲--即係佢唔係一定有個既定嘅模式。

問：係。

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答：即係話同一個水喉匠，佢所涉及嘅唔同工程，有啲就發覺係有超標嘅水喉管，有啲又有。

問：係，明白。

答：就變咗唔係好規則。

問：明白。我哋其實搵我哋嘅專家--其實我哋而家問題就係話，點解會個規則有陣時睇唔到有啲咩嘢規則嘅呢？或者佢睇到啲咩嘢規則呢？即係我哋其中一個方向我哋都會查呢樣嘢嘅，係。

答：唔，唔。

問：但係即係我哋見到，就係有利佢調查，係講到原來即係金錢方面原來有咁樣嘅差別。類似嘅嘢，其實唔只蘇格蘭，頭先你亦都提過，其實你原來事後見到第二啲地方有。你話有啲地方係七十年代嘅鉛管，嗰啲舊嘢嘞，因為其實以前啲人未有認知嘅時候，水管係用鉛嘅，所以好大件事。

答：唔，唔。

問：但係就其實原來近在 2010 年，都有啲幾大件事情，我畀你睇睇，就係威爾斯，咁就係 A1 文件夾，190 頁。A1 文件夾，190 頁。呢一份就係一個專業嘅一個期刊嚟，2011 年。因為你睇呢份嘢你睇唔到邊年，但係我知道係 2011 年。

答：唔，唔。

問：咁就叫做“Journal of Environmental Health Research”，係環境衛生研究嘅一個期刊。

答：唔。

問：嗰個內容裏面有好多數據又盛，我唔同你去仔細咁樣講，但係我想同你去大體研究嘅其實，就係佢呢篇文章所帶出嘅一啲咩嘢嘅警號同埋信息。

答：唔。

問：你睇睇 abstract。所有呢啲學術嘅期刊都有個 abstract，即係好似 executive summary 咁同你講講其實佢個重點係咩嘢。

答：唔。

問：左面，你見到，“lead exposure”，即係對鉛呢個重金屬，即係如果係暴露畀--喺啲鉛嗰個重金屬嘅環境度，係帶嚟嘅長期同埋即係好--一啲好 acute，好急切嘅一啲健--對衛生嘅影響，係即係大家都已經其實耳熟能詳，好多嘅，同埋 well documented，其實好多刊物都應該有講過。

答：唔。

問：其實已經有立法去監管係鉛可以用嚟做咩嘢嘍，咁就應該係可以減低鉛對即係呢個身體影響嘅，即係所產生所謂中毒嘅一啲機會。但係佢跟住講，就係話“historically, lead in drinking water has been associated with lead piping used in plumbing a older house”。舊時啲屋就係用鉛嘅水喉管，所以歷史上嚟講，舊嘅屋嗰啲鉛嘅水喉管就比較有啲問題，近來呢，點解即係高鉛份會有問題呢？就係新屋點解都會有高鉛份嘅問題呢？就係原來係用咗一啲含鉛嘅焊料。你見到，係咪？

答：係。

問：“The issue high lead level in drinking water in new houses because of the use of lead solder on drinking water pipe work has been highlighted in Scotland.” 所以威爾斯做研究嘅人就知道蘇格蘭發生咩嘢事。

答：唔。

問：呢一份嘅期刊，就係去研究就係即係大家對呢一啲咁嘅問題係有啲乜嘢嘅反應，有啲咩嘢 response。跟住佢就講到，就係話就原來威爾斯都有咁樣嘅問題，佢哋就參照咗呢個蘇格蘭發生嘅問題。跟住佢就講，就係話即係一個蘇--喺威爾斯嘅一個住戶，就喺一個新嘅即係發展項目嗰度又發現有問題，咁就由威爾斯嗰個水嗰個含鉛嘅 regulatory limit，佢哋亦都有個即係限制，佢哋係用 25 嘅。

答：唔。

問：用咗 25，佢發現原來佢哋開水喉攞出嚟係 205 微克，又係超咗標。

答：唔。

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問：咁就發現原來四周圍嗰啲鄰居--四圍鄰舍嗰啲，全部都係有高嘅鉛嘅含量。就發現原來，你見到呢一段中間，“further analysis showed lead solder used on the drinking water pipe”，見唔見到？

答：見到。

問：進一步嘅調查發現，就原來係有啲含鉛嘅焊料係用咗，所以引致呢個問題。跟住就係即係講到有個 Multiagency Incident Management Team，就搵咗好多唔同嘅機關去諗下即係處理嘅辦法。好嘞，咁你睇--一路掀，掀到 195 頁。195 頁，左面，“Policy and Regulation”，“Policy and Regulation”. “This incident highlights that some property developers of new houses continue to use lead solder in the plumbing of drinking water pipe, despite its use for this purpose being illegal.”

答：唔。

問：即係話就算你已經立例禁止係用一啲含鉛嘅焊料要嚟係做啲新嘅住屋嘅焊料，仍然係有發展商係繼續去用含鉛嘅焊料。

答：唔。

問：因為佢話即係呢啲含鉛嘅焊料好易買到，喺嗰啲所謂 DIY 舖頭，香港嘅五金舖佢話會買到。同埋呢啲含鉛嘅焊料係可以要嚟做第二啲用途㗎嘛，係咪？你唔禁得，同埋又平啲。呢度又講咗，原來係有平啲呢樣嘢，“it is also less expensive than the legal alternative.” 比起合法嘅焊料係平成--每卷平 10 鎊。

同埋因為佢又講到，就話原來當地嘅一啲 “Building Regulation”，即係建築嘅條例，就有係即係包含到即係呢個水喉管，亦都唔需要啲咩嘢嘅證書咁樣，甚麼，甚麼。於是就話呢一課我哋上咗，就需要急切咁樣去 review，去檢討。即係市面上原來有呢啲含鉛嘅焊料賣，同埋要急切咁樣去檢討對呢個--水喉呢個系統嘅供水系統嘅監管。你見到，係咪？

答：唔。

問：你跟住睇番左面呢一度嘅中間，佢就有講到就係 Scottish Centre for Infection and Environmental Health in 2003 嗰個

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調查，頭先我哋睇過。

答：唔，唔。

問：即係蘇格蘭嗰個經驗。

答：係，係。

問：咁你睇到中間嗰度，“new housing development are popular with families with young children.”你見到，即係有 BB 嘅屋企特別鍾意買啲新嘅樓，其實香港都係。

答：唔。

問：咁就呢啲高嘅鉛嘅含量喺水裏面，其實係可以避免的，你見到嗎，“Avoidable”？

答：唔。

問：“And unacceptably high source of lead.”即係話喺含鉛嘅焊料度搵到呢一啲鉛，其實係可避免嘅。

答：唔。

問：同埋應該係即係呢個係唔能夠接受嘅。

答：唔，唔。

問：“For vulnerable people such as young children and pregnant women”，對呢啲兒童或者係孕婦嚟講，即係呢一個咁樣嘅即係鉛嘅來源係唔能夠接受同埋亦都係可以避免。跟住就話 “There needs to be consideration by local authorities as to the inspection and monitoring strategies for lead.”即係話即係地區嘅一啲議會，佢哋有急切嘅需要係檢討佢哋檢驗，檢驗方面所需要做嘅一啲政策，同埋監管方面嘅一啲政策。唔單只係一啲新落成嘅樓宇，甚至乎學校，諸如此類，諸如此類。

答：唔。

問：你睇番最底，呢份文件最底嗰度，“DCWW has now included in its routine inspections”，DCCW 我諗係當地有關嘅部門。當地有關嘅部門而家就係要求佢哋啲循例，例行嘅一啲檢查，逢親去檢驗



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啲新嘅樓，佢會用“lead check swab test for the detection of lead solder on the drinking water plumbing.”即係我諗佢哋有個又係一個--就地一個 swab test，一個就地嘅測試可以見到你啲 solder，啲嘅焊料有冇鉛。

答：唔。

問：咁就“continue to carry out random lead sampling”，佢哋都有隨機抽樣去驗下有冇鉛。

答：唔，唔。

問：呢個就係你睇番係 2011 年發生嘅事情嚟，呢份嘢係。

答：唔。

問：咁我哋呢單案件，我唔同你睇啲仔細啲嘅嘢，因為其實公眾都知道，我哋呢單案嗰十一個屋邨其實好多係 2011 年之後落成，其實過半。

答：唔。

問：你知--認唔認知嘅，就係呢個？有啲 2014，有啲 2013。

答：有啲早啲嘅，都有啲。

問：有啲早啲，但係即係其實好多係二零...

答：比較多係。

問：...一二、一三、一四亦都有。

答：係，唔，唔，唔。

問：啟晴係 2014 嘅，如果我有記錯係。

答：唔。

問：所以其實同樣嘅問題，咁呢一啲嘅期刊，以你嘅理解，房署或者房委會，佢哋其實係實際落手落腳淨係做咗，定係佢哋都會--即係作為佢哋嘅專業進修，佢哋會有睇下啲期刊咁樣嘍？

答：細節我唔知道。

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問：係，嘎。

答：就或者佢哋有專業進修過程裏面，有冇觸及到...

問：即係可能儲下啲分，A、C、B、D 個啲。

答：...呢類嘢嘅學刊，我都唔知道。

問：係。

答：不過我留意到剛才你引述個啲，譬如用呢個威爾斯為例，佢係 2011 年嘅意識到有呢個問題。

問：係，係。

答：但係其實蘇格蘭，就 2003 年就有個研究，得出一個結果。

問：係。

答：即係佢哋都係雖然咁相近，但係都留意唔到蘇格蘭已經有啲發現。

問：我明白呢個講法，就係即係既然咁近，其實威爾斯都要隔咁耐--都要出咗事先至即係有呢個意識嚟去檢討？

答：即係我唔係話去為房署嘅同事去辯護。

問：明白。

答：只不過即係睇番其他地方嘅經驗，有啲時候...

問：明白。

答：...有啲--某個地方發生嘅嘢可能都唔知道。

問：係。

答：即係如果知道嘅時候，等如香港咁啫。

問：係。

答：如果我哋知道嘅時候，好似啟晴邨發生問題之後，就即刻可以去處理，呢個都係之前知道有呢個風險嘅問題。

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問：唔係，我完全明白，因為事後孔明係好易嘅。

答：係，係。

問：係咪？即係英文我哋叫做“easy to be wise after the event”。

答：唔，唔。

問：係咪？中文講俗啲就係「有早知，冇乞衣」。我哋唔會話即係採取一個咁簡單嘅講法，就係話點解發生咗你睇唔到？呢個太過簡化，我明白。但係即係我哋嘅做法，就係睇下其實當事故愈嚟愈多，咁其實我哋人類嘅知識庫愈嚟愈措得多嘅話，咁會唔會到一個階段，就係我哋有陣時其實應該係可以事先如果係即係做得好啲嘅話，其實係咪應該可以早啲睇到呢咁樣，係咪？因為經驗愈措得多，其實係咪到一個地步，就係話「喂，前人學嘅嘢，你都唔學，咁點得呀？」呢個係我哋其中一個方向。

答：一般我同意嘅，即係我覺得就唔單只係房署添，即係水務署，其他相關部門。

問：係，係。

答：即係我哋知道有其他地方發生嘅情況係點樣樣。

問：係。

答：有好多經驗係可以吸取。

問：或者你會--可能會話--一陣間我會同你另外一個探討嘅一個課題，或者同你……（聽不清），亦都會。

答：係。

問：不過而家講定先，就係即係你話事事都要執住嚟驗，就即係驗到天光都未驗完，咁有陣時要講個信字嘅。

答：唔，唔。

問：咁但係你條界喺邊度劃呢？你完全信晒，咁梗係唔得喇。但係你事事唔信，又唔得，你中間點樣去擺個平衡點呢？一陣間我會去另外一個連串嘅問題同你問呢樣嘢。

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答：好。

問：因為房署原來係有啲嘢會抽驗，但係淨係冇抽鉛。

答：係。

問：咁我一陣間同你去探討一下。

答：唔，唔。

問：我最後一個即係問題想問你，就係有關呢啲前人嘅經驗。

答：唔。

問：就係--啊，兩個科題添，一個就係美國嘅 EPA。

答：唔。

問：即係美國 EPA，即係環保各方面嘅一個機構，399 頁。A1，399 頁。

答：唔。

問：對你公道，即係其實我提出呢一炸嘅嘢，主要就係講--我完全理解你頭先所講，就係話好多時候，如果你有啲事件，即係就算隔離，即係蘇格蘭發生，威爾斯都唔知喇。

答：唔。

問：但係香港，我即係--香港號稱係一個國際嘅都會，同埋呢一啲前人嘅經驗，其實措埋好多地方嚟嘅，即係所以我就想同你去了解一下，就係話原來有咁多之前都講過。即係你睇番轉頭，係咪其實系統上，房署係咪應該其實可以早啲已經係學到呢啲嘅--即係上一課呢咁樣，即係呢個係我想探討嘅一個。

答：明白。

問：399 頁，呢個就係 1993 年嘅呢份嘢。

答：唔。

問：美國就好早已經知道，呢份就係美國 EPA，United States Environmental Protection Agency 個左上角你見到 EPA。

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答：唔。

問：“Actions you can take to reduce lead in drinking water”，即係你能夠採取啲咩嘢步驟去令到食水裏面嘅含鉛量減少呢？

答：係。

問：跟住你睇番，399 落低啲嗰度，“Why is lead a problem?”呢份直情係即係美國當局應該係一份公開嘅文件，因為好明顯地佢係畀啲用家去睇嘅。

答：唔，唔，唔。

問：所以我哋知道美國嗰方面，你可以話佢好先進，但係即係我哋都要力求先進，美國係有呢啲文件淨係畀啲用家去睇，解釋得好詳細，一陣間睇埋。“Why is lead a problem?”點解鉛係一個問題呢？答案就係，鉛其實係有毒嘅，同埋知道係對--如果係食咗或者吸咗，對人體係有害嘅。咁有啲乜嘢係即係重要嘅鉛份嘅來源呢？就空氣都會有，泥土都會有，塵埃都會有，食物都會有，你講得好啱，即係無可避免嘅有陣時係。

答：唔，唔。

問：但係就水，水都有嘅。你記唔記得水點解會有鉛呢？就係因為啲啲水管裏面嘅一啲浸蝕。佢話平均上，雖然你咁多個唔同嘅鉛嘅來源，你見到，on average，平均上，估計食水裏面嘅鉛，係佔兒童對鉛吸入嘅數目係佔咗百分之二十。即係一個年青嘅即係細路仔，如果佢吸入一啲鉛份，其中有百分之二十有可能係來自食水。

答：唔，唔。

問：所以聯邦政府就對鉛份係有好多嘅管制，譬如話即係啲啲電郵嗰度對含鉛又有管制，係咪？“Federal control on lead and gasoline.”跟住就你望下最底，“how could lead get into my drinking water?”

答：唔，唔。

問：鉛點樣可以走咗入食水嘅呢？喺美國住嘅人就 93 年已經知，你睇番呢頁最頂嗰度，就係話“typically, lead get into your

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drinking water after the water leave your local treatment plant or your well.”即係話最常見，就係係離開咗嗰個即係濾水庫，離開咗嗰個附近個水井，就先至入啲屋。咁點解會有鉛呢？最常見嘅可能就係啲管，你見到，“that is, the source of lead in your home water, is more likely”，見到嗎，最頂嗰度？

答：唔，見到。

問：屋企啲啲食水最常見鉛嘅來源就係條管。

答：唔。

問：或者 solder，就係啲啲焊料。

答：唔。

問：“The most common cause is corrosion.”最常見嘅原因就因為浸蝕，有啲水同埋啲啲鉛管同埋啲啲鉛嘅焊料之間有啲化學作用，咁就釋出咗一啲鉛。

答：唔。

問：跟住係“does my home’s age make a difference”。跟住，即係問屋舊唔舊？有冇影響呢？佢就話--好奇怪，呢度咁講，佢話食水裏面含鉛，就有兩種，一種特別容易出問題，一種就係好舊啲啲，“either very old or very new”。

答：唔。

問：因為就好舊，你嗰個鉛管有問題。

答：唔。

問：一係就好新啲啲，就有問題。

答：唔，唔。

問：因為舊啲啲有問題，佢話直至到一九九零--1900年嘅時候，舊式嘅屋就係直情係用鉛管嘅。

答：係。

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問：呢個頭先都聽過，舊屋用鉛管梗係有問題喇。

答：唔，唔。

問：跟住就中間嗰度，“however, the use of lead solder with copper pipes is widespread”，呢個講緊而家，現在式。

答：唔，唔。

問：係，而家嚟講，即係銅管用鉛嘅焊料焊接，好常見。

答：唔。

問：專家就覺得呢一啲鉛嘅焊料就係美國食水污染最大嘅一個源頭。

答：唔，唔。

問：即係鉛嘅污染，唔係一般，鉛嘅污染，最大嘅源頭就係用有鉛嘅焊料。

答：唔，唔，唔。

問：跟住講咗好多，即係就算話 lead free 嘅嘢，都未必係 lead free 嘅，咁講咗好多。

答：唔，唔。

問：跟住就你睇番 401 頁。401 頁--睇番 400 底先，“what is the government doing about the problem of lead in household water?”喺 93 年嘅時候，美國政府向人民講解美國政府對食水含鉛做咗啲咩嘢。佢就話其實政府係採取咗兩個主要嘅步驟，第一，就係有個叫做“Safe Drinking Water Act”，《食水安全法案》就係即係將食水嗰個含鉛嘅 level、就 set 到叫做 15 PPB 咁樣--唔係，應該話法--呢個我哋遲啲講，但係總之美國就係第一，就係有呢個《食水安全法案》。

答：唔，唔。

問：右上角就第二個美國政府嘅舉措，就係喺 86 年 6 月，就列根總統就修訂咗呢個《食水安全法》，就法律要求係用不含鉛嘅喉管同埋不含鉛嘅 solder。

答：唔。

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問：好嘞，但係就係咪就係立咗法就有事呢？係咪即係有規矩，就可以假設人哋跟呢？我哋睇落去，因為其實我呢個問題嘅源頭，其實就係話係咪一定可以假設有規矩，人哋會跟呢？

答：唔，唔。

問：我哋睇睇，“lead requirement”，你見到嗎？

答：見到。

問：“Where into effect in June 1986”，1986 年 6 月呢一啲嘅法律嘅修訂同埋要求就開始生效。

答：唔。

問：咁就法律就賦予州政府就一段嘅寬限期，直至到 1988 年，係去即係將啲啲法律嘅要求付諸實行。佢跟住講，就係話雖然有啲州份係已經係禁止咗啲食水系統裏面用啲含鉛嘅嘢，呢一啲禁止嘅舉措係唔能夠係完全係消除一啲現有水管嘅鉛嘅污染，當然你現有嘅你冇得搞喇。跟住佢仲有一句，“also”，仲有，“in enforce the band, some states have continue to find illegal use lead solder in new coming installation.”即係話就算有咗呢個禁止之後，有啲州份仍然啲啲新起嘅樓嗰度發現咗係有含鉛。佢話“while response plumber always observe the band”，即係負責任嘅人就話會即係奉公守法。跟住佢就話“this suggest that some coming installation or repair using lead solder may be escaping detection by the limited number of enforcement personnel.”即係點都有啲人會唔守規矩。

答：唔，唔。

問：你唔守規矩，同埋啲啲 enforcement，即係負責檢控，負責去執行嘅人又唔夠，就點都會有漏網之魚。

答：唔。

問：好嘞，跟住就“how can I reduce my exposure?”跟住就有個問題，我點樣可以減少我呢個 exposure 呢？點去接觸呢個鉛呢？佢就--美國嘅政府就即係用呢份文件就向啲人民就作出一啲嘅建議。

答：唔，唔。



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問：就係--佢就係叫你就係過夜水唔好用，一炸嘅舉措。即係我哋有時聽見香港好多專家，或者嘅--即係而家檢討，都有咁嘅結果，類似，我哋唔好講住。但係你見到呢一份文件，我畀你睇完之後，我問你嘅問題，就係你見到遠在 93 年，美國政府就已經即係有一連串嘅研究，知道個問題所在，知道個問題即係喺個系統裏面嘅不足，即係仲有漏網之魚，向人民作出嘅一啲嘅建議。

答：唔。

問：你可唔可以話到畀我聽，就係即係一啲美國政府 1993 年做到嘅嘢，點解香港政府--呢個唔關回唔回歸事，97 年前都未做到，點解呢？

答：如果係即係作為一個規管上嘅要求，或者法定嘅要求，喺香港嚟講，即係由今次事件，即係我所掌握，就係話其實一直都係話要求就喉管嘅焊料係唔可以有鉛，所以屬於一個無鉛嘅級別。

問：唔。

答：即係話都係同美國嗰度相近，即係話都係唔--法例上係唔容許。當然個問題就係話佢唔容許，咁我哋點解過去又有去測試嗰個喉管裏面有冇焊料含鉛呢？正如我喺供詞裏面提到，就係呢個都係我哋房委會嗰個檢討委員會所得嘅一個觀察，或者一個初步嘅一個睇法，就係一直以嚟都係冇一個意識係會懷疑嗰個喉管嘅焊料係有問題，一直以嚟業界又好，房屋署都係以為嗰個焊料係合符嗰個要求。所以今次發現到呢件事，你可以講就係話我哋覺得以往嚟講，呢種--即係對嗰種風險嘅意識係唔足夠。

問：講時講，即係問開呢個問題。

答：唔，唔，唔。

問：呢份其實係美國環保嘅部門出嘅一份嘢嚟嘅。

答：係。

問：即係香港政府有冇啲跨部門嘅即係機制？即係譬如話環保署，如果有同事見到啲咁嘅嘢，即係房署講聲，咁有冇呢一啲咁嘅通報嘅機制？

答：具體就美國呢個環保署呢份嘅文件，究竟香港嘅環保署或者相關部門知唔知，我唔敢講。

問：係嘞，嘎。

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答：但係我哋政府部門之間係應該即係互通聲氣，一般嚟講都、不過喺整件事，如果我以今次由於公屋嘅屋邨裏面食水驗出含鉛超標嘅樣本呢個事故發生以嚟，就目前政府嘅分工，又有牽涉到環保部門。

問：唔。會唔會考慮下呢？

答：呢個會睇番而家嗰個分工係點，當然就如果食水嘅安全問題，即係我做--我打個比喻，最近立法會都有個議案辯論係關於食水安全，咁負責出嚟去--即係代表政府去回應，就係食物及衛生局。

問：唔。

答：可能同我哋政府目前個分工有啲關係。但係肯定就係呢個你話同環境有關，如果用一個廣義嘅角度，都係一個廣義嘅環境嘅一個問題，但係就有時政府嘅部門，佢呢因為比較細分少少。

問：我明白。

答：噏，具體分工係點。

問：我明白。因為可能美國嗰面，你會話就話咁啱呢個範疇，因為其實環境都會有沿，咁啱可能佢哋嗰個分工就係落咗去環境嗰度都未定，呢個我明白，我哋呢個即係項目我哋唔好糾纏住。最後一個、關於呢啲海外經驗。

答：唔，唔。

問：我想畀你睇睇嘅，就係世衛嘅一個文件。

答：唔。

問：就係同樣嘅文件夾，403 頁。403 頁，呢份文件，開宗明義，係 A1。A1，403 頁。

答：唔。

問：直情就叫做「食水含鉛」，“lead in drinking water”，...

答：係。

問：...世衛，2011 年。一份背景嘅文件，就係即係關於發展世衛想草擬一套，或者發展一套食水質量指引，或者份文件。咁你睇番 407 頁。

407 頁，咁就 acknowledgement，就係即係呢一份文件嗰個所謂公開小組裏面嘅負責統籌嘅人士。你就見到名單第二位，Mr J.K. Fawell，就係我哋其中一位專家，佢就會飛嚟同我哋講，遲啲。你睇番 411 頁。411，2.2 段，“Water”。佢就話大氣層裏面有陣時可以搵到嗰啲鉛，就之前就係嗰啲汽油嗰度釋發出嚟，但係而家由於有法例，咁就少咗。反而而家喺美國嚟講，即係人對即係暴露喺鉛之下--喺咩嘢情況下會暴露喺鉛之下，就反而係因為水。

答：唔。

問：以前就因為汽油放出嚟，而家就因為水，喺美國嚟講。

答：唔，唔。

問：佢跟住就講，就係喺水喉水嗰度，就即係點都會有啲鉛嘅，因為有陣時即係自然嘅，即係 natural sources。

答：唔。

問：但係主要食水裏面嘅鉛就係嚟自啲喉管，水喉或者係焊料。

答：唔。

問：或者一啲 fitting 裏面都可以有鉛，咁呢個就開宗名義咁講，食水裏面鉛其中一個來源就係嗰啲喉管。跟住第五行，你見到 “the amount of lead dissolved from the plumbing system.” 見到嗎？

答：見到。

問：即係食水嗰個喉管嘅系統裏面，究竟有幾多鉛，就視乎好多嘅因素。就有冇氯氣、冇氧氣、PH 甚麼甚麼。佢就話，就鉛呢，由嗰啲 solder joint，即係由嗰啲焊接位裏面釋放出嚟嘅鉛，就隨住時日就會減少，佢咁講。

答：係。

問：跟住你睇番跟住嗰段，就係講關於唔同嘅地方嘅鉛嗰個--水裏面搵到鉛嘅數量，嘅 level，每個地方都唔同，啲數目字、啲數值話到畀我哋聽，即係邊度搵到嘅鉛嘅數量，1.1 至 30，咁 median 係 4.8，咁你見到。

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答：唔，唔。

問：即係總之呢一份世衛嘅文件作為一個參考。亦都我哋見到，就係佢亦都係講出咗，就係食水裏面含鉛最大嘅來源就係焊料裏面嘅鉛份。

答：唔。

問：呢一份文件就好清楚咁樣講出嚟。

答：唔，唔，唔，唔。

問：我想你同我哋講講就係，以你嘅了解，其實香港邊幾個部門係長期會有與世衛去接觸，或者係接收世衛嘅信息？除咗呢啲即係...

答：一般嚟講係衛生部門同埋呢個食物及衛生局。

問：唔。

答：當然房屋署喺日常工作裏面，如果牽涉到食水呢個問題，即係呢個食水供應嘅問題，或者水務署平日有冇經常接觸，我就可能--水務署嗰度問番水務署署長，如果佢嚟呢個委員會作供嘅時候，佢可以講一講。

問：唔。

答：房屋署，我相信佢係畀--我相信，可能到時啲同事嚟作供嘅時候可以再補充。就可能係都係比較係依重水務署，即係佢作為呢個水務監督，即係佢嗰個比較權威性嘅一啲嘅論斷。

問：即係話房署其實佢哋嘅日常運作，即係我唔知道，...

答：唔，唔，唔，係，係。

問：... 你可能你知道，但係其實佢哋每日日常，咁會唔會即係regularly，或者即係循例地會收到一啲咁樣啲官--呢份--即係呢啲就唔係一啲所謂局限於地域性嘅嘢。

答：係，係。

問：呢一份係世衛嘅一份文件。

答：係，係。

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問：當然係一個背景嘅文件。

答：唔，唔，唔。

問：咁我唔知呢類文件會唔會 routinely 咁樣去抄送畀香港有關嘅部門。

答：係，係，係，唔，唔，唔。

問：以你所知有冇呢個做法？

答：就過去我唔意識到有，但係我啲同事有冇--即係喺房屋署裏面，...

問：Okay。

答：...實際工作同事有冇，我就能要問一問...

問：唔緊要，我而家講到出口，咁希望...

答：...馮宜萱女士。

問：...聽緊嘅同事或者佢哋可能都會...

答：好，好，好。

問：...返去睇下，究竟政府有冇人知道有呢樣嘢。

答：但係就總的嚟講，就因為房委會，我哋都希望嗰個我哋嘅公屋，嗰個屋邨都係一個--因為佢本身係一個社區，我都希望個社區係有佢個可持續性。所以譬如話係一啲同環保、綠色有關嘅議題，我哋啲同事都係會留意嘅。

問：唔，我明。

答：唔。

問：就其實嗰個講法似乎就係咁。

答：唔。

問：就係有合約條款話要用無鉛級別嘅焊料。

答：唔，唔，唔。

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問：大家一路就冇一個意識原來係話居然仲會有，即係話大家其實冇一個意識就係話有人會--因為種種理由違規，走去用咗一啲含鉛嘅物料。

答：唔。

問：我哋唔好理嗰啲人係因為慳錢去用，定係唔覺意用咗。

答：係，係。

問：但係總之就冇人有一個意識，原來係有人會唔覺意去用咗。

答：唔，唔。

問：好嘞，咁就因為大家冇呢個意識，就信佢哋係會依本子辦事，所以就冇話特別要去抽查，可唔可以咁講？

答：可以咁講，係，唔。

問：可以咁講。但係個問題就係任何嘅監管嘅機制，好宏觀咁講，頭先我都講過，任何監管嘅機制，你事事走去 check，再做多次未必得嘍；你完全信晒又唔得，對嘛？同意嘛？

答：唔，唔，唔。

問：你點都要中間有個平衡點，同唔同意？

答：同意。其實一般嚟講，我自己喺個事件發生之後都公開講過，我哋一定係以一個風險為本嘅角度去睇。

問：係，唔。

答：以往冇驗，即係如果以而家事後睇番轉頭，就話當時唔知咩嘢原因，就唔意識到呢個其實係高風險，所以就冇。因為如果係房署佢喺監管個工程，或者喺新嘅內部嘅供水系統裝置好之後，就啲水質去驗下，同埋就嗰個喉管個接駁位去驗一驗，睇睇有冇任何嘅違規，呢個屬於--唔係屬於無鉛級別嘅焊料，其實呢個唔係需要乜嘢嘅額外大量嘅工作，其實係可以做嘅。

問：唔。

答：即係如果當時認為呢個係有高風險嘅話，其實就去 check，即係當然 check 可能都係抽樣。

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問：係，嘅，當然。

答：同埋係去就啲水質喺不同嘅集水點去驗一驗就可以。

問：抽啲水驗，...

答：係，嘅。

問：...或者擺去入去必一必睇下個個...

答：係嘞，所以個個本身唔係一個問--唔係個工作量嘅問題，我覺得。不過可能就當時就真係個意識上，我哋嘅主--認為唔覺得呢個係高風險，亦都喺行內，喺當時嘅業界亦都唔係覺得一個高風險嘅問題。

問：唔。好嘞，宏觀啲講，任何一個項目，任何一個需要規管嘅嘢，可能潛在地你樣樣都想去 check。

答：唔。

問：但係緩急先後，你話風險為本，於是有人坐喺辦公室嗰度或者要諗嘞。

答：係。

問：就係點樣去規定 set 一啲我哋叫做有一啲標準，一啲 criteria 去決定咗邊啲嘢個風險嘅程度係覺得係需要去做檢測、抽樣嘅。

答：唔，唔，唔。

問：抽得密唔密，抽乜嘢，...

答：係。

問：...應該係有啲人係有一 set 嘅規矩去決定。

答：唔，唔，唔。

問：同唔同意呀？

答：咩嘢話？

問：即係你做核數都係，核數師去做核數，...

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答：係，係。

問：...佢會諗下呢間係咩嘢公司、性質係乜嘢、多唔多機會係即係出蟲惑咁樣。就會制訂一套嘅程序、嘅守則，係咪？

答：唔，唔，唔。

問：幾咁 vigilant，幾咁嚴格，定係唔使咁嚴格，定係唔使咁樣。

答：唔，唔，係，係。

問：即係我相信呢啲，即係房署你哋決定點樣去規管抽唔抽樣，都係用一啲類似嘅一啲守則去決定，係嘛？

答：我相信都係咁樣樣，即係呢個都係風險為本，即係話某啲嘅範圍裏面，如果係覺得個風險比較高，或者過去發生嘅事故，或者違規，好明顯發生過嘅事情係有嘅話，當然喺個風險管理角度嚟講，係應該要有一定嘅機制。

問：唔。

答：即係呢個食水裏面含鉛，即係如果事後嘗試去解釋，就係當時就喺房署方面又好，甚至水務署都好，即係容許我再岔遠啲，都可能係有呢個咁嘅--即係感覺唔到有呢個風險存在。

問：唔。好嘞，講起風險，就即係話唔知點解，總之就係--somehow 就係唔覺得呢一個係有足夠嘅風險係要去做多啲嘅所謂巡視 spot check，隨機抽樣嘅一啲工作。其實房署係有個表，以我嘅理解就係去 check 啲咩嘢。詳細啲嘅資料，遲啲可能會有更多嘅資料湧到嚟。但係我而家驟眼見到，我睇番中國建築，'China Construction'，...

答：係。

問：...佢做嘅一份內部報告裏面，就話咗畀我哋聽房署嗰個 checklist 係 check 啲咩嘢嘢嘢。我想你睇睇 (b) 5.7，(b) 5.7。(b) 5.7 第 11926，或者先睇 11826。11826，就係中國建築工程，中國建築工程就係啟晴邨嘅...

答：係。

問：...主承建商。又係嘞，就係房委會就要求各個承建商就提交內部調查嘅報告。



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答：係，係，係。

問：中國建築就提交咗一份，呢份就係一個補充嘅資料。你見到，supplemental information 11826。佢裏面呢你，睇番(b)1.4，(b)1.4 就係喺第 11834,11834。佢就話嘍，“Record of checking material delivered to site.”就話「送交地盤嘅物料嘅一啲紀錄報告」，同埋要即係檢測嘅一啲紀錄。佢就話根據房委會嘅一份 standard 嘅 form, record form 6210 號，即係標準格式 6210 號。佢話有一啲嘅物料，包括呢個就 mixer、shower handset,...

答：係。

問：...就係要就地係畀個承建商去 check、verify、同埋要畀房署嘅 PCOW，應該係 Principal Clerk Of Works，如果我有理解錯誤嘅話。總之係有一個就地要 check 嘅。

答：唔，唔，係，我估係，唔，唔。

問：但係呢啲就地要 check 嘅嘢，就唔包括 soldering materials 同埋 copper pipes and fittings。就唔包括焊料同埋啲喉管。

答：唔，唔。

問：佢有個附件叫做 (b)5，你睇下呢個附件 (b)5，呢個附件 (b)5 就係喺 11926, 11926。當然呢一個我係暫時係依據中國建築畀我哋嘅資料，當然我哋亦都拭目以待中國建築遲啲嘅正式入證人供詞，可能會有更詳細嘅資料。

答：係，唔，唔，唔。

問：11926 就係一個 6210 呢個 record form, 你見到，一啲 guideline，即係教啲人點填。

答：係，係。

問：佢有度叫做“material check”，佢第一項叫做“document check”嘅。即係你要 check 一啲文件，寫住咩嘢牌子、邊度嚟、...

答：係。

問：...delivery note 咁嘅嘢，但係唔單只 check 嗰個文件，你要睇埋嚟嘢，material check。佢話“the contractor shall carry

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out checking of dimensions”就大細、surface quality，  
喺呢個表面嘅質素，同埋其他嘅（咳嗽聲）……（聽不清）。要當住  
contract manager，即係合約嗰個經理嘅代表面前 check。咁  
details of checking，要 check 乜嘢就要睇番有關嗰啲  
specification，嗰啲要求。

答：唔，唔，係。

問：跟住你望下“Major material to be checked are as  
following”。以下就列舉咗一炸要 check 嘅嘢，咁就有話 term，  
講埋係根據邊一個條款要 check terms，check 乜嘢。你見到（h）  
嗰度就係 ready mixed mortar, ready to use mortar, 呢啲  
係建築用嘅一啲 mortar 咁嘅嘢。

答：係。

問：要嚟抵磚嗰啲即係啲物料。你跟住睇番，P 嗰度，Tile adhesive and  
tile grout。

答：唔。

問：又係即係要嚟抵啲磚...

答：係。

問：...--啲磁磚用嗰啲物料。Emulsion paint, Q 即係油漆 Synthetic  
paint, multi-layer acrylic paint。即係好多好似即係唔係  
好大嚟嘅嘢，比較啲細節啲嘅嘢。油漆，連抵嘅物料都要 check 埋。

答：係。

問：係零零舍舍就有要 check 嗰啲 solder。我問你就即係當然你未必可  
以解答到我。

答：係，係。

問：但係即係其實以你嘅了解，房署喺制訂呢一啲嘅表格去決定究竟有啲  
乜嘢嘅物料係需要真係要 check，係其實係有一啲準則去決定，基於  
乜嘢理由要求 check 乜，而唔 check 乜㗎，對嘛？

答：係，係。

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問：即係點解要 check……（聽不清）又唔 check solder 呢咁樣。

答：唔，唔，唔，唔，唔。

問：係有，係咪呀？應該。

答：佢哋——喺，我相信就呢啲物料，要好似呢張表格咁樣寫，係要實在地去查驗，一定係基於一啲嘅可能係有關嘅規定。可能係水務署、水務監督佢一定要 check 嘅規定。可能係房署基於啲其他工程所得嘅經驗，可能覺得呢個可能係出問題嘅容易。咁亦都擺落去。

問：係。

答：有好多原因。我估可能到具體我哋啲同事作證嘅時候可以再講。但係一般……

問：會係邊——邊方面嘅同事？因為咁多，我哋要搵啲個人問，唔會逐個逐個問。

答：我估可能問馮女士，馮宜萱女士，嘎。

問：係。佢可能會指到我哋——知道我頭先講？

答：係，係，係。因為點解呢？佢都係主持一個佢啲個處嘅管理委員會。即係如果呢個發展及建築處，佢認為有啲乜嘢嘅措施，因為某啲事情係需要補——補充要做，佢就會發通告畀所有嘅不同嘅建築項目嘅管理經理，個 project manager，咁佢就要去執行。點解鉛係有——即係啲啲個焊料有，呢一點其實都係啲房委會啲個檢討委員會都係睇到出嚟。當時署方去說明呢件事，就係話因為過去係並未有將呢個喉管個接焊料可能含鉛呢樣嘢係視作一個高風險嘅項目。我估係因為呢個原因，所以有擺啲個檢查嘅名單裏面。

問：唔係，我明白，即係個講法就係話當時有將呢樣嘢撥歸係即係高風險嘅一個項目。

答：係，係。

問：但係因為我哋而家其中一個想調查嘅，就係話，其實係咪可以避免到嘅咁樣。所以我哋其實有需要睇番即係當時如果根據嘅係某一啲嘅證據，……

答：係。

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問：...或者邏輯嘅基楚，就去決定，原來符合呢一啲風險條件，我哋就要將佢剔落去。咁你搵番最基本嗰套規矩，就發現原來最基本嗰套規矩，...

答：係，係。

問：...其實如果你睇番，其實應該包含埋啲 solder，咁就另計，你明唔明？咁就原來真係可以避免。

答：唔，唔。

問：係咪？你話如果你一早 set 咗套守則真係包唔到，可能你可以拗就係話，哦，我哋 day one set 嗰個 criteria 包唔到。

答：係，係，唔，唔。

問：但係如果 day one 一早你自己手頭嗰本本子。

答：係。

問：係咪，你明白嘛？

答：唔，唔，唔。

問：Set 出嚟話我哋要考慮以下呢一啲條件嘅嘢就要 check。原來你只要嚴格執行係會包到，而你包唔到，咁就真係可能要睇清楚點解包唔到。

答：唔，唔，唔，唔。

問：咁所以我哋就唔係淨係話「啊，冇包到就算數」。我哋要知道當日憑住乜嘢本子去決定包乜，你明白我嗰個(雜聲)…… (聽不清)嘛？

答：明白，明白，唔，唔。

問：所以就你話我問番馮女士，佢就可以話到畀我哋聽，其實係邊一個--即係部門或者職級，或者邊一個組別嘅人士係負責去制訂呢一個列表係咪？

答：係，係，係。乜嘢項目要擺裏面，我相信係有個機制。

問：係。

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答：喺執行過程裏面有機制。

問：係。

答：正如我剛才所講，我可以想象到嘅一啲考慮因素，就係第一，有冇法定嘅規定；第二，有冇一啲可能係--未必係法律，但係係一啲規管機構佢嘅要求。

問：唔。

答：無論係建築物，建築事務監督，或者水務監督咁樣樣。

問：唔。純粹係因為合約要求就肯定唔係，因為合約要求N咁多樣嘢，你而家好明顯就唔係樣樣要求都 check，所以即係總之基本上你嘅講法就話會有一套嘅規矩去指導即係草擬呢份文件嘅人擺啲咩嘢落去，一係就法定要求？

答：呢個表格我唔知道具體個個細節。

問：係。

答：但係我估計任何嘅表格，可能喺過去咁多年，都係不斷演進當中。

問：對，當然。

答：有啲時候因應新嘅一啲風險又會擺落去都未定。

問：係，係，得，明白。咁其實講到而家，可唔可以即係總結一下，其實所謂嗰個問題會唔會就係焊料呢樣嘢，雖有冇合約嘅條文去規管話唔應該--又學你話齋，其實要走去驗下呢啲焊料有冇鉛，隨機去抽，其實唔係一件好難嘅事情。

答：唔，唔。

問：但係會唔會就係因為佢細眉細眼，即係唔係一啲好大嘢嘅嘢，我睇番其實另外一啲同事嘅證供，即係呢啲係 consumable，用咗就有。唔會長久喺度，即係好 functional 咁樣擺喺度。Cost，成本上又唔係一件特別貴嘅嘢。所以一件相對細眉細眼嘅嘢，唔係好起眼，咁所以大家就掉以輕心咗，咁就睇漏咗眼，會唔會係即係咁樣？

答：唔。我覺得唔應該係咁樣嘅態度。就我覺得應該係.....

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問：唔係，唔應該咁樣態度，但係會唔會係咁樣發生，呢個係咪個理由？態度梗係唔應該喇。

答：係。我唔敢...

問：會唔會係因為咁樣？

答：...--喺，我唔敢講，點解呢，就係如果知道係有風險，等如喺呢個啟晴邨個事故發生之前。原本就喺 2012 年水務監督嘅通函，又要求要驗八個參數。咁呀要驗㗎嘞。後尾就發覺原來呢個退伍軍人症，可能都係一個風險。所以所有新起好嘅公屋嘅大廈都係要清水缸、清毒，有相當時間去保證呢方面嘅健康風險係唔存在。

問：唔。

答：即係話，如果從房署過去嘅做法，如果佢係知道係有一個風險嘅話，我唔相信佢會話因為呢個係細眉細眼，所以就唔去做。因為風險唔係一定話要好大嘅建築物，一啲裝置咁樣樣。不過有...

問：係呀。唔起眼嘅事都可以引致好大件事㗎嘛。

答：冇錯，冇錯，冇錯，係嘞，係嘞。所以而家我哋如果睇番實際上喺 7 月以嚟，房委會去驗啲啲落成咗嘅公共屋邨，不同年份嘅。大抵上我哋都睇到，我哋話係 2005 年之後，因為一般嚟講，係有用一啲有接焊嘅喉管。而水務署個專責小組，佢哋嘅專業嘅事後嘅科學嘅鑑證，認為主要風險，主要造成呢個食水含鉛係來自焊料。呢個正話剛才你去引述其他國家似乎都係有咁樣嘅一個傾向嘅觀察。咁亦都引證咗香港實際情況。的確就係我哋係咁樣嘅。當我哋去驗--抽驗水辦，有系統地，去就每一座去抽驗水辦。而每一座係包括唔同嘅供水鏈，水務署係咁樣做。

問：唔，唔。

答：好，當發現到有任何含鉛超標嘅水樣，呢個唔一定話所有個座--譬如我哋驗咗六十個，唔係一定六十個都係含鉛超標嘅，可能係六個都未定。但係同時會做，就係用一個快速嘅測試嘅光譜儀就去 check 下，究竟有冇發現係有--即係嗰個水樣本出現嘅地方，即係攞到個超標水樣本嘅地方，究竟佢個喉管嘅接駁位有冇含鉛。如果有嘅時候，咁我哋覺得個風險係存在。我哋到而家睇嘅情況就係，往往就係出事，即係所謂超標嘅樣本，佢抽樣本嘅地方，嗰個喉管同時個焊料都係有鉛，呢個係證明咗係有呢個關連性喺度。

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問：唔㗎。好，你剛才講到就係 2005 年。係一個分水嶺。

答：㗎。

問：因為 2005 年前，喉管嗰個接駁，我哋叫做 mechanical fitting 就唔使用焊料，即係就咁...

答：係，係。一般嚟講，㗎，唔，唔。

問：...即係接咗埋佢就--就係㗎嘞。

答：係，係。

問：2005 之後就改變咗，就係唔需要係用呢個焊料。

答：係，係。

問：呢個係一個機械--即係呢個係一個技術上嘅改變。係--其實呢個你可唔可以同我講解，因為我知道遲啲阿馮女士...

答：係，係。

問：...都會講。但係呢一個係合約上嘅要求改變，定係佢知道技術上係就咁呢啲--即係總之呢啲建築物界嘅人係咁做呢？

答：我相信馮女士會畀你更加詳盡嘅資料。

問：係。

答：但係大抵上我所掌握，就係 05--點解我哋話分界點呢？一般嚟講，我唔會話係絕對。

問：係。

答：因為有一啲可能係 05 之後嘅個別單位，都係未必係用有接焊嘅喉管，少量喇，幾個。亦都有啲可能係 05 之前，佢可能有用呢個接焊。呢啲都喺我哋而家做咗嘅一啲測試裏面已經涵蓋晒。主要就係因為過去同轉用嗰個銅管有關係。以往好多喉管可能係--唔係銅管，亦都產生其他嘅問題，例如生銹水呢啲問題。

問：唔㗎。

答：所以當時認為轉用呢個銅管係一種進步。好嘞，銅管就牽涉到燒焊，一啲焊接。當然，而家事後睇番轉頭，可能我哋將來就--而家都--房--房署考慮緊，將來係咪所有嘅接駁都唔用焊--唔用焊料接駁，係用一個機械式嘅壓合法咁樣樣。

問：唔。

答：但係以往就有呢個咁樣嘅--即係對風險方面意識，以為既然銅管佢個接駁係不焊料，不能夠含鉛，即係話要用一啲無鉛嘅級別嘅焊料，以為呢個喺業界裏面都普遍認識，亦都係普遍被遵守。我正話提到一--05 年係一個轉捩點。

問：05，2005。

答：05，2005，嘅。而家我哋都係做緊 05 之前落成嘅屋邨，嗰個--我哋喺文件裏面，喺供詞裏面呢叫做篩查嘅過程。到目前為止，一百四十五個公屋嘅屋邨，我哋完成咗，如果有記錯，大約六十六個嘅。六十六個裏面，所有擺到--喺篩查裏面擺到嘅樣本都係有--都係符合世衛標準。可能呢度都進一步引證--可能係焊料係一個主要嘅成因，即係對嗰個食水含鉛嘅度。

問：唔。好嘞，我對你嘅問題，即係可能係臨我哋今日 break 之前最後一個問題就係，2005 年，即係開始有呢個改變，就係話以前嘅接合嘅方法。已經就轉用所謂銅管用焊料焊接。咁呢一個所謂方法上嘅改變，房署有冇喺呢個--進行呢個改變嘅時候，諗過就係話「呀，我哋用一個新嘅技術」。呢個唔係新發明嘅技術呀，意思係，但係用一種以前唔係房署一路用開嘅技術。

答：唔。

問：咁作為一個風險管理吓，有冇去即係做下一啲嘅研究，睇下第二啲地方，佢哋嘅房屋用呢一啲嘅焊料有冇啲乜嘢事情出現過呢？因為你明白嘛，即係就算街外其他私人樓宇佢點做一回事喇，但係房署政府嘛，政府做嘢唔同私人機構做嘢。政府做嘢要對人民交代。即係或者對市民交代，對更多嘅人交代。有冇諗過就係話，研究下咁樣嘅焊接法有冇需要風險管理上做啲特別啲嘅嘢，研究下？因為只要你 2005 年，如果有人坐低走去睇下第二啲地方，搵一搵 Google，soldering，可能會整咗一大炸頭先嗰啲嘅文件出嚟。就會知道，白紙黑字寫都有用個嘢，因為人性有陣時受唔住誘惑，為咗慳錢。或者原來有啲地方真係有人咁樣撞過板。有冇人即係喺嗰陣時即係做過呢一個動作？以你嘅理解。



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答：唔，呢點我唔知道。

問：唔清楚？

答：我唔清楚，當時有冇做啲研究，嘎。

問：唔。

答：但係正如我剛才好籠統地講，當時話即係比較全面啲係轉用呢個銅管，當時係基於一個考慮嘅，認為係咁樣係一個進步嚟。

問：唔。唔係，因為我睇番馮女士佢個證人供詞，佢都話其實銅管...

答：係

問：...--即係喺--即係喺第二啲嘅地方呀，香港即係啲 fresh water system 其實一路都用開㗎。即係所以我認為呢個唔係一個新發明。

答：唔，唔。

問：但係在房署起嘅公屋裏面，呢一個係一個改變。

答：係，係，啱，啱。

問：所以我就唔係話用新發明嘅角--角度，...

答：係，係，係，係，係。

問：...我係話即係你用一啲人哋用開嘅嘢，你都要了解一下即係佢本身係--係點嘅。但係即係你--你個人就唔了解有冇...

答：我唔掌握呢方面嘅嘢。

問：...即係做過一啲咁樣嘅研究，或者起碼確保係真係冇事，咁但係你唔清楚有冇做過呢樣嘢？

答：我唔清楚當時有冇做過呢方面嘅嘢，其實。

問：咁我又問馮女士，係咪，又係？

答：唔。

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石先生：Okay。而家啱啱四點半，主席先生，係。

主席：好呀。

石先生：我未必有繼續好多嘢問，咁但係有都唔多。

主席：多謝晒。張先生，咁就麻煩你聽朝早繼續...

答：好。

主席：...返嚟喇。咁我相信石大律師問完之後，其他嘅律師都會有啲嘢問你。

答：唔。

主席：唔該晒，而家可以走先嚟嘞，可以離開先，唔該晒。

請問明天有幾多位律師想向張先生發問嘍？係，暫時兩位。

林先生：主席，我哋都可能有，...

主席：得。

林先生：...但係唔會好長。

主席：李大律師，會幾長，估計？

李先生：嗯，我要同個 team 傾一傾先，...

主席：係。

李先生：...因為有啲嘢係可以唔問呢個證人都可以嘅。

主席：得，好吖。Okay，我哋暫時即係有三位大律師會發問嘅。

講者（不能辨別）：邊三位？

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C 主席：陳大律師，喺最後，...

D 石先生：啊，係喎。

E 主席：...同埋林大律師同埋李大律師。Okay，我哋聽朝十點。似乎我哋  
F 有用呢個所謂 court interpretation 都進展良好喎，係嘞，咁我  
G 哋聽日繼續用。係，陳大律師，有咩嘢想提出嚟？

H 陳先生：Mr Chairman, just on that note, the good news in  
I relation to my intended questions is that there will  
J be very few questions. The slightly less good news  
K is that I intend to ask them in English. So I flag  
L this up now, just in case there need to be any  
M particular practical arrangements made.

N I did have one thought, Mr Chairman, as I was  
O listening to the simultaneous translation, which is  
P firstly that, if I may say so, it seems to be of very  
Q high quality. I see Mr McCoy SC nodding. I also note  
R that there are two simultaneous interpreters who are  
S sitting in the room. So I wonder if one possible  
T arrangement for tomorrow, for the short time in which  
U I am asking questions, is that one of the simultaneous  
V interpreters be placed within this hearing room, to  
perform the more traditional consecutive  
interpretation role.

主席：我考慮下。不過我嘅理解就係嗰啲即時傳譯，就係佢哋個分工就係  
好專嘅，佢哋就唔會咁輕易係好似我哋咁樣樣亮相呀。

殷先生：主席，我可唔可以畀一個建議呢？就因為之前我都同張先生講  
過，佢係唔介意部分佢嘅證供係用英文嚟到作答。

主席：係，咁就更加複雜，唔好嘞。咁係會--因為我哋而家係有一個  
interpretation service，所以唔好講話英譯中抑或中譯英先。  
你明唔明呀？

陳先生：Mr Chairman, just one other perhaps halfway house.  
I of course am happy to proceed on the basis that I  
can ask the questions in English and if Prof Cheung  
wishes, certainly for my part I would be perfectly

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happy for him to give his answers in Chinese.

主席：不如你畀今晚我諗一諗，究竟點樣處理你呢個問題。

陳先生：Of course I simply flag that up for consideration.

主席：好呀，好呀。

陳先生：I am grateful.

主席：唔該晒。好，我哋而家休庭，唔該。

2015 年 11 月 2 日

下午 4 時 35 分聆訊押後

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 01	
C	Monday, 2 November 2015	C
	Testing ^	
D	(10.08 am)	D
E	CHAIRMAN: Good morning. (Chinese spoken).	E
	MR LEE: (Chinese spoken).	
F	CHAIRMAN: (Chinese spoken).	F
	MR LEE: (Chinese spoken).	
G	CHAIRMAN: (Chinese spoken).	G
	MR LEE: (Chinese spoken).	
H	CHAIRMAN: (Chinese spoken).	H
	MR LEE: (Chinese spoken).	
I	CHAIRMAN: (Chinese spoken)	I
	MR LEE: (Chinese spoken).	
J	CHAIRMAN: (Chinese spoken).	J
	MR YIN: (Chinese spoken) transcripts. (Chinese spoken).	
K	The parties (Chinese spoken).	K
	CHAIRMAN: (Chinese spoken).	
L	MR SHIEH: (Chinese spoken) break (Chinese spoken) involved	L
	party (Chinese spoken)	
M	... Housing Authority ... (Chinese spoken) ...	M
	Ms Ada Fung ... (Chinese spoken) ... okay ...	
N	(Chinese spoken) ... okay ... (Chinese spoken) ...	N
	okay ... (Chinese spoken) ... CEO ...	
O	(Chinese spoken) ... managing director ...	O
	(Chinese spoken) ... okay ... (Chinese spoken) ... okay.	
P	... Advisory Committee On Water Resources and	P
	Quality of Water Supplies ... (Chinese spoken)	
Q		Q
R		R
S		S
T		T
U		U
V		V

<b>A</b>	<i>Annex: Realtime English Transcription based on floor / Simultaneous Interpretation</i>	<b>A</b>
<b>B</b>	Commission of Inquiry into Excess Lead Found in Drinking Water	<b>B</b>
	Day 01	
<b>C</b>	... sub-subcontractors ... (Chinese spoken) ...	<b>C</b>
	Salmon letter. Salmon letter ... (Chinese spoken) ...	
<b>D</b>	piping ... (Chinese spoken) ... Salmon letter ...	<b>D</b>
	(Chinese spoken)	
<b>E</b>	.	<b>E</b>
<b>F</b>	... contractor ... (Chinese spoken) ... prosperity	<b>F</b>
<b>G</b>	building materials Co Ltd ... (Chinese spoken) ^(ask) Wo	<b>G</b>
	Hing manufacturing company ^(ask) ...	
<b>H</b>	(Chinese spoken) ... Housing Authority ...	<b>H</b>
<b>I</b>	(Chinese spoken) ... Prof Bellinger ...	<b>I</b>
	(Chinese spoken) ... Ms Ada Fung ...	
<b>J</b>	(Chinese spoken) ... Prof David Bellinger ...	<b>J</b>
<b>K</b>	(Chinese spoken) ... Prof Bellinger ...	<b>K</b>
	(Chinese spoken) ... Prof Bellinger ...	
<b>L</b>	(Chinese spoken) ... Housing Authority ...	<b>L</b>
<b>M</b>	(Chinese spoken) ... part 1 ... (Chinese spoken) ...	<b>M</b>
	part 2 ... (Chinese spoken).	
<b>N</b>	CHAIRMAN: (Chinese spoken) ... opening speech ...	<b>N</b>
	(Chinese spoken).	
<b>O</b>	MR YIN: (Chinese spoken).	<b>O</b>
<b>P</b>	CHAIRMAN: (Chinese spoken).	<b>P</b>
<b>Q</b>	MR YIN: (Chinese spoken).	<b>Q</b>
	CHAIRMAN: (Chinese spoken).	
<b>R</b>	MR YIN: (Chinese spoken)	<b>R</b>
<b>S</b>	CHAIRMAN: (Chinese spoken).	<b>S</b>
<b>T</b>		<b>T</b>
<b>U</b>		<b>U</b>
<b>V</b>		<b>V</b>

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

B Commission of Inquiry into Excess Lead Found in Drinking Water Day 01 B

C WITNESS: (Chinese spoken). C

D MR ANTHONY CHEUNG BING LEUNG (affirmed or sworn in Cantonese D

E ^ (ask) E

F CHAIRMAN: (Chinese spoken) F

G Examination-in-chief by MR YIN G

H MR YIN: (Chinese spoken). H

I So, Mr Cheung, you have the witness statement in I

J front of you that you have signed before; correct? J

K A. Yes, correct K

L Q. So in this witness statement there are totally 21 pages; L

M is that right? M

N A. (Chinese spoken). N

O Q. (Chinese spoken)? O

P A. (Chinese spoken). P

Q INTERPRETER: (Chinese spoken). Q

R CHAIRMAN: (Chinese spoken). R

S INTERPRETER: "So on the first page of your witness S

T statement, you as the chairman of the Housing Authority, T

U you made this witness statement; is it correct? U

V Correct." V

MR YIN: So, on the page 20, is it your signature?

A. Correct.

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

B Commission of Inquiry into  
Excess Lead Found in Drinking Water Day 01 B

C Q. So, according to instruction, for the witness statement C  
we have to read it once, so can I read it for you?

D A. Okay, please go ahead. D

E Q. (In English) chairman, I will start: E

F "I ^... 2012. Among other responsibilities, the F  
Secretary for Transport and House assumes the office of  
G chairman of the Housing Authority. I make this G  
statement pursuant to a direction addressed to the  
H chairman of the Housing Authority from the Commission of H  
I inquire into excess lead found in drinking water via I  
a letter of Lo & Lo solicitors dated 12 October 2015,  
J supplemented by a further direction set out in another J  
K letter of Lo & Lo solicitors dated 13 October 2015 ^... K  
L Lo & Lo letters." L

M CHAIRMAN: (Chinese spoken). M

N MR YIN: (Chinese spoken). N

O CHAIRMAN: (Chinese spoken). O  
(The statement was interpreted to the witness)

P MR YIN: "As an introductory point, I wish to emphasise ^... P  
review carefully such recommendations as may be made by  
Q the [Commission] concerning the quality of drinking Q  
water in Hong Kong and will seek to implement such  
R recommendations which may relate specifically to the qb R  
S Housing Authority]." S

T

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
	Day 01	
C	(The statement was interpreted to the witness)	C
D	"Concerning the ten Requests raised in the Lo & Lo's	D
E	letters, I have discussed them carefully with relevant	E
F	senior staff in the [housing department]. We understand	F
G	that to facilitate the [Commission], we should locate	G
H	^... some extent, given the subject matters of the	H
I	Requests and the historical and technical details	I
J	involved, we believe the best person to respond to the	J
K	Requests with such details is the Head of the	K
L	Development and Construction Division of the [housing	L
M	department] ... As explained at the preliminary	M
N	hearing, Ms Ada Fung, the dep I did director who heads	N
O	^... much greater detail. In coping with the many tasks	O
P	following the first incident of excess lead found in	P
Q	drinking water in public rental housing ... estates,	Q
R	I have worked closely with the Director of Housing and	R
S	his senior staff, as well as all divisions of the	S
T	[housing department] as a team ^... ready to give	T
U	evidence as the [Commission of Inquiry] deems fit."	U
V	.	V
Q	(The statement was interpreted to the witness)	Q
R	MR YIN: "I think it might be useful to the, Commission of	R
S	Inquiry if I provide some background of the organisation	S
T	and people involved before I respond to the Requests.	T
U		U
V		V

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

B Commission of Inquiry into Excess Lead Found in Drinking Water Day 01 B

C The ^... under the Housing Ordinance ... The, Secretary C  
for Transport and Housing] assumes the office of  
D chairman of the Housing Authority, while the Director of D  
E Housing assumes that of vice-chairman. In addition to E  
F the chairman and vice-chairman, the Housing Authority F  
G currently has two official members (that is the G  
H Permanent Secretary for Financial services and the H  
I treasury (treasury) and Director of Lands) and 27 I  
J non-official members. Six standing committees have been J  
formed under section 7 of the Housing Ordinance to  
K formulate, administer and oversee policies in specific K  
L areas. They are: L  
M (a) Building Committee. M  
N (b) commercial properties committee. N  
O (c) Finance Committee. O  
P (d) Strategic Planning Committee. P  
Q (e) subs duced housing committee. Q  
R (f) Tender Committee. R  
S Subcommittees and ad hoc committees may be formed on S  
T a need basis. T  
U INTERPRETER: (Chinese spoken). U  
V MR YIN: "The Housing Department is the executive arm of the V  
Housing Authority, staffed mostly by civil servants. It  
is headed by the Director of Housing, Mr Stanley Ying,  
who also assumes the office of Permanent Secretary for

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 01	
C	Transport and Housing (housing). Under the office of	C
D	the Director of Housing, there are four divisions,	D
E	namely the Development and Construction Division, Estate	E
F	Management Division, statisticgy division and corporate	F
G	services division."	G
H	INTERPRETER: (Chinese spoken). ^ (CORRECTION: strategy	H
I	division).	I
J	MR YIN: "The Development and Construction Division is	J
K	responsible for the production of new public housing	K
L	units, which include all aspects of project management	L
M	and production work covering the initial site search and	M
N	feasibility studies, community engagement, planning,	N
O	design, construction management, commissioning for	O
P	occupation, up to the expiry of maintenance period and	P
Q	the settlement of final accounts. The Development and	Q
R	Construction Division is also responsible for	R
S	establishing operational policies on procurement, design	S
T	construction, quality performance assessment, dispute	T
U	resolution, research and development, safety and	U
V	environmental management for public housing development	V
	in Hong Kong."	
R	INTERPRETER: (Chinese spoken).	R
S	MR YIN: "The [Development and Construction Division] is	S

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

B Commission of Inquiry into Excess Lead Found in Drinking Water Day 01 B

C headed by a Deputy Director who is supported by four C

D assistant directors and 25 chief professionals, D

E including chief architects, chief building services E

F engineers, chief civil engineers, chief geotechnical F

G engineers, chief planning officers, chief quantity G

H surveyors, and chief structural engineers. The H

I establishment of [the Development and Construction I

J Division] including non-directorate staff is 2,497." J

K INTERPRETER: (Chinese spoken). K

L MR YIN: "From the bovr, we think Ms Fung is the best person L

M to provide the historical and technical details required M

N by the Requests ^ (CORRECTION: above)." N

O INTERPRETER: (Chinese spoken). O

P MR YIN: "A final part of the background which I think may P

Q be relevant is how I have participated in the efforts to Q

R manage the incident of excess lead found in drinking R

S water in certain" -- what is PRH ... "[public rental S

T housing estates]" -- we will throughout call this the T

U "incident" -- "as it is through this process that I have U

V learned much of the information that I will be using to V

respond to the Requests."

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 01	
C	INTERPRETER: (Chinese spoken).	C
D	MR YIN: "I first became aware of the problems when the	D
E	Director of Housing reported to me that on 7 July 2015	E
F	lead had been found in two joint samples taken from two	F
G	vacant units in Kai Ching Estate. I decided that we had	G
H	to enter into a 'contingency mode', and that the matter	H
I	required close collaboration between the [Housing	I
J	Authority] and the government, as well as high-level	J
K	concerted efforts of various bureau x and departments	K
L	within the government, in particular the Development	L
M	Bureau, the Food and Health Bureau, the water supplies	M
N	department ... and the Department of Health ...	N
O	I notified the Chief Secretary for Administration ^...	O
P	on 11 July, the [Chief Secretary] convened the first	P
Q	after series of interdepartmental meetings in response	Q
R	to the Incident. You attended this and almost all of	R
S	the subsequent interdepartmental meetings chaired by the	S
T	[Chief Secretary] or the acting [Chief Secretary].	T
U	Besides, I participated in the first joint-departmental	U
V	president conference held on 11 July, and explained that	V
	the government attached great importance to the matter	
	and would take immediate follow-up actions to ease	
	residents' concerns and ensure their access to safe	
	drinking water ^... adhering to three principles in	
	handling the issue:	

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

B Commission of Inquiry into Excess Lead Found in Drinking Water Day 01 B

C -- being open and transparent in information C  
dissemination;

D Adopting a people-oriented approach; and. D

E -- carrying out thorough investigations." E

F INTERPRETER: (Chinese spoken). F

G MR YIN: "Since the Incident, I have been conscious of the G  
need to keep members of the [Housing Authority] informed  
H of the development. Hence, I, together with the H  
I Director of Housing and his senior staff members, gave I  
a briefing to the members of the [Housing Authority] on  
J 16 July 2015. During the same briefing, I proposed that J  
K the [Housing Authority] should set up a Review Committee K  
to carry out a full 'body check' on the [Housing  
L Authority's] quality control and monitoring mechanism at L  
M different stages of public housing construction. On M  
N 24 July 2015, having obtained the [Housing Authority's] N  
agreement ^... public housing estates" -- hereafter  
O called the Review Committee" -- "led by a member of the O  
P Housing Authority, Mr Cheung Tat Tong, who will give his P  
witness statement to the Commission of Inquiry  
Q separately. The Housing Authority was further updated Q  
R on the development of the Incident via a Housing R  
S Authority paper issued on 12 August 2015, and on the S  
T results of a systemic water sampling tests for PRH T  
U  
V

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

B Commission of Inquiry into Excess Lead Found in Drinking Water Day 01 B

C estates completed in and after 2005 via another Housing Authority paper issued on 29 September 2015." C

D D

E . E

F INTERPRETER: (Chinese spoken). F

G MR YIN: "The Housing Authority has attached and continues G

H to attach great importance to the necessary H

I investigations and follow-up angsts. The details of I

J these actions are covered in the paragraphs below." J

K ^ (CORRECTION: follow-up actions). K

L INTERPRETER: (Chinese spoken). L

M MR YIN: "The Review Committee submitted its interim report M

N to me on 6 October 2015. The interim report war I said N

O openly on 6 October that I agreed with the Review O

P Committee's review that there had been a lack of P

Q awareness in the construction industry, as well as the Q

R Housing Department, of the risk of presence of lead in R

S solder and its implications on the quality of drinking S

T water and therefore the associated health risks. I also T

U said that I agreed with the Review Committee's view that U

V the Housing Authority's past mechanism for ensuring the V

quality of drinking water supplied to public rental

housing estates had some inadequacies. In short, while

the Housing Authority's past quality control mechanism

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
C	was consistent with the industry's practice, the law and	C
D	other Water Services Department's requirements, it did	D
E	not focus on the presence of lead (or other heavy	E
F	metals) in the fresh water supply system or in the	F
G	water, and did not target soldering materials as a high	G
H	risk item. With hindsight, had we been aware of the	H
I	associated risk before, the Housing Authority would have	I
J	put in place suitable control and monitoring measures to	J
K	prevent the use of non-compliant soldering materials in	K
L	the fresh water supply system."	L
M	^ (CORRECTION: non-compliant).	M
N	INTERPRETER: (Chinese spoken).	N
O	MR YIN: "The Review Committee, as part of its study, has in	O
P	its interim report made some recommendations on measures	P
Q	to reduce the risk of occurrence of the presence of lead	Q
R	in solder on joints and of excess lead in drinking water	R
S	in respect of new public rental housing projects under	S
T	construction. These measures include requiring the main	T
U	contractor to test water samples in a newly completed	U
V	inside service for heavy metal content (including lead)	V
	in accordance with the water service department's latest	
	requirements, requiring the main contractor to submit	
	and comply with a management plan covering stringent	
	plumbing subcontractor supervision and on-site	



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
C	monitoring, and using quick test methods by both the	C
D	Housing Department and the contractors to check for the	D
E	presence of lead in soldering joints during construction	E
F	stage. Throughout its study, the Review Committee has	F
G	been communicating with relevant and interested	G
H	stakeholders, including professional organisations as	H
I	well as industry representatives and frontline workers,	I
J	to understand their views on the problem and possible	J
K	solutions. It is possible that it may revise the above	K
L	measures and consider recommending additional ones. The	L
M	Review Committee aims to submit a full report to me by	M
N	the end of 2015."	N
O	INTERPRETER: (Chinese spoken). Drou	O
P	MR YIN: "In fact, our quest for improvement in the Housing	P
Q	Authority's established quality control mechanism for	Q
R	public housing construction has started as soon as ...	R
S	the problems in Kai Ching Estate was first discovered.	S
T	During a media session on July 10, drrt of housing said,	T
U	for public housing projects under construction, the	U
V	Housing Department was considering requiring main	V
	contractors to include testing for lead in the water	
	quality tests. The Housing Department was also	
	considering conducting tests for the soldering materials	
	to ensure that they would comply with the lead-free	

requirement. On 13 July 2015, the Circular Letter No. 1/2015 issued by the Water Services Department, now produced and shown to me marked 'Exhibit 1', which, among other things, promulgates additional test parameters for water samples taken from a newly completed inside service, covering four heavy metals of lead, chromium, cadmium and Mickle on top of the eight test parameters under the Circular Letter No. 2/2006 issued by the Water Services Department, now produced and shown to me marked 'Exhibit 2'. Accordingly, we imposed such additional requirements on public rental housing projects under construction. In our paper submitted to the Legislative Council Panel on Housing for the meeting on 22 July 2015 ^... we explained our understanding on why the Housing Authority's system had not inspected the joints between pipes for lead content or checked for the presence of lead in soldering materials. The paper also outlined the short and medium term improvement measures that the Housing Authority would implement, and some longer term measures that the Housing Authority would explore, in addressing the problems identified."

INTERPRETER: (Chinese spoken).

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 01	
C	MR YIN: Chairman, before I move on to the next paragraph,	C
D	I just want to point out that the text of the written	D
E	statement that was submitted, on the second line,	E
F	towards the end of the second line of paragraph 16,	F
G	there is a word "since" which is superfluous. Now,	G
H	I have omitted that when I read the evidence.	H
I	CHAIRMAN: All right ^(chk) (Chinese spoken).	I
J	MR YIN: Paragraph 17, I continue:	J
K	"During the debate on two motions under the	K
L	Legislative Council (Powers and Privileges)	L
M	Ordinance ... held on 14 and 16 October 2015, I said	M
N	that since the Incident, the Housing Authority had been	N
O	mindful of not underestimating the risks nor arousing	O
P	undue fears in the community. We had been adopting	P
Q	a pragmatic approach in addressing the immediate needs	Q
R	and concerns of affected residents, seeking remedies	R
S	from the main contractors concerned according to	S
T	contracts, and investigating into the size and cause of	T
U	the problem including a comprehensive review of the	U
V	Housing Authority's quality control and monitoring	V
	mechanism for public rental housing construction.	
	I also said that the Housing Authority would bear the	
	necessary responsibility as the owner of the public	
	rental housing estates concerned, and stood ready to	
	co-operate with the Commission of Inquiry fully.	

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
C	I undertook to implement the recommendations to be made	C
D	by the Commission of Inquiry as well as those by the	D
E	Review Committee and the government's Task Force on	E
F	excessive lead content in drinking water ... which is	F
G	headed by the Deputy Director of Water Supplies and	G
H	comprising, among others, the chairman of Advisory	H
I	Committee on Water Resources and Quality of Water	I
J	Supplies, a renowned expert in material and corrosion of	J
K	metal as well as a chemistry professor from a local	K
L	university. I also said that, if the Commission of	L
M	Inquiry found that there were responsibility issues that	M
N	needed to be followed up, we would act solemnly	N
O	according to established mechanism."	O
P	INTERPRETER: (Chinese spoken).	P
Q	MR YIN: "In order to address residents' concern over	Q
R	an increasing number of public rental housing estates	R
S	with water samples found to contain excess lead,	S
T	I announced on 15 July 2015 that water samples would be	T
U	taken from all [public rental housing] estates completed	U
V	since 2015, as well as Kwai Luen Estate Phase 1 (which	V

2012. On 24 July 2015, I announced that the water sampling tests would be extended to all [public rental housing] estates in a systematic way. The target was to complete such tests for [public rental housing] developments completed in and after 2005 in two months' time, and then taking into account experience and data, consider how to do such tests for developments completed before 2005. On 24 September 2015, we announced that systematic water sampling tests for [public rental housing] developments completed in and after 2005 (involving 83 developments from 46 estates) had been completed. Among them, excess lead was found in water samples taken from 11 [public rental housing] developments, while samples feign the remaining developments were found to stay below the World Health Organization's ... provisional guideline value ([that is to say] 10 micrograms per litre) for lead in drinking water. A total of 4,740 water samples were taken from the [public rental housing [estates completed in and after 2005 for testing, among which 91 were found to contain excess lead, representing 2 per cent of the total number of samples. Among these 91 water samples containing excess lead, 63 ([that is to say 69 per cent) had a lead content of between 10 and 20 micrograms per litre, 10 [of the samplets, it is a to say]

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 01	
C	(11 per cent) had a lead content ^... 20 sers had a lead	C
D	content exceeding 30 micrograms per litre (the highest	D
E	being 153 micrograms per litre)."	E
F	INTERPRETER: (Chinese spoken).	F
G	(All answers via interpreter unless otherwise indicated) ^	G
H	MR YIN: "Given the lower risks [associated] with pre-2005	H
I	'public rental housing] developments, the water pipes in	I
J	which were in general connected mechanically and not by	J
K	soldering, the Housing Authority is now carrying out	K
L	water sampling tests for these estates by applying	L
M	an objective and representative screening method, with	M
N	a view to determining the drinking water quality of	N
O	these estates within a shorter timeframe. The Housing	O
P	Authority aims to complete these tests for pre-2005	P
Q	public rental housing estates by the end of this year.	Q
R	As at today, 66 out of 143 public rental housing estates	R
S	completed before 2005 have been tested, and all 1,482	S
T	water samples taken were found to stay below [World	T
U	Health Organization's] provisional guideline value."	U
V	.	V
V	INTERPRETER: (Chinese spoken).	V
V	MR YIN: "I now address the specific matters raised by the	V
V	[Commission of Inquiry]."	V

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

B Commission of Inquiry into Excess Lead Found in Drinking Water Day 01 B

C INTERPRETER: (Chinese spoken).. C

D MR YIN: Request number 1 is "Explain and identify the D

E prevailing statutory and non-statutory requirements and E

F WHO and other relevant standards in drinking water". F

G That's request number 1. G

H "The Housing Authority is not exempt from the H

I application of the Waterworks Ordinance ... and the I

J regulations and requirements of the Water Authority ... J

K under the [Waterworks Ordinance]. I understand that the K

L Water Authority (that is to say the director of water L

M supplies) is the authority for the enforcement of such M

N laws and regulations. After the Incident, I learnt that N

O there had been no statutory requirements relevant to O

P lead in drinking water, and that water sampling tests P

Q required by the Water Authority for newly completed Q

R inside service covered eight parameters which did not R

S include lead. These eight parameters are: pH, colour, S

T turbidity, conductivity, free residual chlorine, E.coli, T

U total coliforms and heterotrophic plate count. On U

V 13 July 2015, WSD issued Circular Letter No. 1/2015 to, V

among other things, promulgate additional test

parameters of water samples covering four heavy metals

of lead, chromium, cadmium and nickel on top of the

eight test parameters. As for WHO, I learnt after the

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
C	Incident that WHO's provisional guideline value is 10	C
D	micrograms per litre for lead in drinking water. Ms Ada	D
E	Fung will provide more details in her response to this	E
F	Request."	F
G	INTERPRETER: (Chinese spoken).	G
H	MR YIN: Request number 2:	H
I	"Explain the Measures and quality control system in	I
J	place prior to the incident of excess lead in drinking	J
K	water by the Housing Authority in order to comply with	K
L	the requirements and standards and to ensure the safety	L
M	and quality of drinking water."	M
N	"It is the Housing Authority's policy to comply with	N
O	all prevailing statutory requirements, and where	O
P	appropriate, to strive beyond such requirements. The	P
Q	Housing Authority is not part of the government and is	Q
R	subject to many statutory requirements applicable to	R
S	developers including the Waterworks Ordinance	S
T	requirements mentioned above. While it is exempt from	T
U	the Buildings Ordinance ... which governs the planning,	U
V	design and construction of buildings and associated	V
	works, the Housing Authority submits building proposals	
	for the vetting and approval of the Independent Checking	
	Unit which, independent of the Housing Authority,	



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

B Commission of Inquiry into Excess Lead Found in Drinking Water Day 01 B

C mirrors the functions of the Building Authority under C  
the [Buildings Ordinance]."

D

E INTERPRETER: (Chinese spoken). E

F MR YIN: "All specifications necessary for compliance with F  
the statutory and regulatory requirements are included  
G in the Housing Authority's contracts with the G  
contractors who are contractually bound to perform  
H accordingly. Staff of the [Housing Authority] sample H  
I checks contractors' works, targeting their sampling on I  
the basis of risks. As discussed in the paper submitted  
J to the meeting of the Legislative Council Panel on J  
K Housing on 22 July 2015" -- that is exhibit 3 -- "the K  
[Housing Authority] monitored main contractors' works  
L regularly to ensure that fresh water plumbing L  
M installations were executed in accordance with the M  
N contractual requirements, by inspecting the alignment of N  
O water pipes, position and quantity of brackets and O  
P whether they were firmly fixed, adequacy of pipe sleeves P  
and spacing, the connection of pipes, whether the  
Q materials used complied with contractual requirements, Q  
et cetera. However, the heart's staff did not inspect  
R the joints between pipes or check for presence of lead R  
S in soldering materials. The reason cited then was that S  
T the construction industry had all along believed that T  
U  
V

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

B Commission of Inquiry into Excess Lead Found in Drinking Water Day 01 B

C the widely accepted and used soldering materials should C

D have complied with relevant requirements. Ms Fung will D

E provide details request to this Request." E

E ^ (CORRECTION: relevant to this request). E

F INTERPRETER: (Chinese spoken). F

G MR YIN: Request number 3 is to "Explain and identify the G

H specific contractual terms and provisions pertaining to H

I (a) the construction of the affected estates to ensure I

J drinking water will be lead-free and safe and (b) J

K prohibiting the use of pipes, fittings and soldering and K

L other plumbing materials from which lead may leach into L

L "the Housing Authority's contracts with the L

M contractors are drawn up to comply fully with the M

N statutory requirements under the Waterworks Ordinance N

O and the regulatory requirements stipulated by the O

O Water Authority. The contracts therefore include O

P specifications to the effect that soldering materials P

P should be of lead-free category, and that other parts of P

Q the fresh water supply system should comply with the Q

Q prescribed standards under the waterworks Q

R regulations ... which stipulates compliance with the R

R British Standard. Despite the above, however, as R

S S

T T

U U

V V

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

**B** Commission of Inquiry into Day 01 **B**  
Excess Lead Found in Drinking Water

**C** pointed out by the Review Committee in its interim **C**  
report, the Housing Authority's system put in place

**D** before the Incident had some inadequacies. In short, **D**

**E** the past system did not focus on the presence of lead in **E**  
the fresh water supply system or in the water, and did

**F** not target soldering materials as a high-risk item. As **F**

**G** far as the contract with the main contractors is **G**  
concerned, the Housing Authority's system did not

**H** specifically require the main contractor to put in place **H**

**I** a management plan to control, inspect or supervise the **I**  
use of soldering materials, including quarantine upon

**J** delivery of materials. Besides, not until 13 July 2015 **J**

**K** when [the Water Services Department] issued Circular **K**  
Letter No. 1/2015 to, among other things, promulgate

**L** additional test parameters of water samples covering **L**

**M** four heavy metals of lead, chromium, cad yim and nickel, **M**  
there had been no stipulations on lead comment to water

**N** under the [Water Authority or the Waterworks Ordinance] **N**  
regime, and the Housing Authority's contracts similarly

**O** had not included such specifications in the past. With **O**

**P** hindsight, had we been aware of the associated risk **P**

**Q** before, the Housing Authority would have put in place **Q**  
suitable control and monitoring measures to prevent the

**R** use of non-compliant soldering materials in the fresh **R**

**S** water supply system. Ms Fung will provide more details **S**

**T**

**U**

**V**

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

B Commission of Inquiry into  
Excess Lead Found in Drinking Water Day 01 B

C in response to this Request." C

D INTERPRETER: (Chinese spoken). D

E MR YIN: Request 4 is: E

F "Explain the choice and decision of joining the F

G pipes by soldering instead of using mechanical G

H compression joints, and why the former method of joining H

I the fresh water pipes was extensively used in the I

J affected estates. If it is a matter of cost, please J

K state the difference in costs." K

L "This request concerns historical and technical L

M details on which I am less qualified than Ms Fung to M

N provide. She will provide details in her statement." N

O . O

P INTERPRETER: (Chinese spoken). P

Q MR YIN: Request 5: Q

R "Who in the Housing Authority was responsible for R

S the procurement, inspection, construction and S

T installation and approval of plumbing materials and the T

U steps taken in (a) discharging such responsibilities and U

V (b) ensuring the safety of drinking water." V

S "This Request involves details of how professional

T

U

V

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

B Commission of Inquiry into Excess Lead Found in Drinking Water Day 01 B

C staff are organised. I should leave it to Ms Ada Fung C  
to provide such details."

D D

E INTERPRETER: (Chinese spoken). E

F MR YIN: "I would like to make the point that the [Housing F  
Authority] has put in place a system for quality control  
G and monitoring in relation to public housing G  
H construction, including installation of fresh water H  
I supply, and each of the [Housing Authority] staff I  
J involved in public housing construction is assigned J  
K specific duties contributing to the functioning of this K  
L system. The system has evolved over the years to L  
M reflect the latest statutory and regulatory M  
N requirements, prevalent industry practice and knowledge N  
O as well as the accumulated experience of the [Housing O  
Authority]. As pointed out by the Review Committee, P  
Q there had been a lack of aware innocence the P  
R construction industry and the [Housing Department] of Q  
S the risk of presence of lead in solder and its R  
T implications on the drinking water quality and in turn, S  
U the associated health risks. Such a lack of awareness T  
V contributed to the inadequacies of the [Housing U  
Authority's] system (also referred to in paragraphs 14, V  
24 and 29) before the Incident as pointed out by the  
Review Committee."

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

B Commission of Inquiry into  
Excess Lead Found in Drinking Water Day 01 B

C . C

D INTERPRETER: (Chinese spoken). D

E MR YIN: Request 6: E

F "Explain how plumbing materials containing lead came F  
G to be used in the affected estates and also why the use G  
H of the same had been allowed and overlooked." H

I . I

J "This is one of the crucial questions to which we J  
K have been seeking an answer since the first incident. K  
L With this in mind, and noting that the government has L  
M set up the Task Force comprising relevant experts, I, as M  
N chairman of the Housing Authority, proposed to the N  
O Housing Authority to set up a Review Committee to O  
P comprehensively review the present arrangements for P  
Q quality control and monitoring in relation to the Q  
R installation of fresh water supply system, in order to R  
S detect any inadequacies, systemic defects and S  
T oversights. The Task Force published its Preliminary T  
U Findings and the Review Committee published its interim U  
V report in late September and early October 2015 V  
respectively. I have accepted the Review Committee's  
interim report. Findings in the interim report are  
relevant to the Request. By the signed statement of the

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

B Commission of Inquiry into Excess Lead Found in Drinking Water Day 01 B

C Review Committee's chairman, the interim report will be C  
adduced as evidence for the [Commission of Inquiry].".

D . D

E INTERPRETER: (Chinese spoken). E

F MR YIN: "I note in particular that in the Review F  
Committee's opinion, the past mechanism for ensuring the  
G quality of drinking water supplied to [public rental G  
housing] estates before the Incident had some  
H inadequacies. In general, there had been a lack of H  
I ahness in the construction industry, including the main I  
J contractors, the plumbing subcontractors, the licensed J  
K plumbers, as well as the Housing Department, of the risk K  
L of presence of lead in solder and its implications on L  
M the drinking water quality and in turn, the associated M  
N health risks. I also agree with the Review Committee's N  
O view that the past quality control mechanism for the O  
P Housing Authority's projects that was in place before P  
Q the discovery of excess lead was consistent with the Q  
R industry's practice, the law ([that is to say the R  
S Waterworks Ordinance and the waterworks regulations] S  
T and other Water Authority's requirements. In the past, T  
U there had not been any focus on the presence of lead (or U  
V other heavy metals) in the fresh water supply system or V  
in the water, and soldering materials had not been  
targeted as a high-risk item. In terms of the building

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

B Commission of Inquiry into Excess Lead Found in Drinking Water Day 01 B

C contract with the main subcontractor, the past system C

D had not specifically required the main contractor to put D

E in place a management plan to control, inspect or E

F supervise the use of soldering materials, including F

G quarantine upon delivery of materials; in terms of G

H in-process supervision, testing and commissioning, the H

I past system had not checked for presence of lead in I

J soldering joints; and in terms of checks on completion J

K of projects would be the past system followed the then K

L Water Authority's requirements on tests of water samples L

M for eight parameters and had not included tests for M

N lead." N

O . O

P INTERPRETER: (Chinese spoken). P

Q MR YIN: Request 7: Q

R "Explain what, after lead has been discovered in R

S drinking water, steps taken by the [Housing Authority] S

T (a) to address health concerns of the residents of the T

U affected estates and (b) to ensure the safety of U

V drinking water in the affected estates." V

Q "the two crucial tasks referred to in this Request Q

R require the collaboration between the Housing Authority R

S and the government and the concerted efforts of the S

T

U

V



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

**B** Commission of Inquiry into Day 01 **B**  
Excess Lead Found in Drinking Water

**C** relevant government departments. The government's **C**  
expert health advice is that persons affected by excess  
**D** lead in drinking water should stop drinking such water **D**  
as one of the immediate measures. Given this advice,  
**E** when excess lead was found in water samples from **E**  
**F** an estate, the Housing Authority immediately provided **F**  
**G** bottled water to the residents. So far over six million **G**  
**H** bottles have been distributed to the residents of the 11 **H**  
**I** affected estates/developments. At the same time, the **I**  
Housing Authority and the WSD work to first arrange for  
**J** the provision of water tanks or water gages, and **J**  
then extend the pipes to the ground levels of each  
**K** block. The Housing Authority then asked the contractors **K**  
concerned to extend connection pipes from rooftop water  
**L** tanks to each floor of the block. The [Housing **L**  
Authority] continued to explore better ways to provide  
**M** self drinking water to residents, and with the **M**  
**N** assistance of the Government Laboratory ... and the WSD, **N**  
**O** studied options of installing filters commonly used in **O**  
other jurisdictions. We accepted the proposals from the  
**P** contractors concerned to install filters with US **P**  
**Q** National Sanitation Foundation 53 certification for lead **Q**  
reduction for the affected households free of charge,  
**R** with the undertaking to replace the filter cores for **R**  
**S** them free of charge for two years. As at today, filter **S**  
**T** **T**  
**U** **U**  
**V** **V**

A	<i>Annex: Realtime English Transcription based on floor / Simultaneous Interpretation</i>	A
B	Commission of Inquiry into Excess Lead Found in Drinking Water	B
C	installation for the households in all affected estates	C
D	has been completed except those with whom we have	D
E	difficulty in making contact. All the above measures	E
F	have helped to immediately reduce the health risks faced	F
G	by the affected residents."	G
H	INTERPRETER: (Chinese spoken).	H
I	MR YIN: "Besides, the Department of Health has made	I
J	appointments for households with excess lead found in	J
K	water samples, as well as for residents of the affected	K
L	public rental housing estates who fall into the three	L
M	more easily affected groups ([that is to say] children	M
N	aged below six (adjusted to be children aged below eight	N
O	on 3 August), pregnant women and lactating women) to	O
P	receive blood lead testing. The Department of Health	P
Q	and the Hospital Authority have followed up jointly on	Q
R	the health condition of those who have borderline raised	R
S	blood lead level. In particular, dd ^ has arranged	S
T	preliminary developmental assessment for those children	T
U	aged under 12 and will provide appropriate follow-up	U
V	services depending on the assessment results."	V

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

B Commission of Inquiry into Excess Lead Found in Drinking Water Day 01 B

C affected estates in the long run, the [Housing Authority] has required the contractors concerned to C

D work out proposals to replace the parts of the water D

E plumbing system which have contributed to excess lead in E

F drinking water. Separately, [the Housing Authority [has F

G put in place a systematic programme to check for the G

H lead content to drinking water in all, public rental H

I housing] estates. As mentioned in paragraph 18 above, I

J I announced on 24 July 2015 that water sampling tests J

K would be conducted for all [public rental housing] K

L estates in a systematic way. The [Housing Authority] L

M has now completed systematic water sampling tests for M

N all estates completed in and after 2005 with which N

O a higher risk of excess lead in drinking water is O

P associated because water pipes therein are mainly copper P

Q pipes joined by soldering which, according to the Task Q

R Force, is the cause of excess lead in drinking water R

S when lead is found in the solder. Housing Authority is S

T now carrying out such tests by applying an objective and T

U representative screening method, for the 143 estates U

V which were completed before 2005." V

INTERPRETER: (Chinese spoken).

MR YIN: "Request 8 -- 'Distribute the test results of

plumbing materials taken by the [Housing Authority] for

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 01	
C	testing and identify the locations of the samples taken.'.	C
D	Immediately after the first incident, the Housing	D
E	Department took various steps to try to blernt problem	E
F	^^, including testing some components from the plumbing	F
G	systems such as pipes, joints and mixers. Details of	G
H	the test results will be given in Ms Fung's statement.	H
I	Thereafter, given the government's decision to set up	I
J	the Task Force which would conduct different tests and	J
K	analysis for components taken from the water supply	K
L	contains of some [public rental housing] estates where	L
M	excess lead in drinking water had been found, the	M
N	[Housing Authority] has since not focused on examination	N
O	of components, but instead of focused on testing water	O
P	samples taken from [the public rental housing] estates.	P
Q	As mentioned in paragraphs 18 and 19 above, the [Housing	Q
R	Authority] has put in place a programme for carrying out	R
S	such tests for all [renls] estates systematically. The	S
T	Director of Housing chairs a group comprising	T
U	representatives from the HD, the WSD, the government	U
V	laboratories ^(chk) and the Department of Health, to	V
	draw up the sampling/screening method, procedures and	
	protocol for the water sampling tests, and review the	
	test results every week in general. Under the protocol	
	adopted by this group, if water samples exceeding the	

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
C	WHO's provisional guideline value for lead in drinking	C
D	water are detected, the Government Laboratory will use	D
E	a gis (X-ray flure sense ... analyser) to obtain	E
F	preliminary reading of lead on the surface of the solder	F
G	of the relevant joint. This is to provide cob rating	G
H	evidence for the lead reading from water sampling tests	H
I	and establish grounds for taking follow-up action with	I
J	the contractor concerned in accordance with the	J
K	contractual terms. I understand that in all cases, lead	K
L	was found in such joints where excess lead was found in	L
M	water samples ^ (CORRECTION: fluorescence)."	M
N	INTERPRETER: (Chinese spoken).	N
O	MR YIN: "Request 9 dosh 'Describe the measures and quality	O
P	control system put in place and/or any other	P
Q	recommendations by the [Housing Authority] in order to	Q
R	comply with the requirements and standards and to ensure	R
S	the safety and quality of drinking water supply.'.	S
T	It is the Housing Authority's policy to comply with	T
U	all statutory requirements, and where appropriate to	U
V	strive beyond such requirements and put in place	V
	additional ones. Hence, the [Housing Authority [has	
	included all these requirements in its contracts with	
	contractors and expected the latter to deliver and	
	comply with these requirements. The [Housing	

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
C	Authority's] own staff sample checks contractors' works,	C
D	targeting their sampling on the basis of risks. As	D
E	mentioned above, the past quality control mechanism for	E
F	the [Housing Authority] projects that was in place	F
G	before the discovery of excess lead was consistent with	G
H	the industry's practice, the law ([that is to say the	H
I	Waterworks Ordinance and the waterworks regulations])	I
J	and other WSD's requirements, but had not focused on the	J
K	presence of lead (or other heavy metals) in the fresh	K
L	water supply system or in the water, and had not	L
M	targeted soldering materials as a high-risk item."	M
N	INTERPRETER: (Chinese spoken).	N
O	MR YIN: "There has been development immediately after the	O
P	first incident. The [Housing Department] started to	P
Q	consider imposing two additional requirements on public	Q
R	housing projects under construction. During a media	R
S	session on 10 July 2015, the Director of Housing said,	S
T	for public housing projects under construction, the	T
U	[Housing Department] was considering requiring main	U
V	contractors to include testing for lead in the water	V
	quality tests. The [Housing Department] was also	
	considering conducting tests for the soldering materials	
	to ensure compliance with the lead-free requirement.	
	Thereafter, on 13 July 2015, the WSD issued Circular	

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

**B** Commission of Inquiry into Day 01 **B**  
Excess Lead Found in Drinking Water

**C** Letter No. 1/2015 by which testing for four heavy metals **C**  
including lead is now made mandatory for all newly  
**D** completed inside service. In the paper submitted to the **D**  
Legislative Council Panel on Housing for the meeting on  
**E** 22 July 2015, we mentioned that we would implement short **E**  
**F** and medium term measures (such as incorporating in the **F**  
**G** [Housing Authority's scrb scrb contracts the latest **G**  
water sampling test requirements specified in wd's  
**H** Circular Letter No. 1/2015 and strengthening inspection **H**  
**I** on soldering materials), and explore other long-term **I**  
**J** measures (such as working with stakeholders to raise the **J**  
**K** safety standard of other fittings and materials in fresh **K**  
**L** water plumbing systems and strengthen the training of **L**  
**M** licensed plumbers and workers in the industry). A list **M**  
**N** of enhancement measures for public rental housing **N**  
**O** projects has also been implemented by way of the Housing **O**  
**P** Authority's Development and Construction Management **P**  
**Q** Board Instruction issued to all in-house project teams **Q**  
**R** and contract managers on 18 August 2015, now produced **R**  
**S** and shown to me marked 'Exhibit 4'. These measures **S**  
**T** include project teams conducting random checking upon **T**  
**U** delivery of materials on site and contractors' **U**  
**V** completion of checking, for lead content in solder **V**  
joints; and the contractors collecting water samples for  
testing in accordance with the new requirements

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

B Commission of Inquiry into Excess Lead Found in Drinking Water Day 01 B

C specified in WSD's Circular Letter No. 1/2015. The ruck C

D in its interim report has put forward a list of D

E recommendations. I expect to see more in its final E

F report. The Housing Authority will strive to put in F

G place all these recommendations as a matter of urgency G

H to prevent occurrence of similar incidents in the H

I future." I

J . J

K INTERPRETER: (Chinese spoken). K

L MR YIN: "Request 10: 'Given the incident of lead in L

M drinking water, please comment on the necessity, M

N appropriateness, feasibility and effectiveness of N

O replacing the entire fresh water plumbing system (or O

P parts thereof) in the affected estates to ensure the P

Q safety and quality of drinking water. On this subject, Q

R your comment is also sought on the timetable and costs R

S involved. '^(doc). S

T [the Housing Authority] attaches great importance to T

U the Incident and the health of the tenants in the U

V affected estates. We have been explaining to the public V

that the Housing Authority has requested the main

contractors doarnd submit proposals on rectification of

the state of non-compliance in the 11 affected estates,

which cover a comprehensive investigation into the

problem in each estate, as well as identification and



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

B Commission of Inquiry into Excess Lead Found in Drinking Water Day 01 B

C replagues of the pipe joints that are found to be C

D non-compliant. The Preliminary Findings of the Task D

E Force supports the Housing Authority's stance in firming E

F up the proposals with the main contractors. However, F

G the rectification works are no easy task. They are G

H labour-intensive and involve complex technical issues H

I and procedures. The main contractors have all submitted I

J their proposals for rectification works which have all J

K been forwarded to the Water Authority. Before K

L commencement of works, the Housing Authority needs to L

M submit necessary documents for the Water Authority's M

N approval." N

O . O

P INTERPRETER: (Chinese spoken). P

Q MR YIN: "I am mindful that the rectification works are not Q

R pure engineering issues. We have to examine R

S contractors' proposals carefully to ensure that the S

T works involved are able to, on the one hand, rectify the T

U problems and, on the other hand, cater for the needs and U

V circumstances of individual households while not causing V

undue disruption and inconvenience to them. Careful

planning and preparation including liaison with

residents or their representatives are necessary. We

have also explained openly that the rectification works

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 01	
C	will start in the common area first as the non-compliant	C
D	joints in the common area can be replaced in	D
E	a relatively quick manner, benefiting the quality of	E
F	water supplied to all residents soonest while causing	F
G	less disruption to individual households. In the phase	G
H	involving individual households, the [Housing Authority]	H
I	needs to proceed with extremely careful planning which	I
J	will in turn take time. The time needed to complete the	J
K	rectification works varies among estates, depending on	K
L	the size of the estates. In any event, this is not	L
M	going to be a quick process given the reasons above. As	M
N	to costs, the [Housing Authority] expects that the	N
O	contractors concerned will bear all the costs incurred	O
P	from these rectification works."	P
Q		Q
R	INTERPRETER: (Chinese spoken).	R
S	MR YIN: (Via interpreter) So, Prof Cheung, do you agree	S
T	that the witness statement I have just read to you is	T
U	what you want to state to us?	U
V	A. Yes, I agree. But I wish to supplement something.	V
	Q. So, Prof Cheung, before you make some supplementation,	
	are you willing that the witness statement I have read	
	to you as the evidence to this case?	
	A. Yes, I am willing to do so.	
	Q. So, Prof Cheung, now you can put what you want to	

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

B Commission of Inquiry into Excess Lead Found in Drinking Water Day 01 B

C supplement. C

D A. Chairman, about the witness statement that has just read D

E to me, I wish to make some supplementation. E

F So, first of all, when the chairman of the Housing F

G Authority -- the director of the Housing Authority G

H reported to me about the lead was found in the water, in H

I the two unoccupied unit in Kai Ching Estate, at that I

J time I had immediately declared that we had to enter the J

K contingency mode. K

L MR SHIEH: ^... the reference to the director of the Housing L

M Authority should simply be Director of Housing. M

N MS LAM: (Chinese spoken). N

O CHAIRMAN: "Emergency mode". O

P Unknown speaker: (Chinese spoken). P

Q A. And I have also reported to the Chief Secretary ^^ Q

R So, on 9 July, I also called an interdepartmental R

S meeting, so in the meeting there were Dr Ko Wing Man of S

T the Food and Health Bureau and Mr Ma Siu Chan, he is the T

U Deputy Director -- Mr Ma Siu Chan ^, the undersecretary U

V of the Development Bureau, and also the director of the V

Housing Authority, Housing Department, and also the

director of the Water Services Department, and also the

health department, they have also joined this meeting.

So we had the initial discussion about how to take

the measures for this issue of lead found in the

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 01	
C	drinking water. So I mean on that day we did ^... there	C
D	is no lead found in drinking water, no such issue	D
E	discovered yet. We were just discussing what we are	E
F	going to do once such problem has been found.	F
G	So, on 10 July, from the Kai Ching Estate, the	G
H	samples we had checked, among the 50 samples four were	H
I	found that lead was found in the drinking water.	I
J	So the Housing Department has called the media	J
K	meeting and also we called a residents meeting and we	K
L	also took immediate action which is that we delivered	L
M	the bottled water to the residents and we gave out the	M
N	health information.	N
O	So I would like to say that the government has not	O
P	underestimated the situation and we did seriously	P
Q	consider the situation.	Q
R	So I and also my senior staff also asked: so why	R
S	would lead be found in the drinking water? So was it	S
T	just individual building or is it involved in the	T
U	different housing estates? If it is the latter one,	U
V	then it involves structural and systematic issues.	V
A	So, when it was found that in Kai Ching skate,	A
B	a licensed plumber, and also the other four housing	B
C	estates ^(CORRECTION: Kai Ching Estate), including	C
D	Kwai Luen Estate Phase 2, that there was excess lead	D
E	found in the drinking water, so I think that it is quite	E

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 01	
C	an urgent matter.	C
	INTERPRETER: Sorry, I will interpret again:	
D	A. So when I found that the same licensed plumber of	D
E	Kai Ching Estate and also Kwai Luen Estate Phase 2,	E
F	which is among the four housing estates that there was	F
G	excess lead found in drinking water, we think that it is	G
H	an urgent matter.	H
I	A. (In English) What I meant to say was that apart from	I
J	Kai Ching Estate, the same licensed plumber was involved	J
K	in four other estates. So when we discovered that of	K
L	those four estates, one, which is Kwai Luen Estate	L
M	Phase 2, was also -- we also found samples from that	M
N	Kwai Luen Estate Phase 2 containing excessive or excess	N
O	lead in water, so we thought that we must not be	O
P	complacent.	P
Q	CHAIRMAN: Thank you ^(chk)	Q
R	A. (Via interpreter) So after that we extended this group	R
S	of checking of the water step by step.	S
T	So first is for the estate set up in 2013 or after.	T
U	So after that will be the estates established in 2011	U
V	and 2012. Then will be the remaining estates set up in	V
	2005 or after that. And then after that will be the	
	estates set up before 2005. That means all the housing	
	estates will be within the scope of water checking, so	
	we want to do this to ease the worries of the residents.	

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
C	So what we want to do is to -- mainly, we don't want	C
D	to underestimate the risk, but we also do not want to	D
E	create fears.	E
F	^ We want to do it in a pragmatic way and to do it	F
G	openly and transparently and people-oriented.	G
H	The third point is, in order to find out the reason	H
I	of this matter, but the government, means the	I
J	Development Bureau, has set up the Task Force comprising	J
K	the Deputy Director of the Water Services Department and	K
L	also the experts of the Water Services. To affirm the	L
M	source of the excess lead found in drinking water as	M
N	scientific evidence ^(punc).	N
O	But as the chairman of the Housing Authority,	O
P	I think it is necessary that the Housing Authority has	P
Q	to do a comprehensive body check about the quality	Q
R	control and the supervision of the drinking water, the	R
S	work supervision of the drinking water works. So I have	S
T	announced that in the press conference dated 14 July.	T
U	^, and it was supported by the committee members in	U
V	the housing ^... briefing meeting dated 16 July.	V
A	So the perfect housing drinking water quality	A
B	control Review Committee was set up ^(CORRECTION: public	B
C	housing) on 24 July ^... proper procedures.	C
D	As I have mentioned in my witness statement, the	D
E	Housing Authority would try to comply -- the Housing	E

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

B Commission of Inquiry into Day 01 B  
Excess Lead Found in Drinking Water

C Authority has to comply to all the statutory and C  
regulatory requirements, but we always try for, under  
D the appropriate situation, we try to go beyond the D  
related requirements. E

E But why we did not check about the lead in the E  
F drinking water: so just according to the interim report F  
G given to me dated on 6 October by the Review Committee, G  
H this is because in the past, so the industry, the H  
I construction industry and also the subcontractors of the I  
J waterworks, and also the Housing Department, they have J  
K inadequacies about the risk of the soldering materials K  
L that had lead inside, and also the influence upon the L  
M drinking water quality, and also ^... the related health M  
N risk. N

O They think that it is okay to -- it is fine to comply O  
P with the related laws and the requirement of the P  
Q Water Authority. Q

R And before the Water Authority issued Circular R  
S Letter No. 1/2015, dated 15 July, there was no request, S  
T no requirement, for the lead testing for the newly T  
U installed inside the water supply system samples, or U  
V other heavy metals inside, in the drinking water. V

So, after that, I would think -- I would say that if  
we had been aware of the related risk, I believe the  
Housing Authority and the Housing Department will have

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 01	
C	the appropriate quality control and also the	C
D	surveillance measures, and we also will have tested the	D
E	amount of lead in the newly installed water supply	E
F	system, and would have tested whether lead was found in	F
G	the water pipes, in the soldering materials, to ensure	G
H	the safety of the drinking water.	H
I	So, Chairman, this is the end of my supplementation.	I
J	CHAIRMAN: (Chinese spoken).	J
K	MR YIN: (Chinese spoken).:	K
L	"In particular, the Department of Health has	L
M	arranged preliminary developmental assessment."	M
N	.	N
O	(Chinese spoken) ... developmental.	O
P	(Counsel conferring)	P
Q	CHAIRMAN: (Chinese spoken).	Q
R	(12.41 pm)	R
S	(The luncheon adjournment)	S
T	Testing ^.	T
U	(2.33 pm)	U
V	CHAIRMAN: (Chinese spoken) ^.	V
A	I would like to say t to the gounl the translation this	A
B	morning. I think you noticed that this morning the	B
C	translation service wasn't really as good as expected.	C
D	This time, it is an executive-led Commission, so in	D



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

B Commission of Inquiry into Excess Lead Found in Drinking Water Day 01 B

C terms of a translator, we didn't use the usual court C  
D interpretation; we didn't have anyone sent over here D  
E from the court. So it didn't work out as well as E  
F expected, and I had a word with Mr Alan Lai. It seems F  
G that Mr McCoy of all the lawyers is mono lingual. G  
H I think he might speak Cantonese, maybe he speaks very H  
I good Cantonese. It seems that it is only Mr McCoy in my I  
J experience who has some problem with the language, but J  
K I don't really want to impede the progress of the K  
L hearing. L

M So to a certain extent we do have simultaneous M  
N interpretation, and our simultaneous interpreters are N  
O government interpretation interpreters. We have a chief O  
P simultaneous interpreter here would I would imagine that P  
Q the standard really up to scratch. Q

R So against this background, I think we can continue R  
S with our proceeding in Cantonese. S

T If on certain important subject there are any T  
U translation problems or any situation where the standard U  
V leaves something to be desired, please let me know, so V  
that I will try and resolve this translation problem.  
Otherwise, we will stick with Cantonese for this  
hearing, until such time as we are able to identify  
a consecutive interpreter who is really good enough.

Any comments? Any statement you would like to make?

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

B Commission of Inquiry into Excess Lead Found in Drinking Water Day 01 B

C MR YIN: (Chinese spoken) Chairman, I heard what you say, C

D and to a certain extent I feel reassured, because my D

E worry is that the witness statement is supposed to be E

F based on the language that it is delivered in. My F

G biggest concern is that during the course of G

H translation, their statement might be compromised. This H

I is my worry. I

J I am not sure whether the official record will be J

K based on the language in which the witness gave the K

L statement in. For the counsel here, we may be L

M bilingual, we may be able to cope with both languages. M

N Still, during the course of the proceedings, we are not N

O able to vet the accuracy or veracity of the O

P interpretation. P

Q We would normally -- we may sometimes cross-examine Q

R in Cantonese, but in the final submission the counsel R

S can verify the accuracy and we would stick with the S

T original language in the proceeding. T

U Obviously, if we want to make it convenient for U

V Mr McCoy, we can rely on simultaneous interpretation. V

But my concern is that when it comes to the final

submission, I am wondering whether we can go by the

original language that the witnesses use, and we may be

confined by the interpretation or interpretation

version.

C CHAIRMAN: I don't think we would be confined or limited by  
D the interpretation. Cantonese trial or trial in  
E Cantonese has been going on for some time, although it  
F hasn't quite reached as far as the High Court but courts  
of different levels have been using Cantonese in the  
G trials.

H For the average citizen, they speak Cantonese. When  
I you make the statement, you can quote from the witnesses  
J in Cantonese. But when it comes to legal fine points,  
K if you want to quote certain case laws and precedents,  
they are all in English, and you can choose to switch  
over to English. I don't think there are any problems.  
I can't see what your problems are.

L MR YIN: Chairman -- what are we sticking by?

M CHAIRMAN: We are stick by Cantonese. As I said at the very  
beginning, the default language is Cantonese, but  
sometimes we don't have to stick to Cantonese.

N MR YIN: ^...

O CHAIRMAN: Mr Ambrose Ho said to me last time that my junior  
P would prefer English, and I said it doesn't really  
Q matter. The issue is we don't have any consecutive  
R interpreter now, and here, in this room, it is only  
S Mr McCoy that needs the translation that we have this  
T morning. But I think we can make do with the  
U simultaneous interpretation now.  
V

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

B Commission of Inquiry into  
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C You may say that it may not be 100 per cent, and C

D I would accept that this might happen. Now, if this D

E does happen, and if this would have certain significant E

F impact on the evidence, and if it is causing F

G controversy, then you can let me know and I will take G

H a decision then. But under the normal circumstances, in H

I the absence of any controversy, this would not be I

J an issue altogether. J

K MR YIN: Chairman, I would like to clarify: for the record K

L of the witness statement, will we stick with the L

M original language, don't we? M

N CHAIRMAN: In Cantonese. This morning, I felt a bit N

O surprising that you were leading the evidence of your O

P witness, you read out the English. It should be fine. P

Q But in fact you could have asked the witness to read out Q

R the statement in Cantonese. R

S MR YIN: Is that right? S

T CHAIRMAN: He can cope with Cantonese and that statement was T

U written by him. In theory, it wasn't written by the U

V lawyers themselves; he should have been able to cope V

with the statement in Cantonese.

MR YIN: Chairman, my understanding is that one would

receive the instruction from the Commission

^(CORRECTION: when we received), the written statement

of the witness can be in English.

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

B Commission of Inquiry into  
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C CHAIRMAN: Well, it doesn't really matter whether it is in C  
D Cantonese or English. Counsel, hang on, do we have to D  
E get bogged down in this particular point? If this is E  
F not an issue, I would like to get on with the F  
G proceedings. I would like to hear from Mr Anthony G  
H Cheung's statement. H  
I Mr Lee? I  
J MR LEE: Chairman, I think we have to resolve this issue. J  
K I can see that your counsel will put the questions in K  
L English. It is only Mr Yin. L  
M CHAIRMAN: Well, he used a bit of both, Chinese and English. M  
N MR LEE: I agree with your view, Mr Chairman, but the thing N  
O is if you want the witness to read out the statement in O  
P English, it would be difficult. P  
Q CHAIRMAN: We will, he can write the statement in English, Q  
R but it would be difficult to read it in Chinese. Well, R  
S the statement that was written in English -- of course, S  
T if he is using Cantonese, it would not be as T  
U grammatically well structured as in English, and it U  
V would be more colloquial, but it's fine. We can use V  
colloquial Cantonese.

MR LEE: Chairman, there are certain words that we don't  
normally use in Cantonese.

CHAIRMAN: True. I we can express in some other ways.

MR LEE: Chairman, can I propose that if you have the

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

B Commission of Inquiry into Day 01 B  
Excess Lead Found in Drinking Water

C statement in English, you have to translate it in C  
D Chinese, that would be easier, otherwise it would be D  
E difficult. E

F CHAIRMAN: I can certainly tell them to do so, but some F  
G statements can be very long. G

H MR LEE: That's why even if someone is bilingual, and if the H  
I witness statement is in English and very often counsel I  
J would have helped putting together the statement, and if J  
K you ask the witness to read out an English statement in K  
L Chinese, it would be very difficult. I have had that L  
M experience. M

N CHAIRMAN: Well, if they will do that, that would be good, N  
O but even if they are going to read out in the hearing O  
P here, I would have no problem, because my experience is, P  
Q when I was a coroner, basically all the expert witnesses Q  
R would write their statements in English, especially the R  
S reports by the doctors. But when they come to the court S  
T to give evidence, they could still use Cantonese. It's T  
U very easy and simple. The language is very technical, U  
V but when you face a group of laymen, you cannot use very V  
technical language to express yourself. Those who  
listen to you must be able to understand you. If you  
vet very technical, it will be of no use.

MR LEE: I agree. When a doctor sees a Chinese patient, the  
doctor can explain it to a Chinese patient. I know

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

B Commission of Inquiry into Excess Lead Found in Drinking Water Day 01 B

C Mr Anthony Cheung, if you say lead and you ask him for C

D the Chinese, I know he knows it, but not the other three D

E heavy metals. E

F CHAIRMAN: But I would have no problem with that. F

G MR LEE: You said that the transcript will be ready two days G

H after the hearing and that will be Chinese, that will be H

I in Chinese. I

J CHAIRMAN: Okay. Let Mr Anthony Cheung come in again. J

K MR SHIEH: Let me clarify once more. My understanding is we K

L are not talking about simultaneous interpretation, L

M because whatever the simultaneous interpreters say, that M

N will not go into the transcript. In a moment, I will be N

O questioning Mr Cheung in Cantonese and he will be O

P answering in Cantonese. You will be hearing English P

Q through your ear phones but then the transcript will be Q

R in Chinese. The only English that will go into the R

S transcript will be that what counsel would have to say S

T in English. So we may not use simultaneous T

U interpretation for that; we may have to wait for the U

V consecutive interpreter to do the interpretation, then V

that part would go into the transcript in English.

CHAIRMAN: Or of course, if the evidence itself is in

English, say for example when we have the expert

witnesses coming, then the transcript is in English ^...

CHAIRMAN: That is correct. Any more questions?

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

B Commission of Inquiry into  
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C MR SHIEH: But generally speaking, if the witnesses use  
Cantonese, then the transcript will be in Chinese. C

D CHAIRMAN: ^... D

E MR LEE: Our LiveNote will be in Cantonese, but what if the  
E witness speaks English? E

F CHAIRMAN: Well, if the witness doesn't know Cantonese, he  
F uses only English -- F

G CHAIRMAN: I mean some terms, that term, that English term  
G will appear in a Chinese transcript. G

H MR LEE: ^... H

I MR SHIEH: Let us clarify. If the witness such as  
I Prof Belling doesn't know English, the transcript will  
J be in English ^... even if I was using Cantonese,  
J I would have to insert the English word nickel into it,  
K I don't think anyone would dispute or object to that.  
K L

L CHAIRMAN: Okay. L

M (In the presence of the witness) M

N Cross-examination by MR SHIEH N

O MR SHIEH: Should I address you as Prof Cheung or secretary  
O Cheung or chairman Cheung? I should call you chairman  
P because you are here as the Chairman of the Housing  
P Authority.  
Q R

Q To cut a long story short, Mr Cheung. Q

R S

S T

T U

U V

V



A	<i>Annex: Realtime English Transcription based on floor / Simultaneous Interpretation</i>	A
B	Commission of Inquiry into Excess Lead Found in Drinking Water	B
	Day 01	
C	^... high level issues, but when it comes to the	C
D	actual daily work ^... that will not be done by you, so	D
E	my question for you would relate to policy or	E
F	high-ranking issues. There are four words that we	F
G	always hear, whether it be the official side or whether	G
H	with your witness statement this morning, and that is	H
I	inadequate knowledge or lack of awareness.	I
J	Now let us refer to your statement, paragraph 14.	J
K	I cannot identify the page. But it is page 37424,	K
L	paragraph 14. You said that as the HA chairman ^...	L
M	6 October that I agreed with the Review Committee's view	M
N	that there have been a lack of awareness in the	N
O	construction industry, as well as the HD of the risk of	O
P	presence of lead in solder, and its implications on the	P
Q	quality of drinking water, and therefore the associated	Q
R	health risks. You said that there have been a lack of	R
S	awareness of these few matters.	S
T	And then there is a LegCo paper. Please look at	T
U	your bundle, page 37457. This was submitted to the	U
V	LegCo in July this year. That's page 37457,	V
	paragraph 13. This talks about the examination of	
	construction materials and the procedure for doing so.	
	In the middle, it says:	
	"The Housing Department would examine many things,	
	the joints between pipes and whether they are firmly	

fixed, but we do not inspect the joints between pipes including the soldering materials for lead content. The reason is the construction industry has all along believed that such widely accepted and broadly applied soldering materials comply with relevant requirements."

And then number 3, that is about what you said, paragraph 27 in your own statement. That's page 37431. On page 37431, at the top, you repeat what the Review Committee said:

"... there had been a lack of awareness in the construction industry and the HD of the risk of presence of lead in solder and its implications on the drinking water quality and in turn, the associated health risks ". "

That is why there are inadequacies in the HA's system before the incident. I have to remind you that is what you said.

After reading out those paragraphs, I have this question for you. The so-called lack of awareness, it is not about the fact that lead is bad for health. Lead is bad for health, that one you would not have a lack of awareness about; is that right?

A. I believe, generally speaking, an average person would think that lead is not something useful for our health. Of course, in my witness statement, and also in the

Review Committee set up by the Housing Authority, after it sought an understanding into the quality control of materials and also at different stages of construction the monitoring system that applied, the Review Committee also met people from the industry, including the contractors, and also the plumbing subcontractors. Now, what's the issue here? In the past -- that is my impression -- the judgment is that in the past, it was not felt that having lead in water was a problem, because the law stipulates that the soldering material should be of the lead-free type, and it is thought that that has always been done because in the initial process of construction, there should be samples checked and endorsed, and also in the circular letters sent by the Water Authority in 2012, there are eight parameters to be attached to in terms of quality of water.

And that doesn't include lead. So I believe that in the system, whether it be Housing Department staff or the industry, including the developers and contractors, they all thought that the lead risk was not high. If it had been high, then it would have been included in the eight parameters for testing water quality.

Q. That's why -- now, what is the lack of awareness about?

It is not about the risks about lead, that lead may cause potential health hazard, so this is not about this

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 01	
C	fact that you have a lack of awareness about.	C
D	A. Well, frankly speaking, we have different ways to be in contact with lead, say the preserved eggs that Chinese people eat and also preserved oysters. That's why sometimes, when we eat, we also take in lead from our food.	D
E		E
F		F
G	But whether there is this alertness in society and that we should go by a certain lead content level and exceeding that our health may be affected, I believe there has not been much concern about this in society.	G
H		H
I	Q. Let's go to paragraph 24 of your witness statement.	I
J	This is about the contracts between HA and contractors.	J
K	It mentions that it includes specifications to the effect that soldering materials should be of lead-free category. Who drafts such contracts?	K
L		L
M	A. These contract specifications are drafted by the Development and Construction Division of the HD and also the chief architects.	M
N		N
O	Q. So I should better put the question to Ms Ada Fung?	O
P	A. Yes, that's correct, she knows it better.	P
Q	Q. The chief architect or chief building services engineers?	Q
R	A. Ms Ada Fung is the assistant director responsible for the Development and Construction Division.	R
S	Q. So either it's Ms Fung or the architects?	S
T		T
U		U
V		V

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

B Commission of Inquiry into Excess Lead Found in Drinking Water Day 01 B

C A. Ms Fung is the Deputy Director. C

D Q. Okay. So the contract says the soldering materials D

E should be of lead-free category? E

F A. Yes, lead-free category. F

G Q. Do you know why there is this specification that it G

H should be lead-free? H

I A. If it is about drinking water, we would not want health I

J to be affected in any way. When this was first J

K stipulated, if I remember correctly, it is a requirement K

L of the Water Authority. This is also in the HA's L

M contracts. I believe this does not only have to do with M

N the HA; I think it also applies to private construction N

O projects, that soldering materials should be of O

P lead-free category. P

Q Q. But can I put it this way: the HD's position is that Q

R they would sample check materials on-site but they do R

S not examine whether there is lead in the soldering S

T materials at the joints, and we looked at the LegCo T

U paper just now, the explanation is that there is this U

V assumption or belief within the industry that materials V

have always been used should be lead-free?

A. This is what the HD paper says. Indeed, on 15 July the Water Authority issues a news circular, but before that, (first sentence part of question ^), actually before the Kai Ching Estate water sample was tested to include

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 01	
C	lead, indeed there is no examination of the joints of	C
	the pipes. I believe this is not only about the HA,	
D	I think even private construction projects did not	D
	examine the joints for lead. My understanding is that	
E	the Review Committee set up by the HA also met some	E
	contractors and these contractors did not only do	
F	projects for the HA, they also undertook some private	F
	projects.	
G		G
H	Q. Okay. Let's not mind about other people, but the	H
	explanation in the LegCo paper, the fact is there is no	
I	examination about the joints, to see whether there is	I
	lead. It is an unarguable fact and then the reason	
J	given was that everybody believed that the soldering	J
	materials used should be safe, and this is based on this	
K	belief, that is why the HA did not examine the joints	K
	for lead.	
L		L
M	A. Okay, you can put it that way.	M
N	Q. Why did they have such a belief? Is it the case that in	N
	the contract it is stipulated that it should be	
O	lead-free, therefore there shouldn't be any issue; is	O
	that right?	
P		P
Q	A. As chairman of the HA, this was my understanding, as to	Q
	whether there is any additional information, like over	
R	the years, in implementing the projects, the staff	R
	didn't think that there would be such a risk. When	
S		S
T		T
U		U
V		V

C Ms Fung can supplement further. C

D Q. From your understanding, the Housing Authority or the  
E Housing Department, would they engage in any exchanges  
F or would they find out about not just in Hong Kong but  
G other parts of the world, in terms of public housing  
H issues? Have they tried to find out whether there have  
I been any problems that occurred in other parts of the  
J world, so as in the Housing Department or Housing  
K Authority is there any division that is responsible for  
L any exchanges to make sure the staff would be moving on  
M with the times?

N A. Yes, I think we do, like what you said, there are from  
O time to time seminars and meetings, and this is  
P a two-way street. They can find out about the latest  
Q technology and latest practices in other parts of the  
R world, and at the same time they can talk about the  
S practices in Hong Kong.

T As I said in my statement, for the Housing  
U Authority, we do not simply follow the requirements; we  
V would go beyond the requirements in order to achieve  
better result.

Q. In any industry, we cannot really be too inward-looking;  
we have to find out whether there have been any problems  
in other parts of the world, so we can take reference;  
is that right?

A	<i>Annex: Realtime English Transcription based on floor / Simultaneous Interpretation</i>		A
B	Commission of Inquiry into Excess Lead Found in Drinking Water	Day 01	B
C	A. Yes.		C
D	Q. So the staff members have to find out about whether		D
E	there have been any problems elsewhere in the world, and		E
F	then they can look at the risks that we face in		F
G	Hong Kong. This is what a responsible government		G
H	department should do?		H
I	A. I agree. If there is a risk, even if the law doesn't		I
J	provide for that, we have to face up to it. In terms of		J
K	lead, we came to be aware of this in July, and the		K
L	Housing Department and indeed other departments or the		L
M	industry probably did not have any awareness. So that's		M
N	why I said there was a lack of awareness; they didn't		N
O	think that it was a high-risk issue.		O
P	Q. If the Housing Department system <sup>(CORRECTION: in the</sup>		P
Q	Housing Department, systematically, how can they make		Q
R	sure there is proper awareness? If there is such a lack		R
S	of awareness, we have engaged a number of experts to		S
T	help us understand the situation, and one of the experts		T
U	is Prof Fawell. He told us that this lead saga did		U
V	happen elsewhere, in other parts of the world, that		V
	there was a BBC programme -- we have included the		
	document in the bundle. We may not know about the		
	details, it happened in the year 2000.		
	I would like to let members know that -- you may not		
	be aware of the details but I would like to put you on		



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

B Commission of Inquiry into  
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C notice that one of the lines of Inquiry is about the C  
D lack of awareness. So is there any such awareness at D  
E the time and what are the problems? Is it the case that E  
F we are too parochial, we are just concerned about F  
G Hong Kong and not elsewhere? G

H If I may refer you to page 134. A1/134. It was H  
I something that happened in Scotland in the year 2000. I  
J 134; have you got that? J  
K We have a couple of papers. One of them is the BBC K  
L programme in the year 2000. It was an investigative L  
M journalism kind of programme. An investigation was M  
N conducted into a development in Scotland. They found N  
O that the water contained lead. O

P A long story short, the reporter is called Jane and P  
Q she referred to the development as like a ^... home, and Q  
R then towards the middle part you can see a reporter, the R  
S word "Reporter", the reporter said that there is a risk S  
T that it is affecting a few hundred homes in Scotland, T  
U new homes. Water has been contaminated with lead. In U  
V Glasgow previously, there may be some problem with the V  
water, but this historical problem should have come to  
an end, because the Water Authority, the local council  
there in the place has spent billions of pounds to  
replace the plumbing system. Previously, the plumbing  
system was made in lead and the lead seeped into the

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 01	
C	water. With the replacement, the problem should have well and truly gone.	C
D	About you read on, in some new developments they	D
E	found a high concentration of lead in the water. Then	E
F	she talked about the development and there were five	F
G	households who moved in before Christmas 1998 and she	G
H	interviewed some of the family members. You can see	H
I	right in the middle the reporter -- Brandon, a little	I
J	kid, a two-year-old, made the household aware that	J
K	something was really wrong. The father said Brandon was	K
L	a pretty nice kid but in the middle of the night he	L
M	threw up and felt very exhausted, did not want to play	M
N	and complained of a headache and yelling and screaming	N
O	and so on, and they discovered some stomach cramps and	O
P	so on.	P
Q	Turn over the page, page 3, 136, the middle part.	Q
R	As you can see, Mrs Fife, ten days later she complained	R
S	to many places and she received a phone call to say that	S
T	there was lead in the water and she should not consume	T
U	any more of the water. The reporter said that they had	U
V	the statutory lead level -- it should be 50 mg per	V
	litre, much more liberal than ^... now we are talking	
	about 10, but in Scotland it was 50 mg per litre.	
	After the test, in the sink, it turned out to be	
	385 mg per litre, and she was really incensed about the	

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

B Commission of Inquiry into Excess Lead Found in Drinking Water Day 01 B

C situation. C

D The programme went on, the BBC programme. If you D

E turn over the page, page 138 -- here, on this page, the E

F doctor didn't mention the seriousness of the problem. F

G If you carry on, the reporter said research over years G

H in America and Europe show that lead if consumed too H

I much would give rise to undesirable consequences; it I

J would affect the brain development. That happened J

K 15 years ago in the UK. K

L Prof Bellinger later on will be explaining to us L

M about the health implications. M

N If you turn over the page, on top of the page, at N

O page 139, no one was taking it seriously, that O

P paragraph, people didn't take them seriously, although P

Q they complained all over the place. She said that she Q

R felt as if she was talking to a wall; everybody was R

S shirking responsibility, the developer was passing the S

T buck on to the environmental department and the EPD, T

U blaming it on the water supplies, the water supplies U

V blameled it on the developers, and it went round and V

round in circles, nobody admitted any blame, and some

said that the water came in okay, and the developer said

the water came in contaminated. So the Water Supplies

Department had to dig up all the pipework to is

investigate and it claimed there was no problem when the

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

B Commission of Inquiry into  
Excess Lead Found in Drinking Water Day 01 B

C water came in. C

D Then you can see that page 139, Mr Fyfe, he told us D  
that they investigated -- you can see that.

E Somebody told him that it was the plumber, the E  
plumbing company that got it wrong. The pipes were  
F contaminated because the plumbing company used lead F  
G contaminated soldering material. In Hong Kong, we see G  
H a lot of reports that some lead contaminated soldering H  
I material was used. Now, this independent Commission I  
will be looking into this.

J Now, let's assume for the time being that this is J  
the reason. In fact 15 years ago a similar thing did  
K happen elsewhere in other parts of the world. The K  
reporter went on to say that the soldering material was  
L melted to cement the piping. The reporter went on to L  
M say that since 1989, lead contaminated soldering M  
N material has been banned to connect the pipes, because N  
O with this lead contaminated soldering materials being O  
used, it would be far more dangerous.

P The reporter, as you can see, said that the law is P  
very clear. The soldering materials cannot contain  
Q lead, it should be lead-free category. But the problem Q  
R is, in the market, they can still buy a lot of lead R  
S contaminated soldering materials; they are still S  
T available in the market. And the plumbers, they have T  
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	Day 01	B
C	this kind of materials. Financially, if one goes		C
D	against the law and uses lead contaminated soldering		D
E	materials, there can be financial temptation for them to		E
F	do so.		F
G	It is because lead contaminated soldering materials		G
H	are cheaper, and it will take less time to use such		H
I	materials. Later on, I can show you an internal report		I
J	done by a Hong Kong company. Then Dr ^... said that in		J
K	our research, actually the use of non-leaded solders		K
L	would increase the cost by 20 per cent, in other words		L
M	non-lead the solders were nor expensive. But Dr ^...		M
N	said it is also not more expensive, it is quite		N
O	negligible compared to the cost of the house. But then		O
P	the reporter said it might be quite nenlable to the		P
Q	house buyer -- of course, if you paid for the house, it		Q
R	would cost much, much more -- but it may not be to the		R
S	plumber. The plumber might have a contract for, say,		S
T	a few dozen houses then the cost may not be negligible		T
U	anymore. That was the argument at that time.		U
V	Please turn over the page. The rotter continued		V
	with the investigation. At kalder gardens, the plumbing		
	work was done by the same firm ^(CORRECTION: the		
	reporter continued). So that family might not be the		
	only victim.		
	Then let's go down a bit. The reporter actually		

interviewed another victim. It was thought that the lead was from the water source, but it was not the case, and then it was then they told me that it was because the plumbers used leaded and non-leaded solder. They should have used a non-leaded solder to lay the pipes for the drinking water system, but then the plumber might have just used any solder and it was found that it was not lead-free, and so there was contamination, and .

Then a lot more was said, and then Mrs McGee was also interviewed.

Then please go to page 142. The developer, in a statement to us, the developer actually said that all the solders used were leaded. On the top of 142, the Brian homes, that's the developer, said that it has remind all contractors that leaded solder is illegal and it should not be used, and offered to replace offending pipework in the McGees' upstairs wash hand basin.

Now I would like you to turn a few pages. Please go to page 144. You can see this man called Ian Ball. This is the piping contractor ^... worthingly Ltd. They identified the plumbing company and the company was interviewed, and this man says:

"There are two kinds of solder, one lead-free, one leaded, and he said "our plumbing worker used the Wong solder and he did not know why error" -- that's it. Was

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B Commission of Inquiry into Day 01 B  
Excess Lead Found in Drinking Water

C it because it was done for the sake of convenience or C  
D it's just that a human error because they did not bother D  
E to buy the right kind of solder? E

F I won't go into the details. Of course, each F  
G incident is unique. But this is what happened 15 years G  
H ago in Scotland. There was this problem with a housing H  
I development. I  
J This is not the end of this. It is not just J  
K television programme who was doing this kind of K  
L investigative journalism for fun, because you might L  
M think it was fabricated or something. But actually the M  
N official side also did a lot of things. N  
O Please go to page 198 of the same box file. O  
P Page 198. On page 198, you see "Scottish new homes lead P  
Q survey". Scotland did a lead survey on new homes Q  
R completed. The responsible institution is the Scottish R  
S institution for ^... and environmental health. Please S  
T go to page ^... 4 and you see ^... please go to 2004. T  
U You can see that the survey is commissioned by the U  
V Scottish executive Health Department. In other words, V  
the official side also did a lot of things.

Page 2007, the background, that in 1987, laws were  
passed to ban the use of lead solder as a jointing  
compound. So it should not be used as any component.  
And in the middle of the page -- go to the paragraph

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B Commission of Inquiry into Excess Lead Found in Drinking Water Day 01 B

C starting with "It was assumed" -- it was assumed that C

D lead solder ban was being observed. Until evidence in D

E 1999 that there was an incident in Glasgow, showing that E

F a new house built actually included lead solder. This F

G was because a child got sick and the incident exploded G

H and it was found that there was lead solder that was H

I used. I

J Let us look at page 242. This is part 2, and J

K Scotland da series of surveys on lead content in water. K

L Of course, this happened quite a few years ago, but from L

M what you know, are there divisions in the HA or the HD M

N that would reach out to other place and to see whether N

O something happened? Is there such a mechanism or any O

P kind of set-up to try and reach out and understand what P

Q has happened elsewhere where like what I showed you in Q

R Scotland? R

S A. As I answered you a moment ago, generally speaking they S

T would take part in overseas seminars or seminars T

U organised by local expert organisations. But talking U

V about these Scottish reports, I don't know whether they V

have seen these. In the past, I was a member of the HA,

that was before my time, when I became the Secretary for

Transport and Housing, and even after I have become the

secretary when excess lead was found in water in

Kai Ching, I did not know anything about such surveys.



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B	Commission of Inquiry into Excess Lead Found in Drinking Water	B
C	After the Kai Ching incident, our staff were trying to	C
D	understand what happened elsewhere, and I myself looked	D
E	at what Toronto did, when there was lead content in	E
F	water, and also in Ireland, it was found that in the	F
G	1970s or before that, all the pipes contained lead, and	G
H	so it was a big risk for Ireland. So you now know it is	H
I	not unique just for any place or a particular country.	I
J	Q. And we are not talking about backward or underdeveloped	J
K	places. (Answer continuing).	K
L	Q. I would like to know, within the set one of the Housing	L
M	Authority or the HD, who should I ask if I want to ask	M
N	these questions? Which division? Which unit would be	N
O	responsible for this?	O
P	A. Well, talking about the division of labour, talking	P
Q	about whrg safety, building structure and Building	Q
R	Services, ^(CORRECTION: building safety), and also water	R
S	supply in buildings, these are all the responsibilities	S
T	of the Development and Construction Division of the HD.	T
U	But of course, within this division, there are many	U
V	professional disciplines -- architects, Building	V
	Services engineers, quality surveying professionals --	
	they are professionals and they would have to get to	
	know the latest best practices in their profession.	
	Q. So maybe, even if I ask Ms Fung, she personally might	
	not be able to answer this question, but she might be	

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B Commission of Inquiry into Excess Lead Found in Drinking Water Day 01 B

C able to let us know which individual or which division C  
would be able to answer the question?

D A. Well, it might not be just any individual division or D  
professionals, because there are many professionals.

E Q. So, actually, this is part of their daily work, that E  
F they might take part in seminars; right? F

G A. Yes. G

H Q. Okay. Talking about the theme thematic survey of the BBC, H  
I it is said that ^ (CORRECTION: thematic) this has I  
J happened. Please go to box file -- because I would like J  
K to show you something. This is the internal K  
L investigation report of Yau Lee, which has been L  
M submitted to HD. Of course, we will have to wait until M  
N we come to the taking of evidence from Yau Lee. But N  
O since you are the first witness, . O

M And in fact I would now like to talk common sense M  
N with you, as the person in the highest position in this N  
O Inquiry, I would like to ask you this question, but I in O  
P fact would pose the same questions to other witnesses. P

Q Please look at this Yau Lee Group internal report, Q  
R page 17877. Let us first look at 17870, or 17876. R  
S I can tell you in simple terms that the incident S  
T happened, and then the HA required the contractors to do T  
U internal reports. So if you look at these box files, U  
V you will see that the main contractors all filed reports V

with the Housing Authority. This is actually a supplemental report from Yau Lee. I won't go into all the details, but suffice it to say that it said we subcontracted the work and we don't know why people used leaded solder.

Then in the bottom right-hand corner of page 17874, Yau Lee said -- can you see B1, "Procurement process"? "Solder", it mentions Ming Hop. Ming Hop belongs to the same group as Yau Lee. Yau Lee would get the contract and then it contracts out the work to Ming Hop. It is a subsidiary of the same group.

Then, further, Mr Mok of Wing Hing is given the contract for plumbing work. Then some lists are drawn up.

Let's look at page 18777, the right-hand corner, "Cost difference in solder materials". You will see that Yau Lee did internal calculations for using lead or lead-free solder. Then page 18777, at the top, if suitable equipment is used for the soldering work, then lead-free soldering materials and substandard soldering materials, in terms of time it wouldn't make any major difference. The time required for carrying out ^... soldering works are comparable to carrying out soldering works with substandard solder. So it doesn't make any difference in terms of time, but in terms of money,

estimate the cost of using lead-free solder, when compared with the cost of using substandard solder.

^, it's \$76 more expensive per unit. So for the entire development, 4,000 units, it would be \$300,000 or more. So Yau Lee and Ming Hop belonged to the same -- were \$322,000 would be just peanuts. So it is not just because of this \$300,000 that Yau Lee or Ming Hop would be committing any irregularities. Yau Lee can elaborate on this later on in their statement, but \$300,000, to apply the BBC logic, it would not amount to a lot of money. But if we are dealing with plumbing facilities, \$300,000 would be quite a lot of money. That's common sense.

To use this example, yes, indeed, just to use this example, that that represents quite a bit of money. So commonsensically, every bit would amount up to a lot of money. If there is indeed a financial temptation?

A. Yes, from the money point of view, yes. But what is interesting, when I follow up on this particular issue, that there is no fixed pattern. Let's say there are plumbing facilities, plumbing work, we call for tender ^...

Q. Yes, we may not be able to establish any pattern there. One of the lines of inquiry would be this. For Yau Lee, there is indeed a financial difference there. This

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B Commission of Inquiry into Excess Lead Found in Drinking Water Day 01 B

C didn't just happen in Scotland. In the 1970s, C

D previously, the water pipes were made with lead. In D

E 2010, there is another issue that I would like to cite E

F you. Bundle A1/190. That's in Wales. F

G This is a professional publication, 2011. You can't G

H see any pages here. It is a journal of environmental H

I health. There are so much data, I don't really want to I

J bore you with any detail, except to say that there is J

K a signal coming out of this publication, there is the K

L abstract in this publication, on the left-hand side, L

M "Lead exposure". Now, if there is lead exposure, but M

N then there would be a long-term acute health problems. N

O I'm sure this is all familiar to us; it is well O

P documented. P

Q There is legislation to regulate the use of lead, Q

R with a view to minimising the impact that lead would R

S have on our physical health, to minimise any S

T intoxication. T

U Historically, lead in drinking water has been U

V associated with lead piping used in older houses. Lead V

was used in pipeworks in older houses and there were

problems. Recently, there is also this high lead levels

in new developments, and that's because they are using

using lead solder. This has been highlighted in

Scotland. In Wales, the people there knew what happened

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C in Scotland. C

D This periodical covers the response to all these D

E issues. E

F In Wales, it went on to say there are problems, and F

G it had regard to the Scottish problem, and one of the G

H households in Wales, in a new development, identified H

I the problem. The regulatory limit for Wales, in terms I

J of lead in water, is 25. With 25, the water coming out J

K of the tap contained 205, well in excess of the limit, K

L and they found that in the neighbouring areas there is L

M this very problem. They felt analysis showed the lead M

N solder used within the house was responsible for the N

O lead contamination. O

P And there's a multiagency team. P

Q ^, tried to identify solutions. Q

R As you go over the page, 195, page 195, on the left, R

S "Policy and regulation". S

T "This incident highlights the property developers of T

U public houses continue to use lead solder in the U

V plumbing of drinking water despite its use for this V

purpose being illegal." purpose being illegal." purpose being illegal."

In other words, notwithstanding the legislative prohibition against the use of leaded soldering materials, there are still developers that are using the lead containing solder materials. They are readily

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B	Commission of Inquiry into Excess Lead Found in Drinking Water	B
	Day 01	
C	available in DIY shops and hardware shops. They are	C
D	also readily available, and these tables can be used for	D
E	something else and this cannot be banned, and they are	E
F	cheaper, indeed. This is less expensive, 10 pounds,	F
G	less expensive than the proper one.	G
H	They have -- the building regulation doesn't provide	H
I	for the certificate ^... and so on, and they learned	I
J	lesson and they have to review the fact that there is	J
K	such lead containing solder material available in the	K
L	market and they also have to review the regulation and	L
M	supervision of the system.	M
N	In the middle part, on the left, it refers to the	N
O	Scottish centre for infection and environmental health	O
P	in 2003.	P
Q	New housing developments are popular with families with	Q
R	young children". The same with be said about	R
S	developments in Hong Kong, young families would like to	S
T	buy new houses. Because of this ^... problem could be	T
U	avoided. It's excessive, the high level of lead.	U
V	^ could have been avoided, and this is unacceptable.	V
A	Request many for vulnerable people such as young	A
B	children and pregnant women" chu, these are vulnerable	B
C	people and this source of lead is unacceptable and could	C
D	be avoided.	D
E	Went on to say that there needs to be consideration	E

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

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C by authorities as to their inspection and monitoring C  
strategies for lead.

D The local council does have an urgent need to review D  
the strategies and also the supervision strategies, not  
E just for the newly developed Housing Department but also E  
F schools and so on. F

G If you move on to the bottom: G  
H "PCWW has now included in its routine H  
inspection ..."

I That is local department. So this ECWW has now I  
J included in its routine inspection of newly built J  
K properties and there is a lead check, a short test for K  
L the detection of lead solder on the drinking water L  
plumbing.

M I think they have these tests to ascertain the M  
presence of lead. They also conduct a random sample on  
N the new developments and that happened in 2011. N

O I won't go into detail about this case, in this O  
P case, 11 housing estates, many of them were completed P  
Q before 2011; are you aware of that, some in 2014, some Q  
R earlier? Many of them were built in 2012, 2013 or 2014, R  
S Kai Ching was 2014, if I remember correctly. So the S  
T same problem exists. From your understanding, for the T  
U Housing Department, the Housing Authority, would they be U  
V just focusing on their own work in Hong Kong? Would V



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B Commission of Inquiry into Excess Lead Found in Drinking Water Day 01 B

C they be browsing these periodicals as well? C

D A. I don't know about the details myself. Maybe they have D

E the CPD, and they may cover these periodicals. E

F I notice F

G what you quoted, let's say in Wales it was in 2011 they G

H became aware of this problem, it was in 2003 in H

I Scotland, the ^... study, and they have all this I

J awareness. J

K Q. Well, Wales and Scotland are so close and it took such K

L a long time before Wales became aware of that. L

M A. I'm not for one minute trying to defend the staff of the M

N Housing Department, but in fact, when something happened N

O somewhere, they may not be aware of that. If we O

P understood the problem like Kai Ching Estate, we could P

Q deal with them immediately. Q

R Q. It would be easy, after the event it would always be R

S wise after the event. S

T In Chinese, if you know what you are letting T

U yourself in for, then you could have avoided the U

V problem. I don't think we can say why didn't you spot V

the problem in the first place, that would be too much

of a generalisation. But the thing is, when more and

more problems arise, would there come a point when we

should do a better job, we should be able to spot the

problem earlier, with experience in place? If you don't learn from previous mistakes, it's not good.

A. I agree with you on that. The Water Supplies Department, the Housing Department, they should do so, they should be aware of what's going on elsewhere in the world. They can learn from that experience.

Q. I will ^... later on. I would like to say this first. You say you can't examine everything and sometimes you have to trust people. But where do you draw the line? You cannot just have trust. But of course you cannot distrust too much. Now, how do you find a point of balance? I will be asking you a series of questions on that. In fact, the HD should sample check certain things, but it did not sample check the solder at the points.

Now, relating to such previous experience in other places, I have this last question for you. I would like to talk about the EPA of the, the US, the environmental protection agency, page 399 of A1.

To be fair to you, I mentioned this series of documents -- I truly understand what you said you would say, and even Wales did not know what happened in Scotland. But Hong Kong calls itself an international metropolis and previous experience has been kaum the lawed in different ^(CORRECTION: accumulated in

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B Commission of Inquiry into Day 01 B  
Excess Lead Found in Drinking Water

C different places, and in fact I'm just telling you that C  
a lot has been said. With hindsight, systematically the  
D HD should have learned about this much earlier. This is D  
what I am driving at. E

E Page 93, this was in 1993. The US got to know this E  
F very early on. This is from the EPA of the US, F  
G environmental protection agency of the United States. G  
H You can see this, the words "EPA" at the top-left H  
I corner. I  
J "(In English) ." I  
K So there are steps you can take to reduce lead in K  
L water. L  
M Please go down a bit on page 399: M  
N ""Why is lead a problem?" N  
O I think this is a problem document. It's for the O  
P user's benefit. We understand -- well, you can say the P  
Q US is very advanced -- we would also want to be Q  
R advanced, but in the US they actually have these R  
S documents for the users. S  
T ""Why is lead a problem?" T  
U The answer is: it is toxic. If it is inhaled or U  
V ingested, it is harmful to human health. What are the V  
important sources of lead? It is in air, in soil, in  
dust and in food. You are right. This is unavoidable.  
You were right. But water? Water, yes, there is lead

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C in water. Now, why is that so? It is from the C

D corrosion of plumbing. On average -- there are so many D

E different sources of lead, but on average it is E

F estimated that lead in drinking water contributes to F

G 20 per cent or more of total lead exposure in young G

H children. If a child ingests or inhales lead, H

I 20 per cent of that would have come from water. Federal I

J controls on lead in gasoline -- there is this, it is J

K said. K

L Then please go to the bottom: how can lead get into L

M my drinking water? M

N So people got to know that in the US in 1993, and N

O please look at the top of the page. O

P "Lead gets into your drinking water after the water P

Q leaves your local treatment plant." Q

R Typically, lead gets into your water after it leaves R

S your local treatment plant or your well. Why is there S

T lead? You can see: T

U "Because the source of your lead" -- can you see U

V this at the top: V

"The source of lead in your water is most likely P

lead or solder in your pipe's home plumbing." The most Q

likely cause is corrosion, a reaction between the lead R

pipes or solder. R

So lead is released. Does my home's age make S

T

U

V

a difference? It says --

-- this is quite strange: lead contaminated drinking water is most commonly a problem in houses that are very old or very new. If it's very old, it is because of copper pipes, but if it is very new it is a problem also ^... common practice for copper pipes to be used. Well, we heard about that. Of course it's a problem.

Then, in the middle:

"However, the use of lead solder with copper pipes is widespread."

Now, this is for the present. The use of lead solder with copper pipes is widespread. Experts regard this lead solder as the major cause of lead contamination of household water in US homes. We are talking about lead contamination. It is said that the use of lead solder is the biggest source of contamination and it goes to say that if it is lead-free, it is not actually lead-free.

Please go to page 401. Let's look at the bottom of 400: what is the government doing? In 1993, the US government already explained to people what the government was doing about lead in water.

There are two major governmental actions. One, the safe drinking water Act.

Under this law, the lead level in drinking water is

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C set at 15ppb. So first of all, in the US, they have C  
safe drinking water Act, and then the next page, the  
D second measure: in June 1986, president Reagan signed D  
E amendments to the safe drinking water Act, requiring the E  
use of lead-free pipes solder.

F Okay. Is it that with the law in place, can we F  
G assume people will follow it? Let us look further. G  
H Therefore, the source of this question is: is it that H  
I people will automatically follow instructions and laws? I  
In June 1986, the law amendments came into force.

J And then the law allows the state government a grace J  
K period until June 1988, to implement and enforce the new K  
L restrictions. Then it goes on to say that although the L  
water systems, such bans do not eliminate lead  
M contamination within existing plumbing. M

N Of course, if it is existing, you can't reduce it. N  
Then there is this line also:

O "Enforcing the ban, some states have continued to O  
find ^... new plumbing installations."

P Some states are said to still use or find illegal P  
Q solder. Q

R "When the responsible plumbers of course always R  
S observe the ban ^... may be escaping detection by the S  
limited number of enforcement personnel."

T  
U  
V

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C In other words, there are still always people who C  
D don't follow the law and the enforcement people, if they D  
E lack in numbers, then there will always be people who E  
F can exploit the loopho F  
G loopholes. G

F Then: F

G "How can I reduce my exposure?". G

H The US government makes suggestions to its people H  
I through this document. It says you should not use water I  
J that has stayed stagnant overnight, and we have come to J  
K the same results in our recent review. K

L But I have shown you this document and then I will L  
M ask you this question. You can see that back in 1993, M  
N the US government has already done a series of studies, N  
O and they have identified the root of the problem, and O  
P they know that there are still loopholes in the system, P  
Q and the US has made recommendations to its people. Q

N Can you tell me this: why is it that the Hong Kong N  
O government cannot do what the US government had done in O  
P 1993? This has nothing to do with reunification. This P  
Q was before 1997. Q

Q A. As a regulatory and statutory control, from what I know Q  
R about this present incident, we have always required R  
S that the solder should be lead-free, that it should S  
T belong to the lead-free category. So we are similar to T  
U  
V

the US -- in other words, our law bans the use of lead solder -- but of course the question remains: why is it that even with this ban we have not tested whether the solder used was lead-free or not? As I said in my statement, this is always an observation of the Review Committee. All along, there is not this awareness or doubt about the solder used, that it may be problematic. All along, whether it be the industry or the Housing Department, it has always been the case that we trusted the solder was up to standard. But now we have this incident, and we are of the view that there is a lack of awareness of the risks involved.

Q. Well, since we are in this line of questioning -- now, this is a document from the EPA of the US. Is there any interdepartmental mechanism in the Hong Kong government, say for example if the EPD sees something like this, that this document -- would the HD be notified?

A. Well, if you are talking specifically about this US department and whether it is known to the EPD of the Hong Kong government, I dare not answer that question. But amongst departments, there should be this kind of communication.

This time around, we have seen lead content or excess lead in water in public housing estates, and at present we still have not involved the EPD in our



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C present effort. C

D Q. Will you consider involving the EPD? D

E A. Well, depends on the present division of work. If it is E

F about drinking water safety -- let me give you this F

G example -- recently at LegCo, there is a motion debate G

H on safe drinking water, and the secretary representing H

I the government was the Secretary for Food and Health. I

J So this tells you how labour is divided within J

K government. K

L Whether this has anything to do with the L

M environment, well, in a wide context, yes, this is M

N an environmental issue. But government departments and N

O Bureaus have finer division of work. O

P Q. I understand. Maybe in the US, since there is P

Q an environmental source, so perhaps they have given this Q

R task to the EP agency. That we understand. We won't go R

S more into this. S

T My last question about overseas speci experience -- a WHO T

U document. It's in the same document ^... page 403. It U

V states, right in the middle -- this is A1/403, please -- V

this is called "Lead in drinking water". This is from

the WHO, dated 2011. It's a background paper on the

development of WHO Guidelines for Drinking Water

Quality.

Please go to page 407, "Acknowledgments". You can

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C	see Mr JK Fawell, the second in the list, he will be flying in to Hong Kong to assist us.	C
D	Page 411, paragraph 2.2, "Water".	D
E	This says there is lead in the atmosphere. It was released from the gasoline. Because of the legislation,	E
F	this problem has declined. In the US, under what	F
G	circumstances would people be exposed to lead? That is	G
H	the water. Previously, it was the fuels, now it's in the water. That's in the US.	H
I	It went on to say that for tap water, there is a certain level of lead, because of the nars resources.	I
J	But primarily from the household, the lead comes	J
K	from the pipes or the solder or fittings <sup>^(CORRECTION:</sup>	K
L	natural resources). They can contain lead. This is to make it very clear from the ghaing the lead comes from	L
M	the pipes.the amount of lead dissolved from the plumbing system -- you can see that.	M
N	A. Yes.	N
O	Q. The amount of lead dissolved from the plumbing system depends on several factors, like the presence of	O
P	chlorine, oxygen, pH, and so on. It says that lead	P
Q	leached from the solder joints.	Q
R	<sup>^</sup> may decline as sa time goes by.	R
S	It went on to say something about the level of lead found in water, and they have the different levels of	S
T		T
U		U
V		V

lead, 1.1 to 30, within 4.8. So this WHO document is for reference. It points out that in the drinking water, the major source of lead is actually the solder materials. So this document highlights this in no uncertain terms.

So from your understanding, here in Hong Kong, what departments ^... dealing with the WHO on a regular basis and receiving information from it?

A. Generally it is the Health Department and the Food and Health Bureau that is responsible for that. For the Housing Department, when it comes to the water supply, it is the Water Supplies Department. You have to put a question to the director of the Water Supplies Department, whether they have any dealings with the WHO.

I trust that the Housing Department would rely on the Water Supplies Department as the Water Authority for the authoritative information.

Q. So the Housing Department, in the day-to-day work, you may be aware of that -- now, in the day-to-day work, would they routinely receive any information? This is not something restricted to certain places. This is a WHO document. This is the kind of background information. Would this kind of background document be routinely copied to Hong Kong departments?

A. I don't think I am aware of that, but whether the HD

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C	staff have that, I'm not sure. You have to put this to the staff members.	C
D	Q. Well, I hope that someone would know.	D
E	A. For the Housing Authority, the rental housing is a community in itself. If there is any subject to do with the environment, our colleagues would look at it.	E
F	Q. It seems that there are contractual terms to say that lead-free category materials have to be used and people don't have the awareness that this is a problem, and people don't have the awareness that someone would be flouting the law or regulation to use the lead-containing materials. Now, we are not sure whether they do so for money purposes or for saving purposes or what, but there was not such an awareness that someone would use these kind of materials, because of this kind of lack of awareness everybody would be trusting that people would be going by the law and there was no spot check.	F
G	Can I say this?	G
H	A. Yes, you can see say that.	H
I	Q. The problem is, for any supervision mechanism, broadly speaking -- I said a moment ago and I say it again that for any supervision mechanism, if you have to recheck and recheck all over again, it may not be good, Fa -- it would not be good either for you to trust everything, so	I
J		J
K		K
L		L
M		M
N		N
O		O
P		P
Q		Q
R		R
S		S
T		T
U		U
V		V

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C there has to be a balance to be struck, isn't there? C

D A. Yes. After the incident I said openly that we have to D  
be doing it on a risk-based approach. We didn't sample  
E the materials. E

F Now, looking back, for some reason we didn't realise F  
that this carries high risk. The Housing Department  
G monitors the developments, and they also monitor the G  
plumbing system, and if they check the plumbing system  
H to see whether there are any irregularities and to make H  
I sure that the materials, the solder materials, are I  
lead-free -- now, if they do so, that will become so  
J much of a burden for them. If there was a realisation J  
K that it was of high risk, then there would have been K  
L some random testing at certain collection points and L  
there may be some tests.

M Q. Yes, to take water samples? M

N A. That wasn't really a problem of workload, but indeed N  
there was a lack of awareness at the time, we didn't  
O realise that it was of high risk. In the industry O  
itself, they didn't realise that there was a high risk.

P Q. Broadly speaking, for anything that has to be regulated, P  
Q potentially you would like to check everything, but you Q  
have to have a priority, you have to have a risk-based  
R approach, there are people who would have to think up R  
S some prerogatives, they have to consider certain areas S

T

U

V

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C that carry high risk that have to be checked and how C  
frequently to check and so on -- someone would have to  
D map out the protocol, would you agree? Let's say D  
auditing, when the auditors look at the accounts, the E  
nature of the company, would there be any potential for E  
F irregularities and they would come up with some F  
G procedures, some protocol. Do they have to make a very G  
vigilant or not so vigilant, I think they will have  
H their own judgment. I'm sure in your department, when H  
I there would be any sampling, they would go by certain I  
procedures?

J A. Yes, indeed. This is all risk based. In certain areas, J  
K if it is considered to be of high risk, if there were K  
L irregularities before in that particular area, then from L  
M the risk management point of view there ought to be some M  
mechanism in place.

N Now, for lead in drinking water, with the benefit of N  
O hindsight, for the Housing Department and also the Water O  
Supplies Department, maybe they didn't realise the  
P seriousness of the risk. P

Q Q. Some how they didn't realise this is of sufficient risk Q  
for them to conduct spot check and random checking and  
R so on. R

S The Housing Department, my understanding is they do S  
T have a list of things to check, all the detailed T  
U  
V

information will be coming through later on in this proceeding, but China construction, they have produced an internal report which shows a checklist on the part of the Housing Department PB5.7, if I may refer you to that. 11926.

If I refer you to 11826 first. China Construction. That's the main contractor for Kai Ching Estate.

The Housing Authority requires the production of an internal investigation report, that has been produced as a supplement information, at 11826. B1.4, there's on page 11834.

"Record of checking material delivered to site."

There's a record of checking materials delivered to site. According to the HA's standard form, it's a record number number 11620, a number of materials, including mixer and shower head set, also required to be checked and verified by the contractor, and witnessed by the HA's KCOW ^... ASS. But these doesn't require soldering materials in copper pipes fittings.

There is an annex in B5. If I may refer you to B5. That's on page 11926. Obviously, I am going by the China Construction information. I look forward to further information from their witness statement.

^... record form 6210, these are the guidelines for filling out the form. There is the materials check.

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C	Number one is the document check. You have to check the	C
D	document, the brand, the origin, delivery notes and so	D
E	on. Not only do you have to check the documents, you	E
F	have to look at the materials. The contractor shall	F
G	carry out the checking of dimensions and surface/service	G
H	^ quality, and after of accessories, et cetera, in the	H
I	presence of contract manager's representatives. The	I
J	details of checking shall be referred to various	J
K	specification clauses.	K
L	"Major materials to be checked are as follows.".	L
M	So all these are materials that are being checked.	M
N	"Window", under certain clause, it has to be	N
O	checked, (h), ready mixed mortar and ready to be used	O
P	mortar.	P
Q	What is mortar? Yes, that's the material to cement	Q
R	the bricks.	R
S	Then let's go to (p), tile adhesive and tile grout,	S
T	against material to hold the tiles together Q emulsion	T
U	paint, RS synthetic paint and multilayer acrylic paint.	U
V	It seems these are minor items or rather detailed items,	V
	even the materials to hold tiles together and even paint	
	have to be checked. But you can't see solder here.	
	Now, of course you may not be able to answer my	
	question but according to your understanding, when these	
	forms are formulated by the HA, how did it decide what	



materials should be checked? Is it that there were some criteria on which you decided what to check and what not to check? Why did you go for grout and not solder, for example? Is it that there should be some criteria?

A. Looking at this form, there are these materials that have to be checked. I'm sure the list has been drawn up according to some requirements or the requirements of the Water Authority, and maybe the HD has got some experience from other projects that these may be risk areas. I think there are many reasons. But specifically, I think my staff can give you the evidence.

Q. But who are the staff? There are so many people. I may pose the same question to Ms Ada Fung. Ms Ada Fung may be able to point us to the right direction.

A. Well, yes. She also has the division board, that is the Development and Construction Division. If it thinks that there are things that have to be done, it will issue a notice to all the relevant project managers who have to execute those orders. Why lead is absent or solder is absent from this list? The HA Review Committee also spotted this, and the HD replied in saying that this is because, in the past, the possible lead content in solder has not been regarded as a high-risk item.

Q. Well, yes, I understand. You did not regard that as a high-risk item. But now we would want to know whether this could have been prevented. That is why, if you had based on certain criteria or logic to decide what to check, say for example, if something nits with certain risk criteria, then they are put into this list. So  
^(CORRECTION: fits in) I am interested in your original criteria and if we could have those criteria and then we can decide actually solder should have been included, then it is something else. But if the original criteria did not say solder was not included, then we would know.

However, if day one your own manual or your criteria had already said that you should check these things which would comply with certain principles and if you had done your job more seriously, you would have included lead, that is what I want to find out. We should just say, okay, it is not included. We want to know how you arrived at this list, and that is on what criteria you decided to include this and not that. Is it that if I ask Ms Ada Fung, she would be able to point us to a certain unit, a certain individual of a certain rank who was tasked with the formulation of this list?

A. Well, I am sure there is a mechanism to include the items we have here, and I can imagine there are these factors that have been considered, whether first of all

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C there is a statutory requirement and two, it may not be C  
statutory, but whether regulators have got certain  
D requirements, say for example the Building Authority, D  
the Water Authority. E

E Q. Well, I'm sure this is not just about contractual E  
F requirements, because in a contract there would be so F  
G many things and it is obvious that you do not require G  
H everything to be checked. So what you are saying H  
I basically is that there is a set of criteria to guide I  
the drafting of this form and what to include?

J A. Well, I don't know the specific details of this form, J  
K but I would say that for any form, they have been K  
L evolved over the years, maybe a certain item would have L  
identified.

M Q. Okay. We understand that. M  
N Okay. Can we summarise like this. Would it be that N  
O the so-called issue is this, that solder is regulated by O  
P contractual clauses, as you said, it is actually not P  
Q difficult to sample check whether the solder contains Q  
R lead, but would it be that it is not something major, R  
S that it is a kind of consumable, and it will not be S  
T there permanently functionally? And cost-wise, it is T  
U not particularly costly. U  
V So comparatively, it seems it is something that does V

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C	not attract attention, and that is why you overlooked it. Would that be the case?	C
D	A. I think that shouldn't be the attitude.	D
E	Q. Well, yes, that shouldn't be the attitude, but I'm saying whether this is the cause of the problem.	E
F	A. I dare not say.	F
G	Q. Why?	G
H	A. Because if we had known there was a risk, it's just like before the Kai Ching incident, in 2012, in the circular letter of the Water Authority, eight parameters are to be checked, and then in the end it was said that the Legionnaires' disease might be a risk as well, so every new housing block has to have its water tank washed on a frequent and regular basis, to make sure that there is no risk of Legionnaires' disease.	H
I		I
J		J
K		K
L		L
M	So if you look at what the HD has been doing, if the HD had known that there was this risk, I wouldn't think that just because this was a minor item, the HD would not go for it. We are not really talking about major installations in buildings, because anything that was not attracting attention could actually pose a great risk. (Speakers mixed up)?	M
N		N
O		O
P		P
Q		Q
R	A. That's correct. If we look at what we have doing since July and the water testing we have been doing, we can see that post-2005, pipes were soldered and the WSD	R
S		S
T		T
U		U
V		V

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C Review Committee did some professional scientific C  
D forensics, and they are also of the view that the main D  
E lead content in water came from solder. And this is E  
F what you have shown us by way of overseas examples, and F  
G that is also borne out in Hong Kong. G  
H Basically, we will take tests of water samples, we H  
I do it systematically, we would go to a block and we go I  
J to the different supply points. That is what the WSD J  
K does. When it is found that a sample has excessive K  
L content of lead, we might take 60 samples from a block. L  
M Not all of them would be tested positive. But what we M  
N would do is to go for the spectrometry test to see -- N  
O that is a quick test -- to see whether the joints show O  
P lead content. P  
Q Now, if we should see lead in the joints, we would Q  
R see there is such a risk. And now what we know is very R  
S often, when we see a sample contains excess lead, it is S  
T also true that the joints there have intlerned with lead T  
U solder. ^*(CORRECTION: soldered with lead solder.* U  
V Q. Okay. You were talking about 2005 -- it's like V  
a watershed. Before 2005, you used mechanical fitting, V  
without using solder, but post-2005, you changed the way V  
pipes are joined together and you used solder material. V  
It is a technical change. Now, can you explain this to V  
me? Later on we have another witness, I understand, but V

is that a contractual requirement change or it's ?

A. It's just what the industry decided to do. I believe Ms Fung would be able to give you more information, but ^... why do we say 2005 is a watershed? I wouldn't say that in absolute terms. Some units built after 2005 might not have its pipes joined by solder. They belong to the minority. Also even for pre- 2005 units, some of them might have used solder for the pipes, and we have surveyed all these.

This is something to do with the replacement of copper pipes. In the past, we did not use copper pipes, but then the pipes got rusty and then there was rustic water, et cetera. Then we thought to improve the situation we would get copper pipes, and then if you use copper pipes you would have to solder them together. Now, of course, with hindsight, the HD is considering whether no solder will be used but rather to do it mechanically again. In the past, there was not this awareness of risks. We thought that since we had to use lead-free category solder to join copper pipes and we thought that this would be something very common amongst the industry and they would do it. I said that 2005 was a turning point.

Now we are testing water for pre-2005 estates. We call it screening. Out of 145 housing estates, if he

remember correctly, we have completed testing 56, and in the screening exercise, we have got samples which all complied with WHO guidelines, and that goes to show that the solder might be the cause of the problem.

Q. Well, my last question for you before we break for the day. So in 2005 there was this change, the way to join pipes was changed, and you went for copper pipes, so they had to be joined together by solder. Okay, this is a change in methodology. While you made that change, did you think about using a new technique, I mean a technique which has not been used by the HD, but, you know, for the sake of risk management, did you do any research into the new technique thought about, to see whether there was any problem with this new technique elsewhere? Because, as you know, we don't mind what private developers do for private developments, but the government is the government; you have to be accountable to the public, you have to be accountable to so many more people.

So have you thought about this? Have you thought about looking into the risks before you went for a new technique? Because in 2005, as long as someone would sit down and Google and search soldering, the documents that I cited would have all popped up and you would know that in black and white there would be this temptation,

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C	because of lower cost, and then people ran into problems	C
D	elsewhere -- did you know that at that time, in 2005 2005, from what you understand?	D
E	A. I don't know about this. I'm not sure. I'm not sure	E
F	whether research was done. But as I said in general	F
G	terms just now, at that time we replaced other pipes with copper pipes in general, because we thought it was	G
H	an improvement.	H
I	Q. From Ms Fung's statement, it says that in other parts of	I
J	the world -- well, in Hong Kong, the fresh water system	J
K	has been using this, but for the Housing Authority, this	K
L	is a new change, and you have to understand whether	L
M	there are any problems with the change.	M
N	A. I don't have information on this.	N
O	Q. You don't have any awareness of such study to make sure	O
P	that this doesn't give rise to any problem?	P
Q	A. Well, I'm not sure whether there was such study	Q
R	conducted.	R
S	MR SHIEH: Yes, we can put this this Ms Fung. It's 4.30	S
T	now. I may not have a lot of questions.	T
U	CHAIRMAN: Mr Cheung, please come back tomorrow morning.	U
V	After Mr Paul Shieh, there are other questions who would put questions to you.	V
	Please, you may be excused. You may feel free to leave. Thank you.	



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C Please be seated. C

D (In the absence of the witness) D

E How many lawyers will be putting questions to  
E Mr Cheung tomorrow? E

F (Raising of hands) F

G Two. Chan Chan chairman, we might put questions for  
G not for a long time. G

H CHAIRMAN: Mr Lee, how long is it going to take you,  
H roughly? H

I MR LEE: I have to have a word with my team. I can put  
I questions to somebody else, not this witness. I

J CHAIRMAN: All right. There are three SCs who will put  
J questions tomorrow. Mr Chan, Mr Lam and Mr Lee. All  
K right. Let's come back at 10.00 tomorrow. We haven't  
K used the court interpretation and the progress seems to  
L be pretty good ^... leave off today. L

M Mr Chan, please. M

N MR CHAN: Mr Chairman, just on that note, the good news in  
N relation to my intended questions is that there will be  
O very few questions. The slight less good news is that  
O I intend to ask them in English. So I flag this up now,  
P just in case there need to be any particular practical  
P arrangements made. P

Q I did have one thought, Mr Chairman, as I was  
Q

R

S

T

U

V

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C	listening to the simultaneous translation, which is that	C
D	firstly, if I may say so, it seems to be of very high	D
E	quality. I see Mr McCoy nodding. I also note that	E
F	there are two simultaneous interpreters who are sitting	F
G	in the room. So I wonder if one possible arrangement	G
H	for tomorrow, for the short time in which I am asking	H
I	questions, is that one of the simultaneous interpreters	I
J	be placed within this hearing room, to perform the	J
K	moretrational consecutive interpretation role.	K
L	CHAIRMAN: (Chinese spoken) I will think about it, but my	L
M	understanding is that simultaneous interpreters do have	M
N	a very fine division of work. They are not doing	N
O	consecutive interpretation like this. They are not	O
P	showing their face so easily.	P
Q	MR YIN: Let me make a suggestion, Chairman. I did say to	Q
R	Mr Cheung that he doesn't mind having some of the	R
S	evidence taken in English.	S
T	CHAIRMAN: That would complicate the matter. We don't have	T
U	an interpretation service. It doesn't matter if it is	U
V	interpretation from Chinese into English or what.	V
	MR CHAN: I of course am happy to proceed on the basis that	
	I can ask the questions in English and if Prof Cheung	
	wishes, certainly for my part I would be happy for him	
	to give his answers in Chinese.	
	CHAIRMAN: (Chinese spoken) well, let me think about it	

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<b>C</b>	tonight.		<b>C</b>
	MR CHAN: ^... I am grateful.		
<b>D</b>	CHAIRMAN: Thank you very much. We adjourn the meeting.		<b>D</b>
<b>E</b>	(4.35 pm)		<b>E</b>
	(The hearing adjourned until 10.00 am the following day)		
<b>F</b>			<b>F</b>
<b>G</b>			<b>G</b>
<b>H</b>			<b>H</b>
<b>I</b>			<b>I</b>
<b>J</b>			<b>J</b>
<b>K</b>			<b>K</b>
<b>L</b>			<b>L</b>
<b>M</b>			<b>M</b>
<b>N</b>			<b>N</b>
<b>O</b>			<b>O</b>
<b>P</b>			<b>P</b>
<b>Q</b>			<b>Q</b>
<b>R</b>			<b>R</b>
<b>S</b>			<b>S</b>
<b>T</b>			<b>T</b>
<b>U</b>			<b>U</b>
<b>V</b>			<b>V</b>