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2016年1月6日

上午10時09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

駱敏賢大律師，由高嘉力律師行延聘，代表翁國財

許卓倫大律師，由柯伍陳律師事務所延聘，代表林麗瓊

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胡文俊律師及康錦煒律師，代表張達欽及金日工程有限公司

王鳴峰資深大律師、陳樂信大律師及羅頌明大律師，由律政司延聘，代表水務署署長

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

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

林定韻大律師，由孖士打律師行延聘，代表中國建築工程（香港）有限公司

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

駱小姐：早晨，主席；早晨，委員。

主席：係。

駱小姐：我係代表翁國財先生嘅。

主席：係。

駱小姐：咁就林麗瓊女士琴日入咗一份證人供詞之後，引起咗一啲嘅

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change of circumstances，咁所以我哋今日就入咗一份嘅申請。
咁唔知委員會有冇收到我嘅書面陳述呢？

主席：我有。

駱小姐：係，係。

主席：有。

駱小姐：係嘞，咁我呢個申請嘅理據其實有兩樣，咁就已經詳細咁申述咗
响我個書面陳述入面。

主席：係。講吓，繼續。

駱小姐：係。其實主要嘅原因都係--林女士其實琴日响佢個書面供詞入面
已經承應咗嗰四份嘅送貨單係佢更改嘅。

主席：係吓。

駱小姐：咁變咗而家就呢一方面其實已經係冇任何嘅爭議㗎嘞。

主席：係吓。

駱小姐：咁唯一由林女士嘅供詞所引起嘅事實爭議，就係到底佢所指稱
嘅，我嘅客人，翁先生係有冇份去參與呢件事呢咁樣。而我嘅陳詞就
係呢一個咁嘅事實爭議其實係同今次委員會嘅調查範圍係無關嘅。咁
基於其實成個調查亦都係用緊公帑，一啲唔關調查範圍嘅事，其實係
唔應該繼續去問。

而第二個原因，就係其實時間上，即係好獨特嘅情況，就係林小姐
嘅供詞其實啱啱琴日朝頭早先至出咗嚟。

主席：琴日你朝頭早收到嘞，係咪？

駱小姐：係，有收到，午飯時間嘞，主席。

主席：哦，午飯嘅時間收到嘞，係。

駱小姐：係。即係就算係一個刑事嘅指控，其實一個被告人佢响公平嘅情
況之下，佢都有好多程序去保障佢。譬如話佢有時間去搜證，有時間
去 take instructions。但係今日咁趕，佢而家即刻就要入去畀證
供嘞，所以其實呢個係唔係好公允嘅一個情況，係違反咗程序嘅公義。

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主席：咁已經有尋日成個下晝去擺指示個囉喎。

駱小姐：我哋琴日下晝仲有好多嘢做嘅，係。當然我哋亦都有擺指示喇。

主席：咁呢個，個個人都好多嘢做㗎喇。

駱小姐：係。

主席：你唔可以話「我好多嘢做。聽日我又有好多嘢做，後日又有好多嘢做，一路去到年尾我都有好多嘢做」，咁永遠唔使擺指示囉喎，係咪？

駱小姐：係呀，主席，但係其實有好多嘢，譬如話搜證嗰一啲，亦都唔係一時三刻可以做到。

主席：有啲咩嘢嘢要搜證呀？

駱小姐：譬如話搵番當其時嗰啲紀錄，有冇啲電話紀錄等等。即係呢啲嘢唔係...

主席：有啲乜嘢電話紀錄，關於乜嘢事？

駱小姐：咁林女士佢講嘅就係話當日有好多通話咁樣，即係好多，會唔會搵番啲通話紀錄...

主席：電話紀錄？

駱小姐：係呀。打電話嘅紀錄，主席。

主席：打電話嘅紀錄，咁又點呀？

駱小姐：咁咪可以睇...

主席：咁咪最多都係有個電話打過㗎咋喎。

駱小姐：唔。咁有或者冇，我哋都未知道㗎，而家。

主席：繼續講㗎，嘎。

駱小姐：係嘞，我講完嘞，主席先生，...

主席：講完...

駱小姐：...即係其實主要就係呢兩原因。

A 主席：哦，好呀。請問有冇人想有其他嘅陳詞呢？

B 石先生：主席先生，...

C 主席：Mr McCoy，有冇嘢想講呢？因為呢四張 delivery notes 就係
D 你哋帶出嚟嘅。

E 石先生：或者我就剛才 Ms Lok 嘅說話就回應幾句嘅。

F 主席：好呀。

G 石先生：即係當然喇，我哋呢個研訊調查委員會就唔係一個刑事嘅調查。
H 同埋，就平心而論，關於嗰四張送貨單就造假與否，就唔係影響到食
I 水有冇含鉛嘅。因為即係就算講到最盡都係事情發現之後，可能係有
J 人用咗一啲方法想--可能係要嚟做 cover-up，所以就你可以話，與
K 食水有冇含鉛就未必有直接嘅關係。

L 但係我個調查委員會，我哋個 terms of reference 其實就好
闊嘅，咁就包括即係調查食水含鉛嘅成因。成因就唔係淨係包括究竟
M 喺化學上係唔係由一啲 soldering material leak 咗入去。因為
N 如果係嘅話，就淨係 call 啲專家證人就可以停喇。

O 我哋係要研究埋就話嗰個比較--個遠因係乜嘢。我哋其實都聽見
P 好多人都係話業內有好多認知嘅不足。政府或者係房委亦都係話「我
Q 哋認知不足。」咁好多 contractor 或者係分判亦都話認知不足。

R 咁喺呢一個文件有可能係造假呢一個議題上，其實係對調查委員
S 會嘅調查方向係有--我可以睇到係會有一個點係有相關嘅，就係話造
T 假嘅人或者指使造假嘅人其實佢背後係咪理解到係有啲嘢唔妥，先至
U 需要造假呢？

V 造假嘅人佢係咪知道其實唔同嘅物料係有含鉛定係冇含鉛，所以
佢先至去識得，知道之前嘅某一啲嘅單原來係唔啱嘅，原來係反映出
嚟嘅物料係含鉛嘅，佢先至要去造假，造一啲寫住唔含鉛嘅嘢出嚟？
所以林女士佢個心理狀況，佢對呢個所謂唔同物料之間含鉛、唔含
鉛，合乎規格、唔合乎規格，或者甚至乎翁先生對呢一方面嘅認知，
其實係對調查委員會嘅調查方向，其實我哋係認為係有關連嘅。

當然，即係駱大律師佢嘅憂慮就可能係話，啊，公帑嘞，諸如此
類嘞。當然，即係調查委員會，我哋律師方面問問題，或者我都相信
主席同埋委員先生，對呢一方面嘅查問，當然我哋係會，用英文話，

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我哋係會即係用一個合乎比例，proportionate 嘅方法嚟去處理，畢竟我哋呢個唔係一個刑事嘅調查。但係只要啲一點係與調查嘅方向係有關係嘅，我哋嘅意見都係認為係可以繼續問嘅。問幾多，花幾多時間，呢一個又作別論。但係我唔覺得我哋係會用好多嘅時間走去即係尋根究底，但係至於涉事人佢當時佢畀呢個指示或者接收呢個指示嘅時候，佢對呢個所用嘅物料嘅認知，我哋覺得係有關連嘅。

同埋我頭先--我亦都可以講一講，就係話如果話淨係靠林女士話佢用書面證供認咗嘞，咁所以而家翁先生就話「得喇，有人認咗頭嘞，我哋完全唔好講喇」，咁可能潛在地對林女士唔係好公允。第一，林女士未入證人台畀口供；同埋，第二，就係林女士自己就認咗，咁翁先生就可以坐喺度就話「啊，得嘞，有人認咗嘞，我唔使講嘞。」咁林女士可能會覺得話「唔係好公允嘞，我認咗，咁跟住就」--即係另外所有嘅人就話可以置身事外，咁就唔係好公允嘅，如果我即係站在林女士嘅一方嚟睇。

另外就係一個分--一個 separate point，就係話駱大律師就話由於林女士嘅證人供詞係尋日先至分派，咁佢哋可能喺時間上係需要更多嘅時間。剛才主席先生都講過，就係話其實有咩嘢好問呢？有咩嘢指示可以繼續攞呢？因為其實成件事情就係在於當日翁先生同林女士嗰個電話對話，翁先生畀咗一個乜嘢嘅指示林女士。

同埋如果我哋睇番文件夾 L1 裏面，第 145 頁，就係翁先生佢自己嘅書面證人供詞。其實佢自己都主動帶出咗當日佢同林女士嘅電話對話，係佢畀咩嘢指示林女士嘅。咁當然翁先生未入證人台，但係即係做翁先生呢份證人供詞嘅時候，其實有關所有嘅電話對話嘅指示，其實我假設都應該攞咗嚟嘞。

佢嗰段係咁講嘅，「我立刻致電金日工程寫字樓找林麗瓊女士，我不記得我當時具體是怎樣跟她說」。咁你當時攞指示都係話「我不記得」嘞。咁我假設佢哋係盡咗--即係盡咗責任，係已經攞晒指示，有咩嘢日記簿，有啲乜嘢就地寫低嘅 notes，佢假設佢都已經搵晒出嚟喇，都係話「我不記嘞」。咁我所以話而家如果仲話「啊，我要返去再翻箱倒籠，睇下有冇啲喺床下底嘅一啲電話嘅 notes 可以搵得出嚟」就比較，我英文叫做，far-fetch 咗少少。

當然如果駱小姐佢話「我就堅持我要返去再翻箱倒籠一次，因為而家林女士有個好具體嘅指控。」咁佢可以講「我要半個鐘、一個鐘」，佢開聲講喇，又解釋埋點解尋晚有搵到呢，係咪？否則嚟講嘅話，關於公唔公允、夠唔夠時間，呢一個係與嗰個大原則冇關係。只要係關

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事，就應該可以問。佢要幾多時間，等駱小姐開聲講。

咁我嘅回應就係咁多。

主席：唔該。有冇補充？有冇補充？

駱小姐：冇。

主席：冇補充。咁就住時間方面，有冇補充？

駱小姐：都有。

主席：都有補充，冇補充。

尋日我哋聽張先生畀口供嘅時候，我哋--記得我提到話翁先生曾經喺--係咪個 subcontract 嘅簽署人之一嚟㗎，其中係一個？因為我問係咪 project directors，嗰陣時候係佢簽㗎嘛，係咪？Subcontract 係佢簽嘅，嗰個係東匯、榮昌邨，是但一條邨，係咪，係咪呀？

石先生：有個分判工程合約，譬如話如果睇番 L1 裏面，係第 18 頁，就係保華同 Golden Day 簽嘅，咁就有個簽名嘅人就係“K.C YUNG”。係咪 page -- 18 頁，“K.C YUNG”。

主席：係喇。

石先生：咁職位就係“PD”，咁應該係 project director。

主席：“PD”，project directors 咁嘛，“K.C YUNG”咁嘛，係咪？

石先生：係，係。

主席：得，唔該。

林麗瓊女士同埋翁國財先就住四張送貨單嘅製造方面，同我哋呢個委員會要處理嘅其中一個課題就係有直接關係，就係究竟係業界對於呢個含鉛焊料嘅使用是否真係認知不足，同埋亦都係同究竟呢個含鉛焊料係喺乜嘢嘅情況之下係被使用係有關嘅。

另外，翁先生亦都係代表金日簽署分判合約嘅其中一個金日嘅代表。而林女士嘅證供昨日下午就已經提供咗係畀我哋呢個委員會，亦都係畀參與今次呢個研訊嘅所有嘅代表、所有嘅持份者。而翁先生

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正如委員會嘅大律師 Mr Paul Shieh 指出，翁先生亦都已經曾經喺佢個證人供詞裏面係處理過呢一方面，再加上駱大律師係表示係唔需要進一步嘅時間係攞取指示，因此我就住係翁先生呢一方面嘅申請係作出拒絕。

咁我哋嘅聆訊係繼續。唔該。

駱小姐：主席先生，我哋傳召翁先生。

主席：好。請過嚟呢邊。

金日工程有限公司（“金日”）（中國建築（紅磡邨二期）及保華（榮昌邨和東匯邨）的分判商的第二證人：翁國財（金日前項目經理（紅磡邨二期、東匯邨和榮昌邨））以本地話宣誓作供

主席：請坐。

駱小姐主問

問：翁先生，早晨。

答：早晨。

問：你响呢個調查委員會嘅聆訊入面做咗兩份證人供詞。

答：係。

問：我首先帶你去第一份嘅書面證詞，日期係 2015 年 12 月 3 日，係响委員會聆訊文件夾嘅 L，第 119 頁嘅。

你首先會讀出你嘅證人供詞。

翁國財就羅文錦律師樓 2015 年 11 月 20 日信函
所提出問題所作的書面證詞

1 本人是金日工程有限公司（“金日工程”）承判的紅磡邨二期、東匯

邨和榮昌邨（“三個受影響屋邨”）水喉工程的項目經理。本人任職水喉行業超過三十年，並修畢水喉專業管理課程。本人於2002年加入金日工程，並已於2015年8月離職，離職前是金日工程的項目經理及董事。

2 本人在地盤開工前會根據總承建商要求提交各種水喉、配件及物料（包括焊料）樣辦給總承建商再轉交房屋署審批。並在通過總承建商及房屋署的審批後通知金日工程的採購人員各項物料應使用的供應商。工程開展時，焊料由地盤管工因應施工進度向金日工程的採購人員落柯打，再由金日工程的採購人員向雋景建材有限公司（“雋景”）訂購。本人並無直接參與採購焊料。

3 本人負責向雋景索取有關遞辦文件或樣辦，但並無直接參與向雋景訂購材料。本人已不記得向雋景索取樣辦交總承建商時有否特別指明提供給金日工程的所有焊料必須為無鉛。在預備此供詞時，本人亦有詢問過金日工程的採購人員，他們也不記得當時訂購焊料時，有否向雋景指明所買的焊料必須無鉛。

4 本人並不記得曾否告訴過雋景，也不肯定雋景是否知道金日工程訂購的焊料會被用於接駁食水喉管。

5 雖然本人負責向雋景索取焊料樣辦交總承建商再轉交房屋署審批，但由於水喉行業普遍認為焊料屬於較次要的物料，在今次事件發生前，本人並未在意市場上焊料會有含鉛的情況出現，本人亦沒有留意所購及所用焊料是否合鉛。本人亦有詢問過金日工程的採購人員，他們已不記得當時訂購焊料時，有否向雋景指明所買的焊料必須無鉛。

7 在地盤開工初期，會先做辦房（當中包括焊料樣辦）給總承建商及房屋署批核。施工期間，總承建商及房屋署會不定時巡視，但由於本人不是長駐地盤，故並不知道總承建商及房屋署負責職員是否有檢查或留意所用焊料是否含鉛。

8

a. 錫線和錫條的用途都同是燒焊接駁銅喉及配件之用，但本人之前並不清楚兩者的成份有不同。

b. 因本人之前並不清楚錫線和錫條的成份有不同，而本人亦覺得在施工上用錫條和錫線並沒有大分別，故未曾留意實際施工時是用錫線或錫條。

9

a. 本人當時對“50 力扁錫條” 這個牌子並無認識。雋景並沒有向本人推介過此牌子，本人也不清楚此貨品之成份有否合鉛。本人亦詢問過金日工程的採購人員，他們指訂購焊料時並沒特別指明需要的焊料牌子，亦沒有為意“50 力扁錫條” 這個牌子，也不記得雋景有否推介過此牌子。

b. 由於今次事件發生前，本人並不知道“50 力扁錫條” 這個牌子，也不知錫條和錫線的成份有不同，故並未為意亦不清楚我有參與過的其他公共屋邨的水喉工程有否使用“50 力扁錫條”或其他錫條。

10

a. 油麗邨、牛頭角上邨和東匯邨東頭社區中心都是使用銅喉於食水系統。東匯邨東頭社區中心是以焊料接駁喉管的。油麗邨和牛頭角上邨已完工多年，由於事隔太久，本人不肯定（亦理解金日工程沒有相關記錄）當時此兩個屋邨是否以焊料接駁喉管，但以本人之記憶，油麗邨可能是以焊料接駁喉管，而牛頭角上邨則可能是以內含錫之配件接駁喉管。

b. 本人不記得此三個項目使用哪家供應商提供焊料（如有使用），金日工程以電話聯絡過東成五金有限公司（“東成”）（油麗邨的銅喉及銅配件供應商），查詢金日工程有否就油麗邨項目向他們購買焊料的記錄，東成表示已找不到任何相關記錄。金日工程亦已聯絡雋景，查詢金日工程有否就此三個項目向他們購買焊料，雋景表示沒有任何記錄（附件一為金日工程與雋景的相關書面往來）。

i 油麗邨-由於此項目的喉管及配件均由總承建商提供，本人不記得但不排除焊料（如有使用）也是當時由總承建商提供，但本人並不肯定。

ii 牛頭角上邨-根據本人之記憶，此邨的銅喉是以內含錫之配件接駁，如是，則金日工程沒有就此項目購買焊料。

iii 東匯邨東頭社區中心，由於此項目已完工多時，本人不肯定當時此項目是向哪家供應商購買焊料。由於此項目與東匯邨同時進行，本人不排除此項目之焊料也是向雋景購買但送到東匯邨大樓的地盤，但經金日工程向雋景查詢，本人理解雋

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景沒有相關的記錄。

駱小姐：主席先生，如果委員會允可嘅話，我希望就呢個供詞嘅第 2 段，向證人問一啲補充嘅問題。

主席：好呀。

問：翁先生，你响呢一份證人供詞嘅第二段入面提到，响通過總承建商及房屋處嘅審批，亦即係就樣辦嘅審批，通知金日工程嘅採購人員向各項物料使用嘅供應商。咁就住响審批之後，你有冇同金日工程嘅採購人員，話畀佢哋聽要跟辦呢？

答：有。

問：係邊一位採購人員呢？

答：黃錦文先生。

問：林小姐同埋莫小姐係咪都係金日工程嘅採購人員呢？

答：係。

問：咁佢哋知唔知道要跟辦呢？

答：因阿黃錦文喺寫字樓嗰度呢，佢會將個辦--批咗個辦會交番畀佢哋兩個採購嘅。

問：所以佢哋係咪即係透過咁樣會知道，係咪呀？

答：應該知道嘅。

主席：再講多次咁唔該，再講多次你個答案。

答：即係我個答案？

主席：係呀。

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答：係。應該個辦批咗出嚟呢，我會將佢批咗嗰個辦嗰封信，就會交番去公司畀阿黃錦文先生，黃錦文先生就因為佢係會直接交番畀採購部嘅。

主席：繼續吖，嘎，咁...

答：應該會知道嘅。

問：咁你自己有冇親自去同林小姐...

主席：唔係，唔係，唔係，等等先。你嘅意思即係莫小姐同林小姐就應該知道，係咪咁嘅意思呀？

答：嘎，係嘞，冇錯。

主席：咁你自己知唔知道呢？

答：我知道批咗咩嘢辦我會交番去囉。

主席：唔，得，好。

問：你交帶低採購嘅人員要跟辦之後，你有冇再去檢查，即係實際施工嘅時候有冇跟辦呢？

答：我唔會去再檢查㗎嘞。

問：咁就住剛才嘅補充以外呢，你採唔採納呢一份證人供詞作為你今日嘅證供呢？

答：係。

問：你亦都作出一份補充嘅書面證詞，日期係二零一六年嘅一月五號嘅。我首先會讀出你嘅補充書面證詞。

翁國財的補充書面證詞

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- C 1. 我曾於 2015 年 12 月 3 日作出一份書面證詞，回應羅文錦律師樓 2015 年 11 月 20 日信函所提出的問題。
- D 2. 2015 年 12 月 22 日，的近律師行寫信給我的代表律師高嘉力律師行，就 2015 年 7 月 17 日黃錦文發給保華建築的電郵及夾附的 4 張送貨單向我提出詢問。由於高嘉力律師行在 2015 年 12 月 18 日才接手案件，所以他們在 12 月 24 日去信的近律師行回應正在聽取指示。我謹此作出這份補充證詞，回應的近律師行的提問。
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- G 3. 自從鉛水事件在 2015 年 7 月發生後，金日工程要應付很多查詢，大約 2015 年 7 月 16 日，保華建築梁偉強先生打電話給我，要求公司代表立刻到保華辦公室開會，討論有關西邨路項目（即榮昌邨）的鉛水事件。所有查詢我都需要請示公司的董事總經理張達欽先生，但當時張先生不在香港，我嘗試打電話聯絡張先生，但不成功，所以我當日負責回應保華的查詢。
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- J 4. 大約 2015 年 7 月 16 日下午，我應梁偉強先生的要求立刻到保華辦公室開會，《附件》是我 2015 年 7 月的行事曆，7 月 16 日記低的“西村 2:00”就是這個會議。當時在場的有保華建築多位高層管理人員，包括保華建築的首席執行官、梁偉強先生、Simon Cheung、Henry Ng 及一、兩位地盤經理等。保華建築提及他們須於限期前回應房署的查詢，向我查詢金日工程的各項用料有否含鉛，我回應沒有，因為我當時相信公司的用料都不含鉛。會議中，梁先生及 Simon Cheung 要求金日工程立刻將西邨路項目相關的工程材料文件交出，讓保華建築能向房署交代。我在當日會議中表明，因工程事隔多年，未必找到相關的文件，但會盡力協助。之後我還陪同保華的代表去同房署會面。《附件》7 月 16 日寫的“房署”就是指同房署的會面。
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- P 5. 我會後立刻致電金日工程寫字樓找林麗瓊女士，我不記得我當時具體是怎樣跟她說，但我必定有告知她保華建築這個緊急的要求，指示她立即把有關的文件找出來，她會將找到的文件放在我寫字樓的檯面，我會將文件送到保華。因為我不負責落單、收貨及付款，物料供應的送貨單與發票從來都不會經我手，所以我指示林女士處理保華的要求後，就將這件事交由林女士處理。
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- T 6. 2015 年 7 月 17 日，我在新昌營造廠有限公司的辦公室處理新昌的查詢，並不在寫字樓（見《附件》7 月 17 日的紀錄）。我沒有使用電子郵件的習慣，而金日工程只有一個電郵地址 (goldenday88@yahoo.com.hk)。當日保華 John Ma 先生的電郵
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就是傳送到金日工程這個電郵地址的。因為我當時不在寫字樓，應該是黃錦文看到 John Ma 的電郵，然後打電話告訴我 John Ma 以電郵問我要文件，問我是否應將我辦公檯上的文件發給 John Ma。我辦公檯上的文件即林女士準備要交給保華的，所以我指示黃錦文把那些文件發給保華。

7. 林女士將她準備好給保華的文件放了在一個公文袋裡。我親身將這個公文袋送了到保華建築的辦公室，但具體日期不記得。

8. 因為我已交帶林女士按保華要求找出相關文件，她找到後我不會自己再去核對，所以我以電話指示黃錦文發送電郵和把公文袋送給保華時，並沒有先檢查附件和文件。

9. 張達欽先生 2016 年 1 月 4 日存檔補充書面證詞，其中第 10 段說我曾向他表示 2015 年 7 月 17 日發送給保華的文件是我提供給黃錦文先生。我只曾向張達欽先生說過是我指示黃錦文把文件發給保華。但物料供應的送貨單與發票從不經我手，我沒有文件可以提供給黃錦文。黃錦文電郵給保華 John Ma 的文件是由林女士提供、當日放在我檯面、再由黃錦文電郵給保華的，我當時在新昌開會不在公司寫字樓。

10. 最後，我就我的書面證詞第一段補充如下：我 2002 加入金日工程，為方便工作安排（如代表公司簽約），張生安排我成為一名董事，但並不持有金日工程任何股份。2015 年初，我想開展個人生意，向張先生呈辭，張生挽留我，後經雙方同意，我 2015 年 8 月才正式離職。我的離職同鉛水事件沒有任何關係。

駱小姐：主席先生，如果你允許嘅話，我有一、兩條補充問題。

主席：好呀。

問：翁先生，你响補充書面供詞第四段提及，响大約二零一五年七月十六號嘅下午你去過保華開會。我嘅問題係响開會當日，保華嘅職員有冇向你展示過你當時提供畀保華交界房署嘅焊料樣辦？

答：有。

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問：係乜嘢？

答：係個錫線嚟嘅。

駱小姐：主席先生，基於琴日阿林麗瓊女士所入嘅書面陳述呢，我諗我都有啲補充嘅問題想問番呢位證人。

主席：好呀。

駱小姐：嘎。

問：翁先生呀，林麗瓊女士响琴日呢就提交咗畀委員會一份書面陳述，我想你睇啲份書面陳述嘅第三頁，第 7b 段嘅第 ii 分段。我唔讀出嚟嘞，你自己睇一睇先。完成未呀，翁先生？

答：完成。

問：我有四個問題要問你嘅。第一，我知道你話你唔記得具體嘅談話內容，你當日會唔會同林女士有通過電話係提及諗保華係要求攞番啲諗西邨道項目買焊料嘅紀錄，而係--而個樣辦係一啲銅--係一啲錫線呢？

答：由...

主席：太複雜，再問過。

駱小姐：係，對唔住。

問：我嘅問題係，當日你同林女士，我應該分番開佢，你會唔會記得係有打過電話去提--去提及保華嘅要求，呢個喺你嘅補充陳述書入面已經提到過嘞，我嘅問題係你會唔會响個談話入面提及過，你買嘅樣辦，提交畀房署，係一啲錫線呢？

答：有。

問：第二個問題係，你見到林女士喺佢嘅供詞入面講過，話「翁先生表示，

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他要求能夠顯示雋景送無鉛錫線到榮昌邨地盤的送貨單，還暗示，如果沒有相關的送貨單，本人應該知道怎樣做，總有方法去弄些寫上無鉛錫線的送貨單出嚟」，你有冇咁樣樣同林女士講過呢？

答：冇。

問：你响 2015 年 7 月 16 號同林女士嘅通話之中，有冇曾經明示，或者暗示過要指使林女士去更改送貨單嘅內容呢？

答：冇。

問：最後一個問題就係，當日你記唔記得，或者你有冇紀錄去顯示，林女士係點樣通知你，佢準備好嗰啲昇保華嘅文件嘅呢？

答：我喺個 WhatsApp 嗰度收到嘅。

問：係，你個 WhatsApp 而家仲有冇呢？

答：冇。

問：你可唔可以呈上畀委員會睇呢？我向委員會致歉，因為呢個係啱啱先搵到嘍咋。

主席：上面寫住「已準備好，我返來取」，係咪呀？

答：「已準備好，你返來取」。

主席：「你返來取」，嘎，7 月 17 日。

駱小姐：個時間係...

主席：昇--昇--昇我望一望先，嘎。

講者（不能辨別）：或者如果駱大律師唔介意...

主席：啊，唔緊要吖，擺去--不如擺去影...

講者（不能辨別）：我哋睇完之後，我哋可以影印一份。

主席：嘎，影印一份喇。

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講者（不能辨別）：可唔可以睇睇？

主席：可以。

許卓倫先生：主席。

主席：係，係，Mr Hui。

許卓倫先生：主席，唔好意思，本人代表林麗瓊小姐嘅，咁當然本人會感激呢就係有一個副本可以畀到林小姐呢面嘅法律團隊喇，希望實物都可以睇一睇，非常抱歉，對唔住，因為呢件事我都唔知道㗎。

主席：唔。

駱小姐：我哋亦都係啱啱先至搵到出嚟，我有其他問題喇，主席。主席，我有其他問題喇。

許卓倫先生：主席閣下，或者可唔可以容許我嘅事務律師呢，擺個實物畀我嘅當事人睇一睇？

主席：可以嘅，嘎，你...

許卓倫先生：係，咁當然喺主席閣下嘅書記面前。

主席：不如同埋阿書記一齊出去喇。書記揸住喇。

許卓倫先生：係，當然係書記揸住。

主席：你有問題喇嘛？Ms Lok 冇問題吖嘛？Mr Khaw。Mr Khaw 問先嘞，你問先喇。畀我影個 copy 喇。

許偉強先生盤問

問：翁生...

答：係。

問：...你嘅口供度都講咗就話你都有三十年即係做食水喉嗰個行業嘅經驗喇？

答：係。

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問：係咪呀？我想問一問你呢，就係喺你嘅證人口供提及到，你喺 2002 年就加入呢個金日工程公司嘅。

答：係。

問：係咪呀？咁呀都做咗十幾年喇。

答：係。

問：就最近就離開咗喇。

答：係。

問：你而家做緊咩嘢呀？

答：我而家都係做水喉嘅。

問：都係做水喉。

答：嘍。

問：喺你自己嘅公司吖，定係喺其他公司呀？

答：我同人哋拍檔，自己出去做，搞公司嘅。

問：係，公司開咗幾耐呀？

答：開咗--正式成立都係七月幾成立嘅。

問：你 2002 年加入呢個金日工程公司喇，就 2002 年呢，我哋就睇到呢，亦都係林麗瓊女士呢，都係當年加入呢個金日工程公司嘅，你知道嗎？

答：應該大家前後腳嚟。

問：前後腳，你加入金日工程公司之前識唔識得林女士呀？

答：識。

問：識得，點識得㗎？

答：我哋喺最早期出嚟嘅公司都認識嘅。

問：最早期？

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答：係。

問：即係你話喺加入金日之前？

答：另外一間水喉公司。

問：哦，大家係做同事嘅？

答：係呀。

問：係咪呀？

答：係。當時我係判頭嚟嘅。

問：當時你係判頭。

答：佢都係寫字樓嘅。

問：咁佢就做寫字樓嘅？

答：係。

問：喺嗰間公司你哋一齊共事咗幾耐呀？

答：可能都有十年。

問：張達欽先生就係你家姐個先生嘞？

答：係。

問：係咪呀？咁即係你加入呢個金日工程公司之前都識得張先生㗎？

答：識。

問：係咪呀？

答：嘎。

問：係佢家姐介紹你入去金日工程㗎，係咪呀？

答：唔係。

問：唔係嘅。

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答：嘅。

問：你同林小姐呢，有冇任何親戚關係㗎？

答：冇。

問：除咗以前一齊同事之外？

答：冇。

問：嘅。同林小姐算唔算係男女朋友關係呀？

答：唔算。

問：同林小姐一路即係大家工作嘅關係啫淨係？

答：好好。

問：係咪呀？即係一路到而家，大家嘅關係都好好嘅？

答：都係好好。

問：都係好好嘅？

答：嘅。

問：係咪呀？你應該係差唔多八零年代入行㗎，係咪呀？即係三--做咗三十年呀？

答：係呀，八零年。

問：係喇，點入行㗎？係咪都係跟師傅學藝，做水喉呀？

答：入行係嗰陣時啱啱考到車牌，就搵車嘅。

問：係。

答：咁呀去到地盤呢，啲人就說我做水喉，咁我先入行嘅啫。

問：咁你點學識做水喉啲嘢㗎？

答：咪跟啲師傅學師囉。

B

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問：跟師傅學嘅？

C

D

答：係。

D

E

問：有冇正式話即係考過牌呀？

E

F

答：水喉牌？

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G

問：係。

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答：冇。

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問：冇。

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J

主席：大工牌呢？大工牌...

J

K

問：大工牌有冇考過呀？

K

L

答：有。我大工牌我有嘅。

L

M

問：有，幾時考㗎？

M

N

答：大工牌係因為我嘅年資嘅問題，係最近攞嘅。

N

O

問：最近即係講緊幾時呀？

O

P

答：應該係今年6月。

P

Q

主席：2015年6月攞呀？

Q

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答：係。

R

S

主席：中工牌有冇攞過呀？

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答：冇。

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主席：即係一路都無牌，直至到2015年6月？

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答：嘅，嗰個係技工牌。

主席：吓？

答：因為我當時已經...

主席：電工牌？

答：唔係，技工牌。

許偉強先生：技工牌。

主席：哦，技工牌。

答：嘅。因為當時我已經冇落手落腳做嘢嘍。

主席：咁你以前有咩？

答：有，我以前係判頭嘍。

主席：幾時有呀？

答：八--應該八五年嘅。

主席：八五年咩嘢牌呀？

答：嗰陣時唔需要牌嘅。

主席：唔需要牌，咁你即係唯一擺嘅大工牌係 2015 年 6 月先至擺嘅啫？

答：係嘍。

主席：即係之前一路都有牌嘅？

答：係。

問：你講嗰個技工呢，你講過，嗰個需唔需要話有啲咩嘢資格嘍？你有冇考過試嘍？

答：要考嘍。

B

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問：係。

C

D

答：要做過點做㗎。

D

E

主席：考乜嘢呀？

E

F

答：考你點燒啲嘢焊呀，點接駁呀，谷水嘅嘢。

F

G

主席：係乜嘢--乜嘢技工牌嚟㗎你個？

G

H

答：係水喉技工牌。

H

I

主席：係邊度攞㗎？

I

J

答：建造業。

J

主席：咁你個--同你個大工牌有咩嘢分別呀？

K

K

答：大工牌就係技工牌嚟㗎。

L

L

主席：吓？

M

M

答：我哋俗語大工牌同技工牌一樣。

N

N

主席：大工牌就係技工牌嘞？

O

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答：係嘞。

P

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主席：咁呢個就 2015 年 6 月攞嘅。

Q

Q

答：係嘞，冇錯。

主席：即係講嚟講去都係講一個嘅啫，係咪？

R

R

答：係嘞，冇錯。

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主席：之前冇喇，即係？

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答：冇。

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主席：咪係囉。

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許偉強先生：好。

問：咁你話之前你都有即係參與嗰啲水喉燒焊嘅工程嘅？

答：係。

問：你有自己親身即係落手落腳去做嘅？

答：以前。

問：幾時呀？嗰陣時幾時開始呀？

答：2002年之前。

問：02年之前。

答：係嘞。

問：即係話你加入呢個金日工程之前，都有落手落腳...

答：係嘞。

問：...喺地盤做嗰個水喉工程嘅？

答：冇錯，係。

問：係咪呀？當時做嗰陣時，有冇特別有師傅教你做嘍？

答：有嘍。

問：有嘍。當時係用啲咩嘢燒焊物料嘍？

答：當時冇乜燒焊物料嘍，當時。

問：你做...

答：當時好多都係鉛水喉嚟嘍。

問：係。

答：鉛水同埋啲攞枱嘅銅喉。

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問：攞棍嘅銅喉？

答：嘅。

問：有冇試過做啲燒焊接駁嘅銅喉呀？

答：有。

問：幾時開始呀？

答：有啲需要熱水喉，要燒焊接駁嘅我哋都會做，但係嗰個年代應該係2002年之前㗎嘞。

問：之前？

答：係嘞。

問：做燒焊銅喉呀我講緊，食水喉吓。

答：係嘞，係嘞。

問：就用咩嘢焊料㗎嗰陣時？

答：嗰陣時我大--具體都唔記得喇，嗰個焊料就，因為太耐喇嗰個。

問：咩嘢形狀呀？

答：咩嘢形狀，嗰陣時都係一條條。

問：一條條嘅？

答：係。

問：你見過一條條，你見過一卷卷啲啲呀？

答：係，見過。

問：係咪呀？

答：嘅。

問：當時，你講緊二零--2000年，2002年左右嗰個時間...

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答：係。

問：...有接觸過即係燒焊銅喉？

答：有。

問：咁就有冇用過一卷卷嘅錫線呀？

答：嗰陣時冇嘅。

問：冇嘅，嗰陣時都係仲用一條條嘅錫條嘅？

答：係嘞。

問：係咪呀？嗰陣時知唔知嗰啲錫線係咩嘢成分㗎？

答：唔知㗎。

問：嘎。

答：嘎。

問：有鉛無鉛嗰陣時知唔知呀？

答：唔知㗎，唔知㗎，因為嗰個佢淨係畀熱水師傅用咋嘛。

問：係。

答：嘎。

問：幾時第一次聽到無鉛啲焊料呀？

答：無鉛焊料應該係二零零--應該十年前呀？十年前嘅喇。

問：十年前，即係2005、2006嘅？

答：係。

問：係咪呀？

答：係。

問：嗰陣時係喺咩嘢情況之下接觸到呢個無鉛焊料呀？即係我啱啱自己用

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過定係點呀？

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答：聽人講嘅。

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問：聽人講？

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答：嘎。

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問：自己第一次見到無鉛焊料，或者用過無鉛焊料係幾時呀？

G

H

答：我自己冇用過。

H

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問：冇用過。

I

J

答：呢隻，嘎。

J

K

問：見過呢，幾時開始見過呀？

K

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答：諗二零--睇下先，二零--2010年嘅喇。

L

M

問：2010年嘅？

M

N

答：嘎。

N

O

問：就見過，就係呢個？

O

P

答：係嘞，係嘞。

P

Q

問：係咪呀？當時係咪講緊啲即係我哋講緊啲三條屋邨，即係其中一條屋邨嘅工程嘅時候見過呀？

Q

R

答：因為入辦係我入，我所以知道。

R

S

問：係咪就係啲--即係其中一條屋邨...

S

T

答：係嘞，係嘞，係嘞。

T

U

問：...個工程項目嗰陣時你見過？

U

V

答：係嘞，見過。

V

問：咁嗰陣時就知道呢一隻係即係叫做無鉛嘍喇，係咪呀？

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答：係。

問：亦都了解到個牌子吖嘛，叫 Fly 嘅。

答：了解。

問：知道？

答：嘎，知道。

問：係咪呀？你睇呢個行內嘅經驗呢，咁你知道用無鉛焊料嗰個目的嗎？

答：防毒，我淨係知道，...

問：即係你知道...

答：...即係唔好畀啲水污染啫。

問：唔。

答：嘎。

問：你知道鉛有毒喇？

答：係。

問：係咪呀？咁呀如果要用無鉛嘅，咁呀即係常識嚟講都係，你唔想做水喉嗰陣時，如果用咗啲有鉛，有毒嘅物料，咁呀污染咗啲水喉食水咁樣。

答：啱，係。

問：呢個你知㗎？

答：知。

問：嘎。喺你嘅工作經驗入面，有冇做過一啲除咗公營，公共屋邨之外，政府啲啲。

答：係。

問：你有冇做過私人屋邨呀？

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答：有。

問：私人屋邨嗰個食水喉呀...

答：係。

問：...嗰個用料呀，即係我哋講個焊接呢，有冇咩嘢唔同呀？

答：佢哋通常走銀焊嘅。

問：走銀焊嘅。

答：係。

問：以你嚟講，嗰個走銀焊，同埋做呢個--用呢啲錫料嚟到焊呢，有啲咩嘢唔同呀？

答：銀焊就要用風煤囉。

問：唔。

答：因為佢要燒佢個時間。

問：耐啲？

答：係嘞，耐啲。

問：我想問一問你，你講你喺 2002 年嘅時候，就加入呢個金日工程公司喇。

答：冇錯。

問：你一加入嘅時候呢，當時你嘅職位係咩嘢呀？

答：當時職位係地盤總管。

問：地盤總管，一加入嘅時候，你係咪即時成為董事㗎？

答：唔係。

問：記唔記得幾時嘍成為公司董事呀？

答：可能係 2014 至 2015 嗰段時間喇。

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問：最近嘅事嚟嘅？

答：係呀，最近嘅事嚟。

問：你記唔記得林女士都曾經係公司董事呀？

答：佢應該係。

問：係咪都係同你差唔多時間成為公司董事嚟？

答：呢樣我唔清楚㗎。

問：唔記得？

答：嘎。

問：好。你姐姐，翁佩芬（譯音）女士。

答：係。

問：有冇參與過公司嘅日常運作嚟？

答：從未參與過。

問：從未參與過？

答：嘎。

問：嘎。即係平時喺公司就唔會見到佢嘅？

答：唔會見到佢嘅。

問：即係佢掛名嘅啫？

答：嘎，掛名㗎咋，佢而家。

問：咁你作為呢一個即係項目經理喇，首先，咁你都會即係對公司參與嘅呢啲建築項目呢，就即係一定即係了解㗎喇。

答：了解。

問：咁亦都係要經常去到地盤嗰度巡視喇，係咪呀？

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答：冇錯。

問：咁我問下你，就係即係就住呢三條邨，即係我哋講紅磡、榮昌、東匯呢三條邨，平均你幾耐落呢個地盤嗰度巡視一次？

答：可能一個禮拜兩、三次。

問：兩、三次？

答：嘎。

問：巡視嗰陣時通常都會聯絡，即係同你哋喺個地盤嗰度，嗰啲地盤嘅管工，大家會傾下個進度呀，...

答：係嘞，傾進度。

問：...有咩嘢問題呀咁樣？

答：冇錯。

問：會唔會都同總承建商嘅職員去傾下嗰個工作嘅情況呢？

答：有。

問：都有嘅？

答：有嘅。

問：如果我哋講緊保華咁喇，咁通常你落到地盤會同佢邊啲職員去傾㗎？

答：同嗰啲 BS 囉。

問：唔。就住每一個項目呢，我哋知道都有個投標過程㗎嘛。

答：係。

問：係咪呀？投標過程你都有參與㗎？

答：通常係張生參與嘅。

問：唔。

答：最後決定我哋先至去再傾嘅啫。

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問：如果講緊投標過程，張生參與，但係例如投標過程嘅時候，你本人呢？
你本人有啲咩嘢參與嘅成分呀？

答：去見標囉。

問：唔。

答：見咗標，咁人哋夾幾多，我咪照簽囉。

問：你講嘅見標係點解呀？

答：即係上去--即係你中咗三甲嘅，佢會問你咁嘛，上去見囉。

問：個會面嘞？

答：係嘞，會面。

問：係咪呀？即係你哋嗰啲文件入面所講嗰個即係投標嗰啲會面紀錄嗰啲嘞。

答：係嘞，冇錯。

問：咁呀會面嘅時候，大家會唔會傾下嗰個主合同呢，嗰啲咁嘅規格呀？
即係對於物料嘅規格，你都會--大家都會傾到㗎嘛，係咪呀？

答：都有傾㗎嗰啲。

問：吓？

答：冇傾㗎。

問：冇傾嘅？

答：嘎。

問：咁呀你對於主合同都--即係佢哋入面嗰啲規格，嗰啲要求呢，係咪有一定認識㗎？

答：有。

問：你嘅認識係喺邊度㗎？個主合同嘅認識。

答：我認識係即係佢嗰個規格呢，我--因為我會返去，因為公司嘅糧單係

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我做嘅，所以我一定...

問：公司嘅？

答：糧單。

問：糧單。

答：全部都係我做嘅，所以我一定要跟晒佢嘅程序去入嘅，所以我哋一定要睇嘅。

問：唔。

主席：你講嘅糧單即係你做咗幾多工作咋嘛。

答：係嘞，係嘞，入番畀建築...

主席：問保華擺錢嗰啲糧單。

答：係。

問：咁至於對嗰啲物料呀，嗰啲規格，例如如果我哋而家係著重喺焊料嚟講呢。

答：係。

問：嗰啲規格，要用無鉛嘅，或者係其他水喉嘅物料，要用邊啲即係特定嘅規格嘅咁，咁嗰啲你有認識㗎嘞？

答：有認識。

問：有認識。

主席：房署嗰個合約呢，用英文寫個嗎，你睇得明嗎？

答：因為我哋入辦嗰陣時，係佢有乜嘢 comment 畀我哋嘅，我哋係根據佢去執嘅，所以好清楚，即係有咩嘢需要，佢用中文話番畀我聽嘅。

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主席：即係你識睇嘅？

答：唔係，佢會話番畀我聽。

主席：英--唔係呀，我問係問房署嗰個合約用英文寫㗎嘛...

答：唔識睇。

主席：Specification 呀，全部用英文㗎嘛，你識唔識睇？

答：唔識。

主席：唔識睇嘅。

答：係。

主席：不過你又全部知道個房署嘅要求嘅。

答：係嘞。

主席：唔。

問：咁例如講緊焊料，即係做食水喉焊料，要用無鉛呢樣嘢，咁係總承建商口講畀你聽㗎，定係佢哋會畀啲文件你睇㗎？

答：總承建商就有提過嘅。

問：冇提過？

答：冇提過嘅。

問：咁你點知呢？

答：但係我--我哋入畀房署，需要用咩嘢料嘅，咁我哋自行入畀佢，無鉛嘅，因為我哋唔可以入話有鉛嘅嘢，一定係入開無鉛嘅嘢就係嗰樣嘢㗎嘛。

問：你點知係要入無鉛嘅嘢呢？

答：因為係我自己嘅常識。

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問：咁即係話，你完全唔知道，即係總承建商嘅要求嘅？

答：唔知㗎。

問：唔知嘅？

答：嘎。

問：哦。咁你啱啱話總承建商都有口頭上同你講嗰個總合約嗰啲要求，咁係講咩嘢呀？

答：一路講係嗰個合約，佢通常都係講減幾多錢㗎咋㗎，冇講第二啲嘢個㗎，有咩嘢嘢你拎番去自己睇個咋㗎。

問：睇下你個外判合約先。第--L1 第 18 頁。第 18 頁呢，呢度講緊個分判合--工程合約喇，咁你一定都有睇過呢份文件嘅應該。

答：係。

問：咁呢個就就住呢一個榮昌邨喇，即係西邨路榮昌邨嗰個工程呢，嘅分判合約嚟嘅咁，下面呢，就有啲簽名嘅，見唔見到呀？

答：見到。

問：見到金日工程有限公司喇，上面--下面個簽名呀，下再下面寫住姓名就 K.C. Yung。

答：係。

問：職位係 PD 喇，即係 Project Director 喇應該係。

答：冇錯。

問：咁呀 K.C. Yung 呢幾隻字係咪你寫㗎？

答：係。

問：PD 都係你寫㗎？

答：係。

問：個簽名都係你嘅？

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答：冇錯。

問：係咪呀？呢個簽名再上面有兩段呢，睇唔睇到？「承判商對本工程之一切合約文件之所有條款，有關總合約之一切條款，同埋資料呢，以及承判商所負的一切責任和義務，在簽約前呢，均已詳細研究，及完全明瞭，並已到地盤實地勘察，確保所落的單呢，正確無誤。」呢度係咁講呢，呢度亦都確認咗嘞，就話你對嗰個總合同呢，合約呢，即係個主合約呀，都有一定認識，咁然後先至肯簽呢一份文件㗎嘛，係咪呀？

答：係。

問：咁呀你而家就話，你對主合約嗰啲咁嘅物料規格，你完全唔知呀？

答：諗因為我哋--我做開房署嘅嘢呢，係根據房署咁多年嘅經驗呢，一路都係入番啲啲料呢，係冇乜差別嘅。

問：由番啲個咩嘢話？

答：入啲個料呀。

問：係。

答：佢要求嘅料呢，係差唔多係冇分別嘅，我一路入都係冇問題。

問：咁有好多隻料要入㗎嘛。

答：係。

問：係咪？咁你有冇一個清單係寫住，邊啲料要入嘅呢？

答：有。

問：個清單係邊個畀你嘅呢？

答：我會叫黃錦文先生呢，就打晒成個清單出嚟，因為係每個房屋署嘅地盤，差唔多都係用啲啲料㗎嘞。

問：唔，咁佢係根據啲乜嘢打個清單出嚟㗎？

答：根據之前可能係我哋已經做開呢，一路入過咩嘢料嘅。

問：唔。

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答：係一路批出嚟，有幾多種料，就跟一個清單出嚟。

問：唔。

答：就一路跟住嗰個清單去做嚟嘞。

問：好，咁嗰個清單呢都包括焊料㗎嘛？

答：未必㗎。

問：未必，你係記得定唔記得？

答：之前我就--我印象中就係有啲盤有，有啲盤冇嘅。

問：咩嘢話？

答：有啲盤係有焊料嘅物料，有啲盤係冇嘅。

問：即係你講緊呢，每一個地盤都有一張清單嘅？

答：係。

問：係咪呀？

答：係。

問：嗰張清單有啲地盤就有焊料？

答：係。

問：有啲地盤嘅清單就有焊料？

答：係。

問：係咪呀？

答：冇錯。

問：嘎，咁呀即係呢張清單好緊要個啲，對你嚟講？

答：係呀。

問：係咪呀？

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答：係。

問：要入啲咩嘢料，就係憑嗰張嘢個咋喎？

答：係嘞。

問：冇其他個囉喎？

答：冇喇喇。

問：冇其他嘢根據個囉喎？

答：因為佢全部一樣吖嘛。

問：靠晒佢個囉喎？

答：係嘞。

問：係咪呀？嗰啲清單仲喺度㗎？

答：我都唔清楚喎，要返去問番黃錦文先生。

問：即係我哋可以問番你以前啲同事...

答：係嘞。

問：...就睇下佢哋睇唔睇到喇。

答：係。

問：但係就你自己嚟講呢，嗰個同房署，或者房委會做嗰啲工程呢，咁呀如果要入料嘅，即係我哋講呈交嗰啲焊料嘅樣辦喇。

答：係。

問：如果佢入料係入一啲有關焊料嘅樣辦嘅。

答：係。

問：就你好清楚，係咪呀？好清楚係一定要入邊一隻喇嘛。

答：係，因為我從來都係入一隻嘅啫。

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問：從來都淨係入呢一隻嘅啫？

答：係嘞，冇錯。

問：係咪呀？你亦都知道呢一隻係無鉛㗎嘛？

答：知道。

問：嘎，所以你係好清楚嗰個即係入無鉛呢，先至符合規格嘅。

答：係。

問：係咪呀？唔。咁呀我想問下就每一次，你要入嗰個料呀，嘅情況係點樣？我想即係同你討論下喇。

答：係。

問：就住你證人口供呢，就咁講嘅，就話如果你睇番 L1 第 11 頁，唔係，L1 嘅--睇下先，第 119 頁。119 頁第 2 段呢，你就咁講嘅，「本人在地盤開工前會根據承建商要求提供各種水喉、配件及物料（包括焊料）樣辦給總承建商再轉交房屋署審批」咁樣，停一停先呢度，停一停先，咁呀我哋尋日聽過張生嗰個口供喇，咁佢都話其實呢，就住呢三條邨，即係榮昌、紅磡同埋東匯呢，之前呀，其實一路嘅做法呢，都係你哋會將啲有關水喉嘅物料，嗰啲樣辦呀，交去畀總承建商，等佢哋呢，可能呈交界房署核實嘅。

答：係。

問：呢個你都清楚嘅？

答：清楚。

問：我想問下呢度你講話根據總承建商要求...

答：係。

問：...就呈交嗰啲樣辦喇，嘎。

答：係。

問：咁即係你嘅意思係咪--其實係總承建商呢，即係佢哋--佢哋要求你將嗰啲有關嘅物料嘅樣辦呢，係呈上去畀佢哋㗎？

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答：係。

問：係咪呀？

答：嘎。

問：如果你講話榮昌邨咁講喇，即係保華建築嘅，係咪佢哋--都係佢哋要求你哋去咁樣--要做呢個步驟㗎？

答：係。

問：嘎。

答：嘎。

問：係邊位人士呀，要求你哋去呈交物料嗰個樣辦㗎？

答：係個 BS 部囉。即係佢有幾個同事㗎。

問：同你講㗎？

答：係呀，因為我哋係一定要咁做。

問：同你本人講嘅？

答：係。

問：係咪呀？

答：係。

問：電話講㗎，定係點呀？

答：我會親身落去地盤同佢夾㗎先，有邊樣邊樣嘅。

問：同佢夾㗎先係咩嘢意思呀？

答：即係話有邊樣嘢要入嘅，就出番個表畀佢。

問：唔，即係你親身到地盤，就同嗰啲 BS 嘅職員，就傾...

答：係嘞，係嘞。

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問：...邊啲料要入。

答：係。

問：然後就你就根據啲啲資料呢，就去執啲啲...

答：係嘞。

問：...即係焊料--即係...

答：冇錯。

問：...材料嘅...

答：所有嘅物料喇。

問：咁呀你同佢傾嘅時候，同 BS 個職員傾嘅時候，咁佢有冇任何文件擺畀你睇？

答：冇嘍。

問：畀你睇㗎？

答：冇嘍。

問：冇嘍？咁你點樣記錄低話邊啲料要加㗎，咁呀？

答：傾咗之後，我哋咪打番一份表出嚟囉。

問：唔。

答：即係有幾多樣嘢，因為要根據個時間去入。

問：係。

答：嘎。

問：唔，咁例如，如果傾到焊料咁喇，係咪呀，喺榮昌邨咁，你記得大家傾嘅時候，即係焊料係大家傾完係需要入㗎嘛？

答：佢都有提過，但係有時係房屋署要求，你要入番呢隻焊料嘅。

問：房屋署要求邊個呀？

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答：要求總承建商話番畀我哋聽。

問：唔。

答：咁我哋咪跟手入番囉。

問：好嘞，咁如果講緊榮昌邨，即係話總承建商都有同你哋講過，焊料都要入嘅？

答：應該有講過。

問：係咪？咁呀佢有--即係講嗰陣時有冇大家就住邊隻牌子呀，咩嘢再約商討㗎？

答：冇嘅。

問：冇嘅？

答：嘅。

問：嘅。BS 嗰啲同事，有冇同你講話邊隻牌子呀？

答：冇。

問：咁你自己就認為係呢隻嘞？

答：係嘞。

問：係咪呀？

答：係，冇錯。

問：唔。因為你憑你以前嘅經驗就覺得呢隻一定啱？

答：一定啱，呢隻。

問：係咪咁呀？

答：嘅，冇錯。

問：咁其實你都應該知道呢，嗰個焊料呢，即係一般嚟講喇，即係其實就係唔係強制性係你哋需要呈交嘅。

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答：係，唔係強制性嘅，係。

問：係咪呀？唔係強制性嘅，你知㗎嘛呢樣嘢？

答：嘅，知道。

問：但係你哋都即係作--呈交界呢個總承建商喇。

答：係。

問：係咪呀？咁呀我想問下你嘞，就係當你哋係需要即係攞呢啲咁嘅即係物料呀，㗎交界總承建商嘅時候呀，係咪你去負責同該供應商嗰邊去攞啲料返嚟㗎？

答：係我哋--我嗰個助手佢叫做黃錦文喇，係佢攞晒啲資料交界我，我就會睇咗之後就呈上去。

問：即係佢負責就同呢個...

答：供應商。

問：...供應商聯絡？

答：係嘞。

問：咁供應商攞咗啲資料返嚟呢...

答：係嘞。

問：...跟住就佢就攞畀你嘞？

答：係嘞。

問：我哋尋日聽張生嘅口供呢，就係話就住你隻物料呢，供應商攞嚟嘅時候呢，都會用塊板咁呀釘住嗰啲物料嘅，係咪咁？

答：嗰個係後期嘅，因為要批咗個 submission 先至可以入個板。

問：唔。

答：因為文件要批咗先。

問：係。即係話，你嘅意思係話，要批咗嗰個物料，即係房署要批咗個物

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料。

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答：係嘞。

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問：先至有嗰個板嘅？

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答：係嘞。

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G

問：係咪呀？

G

H

答：係嘞。

H

I

問：好嘞，一步一步嚟，如果你叫黃生去聯絡雋景喇，咁就話去擺清單喇，要交啲邊啲物料，等你可以上交畀總承建商喇，咁佢擺番嚟就即係有一堆物料咁擺番嚟畀你個嗰？

I

J

答：係。

J

K

問：係咪咁呀？

K

L

答：係呀。

L

M

問：咁呀擺一堆物料返嚟，咁呀亦都有一堆係關於嗰啲物料嗰啲文件㗎喇？

M

N

答：文件會交先嘅。

N

O

問：交先？

O

P

答：係嘞。

P

Q

問：但係個文件都係從供應商裏面擺嚟嘅？

Q

R

答：係嘞，係嘞。

R

S

問：個文件唔會話係即係你哋以前用過，就用番嗰啲文件嘅？

S

T

答：唔會，唔會，唔會。

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U

問：唔會嘅？

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答：係當時嘅...

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問：每一次都會擺一套新嘅文件嘅？

答：係嘞。

問：係咪呀？

答：冇錯。

問：亦都係每一次會從供應商嗰度，會擺一套新嘅樣辦嘅？

答：係。

問：唔會用番舊啲嘅嘅？

答：唔會，唔會。

問：係咪呀？

答：嘍。

問：唔。你同呢個雋景建材公司呢，大家即係合作咗幾耐呀？即係有呢個生意來往，你自己本人嘅經驗。

答：我本人應該由我入金日工程已經認識佢，即係入咗金日工程就認識佢。

問：入咗金日工程之後先認識嘅？

答：係。

問：係咪呀？一路都同佢哋即係有生意往來喇？

答：嘍。

問：都識唔識得雋景公司啲人呀？你自己？

答：我淨係識周家霆（譯音）喇。

問：周家霆，即係佢係老細喇？

答：係嘞。

問：嘍，熟唔熟㗎大家？

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答：冇乜聯絡㗎。

問：哦。你嗰個擺咗啲料同埋擺咗啲文件返嚟呢，咁跟住就--係咪你擺上去個總承建商嗰度㗎？

答：係。

問：係咪呀？

答：直接交落地盤。

問：唔。咁你每次都有好多料一次過咁擺？

答：係。

問：即係要使唔使一架車咁運...

答：要。

問：...運上去㗎？

答：嘅。

問：咁呀你去到嘅時候，係咪都同佢 BS 嘅同時接洽㗎？

答：係。

問：係咪呀？同佢接洽嗰陣時，就逐樣逐樣再睇一次嘅？

答：係，話番畀佢聽，嘅，邊樣打邊樣。

問：去到嘅時候仲使唔使話你再填啲任何文件㗎？

答：冇。

問：冇嘅？

答：嘅。

問：就逐樣逐樣解釋畀佢聽？

答：係嘞。

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問：係咪呀？

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答：嘅。

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E

問：咁佢會唔會係大家--你擺過去嘅時候呢，佢會唔會同你呢，就住呢一個焊料呢，仲有啲咩嘢大家去商討㗎，有冇？

E

F

答：冇呀。

F

G

問：冇嘅？

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H

答：嘅。

H

I

問：嘅。咁你同唔同意咁樣講法呢，就係即係你都知道呢一個就住焊料㗎講喇，嘅，咁諗我哋都知道唔係強制性需要呈交嗰個焊料畀總承建商，因為呢個唔係房署特定嘅要求㗎嘅，咁但係即係你呈交咗呢，都有一個即係意義㗎度嘅。

I

J

答：係。

J

K

問：都係你去確保呢大家都知道，以後大手買番㗎嘅時候，要用邊隻料喇。

K

L

答：㗎。

L

M

問：即係唔好有啲咩嘢誤會喇第時。

M

N

答：係。

N

O

問：係咪呀？同意嗎？

O

P

答：同意。

P

Q

問：咁你啲物料擺咗上去，批核咗嘞，即係呢個總承建商會話畀你聽㗎嘛，係咪呀？

Q

R

答：係，冇錯。

R

S

問：會話畀你聽嘅？

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答：係。

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U

問：佢就通知你本人？

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答：佢會通知我，同埋佢批咗嗰封信呢，佢都會用電郵去我公司嘅，所以我又一路打番去，我一--如果佢交界我呢，我就會拎番公司，如果佢電郵畀公司呢，我就叫阿黃生去 check check 嘞。

問：唔，即係話佢會口頭上先同你講話批咗嘞？

答：冇錯。

問：係咪呀？咁呀但係如果有啲--都會有啲可能有啲物料冇批過出嚟嘅，佢都會話畀你聽嘅？

答：我哋一路追囉，佢未必嗰啲我哋咪一路追佢囉。

問：唔。

答：嘎。

問：但係批咗嗰啲呢，佢直情會口頭上先話畀你聽邊幾隻已經批咗？

答：未必全部。

問：唔，咁係點呢？點同你講呢？

答：因為可能我哋做辦房需要嗰個物料，你仲未批出嚟，我哋咪要去追囉。

問：唔，唔係，我講緊係批咗嗰啲呀，批咗嗰啲物料呢，佢會...

答：批咗嗰啲，佢未必全部話畀我聽㗎。

問：唔。

答：佢有時直接電郵返去我公司。

問：唔，直接電郵返你公司？

答：嘎。

問：電郵返你公司嘅話，就會--會唔會係即係列出咗邊啲物料係已經批核咗㗎？

答：會。

問：嘎。好嘞，咁如果你批咗嗰啲物料，如果焊料咁講喇，嘎。

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答：係。

問：咁呀你哋公司，即係你剛才亦都有講過就係話，你會話畀--你會話畀呢個黃生聽？

答：係。

問：係咪呀？

答：係。

問：咁呀有--你會唔會話埋畀林女士呀，莫小姐聽呀咁啲？

答：可能有啲有話，即係打到畀邊個咪邊個--邊個聽電話咪話畀邊個聽囉，因為得佢三個聽咋嘛。

問：唔，如果係就住榮昌邨嗰個工程呢，焊料批咗喇，你話畀邊個聽先？

答：其實具體我都唔記得話畀邊個聽。

問：唔。

答：因為三個之中一定係話畀一個聽嘅。

問：是個一個你知？

答：因為佢--係呀，知道。

問：係咪每一次批咗焊料呢，都會講畀三個其中一個聽啲？每一次批咗焊料。

答：每一次都係。

問：即係每一條邨...

答：係嘞。

問：...每一個項目做完...

答：呢個慣性嘅。

問：...都會話畀你聽嘅？

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答：係嘞。

問：點講呀？講畀你聽咩嘢呀？

答：批咗邊隻焊料囉，即係唔係話批邊隻焊料呀，收到嗰個批咗出嚟嘅料，就你要跟番嗰個料去用。

問：咁我點知咩嘢料呀？你講咩嘢料？即係例如焊料？

答：嗰個批出嚟嗰份嘢有寫㗎嘛。

問：即係你...

答：佢封信有寫㗎嘛，用邊隻料。

問：...你嘅意思係話你要畀埋封信畀佢呀？

答：係呀。

問：唔係淨係口頭同佢講嘅？

答：唔係口頭㗎，佢一定收到㗎。

主席：即係唔係，我想澄清一下先，你嘅意思就即係話，當嗰啲焊料審批咗，批准咗之後，你閣下就一定會通知你公司裏面三位嘅其中一位？

答：係。

主席：就講到明畀佢哋聽，就要用呢一隻嘅焊料？

答：未必講到明，因為佢個電郵嗰度嗰封信有寫㗎嘛。

主席：好，得，唔緊要。

答：嘎。

主席：好嘞，即係你未必口講，不過呢，就如果有口講嘅話呢，就一定有白紙黑字，就話呢，如果以後要訂購，譬如焊料嘅話呢，就應該根據番呢一個電郵上高所講嘅焊料去訂嘞，係咪咁呀？

答：冇錯。

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主席：咁即係換句話嚟講，嗰三位你哋公司工作嘅人士呢，就完成知道如果佢哋要訂貨嘅時候呢，就一定係要同雋景訂呢一隻嘅焊料嘞？

答：應該係。

主席：係咪呀？

答：係。

主席：係定應該係呀？

答：應該係。

主席：應該係，即係佢哋完全--嗰三位人士完全唔需要懷疑嘅，完全冇任何嘅--應該點講呀？完全唔使諗喇，總之拿起個電話去雋景，唔該，一箱--一盒 Fly 99c 無鉛焊料，佢哋絕對識講㗎嘞，唔會話唔識講嘅？係咪呀？係定唔係呀？

答：係。

主席：係，唔。

問：講番較早時候討論個問題先，就係話，你會透過黃生，就問雋景擺啲啲物料嘅樣辦咩。

答：係。

問：嘎，即係你喺呈交之前，物--物料嘅樣辦喇。

答：係。

問：咁其中包括焊料喇。

答：係。

問：咁你係咪好清楚，例如雋景呢，係會知道佢要畀啲隻--呢一隻 Fly 嘅畀你㗎？

答：我都唔清楚個啲，呢樣嘢，因為我用咗咁耐呢，我都係淨係睇一隻咋啲，...

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問：欸，唔係喎。

答：...我有去考慮過第二隻嘢。

問：係，我知道。我嘅意思係話，雋景畀個樣辦你嘅時候呀，雋景會好清楚知道，佢要畀呢一隻你嘅，你嘅意思係咪？

答：應該好清楚知道。

問：應該好清楚，係咪呀？

答：嘎。

問：唔。因為你哋指明呢隻㗎嘛？

答：係呀，從來冇擺過第二隻，我都。

講者（不能辨別）：我想問係你指定咩，定係雋景自動畀你？

答：指定㗎嘛我呢隻嘢。

講者（不能辨別）：你指定嘅？

答：我自己指定。

講者（不能辨別）：你自己指定嘅？

答：因為我得一隻人嘅啫。

講者（不能辨別）：Okay。

問：你好肯定呀呢樣嘢？

答：係。

問：係咪呀？你睇下你嘅證人口供呢，L1，119。第3段。「本人負責向雋景索取有關遞辦文件或樣辦，但並無直接參與向雋景訂購材料。本人已不記得向雋景索取樣辦交總承建商時有否特別指明提供給金日工程的所有焊料必須為無鉛」，呢度係咁講嘞。

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答：係，我未必會同佢咁問佢㗎嘛。

問：咩嘢話？

答：因為我淨係入一隻嘢，我唔會問佢咁多嘢㗎嘛。

問：唔係呀，你呢度話你唔記得，你唔記得向雋景擺辦嘅時候，係咪真係講得好清楚，係咪無鉛呀，你剛才就話，唔係嗎，唔會錯個嗎，一定係呢隻嘅啫，佢知道好清楚嘅，你而家嘅講法係咩嘢呀？

答：係，即係佢清唔清楚我唔知，因為我淨係錄--同佢擺過一隻辦嘅啫，我唔會擺第二隻辦嘅。即係呢個我有少少更正番，即係我未必話會同佢講，總言之我係擺呢隻辦係呈交嘅啫。

問：咪住先，慢慢嚟，你呢一度呢，就係話唔記得有冇特別指明咩嘛。

答：係。

問：佢要提供無鉛咩嘛。

答：係。

問：你之前同我哋嘅講法係話，喂，講到好清楚㗎，又有清單，又有盛，黃先生知道問佢擺咩嘢㗎嘞，佢亦知道畀咩嘢你嘅咁。咁係邊個版本㗎呀你而家？

答：就應該係我哋同雋景擺嗰陣時呢，我真係唔知黃生點同佢傾喇，總言之我就自己指定都係用一隻嘅啫，我就唔記得佢點同佢講，因為個印象中係太過咩嘢。

許偉強先生：而家會唔會係...

主席：Break 係咪呀？好呀，咁我哋早休二十分鐘先。

上午 11 時 29 分聆訊押後

上午 11 時 55 分恢復聆訊

出席人士如前。

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金日工程有限公司（“金日”）（中國建築（紅磡邨二期）及保華（榮昌邨和東匯邨）的分判商）的第二證人：翁國財（金日前項目經理（紅磡邨二期、東匯邨和榮昌邨））宣誓繼續作供
許偉強先生盤問

問：翁生，就住休息之前，我哋有提過即係你哋上辦之前，你哋會做個清單喇嘛，你話。

答：係。

問：係咪？即係憑你嘅經驗都知道即係房署有啲咩嘢要求喇，係咪？

答：冇錯。

問：就住呢個清單，我有少少細節想同你再搞清楚啲嘅。

答：係。

問：第一，我想搞清楚嘅就係你所講呢個上辦之前，你所做嘅清單，即係話你會同黃生去傾嘅個清單，...

答：係。

問：...係你做嘅？

答：佢做嘅。

問：佢做嘅？

答：係。

問：你話畀佢聽，跟住佢做？

答：係。

問：係咪？

答：係。

問：你話畀佢聽嘅時候，就住啲物料，你會唔會自己即係擺住啲文件喺度睇，話邊隻、邊隻，咁跟住話畀佢聽嘍？

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答：唔會，唔會。

問：你就憑記憶？

答：係。

問：完全憑記憶嘅？

答：嘅，因為每個地盤入嘅材料都有啲唔同嘅。

問：都有啲唔同，係咪？

答：係嘞。

問：咁每個地盤入嘅材料都幾多個嘞？

答：係。

問：係咪？

答：係。

問：都有幾十種，起碼？

答：係。

問：係咪？

答：嘅。

問：咁你就全部都係憑記憶，同佢講，一件、一件咁講，就佢寫個清單出嚟？

答：佢先執咗之前嗰份出嚟先嘅，即係之前另一個地盤嘅清單出嚟，咁去修改嘞。

問：咁即係一定要跟番之前有用過嘅清單喇，係咪？

答：係嘞，冇錯，係嘞。

問：咁總有即係第一份清單做出嚟嘍，就係就住呢個房署嘅要求去做出嚟嘍。

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答：冇錯。

問：咁你第一份清單做出嚟嘅時候，咁你係根據啲乜嘢同黃生講，叫佢咁樣去執喇咁？你係點同佢--又係憑記憶？

答：因為有啲材料係經過--因為中咗標之後係要問價嘅，因為有好多間牌子嘅，嗰啲就唔可以執落去住，要問晒價出嚟先至可以擺番落去。

問：啱吖。

答：嘅，通常嘅程，係嘞。

問：問晒價之後，咁你同黃生即係執呢啲料嘅資料寫落個清單嘅時候，咁你又係憑記憶，定係有文件睇住㗎？

答：呢個因為--報價嗰陣時，林小姐會搵左所有 supplier，報晒個價錢返嚟，合理嘅，咁佢會提供邊間、邊間畀我哋，我哋先去搵嗰個 supplier 嘅啫。

問：我唔係講緊呢個問題。我係講緊話即係你話做嗰個清單。

答：係。

問：係咪？做個清單，黃生幫你寫㗎嘛？

答：嘅。

問：係咪？咁好多隻物料㗎嘛，...

答：係。

問：...我講緊第一份清單嘅時候。

答：第一清單，因為入咗，批晒出嚟，已經有一個完整嘅清單，就可以一路跟落去喇嘛。

問：就係跟嗰個嘅？

答：係嘞。

問：咁嗰個就係講緊總承商畀你哋嗰個，係咪？

答：係嘞，係嘞。

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問：好嘞，咁你哋就每一次加加減減咁樣，係咪？

答：係嘞，加加減減，喺嗰度。

問：有啲更改咁，好。我想問下你，就係就你所講嗰個清單上面所講吓，
嗰個焊料係點樣形容㗎？你有睇過清單㗎嘛？

答：焊料，通常焊料都有打落去個嗰，...

問：唔係，你...

答：...因為呢個係小五金，到時係加落去㗎咋嗰。

問：你今朝畀嘅口供就係話有啲邨就有寫焊料上個清單度嘅，...

答：係，係喇。

問：...有啲就有嘅咁。

答：嘍。

問：有寫到焊料上去個清單度嗰啲邨，嗰個清單上面所提及焊料，係點講
嘅呢？

答：通常都要打番 F-R-Y。

問：打番 F-R-Y？

答：係嘞。

問：係咪？

答：係。

問：有冇相㗎？

答：唔使相㗎，因為佢得一隻之嘛。

問：嗰張清單上面有冇相㗎？

答：冇㗎，冇相嘅。

問：冇嘅？

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答：嘅。

問：咁有冇講話即係 lead-free，冇鉛咁樣，有冇講㗎？

答：冇寫個嘞。

問：噃？

答：冇講個嘞。

問：完全冇講？

答：冇講嘅。

問：淨係你一個“FRY”字？

答：係嘞，知道入邊隻嘢之嘛。

問：淨係嗰個“FRY”字？

答：嘅。

問：我畀我睇一睇即係有啲供應商嘅文件。如果你睇下 B6.3，14657。呢個供應商嗰啲咁嘅即係單張，或者介紹嘅文件，首先，你自己有冇睇過啲類似嘅文件？

答：有。

問：有咩嘛？

答：嘅。

問：咁呢個就係都係雋景建材擺出嚟嘅，咁佢入面就講話，啊--即係都介紹佢自己曾經參與過啲咩嘢項目，即係 sell 下自己，咁入面講到「‘FRY’無鉛錫線」咁樣。睇唔睇到？

答：睇到。

問：係，得。咁我想問下你，你所講嗰個清單，講嗰個焊料，係得一個“FRY”字嘅啫，冇第二隻字嘅，完全冇第二隻字嘅，係咪？

答：係。

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問：一個字，F-R-Y？

答：冇錯。

問：係咪？

答：嘎。

問：係咪咁呀？

答：係。

問：幾重呀，有冇講？

答：一路要睇番啲 test report 啲嘢囉，幾重啲就。

問：我知。我係講緊個清單。

答：點樣，清單，幾重？

問：我講個清單上面，介紹焊料嘅時候，你就話淨係得 F-R-Y 三個字嘅啫。

答：係。

問：咁我個問題就係個清單上面，都會唔會講埋例如，有冇寫住“99c”呀？

答：冇。

問：冇嘅？

答：冇嘅。

問：幾重呀，有冇講嘍？

答：冇寫嘅，冇嘅。

問：冇嘅？

答：嘎。

問：你好肯定係咪淨係得 F-R-Y 三個字，冇其他字嘍嘞，肯定？

答：唔敢肯定。

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問：會唔會有中文字嘍，除咗英文字之外？

答：冇。

問：吓？

答：冇中文字。

問：冇嘅？

答：嘎。

問：成份清單都係英文嘅？

答：係。

問：係咪？

答：係。

問：你剛才都有同我提及過就係話，好嘞，交咗樣辦上去總承建商，承建商根據呢個房署，批核咗之後，咁佢都會即係發番啲文件畀你，就話批咗嘅咁。

答：係。

問：咁嗰個人面都會列出邊啲樣辦，邊啲物料嘅樣辦批咗嘍嘛。

答：係。

問：係咪？

答：係。

問：咁我想問下嘞，嗰個列表，係咪都係跟番你嗰個所謂嘅清單嗰個表，定係佢自己另外再做一個列表...

答：另外嘅。

問：另外一個列表嚟嘅？

答：係嘞。

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問：係咪？

答：嘅。

問：咁嗰一個列表上面，咁有時都會寫即係焊料批咗喇嘛，係咪？咁如果焊料批咗，喺嗰個表，你都會睇㗎？

答：諗，...

問：即係批咗啲乜嘢？

答：係。

問：你梗係即係要關心呢樣嘢，係咪？

答：係嘞，係嘞，冇錯。

問：因為你負責成個呢個批料、...

答：係，啱。

問：...批嗰個樣辦...

答：係。

問：...嗰個過程喇嘛。咁喺嗰一份單入面，講嗰個焊料，又係點講㗎？

答：其實我見到佢批咗，跟番嗰個牌子，佢 approve 嘅呢，我就--批咗，我就冇去詳細睇㗎嘞。

問：即係你主要就係睇番有冇個“FRY”嗰個喺度？

答：係嘞。

問：係咪？

答：啱唔啱嘅啫。

問：咁喺佢嗰張清單，即係我講緊總承建商，嗰一張列表入面嘅，咁又有冇相嘅呢？有冇相㗎？

答：有啲有，有啲冇。

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問：焊料呢，有冇相嚟？

答：焊料好似有相嘅。

問：有相嘅，係咪？

答：嘅，有相嘅。

問：好。好嘞，你剛才喺休息之前就我哋講話，喂，嗱，總承建商批咗，咁你呢就會--你較早之前同你律師個講法就話，喂，你會同黃生，同黃生講，「喂，諗，訂邊啲料啫，呢啲批咗嘅」咁。

答：係。

問：咁所以黃生--你相信黃生就會通知埋其他兩位採購部嘅同事嘅，咁樣。

答：係，冇錯。

問：係咁嘅講法，係咪？

答：係。

問：咁我較早前亦都係針對呢個問題有問你，就係話「喂，咁你除咗黃生之外，有冇直接同莫小姐、林小姐講呢」咁。咁你話有時都會有嘅。

答：係。

問：係咪？

答：嘅。

問：你而家嘅講法係咪即係話其實你唔係淨係通知黃生嘅，...

答：嘅。

問：...都會通知下林小姐、...

答：係。

問：...莫小姐咁樣嘅？

答：係。

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問：係咪？

答：冇錯。

問：你話通知黃生嗰陣時會畀埋嗰個總承建商嗰個列表畀--即係佢有嘍嘛？

答：佢有嘍。

問：佢有嘍嘛，係咪？

答：嘍，佢有嘍。

問：咁你就相信，如果你通知黃生嘅話，黃生都會將呢啲文件都會畀埋林小姐同埋莫小姐嘍，係咪？

答：係，係。

問：好嘞，咁如果有時你走去通知林小姐或者莫小姐嘅時候，你又會唔會親自畀埋嗰個列表佢睇嘅呢？會唔會畀埋佢睇呀？

答：唔會。

問：唔會呀？

答：嘍。

問：咁你又點樣去確保佢知道，「喂，總承建商批番嚟嘅，係啲咩嘢呢」咁呀？

主席：點解你話唔會嘅？頭先我今朝早問過你嗰陣時你又話會嘅，點解而家又會唔會嘅？今朝早我問，我問咗嘛，我問得好清楚嘍嘞，你相信。點解而家又話唔會呢？

答：今朝早問...

主席：係喇，我問你嘍嘛，嗰張。我仲話，啊，你公司有三位人嘍，呢張單，清單落到嚟嘅時候通知呢三位人，所以呢三個人就完全冇任何嘅懷疑，如果要去落單嘅時候係買邊一隻嘍嘛，你話畀我聽係嘍嘛，點解而家又話唔...

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答：係呀，經過黃生畀佢哋囉。

主席：唔係咁答個喎，你今朝早。

答：嘎。

主席：你而家又話佢哋兩個有機會唔知嘅？

答：有機會唔知？

主席：吓？

答：應該...

主席：咁究竟邊一個先至係事實呀？

答：應該知嘅，應該。

主席：乜嘢話？

答：應該知嘅。

主席：唔係，應該知同佢哋實際上知唔知係兩件事嚟嘅。咁...

答：嘎。

主席：唔係，因為你今朝早回答我個問題嘅時候，我得到嘅印象，就係佢哋三個係完全冇任何嘅懷疑嘅，冇 doubt，即係我哋冇疑...

許偉強先生：疑問。

主席：...--冇疑問嘅。好簡單、好直接嘅，...

答：係知嘅。

主席：...一定係知道嘅。咁而家你嘅答案就係話黃生就知，另外嗰兩個就未必知；咁究竟係邊一個先至係你嘅答案？

答：應該三個都知，三個都知。

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主席：即係今朝早你答我嗰陣時嗰個先至係正確嘅？

答：係嘞，係嘞。

主席：咁就唔係應該知個囉嗶，係實際上佢哋會知個嗶？

答：係。

問：好嘞，咁你啱啱較早前就話如果你真係通知林小姐或者莫小姐嘅時候，咁佢哋--你話「喂，我又唔會畀嗰張總承建商嗰張列表畀佢哋睇個嗶」咁，咁佢哋又憑何知道要訂啲咩嘢貨呢？

答：因為嗰個--電郵嗰度，批咗--信呢，我就會叫黃生 print 番個即係佢哋叫嘅 schedule 出嚟，邊隻批咗，邊個未批。即係有個表嘅，係打咗批咗，幾時批，幾時盛嘅。個表就會交界佢哋去...

問：交界黃生？

答：交界林小姐佢哋。黃生交田佢哋。

問：即係你係從邊個得知黃生，喂，交咗畀佢哋，咁呀？

答：我有時會問嘅。

問：問邊個？

答：問黃生。

問：問黃生？

答：係，「交咗畀佢未？」

問：咁即係話--剛才主席問你嘅問題，即係你都確定得好清楚就係「喂，佢哋三個肯定㗎嘞，肯定知㗎嘞，落邊隻料」，係咪？

答：係。

問：好，好。咁我又想你睇一睇你嘅證人口供喇，L1，119，第3段，第3段，「本人」--我哋講緊第三行--第二行最後一個字，「在預備此證供時，本人亦有查問過金日工程的採購人員，他們也不記得當時訂購焊料時，有否向雋景指明所買的焊料必須無鉛」咁。呢度第一樣，

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睇咗先。同一句說話又出現喺第 5 段，第 5 段第三行，就係--第二行先，「本人並未在意市場上焊料會否含鉛的情況出現，本人亦沒有留意所購及所用焊料是否含鉛。本人亦有詢問過金日工程的採購人員，他們已不記得當時訂購焊料時，有否向雋景指明所買的焊料必須無鉛。」兩度都係咁講嘅。我想問下你，你話做呢份供詞嗰陣時，問過採購人員咁嘛。

答：係。

問：你過係邊一位先呀？

答：問過林小姐同莫小姐。

問：林小姐同埋莫小姐？

答：係。

問：有冇問過黃生？

答：因為我做供詞嗰陣時黃生唔喺公司，因為我打電話問嘅啫。因為我已經離開咗間公司，我只能夠直接打電話去問。

問：我知道，我知道。搞清楚先。

答：係。

問：你話你問林小姐同莫小姐？

答：係。

問：打電話畀佢哋呀，定係走上去寫字樓問佢哋？

答：打電話畀佢哋。

問：打電話問佢哋嘅？

答：係。

問：係咪亦都有打電話畀黃先生？

答：隔離咗一、兩日再打畀黃先生。

問：係。即係三位都問晒嘞？

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答：係嘞。

問：係咪？點問呀？點講呀？

答：問佢哋知唔知道嗰啲焊料出現咗問題，係有冇訂錯，咁呀--因為我話「我自己都唔記得咗有冇話畀你哋聽。」因為呢個當時我係咁問佢哋嘅。

問：咪住先，一步、一步嚟。你話嗰啲焊料出咗問題？

答：係。

問：有冇訂？

答：嘅。

問：跟住話你都唔記得你有冇話過咁畀佢哋聽呀？

答：係呀。

問：吓？

答：嘅，因為我自己都有個懷疑。因為咁多個地盤，唔知係咪真係會遺漏咗，我自己都唔夠膽講。

問：喂，但係你啱啱又唔係咁講嘞。啱啱你話「喂，我好清楚佢哋知個嘞。」

答：所以我咪打電話畀佢，要問清楚呢啲。

問：好嘞，打電話畀佢。咁你打畀佢之前，你自己心中所想...

答：我覺得唔清楚囉。

問：...就係「喂，點會錯咩，你一定知㗎嘛」，係咪？

答：係呀，係，冇錯。

問：係咪咩？係咪咁呀？

答：冇錯，啱。

問：好嘞，咁你打去畀佢哋嘅時候，咁你話「喂，出咗問題，吓，咁呀會唔會有錯呀，訂錯呀」咁。有冇講話「無鉛」咁呀？有冇講「無鉛」

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呢樣嘢？

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答：冇㗎。

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問：吓？

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答：嘎，冇㗎，因為我成日自己心目中係得一隻之嘛。

F

問：「無鉛」就有提及嘅？

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答：冇提嘅。

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問：淨係話「喂，冇冇訂錯」啫？

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答：係嘞。

I

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問：係咪？

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答：嘎。

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問：咁有冇提到“FRY”呀，呢隻嘢呀？

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答：冇提嘅。

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問：冇提嘅？

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答：嘎，嘎。

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問：咁你話訂錯啲咩嘢呀？就講話...

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答：「係咪訂咗啲第二啲料？」

Q

Q

問：...「喂，冇冇訂錯焊料」？

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R

答：係呀，「冇冇訂錯第二啲焊料㗎」咁。

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問：第二啲焊料㗎咁？

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答：嘎，嘎。

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問：咁佢哋點答你？

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答：佢話佢哋都唔記得。

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問：唔記得？

答：嘅。

問：唔記得咩嘢？

答：唔記得即係自己落嗰陣時係落過乜嘢。

問：哦，唔記得落嗰陣時落過乜咁？

答：係嘞，係嘞。

問：即係佢畀你嘅印象就係佢哋都唔知佢哋訂咗啲咩嘢貨嘅？

答：係呀。

問：係咪，焊料？

答：係呀，冇錯。

問：咁你咁樣聽落，係咪好詫異呀？喂，好...

答：我係好詫異。

問：係咪好詫異呀？

答：係。

問：「直情離晒譜喇，如果係咁。」喺你嘅講法嚟講，係咪？

答：係。

問：咁你有冇質疑佢呢，「喂，冇冇搞錯呀，點會唔知㗎，嗰陣時講到清清楚楚個嗰」咁；冇冇質疑佢呢？

答：冇質疑。

問：點解唔質疑呀？

答：因為我已經唔喺間公司做嘅，我唔可以質疑佢哋講乜嘢嘢。因為我要寫番口供，點樣嘅，我要嚟保障番自己。即係我問到嘅嘢，我要知道。

問：停一停先。

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答：嘅。

問：你話唔喺間公司度做喇，但係你就覺得好有需要問番佢咁。

答：係，冇錯。

問：呢樣嘢對你嚟講都緊張㗎嘛。

答：嘅，嘅。

問：緊要㗎嘛。

答：嘅。

問：係咪？

答：係。

問：你想知道究竟發生咩嘢事㗎嘛？

答：係。

問：係咪？

答：冇錯。

問：因為呢個--問佢嘅時候，就係你作供之前做㗎嘛？

答：係。

問：係咪？

答：係。

問：你都係明白呢個委員會係調查緊呢件事喇，好嚴重㗎，係咪？

答：冇錯。

問：咁你咁嚴重嘅情況之下，你去走去問佢咁--打電話去問佢咁，每一位都問㗎。

答：係。

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問：佢哋畀你嘅答覆都係一樣嘅？

答：係。

問：係咪？

答：冇錯。

問：問番我嗰個問題嘞，點解又質疑佢呢，喂，問下，「喂，點解會咁嘍，你哋？點做嘢嘍吓？」

答：我可能自己質疑自己喇，「有冇話畀佢哋聽呢？」因為太多地盤，我未必--可能真係百分之一百話晒畀佢哋聽。即係我覺得我自己質疑咗囉。

主席：咁你做咁多個地盤都係做嗰一隻之嘛，焊料，冇第二隻咯。

答：係吖，嘎。

主席：就算你有一個地盤，唔講畀佢聽，佢哋都知道係唯一一隻嘍咋。即係許律師個問題就話「咁你做乜」--「喂，你而家唔」--「即係好嚴重個喎，個後果，咁你做乜唔質疑佢哋呀？」即係許...

答：因為做嗰陣時我自己都好亂。

主席：做嗰陣時？你...

答：有壓--係呀，即係搞呢份嘢嗰陣時我自己都好亂，因為突發性就寫呢份嘢。

主席：唔係，唔係。而家講緊你打電話去--因為你而家打電話去搵呢三位你嘅舊同事，你係要尋根究底嘛，係咪？如果唔係，做乜嘢打電話啫？

答：嘎。

主席：咁你尋根究竟底，即係佢而家--許律師嘅意思，你尋根究竟底，就尋根咗一半，跟住就唔尋根埋落去。點解問一半，就唔問一半？佢嘅意思就係咁。

答：嘎。呢個我自己都好難答，因為當時嘅心情就。

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問：答唔到？

答：係呀，答唔到。

問：但係你話，你啱啱講就話「欸，我當--我嗰一刻都有懷疑係咪自己漏咗話畀佢哋聽嘅。」

答：係呀。

問：係咪？

答：嘅。即係一個--突然間諗起，「會唔會我漏咗呢？」即係自己有自己一個質疑囉。

問：你當時就有咁嘅質疑話自己有冇話畀佢哋聽？

答：係呀。

問：但係今日你就講得好清楚，就話「喂，佢哋唔會有誤解㗎嘞，一定知道嘅。」邊個版本啱呀，如果我而家問你？

答：質疑嗰個係我打電話嗰陣時。但係之後，我寫完之後，我覺得佢哋應該會知嘅。即係我自己覺得佢哋係應該知道，唔會錯。

問：好。

答：所以我寫番供詞都係咁寫番。

問：好。

主席：即係你嘅意思就即係金日你一定知道佢哋係知嘅，係咪咁呀？

答：係嘞。

主席：嗰陣時就唔知佢哋知唔知？

答：係嘞，因為打電話未必咁嘛。

主席：咁有啲咩嘢嘢令到你有咁嘅轉變呢，金日佢哋一定知呢？

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答：因為我覺得佢哋——嗰啲辦佢哋跟開嘅，應該好清楚。因為入開我都係永遠都係入一隻嘅，唔會入多嘅。

主席：得。咁即係冇轉變嘅？

答：係呀。

主席：唔係，我嘅意思即係嗰個情況就有轉變，只不過你嘅信念係轉變咗啫？

答：係。

問：好。另外我想問一問你，就係送貨嚟嘅時候，即係嚟到現場，即係嗰個地盤現場嘅時候，...

答：係。

問：...有冇試過即係你自己親身在場，即係送焊料嚟時候？

答：冇試過。

問：冇試過嘅。咁嗰啲焊料送完嚟之後，咁一般嚟講雋景都會即係送番啲單據畀番你公司嘅？

答：係。

問：呢個你知㗎嘛？

答：知道。

問：送番嚟嘅單據，你會唔會過目㗎？

答：唔會。

問：從來都唔睇嘅？

答：唔睇嘅。

問：係。所以你就即係並唔知道上面單據入面寫嘅係何事嘞咁樣，即係...

答：係呀，冇睇嘅，完全冇睇。

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問：係咪？從來都唔睇嘅？

答：嘅。

問：就直至到即係最近，即係你睇番，係咪？

答：係嘞，冇錯，冇錯。

問：好嘞，我想問一問你，就住你嗰個補充書面嗰個...

主席：我想問一問--對唔住，...

許偉強先生：係。

主席：...阻一阻住你。

你唔睇喇。咁你嗰啲會計部嗰啲小姐就會睇，林小姐？

答：係。

主席：咁如果佢哋一睇，就睇到，咦，原來唔係“FRY”無鉛錫線個囉啲？

答：我從來唔會過問公司採購部嘅。

主席：唔係，唔係。即係佢哋一定睇到㗎喇？

答：係嘞，應該佢哋睇到。

主席：咁佢哋睇到，佢哋又從來都有同你講過，「咦，...」

答：冇，冇，冇。

主席：「...我哋公司阿李」--對唔住，翁先生，佢有冇話「阿翁先生，
嗱，咁多條邨落嚟嗰啲清單，全部都係用“FRY”無鉛錫線，而家走咗
個50力出嚟啲」？冇，冇講過？

答：冇，冇講過。

主席：從來都有講過？

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答：從來冇講過。

主席：咁多年都有講過？

答：係呀，冇講過。

主席：紅磡邨，有冇試過同你講過？

答：冇。

主席：冇呀？

答：嘅。

主席：因為我哋睇番紅磡邨都得意嘅，紅磡邨。紅磡邨就係 S1 喇，你。

許偉強先生：S1。

主席：紅磡邨，S1，78 頁，總結，嗰個 summary 嗰度，紅磡邨，喺個螢光幕嗰度睇到嘞。睇唔睇到？

答：睇到。

主席：2009 年 3 月、6 月，頭嗰兩次訂貨就係訂無鉛錫線。2011 年 3 月、2011 年 4 月，最尾嗰兩次又係無鉛錫線。跟住中間嗰啲全部唔係。

答：呢個我睇到，有...

主席：係咪？

答：係。

主席：係囉。即係從來冇人質疑過？

答：冇人同我講過。

主席：冇人同你講過？佢哋亦都...

答：嘅。

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主席：...冇--根據你講，佢哋全部知㗎嘛？

答：係。

主席：唔，得。

許偉強先生：唔該。

問：首先我想你就睇一睇林小姐，林麗瓊嘅口供，L1，149。呢個係林麗瓊女士，都係就住呢一次嗰個委員會個調查作嘅證供㗎嘅。我想問下你就係--你要睇一睇佢第4段先。佢就...

主席：啊，對唔住。對唔住，對唔住。返番去頭先嗰個78。

許偉強先生：係。

主席：我想問多一條問題。點解你哋地盤咁樣樣用呢啲錫線嘅？開工嗰陣時候用無鉛，收工嗰陣時又用無鉛，中間全部用呢個有鉛嘅呢？

答：因為我唔清楚，所以我都唔會估。

主席：你唔清楚？

答：嘎，嘎。

主席：咁你兩個管工，你又諗唔諗到有啲咩嘢原因佢哋要咁樣樣做呢？

答：我都有諗到佢哋點解會咁做。

主席：唔係，佢哋好清楚知道係應該全部用無鉛㗎喇，係咪？

答：嘎。

主席：佢哋係咪好清楚㗎？

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答：應該清楚嘅。

主席：應該。佢哋應該同寫字樓嗰三位人士一樣，佢哋應該更加清楚添，因為係咗地盤用嘅料嚟嘅。

答：係呀，佢哋直接溝通嘅。

主席：更加清楚嘅，啱唔啱先？佢哋唔應該會有任何嘅懷疑，有任何嘅疑問，啱唔啱？

答：呢個我都唔知佢哋係--應該就會清楚嘅，佢哋。

主席：好嘞，咁你另外嗰兩位同事，喺你哋金日做咗幾耐呀，請問？

答：邊兩位？係地盤嗰個...

主席：地盤嗰兩位。

答：地盤嗰兩位，都有十幾年嘅。

主席：十幾年喇，都係做水喉，...

答：係嘞，係嘞。

主席：...好熟悉水喉嘅規矩㗎喇，係咪？

答：係，冇錯。

主席：唔會錯？

答：呢個唔敢肯定佢哋會唔會錯。

主席：吓？

答：我唔敢肯定佢哋會唔會錯。

主席：你做咗咁多年，交嚟交去交一隻之嘛。

答：我係囉。

主席：佢哋如果跟你，喺地盤做，上嚟上去都係上一隻辦嘅啫，如果十幾年都？

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答：係。

主席：唔會有錯㗎嘛，一定有錯㗎嘛？

答：係。

主席：啱唔啱？

答：啱。

主席：所以如果你見到呢啲咁樣嘅情況，即係買呢啲焊料，其實係非常之唔合理嘅，啱唔啱？

答：我會問。

主席：唔係，而...

答：如果我見到咁樣，我真係會問。

主席：你覺唔覺得非常之唔合理？

答：嘅。

主席：啱，得，繼續。

問：好。補充一樣，就係你剛才就話即係你金日嚟講，你就好清楚就話林小姐、莫小姐同埋黃生都好清楚應該係即係落啲咩嘢焊料嘅。

答：係。

問：我想問下你，就住剛才我哋講話嗰個地盤管工，咁佢哋又係點樣得知道用邊一隻焊料嘅呢？

答：其實--即係我唔想即係估佢哋點樣喇。即係我自己嘅意思覺得佢係會唔會係打番去同佢哋溝通，即係打電話返去嘅，通常都係，溝通到會唔會係落錯料，呢啲真係--因為我完全唔明白呢啲嘢。

問：唔好講落錯料先吓。即係話工程進行期間...

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主席：唔係，我唔係好明呀，落錯料，咪一路都落錯料囉。

答：嘎，因為我有去好細心睇啲材料單咁嘛，從來都有睇啲嘛，我就。

主席：唔係，落錯料唔會去到一頭一尾用啱料，中間落錯料啲嘛。

答：所以我話我唔想估佢咩嘢囉。

主席：得，好，唔。

答：嘎，我真係唔知。

問：工程進行期間，你就話你都有同黃生、莫小姐、林小姐都會傾話，喂，
啲啲料批咗嘞，係邊啲咁，咁包括焊料喇咁。

答：係。

問：咁至於地盤嘅管工，你會即係點樣去同佢哋去溝通，等佢哋知道，喂，
邊啲料係批咗呀？

答：我就應該冇同地盤管工溝通過嘅，因為應該佢哋打番去係同採購部落
嘅嘢，就落番佢自己本身--因為我如果噏咗好多嘢，我都--因為我太多
複雜嘅料，我未必記得咁清楚個牌子。咁佢哋會打番去，有個清單，
嘅，佢哋問番佢哋個清單落邊啲。

問：你唔覺得有需要話畀地盤嘅管工聽，喂，邊啲料落咗？因為佢哋喺地
盤現場，現場喺度睇緊個地盤工程進行個啲。

答：冇，自己冇考慮同佢講。可能真係唔記得喇，或者行過都唔記得同佢
哋講呢啲嘢。

問：明白。所以就你嚟講，地盤管工可能只能夠透過--如果佢哋有同採購
部同事傾嘅，...

答：係。

問：...就先至會得知啲嘞？

答：係，冇錯。

問：我想你睇一睇林麗瓊個個書面證供，L1，149，第4段，睇到嘛？

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答：係，睇到。

問：呢度林女士咁講嘅，「本人於今次事件發生前不知道用於接駁食水喉管的焊料需為無鉛。」佢係咁講嘅。

答：唔。

問：咁你有咩回應呀，聽到佢咁講？

答：佢唔知用無鉛唔出奇吖，最緊要知道個牌子之嘛。

問：哦，即係話佢就知道個牌子，不過佢就唔知嗰啲係咩嘢嘍？

答：係嘞。

問：係咪？

答：嘅。

問：睇下另外一度，佢就咁講嘅...

主席：佢唔知就唔出奇呀？佢應該知啲，因為嗰啲會--佢會計部嚟個啲，唔單只係咩嘢。

答：因為我有考究過佢呢啲嘢。

主席：佢應該知啲嘛，係咪？如果--因為佢唔係淨係落貨吖嘛，找數都係佢有份個啲。

答：呢個我識答。

主席：Invoice 嗰啲都睇啲嘛。

答：嘅，我唔識答，因為佢主內，我主外，所以我唔清楚佢嘅運作。

主席：我明呀。即係如果你貴公司今日一張單都有英國“FRY”無鉛錫線，咁可以講得通，但係你有啲有個啲。你明我講咩嘢吖嘛？

答：我明。

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問：佢跟住後面有一句，我想請你睇埋嘅。跟住嗰頁，第 5 段，最後三行，
「本人亦都不知道所採購的焊料必須為無鉛。根據本人的記憶，許先
同埋鄒先生打電話給本人落柯打時就沒有提及所採購的焊料必須跟
房署所批的焊料相同及並須為無鉛。」

首先，呢度林小姐就話，喂，咁呀--佢直情就話冇提及過係必須要
同房署所批嘅焊料相同呢樣嘢，咁你又接唔接受呢？

答：呢個我唔可以代佢答，因為我--即係冇話接唔接受，因為佢寫呢段嘢
出嚟嘅，我都係琴日先至睇到嘅啫。

問：好嘞，你啱啱就喺度講就話，喂，咁佢可能係知道用邊隻，不過係唔
知無鉛啫咁，係咪？

答：冇錯。

問：咁以你嚟講，佢肯定清楚用呢隻㗎喇？

答：係。

問：係咪？

答：我肯定清楚。

問：係咪？

答：我肯定清楚。

問：咁呢隻都用咗咁耐喇。

答：係。

問：係咪？咁照計你公司啲人嚟講，我而家問你，就係應該大部分都知道
呢隻係一個無鉛嘅錫線嚟嘅？

答：大部分都知道。

問：大部分公司啲人都知㗎嘛？

答：嘅。

問：係咪？

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答：係。

問：包括林小姐、...

答：係。

問：...莫小姐都會知嚟喇？

答：嘎，嘎。

問：係咪？咁所以如果佢講話「喂，第一，我又唔知道係咪需要同房屋署所批准嘅焊料相同」，又話唔知道要用無鉛，咁你係咪都覺得佢講得唔係好啱呀？你覺得佢係咪唔啱呀？

答：應該佢會知道房屋署批准嘅料，但係知唔知無鉛呢，呢個我就唔知佢知唔知嘞。

問：但係你啱啱咁講咩嘛，...

答：應該佢哋知道係無鉛。

問：...你話佢知道要用呢隻，...

答：係。

問：...公司大部分人都知道呢隻係無鉛咩嘛。

答：係，冇錯。

問：係咪？

答：嘎。用呢隻，冇話冇冇鉛，就係知道用呢隻

問：係。你剛才嘅答案話知道用呢隻，...

答：係。

問：...而公司大部分人，包括林小姐、莫小姐，都知道呢隻無鉛呀。

答：係。

問：都知咩嘛？

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答：係。

問：咁佢而家話佢唔知道，喂，要用嘅焊料係需要無線呢樣嘢，...

答：係。

問：...我問你呀，你覺唔覺得係唔係好啱呀呢個講法？

答：係。

問：係呀。

答：嘅。

問：問一問你，就係嗰個補充書面證詞嗰度，即係講番呢幾個月發生嘅事喇。我想你睇一睇先，跟住我有啲問題想問你嘅。

答：好。

問：144 頁，第 3 段。你有冇嗰個證詞喺度？144 頁。

答：有。

問：睇到嘛？

答：係。

問：搵到，好。第 3 段就係講關於 7 月發生嘅事嘅。呢度你就咁樣敘述嘅，「自己從鉛水事件在 2015 年 7 月發生後，金日工程要應付很多查詢，大約 2015 年 7 月 16 日，保華建築梁偉強打電話給我，要求公司搵代表立刻去到保華辦公室開會，討論有關榮昌邨個鉛水事件」咁樣。首先呢度我想問下你先，你話「應付很多查詢」，呢個講緊 7 月發生之後，很多查詢，...

答：係。

問：...咁就其中包括當然係總承建商嘅查詢？

答：係，係。

問：仲有邊啲人向你查詢呀？

答：新昌。

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問：係。

答：興盛。

問：係。

答：中國建築。

問：都係承建商喇？

答：係。

問：係咪？

答：嘎。

問：即係你有參與過嘅--今日有參與過嘅項目？

答：係，冇錯。

問：呢度你咁講喇，即係7月開始有好多查詢，咁另外保華直情要你立即去到佢個辦公室開會。

答：係。

問：咁即係當時都有啲緊張喇，係咪？

答：係。

問：係咪？

答：唔，嘎。

問：咁亦都係即係都--都幾急添呀？

答：係。

問：即係要--問得你好急下嘅，...

答：嘎。

問：...保華。你當時都會擔心嘛？都擔心公司可能涉及咗喺呢個鉛水事件度咁？會唔會擔心呀？

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答：冇擔心，當時。

問：完全唔擔心嘅？

答：係，完全唔擔心。

問：知道自己係清白㗎嘞？

答：係。

問：唔會有事嘅？

答：係。

問：係咪？你當時係咪覺得有需要即刻聯絡張生，要傾一傾呀？

答：係，一定去聯絡張生，呢啲嘢。

問：係一定要聯絡張生，係咪？

答：因為係正常係佢開，唔係我開。

問：因為佢係老闆㗎嘛，...

答：係嘞，冇錯。

問：...一定要同佢傾㗎喇，呢件事。

答：係。

問：係咪？即係雖然你覺得公司冇事啫，你都要話畀佢知，喂，究竟發生緊咩嘢事㗎嘛。

答：冇錯。

問：嗰陣時就搵唔到佢。

答：搵唔到。

問：係咪？搵咗佢好多次？

答：係呀，電話打唔通。

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問：即係你都緊張，想搵佢嘅？

答：嘅。

問：係咪？

答：一定要畀佢知。

問：好。咁係要請示佢喇，一定？

答：係。

問：係咪？好嘞，第4段，「大約2015年7月16日下午，我應梁偉強先生的要求立刻去到保華度開會」咁樣，...

答：係。

問：...跟住你就攤咗個行事曆出嚟喇，咁樣，等等。

答：係。

問：就講咗你同邊幾位人士開會咁樣。扞三嗰度--扞三嗰行，「保華建築提及他們須於限期前回應房署的查詢，向我查詢金日工程的各項用料是否含鉛，我回應沒有」，「我回應沒有」，因為我當時相信公司的用料都不含鉛」咁樣。

答：係。

問：即係你當時喺個會度直情係好清楚咁話畀嗰幾位保華嘅代表聽，就話...

答：係。

問：...「喂，唔會㗎，我哋唔會用含鉛啲物料㗎。」

答：係，冇錯。

問：係咪？因為你話你當時好相信公司係唔會用呢啲含鉛嘅物料嘅咁。

答：冇錯。

問：點解咁肯定呀？即係你直情返去查都唔使查下㗎嘞，直情喺開會嗰陣時「話實畀你哋聽㗎嘞，唔會有事嘅，我哋係用無鉛嘅。」點解咁清

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楚呢，當時？

答：因為我自己入嘅辦，我覺得係全部冇問題嘅。

問：所以當時就好開宗明義話咗畀佢哋聽先？

答：係嘞，冇錯。

問：係咪？

答：係。

問：但係當時佢哋就話要你要擺啲文件嚟睇喇。

答：係。

問：係咪？係咪有個死線㗎？即係話，喂，要幾時、幾時要交出啲文件呀？

答：係呀。

問：當時，係咪？

答：係。

問：畀你幾多時間呀，保華？

答：第二日要畀佢。

問：第二日就要畀佢㗎嘞？

答：係嘞。

問：係咪？唔。問你擺啲咩嘢文件呢？即係...

答：係所有同有--銅喉、掣同埋啲焊料。

問：銅喉、掣、焊料都要擺晒？

答：係嘞。

問：係咪？總之係食水喉有關嘅。

答：係嘞，冇錯。

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問：係咪？

答：嘅。

問：咁攞晒啲啲文件，例如佢有冇提及提貨單？

答：提貨單嚟喇，全部都係...

問：全部都係提貨單？

答：...--係送貨單嚟嘅。

問：咁有冇講過話發票？

答：冇講發票。

問：冇。就係講提貨單嘅啫？

答：係嘞。

問：係咪？唔。好嘞，咁你跟住就應承佢哋去搵喇。

答：嘅。

問：係咪？即係你當時個心中都係想話「喂，搵番嚟啲啲文件都應該係冇事嘅。」

答：我第一句答佢就係未必搵得到。

問：未必搵到？

答：係嘞。

問：啊，點解你當時第一句話畀佢聽未必搵得到呢？

答：因為我知道公司嘅運作係啲啲小五金嘅嘢通常都會用--即係個地盤起咗貨之後一年就會有咗喇嘞。

問：你點知呀？你話唔係--你話冇留意啲啲單據，咁你點知道喺一年...

答：因為逢係過年前都係要我車晒入倉嘅，啲嘢；咁我會問邊啲係邊啲嚟嘅。我只會問一句咁樣，「邊啲入倉？邊啲係唔要？」

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問：話保留文件一年？

答：係。

問：一年就唔係攞咗佢嘅，入倉嘅啫？

答：小五金嗰啲會攞咗佢，因為小五金唔係--係所有啲大材料嗰啲就會留
喺倉。

問：哦。

答：嘎。

問：即係以你嘅認知--首先，幾時訂呢一個咁嘅制度呀？一年之後小五金
嗰啲文件攞咗佢；一年之後，唔係小五金，大型嗰啲，就去倉嗰度，...

答：係嘞。

問：...幾時訂呢個咁嘅制度呀？

答：其實冇定嘅，係因為起貨之後，公司容納唔到咁多文件嘞，就每年喺
過年前就會清入去嘅。

問：就所以係一個咁嘅做法，...

答：係嘞，係嘞，一年...

問：...就慣性呢個做法嘅。

答：慣性嘅做法嚟嘅。

問：幾時開始咁做呀？

答：應該六、七年前已經咁做。

問：六、七年前開始咁做？

答：係嘞。

問：係咪？好。咁所以你當時，即係就住保華嗰個查詢，你同佢講，「喂，
未必搵到個嗶。」

答：係嘞。

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問：係咪？

答：係。

問：好。咁你跟住就立即同林小姐傾一傾呢件事，...

答：係。

問：...就喺你第 5 段嗰度講，「我會後立刻致電林小姐，我就唔記得我當時具體同佢說些甚麼嘞，但我必定有告知她保華建築呢個緊急嘅要求，指示她立即要將有關嘅文件搵出嚟」咁。

答：係。

問：我想停一停先。喺當時你就話喺保華嗰陣時你都咁話「喂，未必搵到個嗰」，未必搵到...

答：但係我畀保華逼緊我吖嘛。

問：未必搵--係吖，逼緊你吖。

答：係，佢一共五個人逼住我，一定要我聽日畀佢。

問：一定要你聽日畀佢喇。

答：嘎。

問：但係搵--但係如果真係攞咗，冇辦法㗎？

答：嘎。

問：你都變唔到出嚟㗎喇？

答：係，冇錯。

問：係咪？

答：嘎。

問：好嘞，咁如果你當時喺保華面前，你就話「喂，未必搵到個嗰。」

答：係，講咗呢個。

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問：係咪？你有同佢咁講㗎嘛？

答：有。

問：係咪？

答：有。

問：好嘞，同林小姐一開始講嗰陣時候，你第一樣嘢同佢講嘅係咩嘢？

答：係，我都唔記得有冇講乜嘢嘢。

主席：點解你同保華講未必搵到？

答：因為啲單--即係我自己覺得係當時可能已經係--因為嗰啲係小五金嘢
咁嘛，分分鐘會--已經攞咗㗎嘞。

主席：唔係分分鐘喇，直情攞咗添喇。

答：係喇，嘎。

主席：因為你 2011，可能 12、13 年已然落成㗎喇嘛，嗰啲屋邨。

答：所以我咪好肯定話畀佢聽未必搵到囉。

主席：唔係，唔係未必搵到。

答：嘎。

主席：你應該--係咪應該嗰陣時同保華講，「我哋攞晒個囉嗚」？

答：係，呢句，我自己都唔記得我講乜嘢，但係...

主席：吓？

答：...係咁上下嘅意思嘅。

主席：唔係，你自己講㗎嘛，呢度；呢度你自己個 witness statement，
你個供詞，你自己講話你當時咁樣樣咁嘛。即係我個問題就係話，
喂，其實唔使--冇得同保華講話未必搵到，你應該直情同保華講，「冇
嗚，我哋公司嘅 practice，呢啲小五金，我哋一年就攞咗㗎，何況

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而家已經過咗幾年嘞。」

答：呢個係嗰陣時同佢保華講嘅口吻。

主席：Okay。

答：嘅。

問：好嘞，咁你同保華咁樣講咗喇，跟住你嘅心中其實都知道，「喂，死喇，實搵唔到喇」，係咪咁呀？

答：係，應該係搵唔到嘅。

問：你係咁嘅，係咪？

答：嘅，嘅。咁係--我都係所以答佢，我盡力之嘛。

問：盡力喇，嘅。

答：嘅。

問：咁到你同林小姐傾嗰陣時，即係你當時心中都係諗住，「喂，搵唔到㗎喇。喂，林小姐都變唔到出嚟，你又變唔到出嚟㗎喇。變啲咩嘢出嚟呀」，係咪？

答：我都有諗到呢樣嘢。因為我就趕住跟住去房署開會，保華又去。

問：慢慢一步、一步嚟先。同林小姐傾嗰陣時，你同佢傾嗰陣時，就期望佢會搵到嘅？

答：冇諗過呢樣嘢。

問：咁你叫佢搵呀嘛？

答：嘅。

問：係咪？

答：嘅。

問：你話「喂，唔該幫我搵啲文件出嚟呀，保華急住問我要呀」咁。

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答：係。

問：係咪？

答：嘎。

問：咁你就諗住「喂，有個嗶。」即係你當時，問佢嗰陣時係諗住。同保華講嗰陣時你話「喂，冇嚟喇。」問林小姐嗰陣時就話「喂，搵出嚟喇。」你諗住有嘅，係咪？

答：盡能力囉，咪盡能加囉，睇下有冇囉。

問：盡力？

答：嘎，盡力，睇下有冇囉。

問：盡力睇下有冇喇？

答：嘎。

問：有冇同佢講話搵啲咩嘢文件？

答：關於我入咗辦嗰啲錫線嘅文件，送去地盤嗰啲文件。

問：咁錫線嘅文件都可以有好多，即係例如你係交去呢個--即係呈交樣辦，咁又有文件嚟，...

答：嘎，嘎。

問：...送貨又有文件嚟，係咪呀？有冇特別指明話係送貨單咁呀？

答：有。

問：講到明「送貨單」呢三個字嘅？

答：咁我唔記得咗有冇講過呢樣，送貨單呢樣。

問：咁有冇講話係雋景，即係供應商雋景嗰啲文件咁呀，你有冇提呀？

答：會--應該提。

問：係。

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答：因為我係知道呢隻嘢咁嘛。

問：跟住你就話，你就話呢，咁樣嘅，第三句，「指示她立即把有關文件找出來，她會將找到的文件放在我寫字樓的檯面，我會將文件送到保華」咁。

答：係。

問：咁你哋傾個陣時，同林小姐有冇傾過話「喂，應該攞咗個囉嗰，冇個囉嗰」，有冇傾過呢樣嘢？

答：冇傾過

問：點解冇傾呢？你都...

答：咁佢冇...

問：...同保華都講到明話「喂，應該冇啱喇。」

答：係呀，我都係喺保華面前打電話畀佢之嘛。

問：咁點解同林小姐又有講過話，喂，講話「冇嗰，點算呀」咁？

答：因為當時係同保華一齊趕住去房署開會，就噏咗呢樣嘢。

問：好。

答：即係冇去考慮話乜乜物物。只係喺保華面前講呢句說話，話喺公司問啫。

問：「指示她立即把有關文件找出來」，咁喺你嘅心中，喂，如果攞晒嘅，咁冇計啱喇。

答：係呀。

問：係咪？

答：係呀。

問：咁畀佢幾多時間去搵呀，林小姐？「喂，唔該你幾時、幾時話畀我知搵唔搵到咁。」

答：冇講呢樣嘢。

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問：冇講。喂，好急個啲，你第二日就要畀人個囉啲。

答：係好急嘅。我就係話好急，話第二日畀人嚟喇，咁樣。

問：但係又有話特別即係話，喂--因為你同佢講，話叫佢「把有關文件找出來」嘅時候，你同佢大家都唔知找唔找得出來㗎嘛。

答：係喇，冇錯，大家都唔知。

問：係咪？好喇，咁你有冇同佢講過話「喂，話聲畀我聽，快啲，即係今晚或者點，講畀我聽搵唔搵到先」咁，冇有一個咁...

答：冇講過呢句嘢。

問：冇嘅？

答：冇講過呢啲嘢嘅。

問：淨係同佢講話搵到就擺喺我寫字樓檯面。

答：係。

問：係咪？

答：係。

問：跟住你就諗住自己送去保華嘅？

答：係。

問：係咪？好。跟住睇下，咁跟住--好喇，你同佢傾完呢個電話之後，你冇問佢，話「喂，叫你幾時、幾時」答你喇。咁佢跟住冇冇回覆番你，話「喂，阿翁生，搵到喇」，冇冇打畀你呀？

答：呢個直情--因為事隔太耐，我真係完全都唔記得有件咁嘅事添。

主席：你頭先話你哋貴公司有個倉嘅；喺邊度呀，個倉？

答：喺洪水橋。

主席：吓？

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答：洪水橋。

主席：嗰啲新界農地嗰啲呀？

答：係呀，係呀。

主席：咁咪即係好大，有幾個貨櫃箱嗰啲咁樣樣？

答：一個貨櫃箱之嘛。

主席：一個貨櫃箱。

答：淨係愛嚟擺文件啫。

問：淨係愛嚟擺文件？

答：嘎。

主席：Okay。但係小五金嗰啲文件就攞咗？

答：嘎。

問：我哋睇下第 6 段。第 6 段就係咁講嘅，2015 年 7 月 17 日，你就喺--話
喺新昌嗰度做緊其他啲查詢，...

答：係。

問：...咁就唔喺寫字樓。咁但係就金日就收到一個電郵咁，咁嗰個係即
係保華有個 John Ma 嘅電郵嚟嘅咁。咁當時你就唔喺寫字樓，咁黃
生就睇到個電郵，咁就打電話畀你嘞咁。係咪？

答：係。

問：即係你記得黃生有打電話畀你，話收到 John Ma 嘅電郵，係咪？

答：係嘞。我唔記得佢打畀我，定係我打畀佢。

問：定係你打畀佢？唔緊要。

答：嘎，係是但一樣嘅。

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問：呢個電話之前，我想問下你，呢一個電話之前，林小姐有冇再回覆番你話搵到未咁呀？

答：電話之前...

問：黃生話畀你聽 John Ma 有呢個電郵，...

答：應該...

問：...你哋傾呢樣嘢嘅電話之前，林小姐就有冇回覆番你話「喂，阿翁生，搵到喇」咁？

答：冇，冇覆過電話。

問：冇嘅？

答：冇嘅。

問：冇再同林小姐傾過嘞？

答：係呀，...

問：係咪？

答：...因為我開緊會，係嗰陣時都係唔講得電話嘅。

問：得。跟住你就話應該係黃生就睇到個電郵，然後打電話畀你，咁就問你要文件喇，咁樣，就問你就--黃生就問你，「是否應將我辦公檯上的文件發給 John Ma」咁樣。即係你當時應該--就係你嘅意思就係話雖然你嘅人就唔喺現場，不過呢你就知道你個辦公室檯面有啲文件嘅。

答：係。

問：係咪？點知㗎？

答：因為我查番出嚟，係我睇到個 WhatsApp，佢係喺個 WhatsApp 已經話咗畀我聽。

問：就係靠呢一個 WhatsApp，你就知道...

答：係。

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問：...準備好嘞？

答：因為當時我係唔記得咗。我係今朝先至記--即係喺度睇睇個 WhatsApp，即係，咦，就吵番呢啲嘢，睇下有冇紀錄嘅，就今朝先至發覺嘅。

問：係，我知道。

答：嘎。

問：咁但係當時，當時，黃生問你嗰陣時，你知唔知道有你件係從林小姐嗰度已經準備好咗，就擺咗喺你檯面呀？

答：如果佢問我嗰陣時，如果我咁樣話畀佢聽，即係我已經知道咗嘞。

問：即係你應該係知㗎嘞，嗰陣時，係咪？

答：係嘞，係嘞。

問：好嘞，第7段，「林女士」--咁跟住第6段最後你就話你「指示黃錦文把那些文件發給保華」喇，係咪？

答：嘎。

問：咁你指示佢發之前，都有睇過嗰啲文件㗎嘛？

答：冇睇過。

問：係咪？

答：嘎。

問：跟住第7嘞，「林女士將她準備好給保華的文件放了在一個公文袋內。我親身將這個公文袋送了到保華建築的辦公室，具體日期不記得。」即係話首先就黃生就透過電郵畀咗啲文件畀保華先嘅？

答：係。

問：然後你就再送多一次畀保華？

答：係。

問：係咪？

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答：係。

問：應該中間都係隔咗唔會超過一日時間，係咪？

答：係，應該係。

問：係咪？

答：嘎。

問：我想問下你，就係你--首先黃生將呢個文件從電郵傳遞到去保華之前，你唔知嗰啲係咩嘢嚟㗎？

答：唔知。

問：你直情唔知有咩嘢添喇，係？

答：我淨係知道係有啲單啫，啲送貨單啫。

問：你知道係送貨單？

答：嘎。

問：就憑你--因為你當時同林小姐...？

答：係嘞。

問：...嗰個咁樣嘅即係要求，係咪？呢個電郵，林小姐畀你...

石先生：WhatsApp 嚟嘅。

問：係，唔好意思，WhatsApp，就係講話「已準備好」咁，淨係得，「你返來取？」咁樣，八個字嘅啫。

答：係呀，係嘞。

問：就有講係啲咩嘢文件嚟嘅。

答：冇講，冇講。

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問：但係你心中就認為，假設，係送貨單嚟嘅。

答：係嘞。

問：但係就黃生擺去之前，其實你就完全唔知係咩嘢嚟㗎嘛，...

答：係。

問：...實際上。

答：嘎。

問：係咪？好嘞，到你話跟住擺喺個公文袋度，你就跟住好快咁就親自擺去畀保華，擺個公文袋。咁你有冇打開公文袋睇下，喂，睇下啱唔啱先喇？

答：冇打開。

問：你完全唔認為需要望一望嗰啲文件係乜嘢呀？

答：冇--完全都有睇過。因為好急咁拎咗過去畀佢。

問：唔係好合情理㗎？保華急住問你，話「喂，要呢啲嘢呀，我要做查詢呀，鉛水事件呀，好大鑊㗎，而家。」

答：係喇，係喇。

問：你係唯一一個同佢傾嘅人。

答：嘎。

問：係你先至知道佢哋需要啲乜嘢嘢嘅？

答：係吖。

問：你擺去之前，睇都唔睇使嘅，就咁擺去？打開個公文袋都唔使打開嘅？

答：又真係冇睇過。

問：完全唔關心呢樣嘢？完全唔關心入面係咩嘢嚟嘅？

答：唔係呀，因為我要去趕住第二度，又要做第二啲嘢，唔係話淨係搞啲啲嘢。

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問：好。

主席：即係換句話嚟講，黃錦文送去，將個...

答：唔係佢送...

主席：...--對唔住，將啲 e-mail 送去畀 John Ma，你又冇睇過，因為你不在現場，係咪？

答：係嘞，係。

主席：Send 咗啲咩嘢去畀保華，by e-mail，你唔知？

答：係。

主席：第二日，擺咩嘢文件去，你又唔知？

答：嘎。

問：你當時有冇你自己或者透過其他同事 keep 番個 copy 呀，個公文袋入面啲嘢？

答：冇。

問：擺咗去就個囉嘢？可能...

答：冇，冇問到，因為我係好早返去擺咗嘅。

問：好早咩嘢話？

答：我係返工最早嗰個嚟嘅。

問：我知。同早、遲冇關係。我而家問緊你有冇 keep 番個 copy，知道起碼擺咗畀人啲乜嘢嚟㗎？

答：冇問過。

問：吓？

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答：冇問過。

問：入面可能係份報紙嚟㗎嘛，擺咗畀人咁，乜都有㗎。

答：嘅，完全冇問。

問：冇問，好。我想問下你，咁呢個林小姐話「已準備好，你返來取」，我講緊 7 月 17 號呢樣嘢，...

答：係。

問：...即係呢件事。你有冇覆過林小姐㗎？

答：我因為--應該係當時開緊會嘅。

問：冇覆到林小姐呀？

答：呢個真係唔記得嘞，冇覆林小姐。

問：我想問下...

答：因為開完會，我都唔記得開到幾多點。

問：我想問下你，你呢個咁嘅 WhatsApp 個紀錄，你今日就擺咗嚟即係呢個調查委員會喇，呢度有 7 月 17 日，即係你同林小姐嗰個即係會談，喺個 WhatsApp 嗰度；咁就下一個係 7 月 12 號喇咁。就住...

主席：7 月 22 號。

問：...你同林小姐啲交談，你擺呢個 WhatsApp 上嚟之前，冇冇曾經刪除過任何你哋交談嘅紀錄？

答：冇。

問：肯定一個都有？

答：因為我從來唔會刪除所有紀錄嘅，我自己。

問：冇冇刪除過任何紀錄？

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答：冇。

問：好嘞，咁後面，如果你睇番你嘅證人口供，第8段，「因為我已交帶林女士按保華要求找出相關文件，她找到後我不會再去核對，所以就以電話指示黃錦文發送電郵同埋把公文袋送給保華時，並沒有先檢查附件和文件」咁樣。咁你亦都剛才解釋，當時你都好多嘢做，咁就亦都--即係攞去保華之前亦都唔會再睇下嘞咁。

答：係嘞。

問：好嘞，攞完返嚟嘞，我又想問下你，咁你有冇問番林小姐，「喂，搵到啲咩嘢呀」？

答：因為我成個禮拜都有返過去。

問：成個禮拜咩嘢話？

答：都有返過公司。

問：冇返過公司？

答：嘍。

問：之後有冇問林小姐...

答：都已經唔記得。

問：吓？

答：已經冇問呢件事嘞。已經遺忘咗呢件事嘞。

問：完全唔記得？

答：係嘞。

問：咁呢件事呀，即係話你攞咗文件去保華呢件事，有冇同張生交代下？

答：都有交代，因為佢唔喺香港嗰陣時，我攞咗去，我都完全將呢件事遺忘咗，已經。

問：成件事就當冇發生過？

答：係呀。

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問：係咪？

答：嘅。

主席：咁即係你公司高層，張達欽先生同你，最高層呢兩位，如果我有講錯嘅話，完全唔知交咗啲乜嘢嘢上去畀保華嗎？

答：我可以解釋嘅，因為張生當時唔喺香港。

主席：係呀。

答：我自己，因為我係顧--林小姐係顧公司裏面嘅嘢。

主席：係吖。

答：我係顧公司以外嘅嘢嘅。

主席：我知呀。

答：所以好多嘢我哋大家係互相信任，點去做嘅。

主席：即係完全唔知嗎？

答：係呀，完全唔知嘅，係。

問：想問番你，就係你證人口供，啱啱講緊補充證人口供，...

答：係。

問：...嘅第6段嗰度，145頁。嗰度你就話即係當時 John Ma 就 send 咗個電郵畀金日工程公司。咁跟佢打畀你--即係黃生打畀你，就講關於呢個電郵嘅咁。

答：係。

問：呢個電郵，你收到黃生打畀你呢個電話，講及有關呢個電郵之前，係咪你已經收到林小姐嗰個 WhatsApp，就話畀你聽準備好嘞？

答：唔記得。

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問：唔記得？

答：唔記得，呢樣嘢真係。

問：你睇番，如果睇番文件，G2，G2 嘅 1166 頁。1166 頁嗰度，首先下面嗰一槓，就係 John Ma 就發畀你嘅一個電郵嚟嘅，應該，咁就係 7 月 17 號下晝兩點四十一分嘅，咁嗰度就話「喂，唔該你就呈交啲有關嘅紀錄嚟喇咁，因為即係房署就好關注呀。」咁應該就係大概下晝呢個時間黃生話畀你聽收到 John Ma 呢個電郵㗎，係咪？你記唔記得？

答：諗，...

問：應該係咁上下時間喇？

答：應該咁上下喇。

問：係咪？下晝，下晝呢啲時間㗎嘞？

答：係。

問：就唔係夜晚㗎嘛，係咪？

答：係，唔係夜晚。

問：呢個就兩點幾喇，講緊。咁你嗰個 WhatsApp，林小姐 send 畀你個 WhatsApp 就係上晝--應該係上晝 11 點嘅。

答：係。

問：睇到嘛？

答：係，睇到，我知道。

問：咁係咪即係應該係你收到黃生有關阿 John Ma 個電郵之前，其實你已經係知道林小姐已經準備好啲文件呀？

答：照咁睇就係，係先...

問：睇番個時序，應該係咁喇？

答：係嘞，冇錯。

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問：係咪？

答：嘅。

問：咁你嘅講法就係話，喂，你當時同黃生講，話「喂，你知道我檯頭有」--你知道你檯頭有文件嘅，就叫佢即刻擺去喇咁。

答：係。

問：係咪？唔。但係我哋睇番個文件，咁黃生就係隔咗成六、七個鐘先至 send 去畀保華個嗰。喺上面嘅，嗰個電郵嗰度就講緊係 9 點 37 分，夜晚嘅，先至 send 去保華，話「喂，喺，有呢啲咁嘅即係 DO」，即係我哋理解就係嗰啲 delivery orders，就係啲送貨單咁樣，就交咗去喇咁樣。

答：但係會唔會係我哋新昌開完會嗰個時間出嚟覆佢電話呢，我真係唔記得。因為我...

問：唔記得？

答：係呀，因為我係新昌，應該係 11 點鐘開會，...

問：好嘞，...

答：...就傾到嗰個時間先至覆佢。

問：係。咁我想問下你，呢度你就講話因為時間好緊迫咁嘛，當時。

答：係。

問：係咪？你就話如果你下晝兩點幾就收到有關呢一個--即係黃生話畀你知 John Ma 呢個電郵，叫你，「喂，快啲擺文件嚟喇」咁。你又知唔知道點解由文件所睇，黃生就等到夜晚 9 點幾先至 send 畀人呢？

答：唔知，我有睇到呢段。

問：唔知？

答：嘅。因為我唔會睇啲 e-mail 啲嘢。我淨係知道佢話 send 咗，得嘞。

問：係，好。

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主席：想食飯？

許偉強先生：食飯，係。

主席：咁我哋兩點半再繼續，唔該。

下午 12 時 58 分聆訊押後

下午 2 時 31 分恢復聆訊

出席人士如前。

金日工程有限公司（“金日”）（中國建築（紅磡邨第二期）及保華（榮昌邨和東匯邨）的分判商）的第二證人：翁國財（金日前項目經理（紅磡邨第二期、東匯邨和榮昌邨））宣誓繼續作供
許偉強先生繼續盤問

問：翁生，我哋食晏之前就講到係話啲文件就發咗出去畀保華，黃生透過電郵發咗出去，你亦都係親身咁樣交咗上去，跟住你就話你大概有一個禮拜就唔喺公司，係咪呀？

答：係。

問：跟住返嚟之後亦都有再跟進件事喇？

答：冇。

問：係咪呀？

答：係。

問：就有同保華再就你交出嚟啲單再跟進？

答：冇，冇跟進。

問：冇嘅？

答：係。

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問：保華有冇話再問下你...

答：冇。

問：...關於鉛水事件啲嘢要查詢，係咪呀？

答：冇。

問：冇嘅。你亦都有再進一步即係同林小姐去跟進番話當時啲啲文件係點，都有再講？

答：冇講。

問：完全冇提到，係咪？

答：係。

問：好，所以如果我哋講緊就係話你嗰個禮拜返嚟之後，返到公司之後，你唯一同林小姐就住保華問你哋啲啲單據嘅交談就淨係得你補充證人口供第5段所講嗰個交談啫，淨係某一次嘅交談，係咪呀？

答：跟住唔記得仲有咩嘢交談。

問：唔記得有冇，可能有？

答：冇，第二啲交談嚟嘅。

問：可能喺電話再傾，定係見面傾？

答：呢個真係唔記得。

問：唔記得，但係即係你唔排除除咗嗰次之外，仲可能會有其他傾嘅？

答：冇--因為平時我都會畀電話返去傾第二啲嘢嘍嘛。

問：你話你唔排除可能都會再同佢傾嘅？

答：係。

問：係咪都唔排除都有再同佢傾過有關即係保華問啲啲單據嘅事情？

答：應該冇傾㗎喇。

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問：都有傾喇？

答：係，係，因為過咗一段落，我諗住都有乜嘢，因為後扞嗰個禮拜，我記得我係再搞保華嗰個臨時喉嘅鉛水事件，又係喺嗰度一路搞緊嘅。

問：即係你而家嘅口供就係話除咗你呢個補充證人口供第 5 段所講同林小姐嗰個交談之外，就可能有其他嘅，不過嗰啲其他交談就唔關嗰啲單據事嘅，係咪呀？

答：係，係。

問：嗰啲文件發咗出去之後，我想問下你，你第一次有機會見到我哋而家知道係嗰四張送貨單，即係寫咗係用 FRY 無鉛嘅嗰四張送貨單係幾時第一次見到？

答：應該係 12 月頭。

問：12 月頭？

答：係，應該差唔多，張生拎出嚟話畀我聽，打電話叫我過嚟話「咦？點解會有呢四張單」。

問：張生同你講嘅？

答：係。

問：張生就帶起呢個問題嘅？

答：係。

問：張生同你講之前，你完全唔知呢四張單嘅，係咪呀？

答：係。

問：張生同你傾嘅時候，有冇都同你交代理呢四張單就係你哋交咗畀保華嘅，另外佢有冇同你講述番佢收到呢個雋景嗰啲單據呀？

答：有噏過，即係唔係好詳細。

問：張生同你講有關嗰四張單嘅時候，佢有冇同你講話佢懷疑可能有啲文件係假？

答：有。

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問：有嘅，係咪呀？

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答：係。

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問：你跟住有冇睇番嗰四張單？

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答：我拎出嚟望一望。

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問：喺...

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答：因為喺佢檯面，我就咁坐喺度望啫。

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問：張生帶起呢件事嘅時候係喺公司嘅？

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答：喺公司。

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問：係咪呀？

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答：係。

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問：你當時已經離任喇喇嘛？

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答：係。

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問：佢叫你返嚟傾嘅，係咪呀？

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答：係。

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問：佢就擺咗嗰四張單出嚟，係咪呀？

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答：係。

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問：你有望過嘅？

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答：有。

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問：係咪呀？

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答：係。

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問：佢有冇擺到雋景提交嘅嗰啲咁嘅發票有畀你睇下？

答：呢件事唔記得咗。

問：嗰次交談...

答：因為我淨係攞咗嗰四張單啫。

問：就你嘅記憶就係話當時張先生叫你去寫字樓同你去傾，佢就有懷疑有假嘅文件？

答：係。

問：佢就畀你睇嗰四張單？

答：係。

問：但係你當時就有睇過雋景嗰啲發票，係咪？

答：冇，冇，係。

問：你第一次有機會睇到雋景嗰啲發票係幾時？

答：呢樣，應該係我個代表律師嗰陣時拎畀我睇嘅。

問：都係最近嘅事，係咪呀？

答：係呀，最近嘅事嚟嘅。

問：都係呢幾個禮拜嘅事，係咪呀？

答：係。

問：你睇完，大家而家都知道雋景嗰啲發票就同嗰四張擺咗畀保華嗰啲嘅嗰個送貨單就都好唔同，你知道喇嘛而家，係咪呀？

答：係。

問：你律師將嗰啲咁樣嘅雋景嗰啲發票畀你睇完之後，你自己有冇懷疑有可能就有人做咗假單出嚟？

答：冇諗到呢樣嘢，因為嗰個時間距離太久，我直情都有去諗到呢樣嘢，即係我嗰陣時仲思考緊點解會有呢四張單。

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問：等等先。

答：係好後期先至感覺到。

主席：唔係，唔好用個單字去講，講清楚啲。

許偉強先生：好。

問：第一，你當時就話首先張先生就有同你傾過，亦都畀你睇過嗰四張送貨單，係咪？

答：（沒有可聽到的回答）

問：佢當時有同你提及過佢懷疑有人做假單--即係假嘅文件，係咪呀？

答：係。

問：好喇，到你嘅律師又畀你睇雋景嘅發票嘅時候，你完全冇懷疑有人做假文件？

答：係，因為我就完全將呢件事遺忘咗，直情個印象冇咗呢件事。

問：唔係喎，翁生，你先就係張生同你講過，張生話懷疑有人做假，係咪？

答：係。

問：佢都好緊張呢件事，所以特登要召你返嚟傾，係咪？

答：係。

問：你當時有機會睇雋景嗰啲發票咩？

答：冇，冇機會。

問：好喇，呢件事都仍然喺你腦海中㗎，張生同你傾完？

答：係。

問：隔咗冇幾耐，你律師又畀雋景嘅發票你睇，係咪呀？

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答：係。

問：你睇完，你有咩嘢感覺呢？

答：我都喺度思考緊嗰幾張單係點解會做咗出嚟。

問：等等先，即係話你嘅意思係話你都係有懷疑--你嘅感覺都係有懷疑有人做咗啲單出嚟，係咪呀？

答：係。

問：即係你都係懷疑有人做假，係咪呀？

答：係。

問：你當時你個諗法係嗰啲發票假咩，定係嗰啲送貨單係假嘅呢？

答：我有得懷疑係發票假定係送貨單假，因為張生同我講就係話啲單假，但係發票假唔假，因為我都係攞下眼之嘛，我唔知邊啲係真、邊啲係假，所以我都答唔到。

問：好，你就話你律師畀你睇雋景嗰啲發票，你都即刻諗到可能有人做咗啲假嘅文件出嚟？

答：係。

問：你當時會唔會覺得都幾緊張，呢樣嘢，係咪呀？

答：係。

問：可以好嚴重？

答：我唔知道好嚴重，當時先知，係，係好嚴重。

問：翁生，唔好咁咩，你做咗生意咁多年，你都接觸文件...

答：我唔做生意嘅。

問：即係你做咗嘢咁多年，你接觸過文件，常識都話畀大家聽如果你真係有懷疑有人係做假嘅文件嘅，呢樣嘢好嚴重㗎嘛，你同意嘛？

答：同意。

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問：你睇完雋景嗰啲單之後，你覺得好嚴重，其中有一個好嚴重嘅地方就係咩嘢呢，就係當時嗰四張送貨單擺咗畀保華係你負責擺去畀保華，係咪呀？

答：係。

問：如果嗰四張送貨單係假嘅，就係你擺嗰啲單去畀保華嗰啲單係假㗎囉嗰，有咁嘅可能性嗎？

答：係，會。

問：你係參與在內，畀保華嘅時候，係咪？

答：係。

問：你會唔會覺得「都幾大問題，我都想知道究竟係咩嘢事囉。」係咪咁呀？

答：係。

問：你跟住又做咗啲咩嘢呢？有冇去問下，有冇再同張生傾下「我睇過雋景嗰啲單，咁嗰，我都覺得係有人做假。」有冇再同佢傾呢？

答：冇傾過。

問：冇傾過？

答：係。

問：好喇，有冇同林小姐傾下「嗰陣時我同你傾嗰啲單有可能有啲假㗎嗰」？

答：都冇傾過。

問：完全覺得冇咁嘅需要？

答：係。

問：點解呢？

答：因為近排真係好忙，我自己都兼顧唔到咁多嘢。

問：咪住先，唔好淨係講忙，即係做嘢都係有先後次序嘅，你知道你畀出

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嚟啲單有機會係假嘅時候，你直情覺得有需要理會呀？

答：唔係，我就請教我個律師嘅。

問：請教你律師？

答：係。

問：你律師話唔到畀你聽點解係假㗎？

答：係，所以我就要鬥呢份供詞話番畀佢聽。

問：好，正正就係呢樣，你係諗住作一個補充嘅供詞，都係交代番你知道
咗呢件嘢㗎？

答：係。

問：隻字都有提過話「有機會係假，我好緊張，又唔知係點嘢。」隻字不
提，你份補充口供一個字都有提過嗎？

答：係呀，我有提。

問：你做呢份口供嘅時候，你心知肚明，好清楚知道你可能交咗啲假嘅單
畀保華，係咪？

答：係。

問：你唔覺得有需要啲呢份口供度交代咩？

答：呢個我有諗到，我自己有諗到，真係。

問：有冇其他原因？

答：有冇其他原因，完全有冇其他原因，因為我自己個心都好亂，事實。

問：亂啲乜嘢？

答：亂點解有呢啲咁嘅單，同埋發生呢啲咁嘅事，我自己都好唔安樂。

問：心咁亂，有啲咁嘅單好唔安樂，唔去跟進下？唔想知道，等你自己可
以求個清白，「喂，唔關我事㗎嘢，有人搞，唔關我事㗎嘢」？

答：呢個我都答你唔到。

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問：睇一睇林小姐嘅口供，好唔好呀？L1，149、150，我哋睇下，特別針對151，首先林小姐呢份口供就係尋日提交嘅，我相信你律師都有同你即係講解過下佢嘅口供嘅內容。

答：有。

問：喺你見到佢呢份口供內容之前，你可唔可以確認一次就係喺你收到呢份口供之前，你都有再同林小姐跟進有關嗰啲單嘅事情，有關嗰啲送貨單？

答：冇，冇跟進。

問：都有喇，係咪呀？

答：係，冇，係。

問：好，呢度佢就咁講，我哋睇下(b)嘅羅馬數字(ii)嗰度，「根據本人記憶，在啟晴邨食水含鉛事件發生及被傳媒大篇幅報導後，大約在2015年7月16日左右」，呢一日就如果講番你之前嘅口供，就係正正你同保華開會嗰日嚟嘅，記得嘛？

答：係。

問：「當時金日工程項目」嘅翁先生，即係你本人，「曾多次致電本人，說因應保華建築」要求，就「提供金日工程為」元昌邨（榮昌邨？）「水喉工程購買焊料的紀錄。」首先，停一停，呢度佢就話你16號嗰日就打咗幾次電話畀佢嘅，幾次，就唔係你嗰個證人口供所講一次嘅，你呢度同唔同意先？

答：因為我當時係唔記得咗打幾多次，一次、兩次、三次，我真係唔記得。

問：都有機會，係咪呀？

答：有機會，係，呢個機會嚟嘅。

問：好，可能有兩、三次，但係你證人口供就講咗嗰一次咁樣？

答：係。

問：好喇，跟住佢呢度咁講嘅，第四句，「經查閱公司紀錄後，本人只發現零碎單據，其中有四張由雋景送到榮昌邨的焊料送貨單，上面顯示所送到地盤的焊料是錫條。」又係停一停先，呢度佢話佢就發現零碎

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單據，不過其中有四張係雋景發出嚟嘅，係送貨單嚟嘅。我想問下你，你同佢嘅交談，一次好、兩次好、三次又好，佢有冇同你講過話搵到四張送貨單，有冇同你提過呢樣嘢？

答：有。

問：有？

答：有，有提過。

問：幾時提過呢？

答：但係我唔記得咗咩嘢時間。

問：唔記得咗咩嘢時間，係咪呀？

答：係。

問：我今朝較早前問你嘅時候，都問過你好多次，就係話你問咗佢擺之後，佢有冇再回覆番你，你當時嘅答覆就話冇嘅。

答：應該就冇，但係即係一路諗、一路諗喇。

問：你而家現場呢度諗番就記得佢有冇同你講過四張送貨單？

答：係。

問：係咪好肯定呀而家？

答：唔敢肯定，幾多張唔敢肯定。

問：係有冇同你講過有幾張送貨單咁樣？

答：係。

問：係咪呀？

答：係。

問：三定係四就唔記得？

答：冇留意，真係。

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問：好，佢就話「上面顯示所送到地盤的焊料是錫條」，我又想問下你，佢有冇同你講過話「翁生，搵到啲單，上面寫住錫條㗎啫。」有冇咁同你講呀？

答：呢個我唔記得㗎。

問：唔記得？

答：係，真係唔記得。

問：唔記得。「接著，本人便致電翁先生，告知他本人只找到四張雋景送錫條到地盤的送貨單，問他是否」適合，有冇問過你呢樣嘢，「有四張係錫條嘅送貨單啫，啱唔啱㗎？翁生，係咪呢啲呀？」有冇曾經同你傾過呢啲？

答：印象中，可能有講過都唔出奇，因為...

問：可能有講過？

答：係，因為我噏畀佢之前，係因為我喺保華開會，係佢擺咗呢個錫線呢個係我入咗嘅 submission 㗎嘅，咁我係好指明...

問：而家講緊係錫條呀。

答：我打番去，應該係好指明係我要搵番交地盤嘅錫線。

問：等等先，即係話你而家記番起佢當時可能係有同你講過錫條，錫條呀。

答：係。

問：而呢樣嘢，你當時同佢傾個陣時就知道係唔係錫線㗎啫，係咪咁嘅意思？

答：係。

問：即係話你而家諗番起就係有同佢講過一啲就係你當時--即係同佢傾個陣時，都會意會到可能唔係你哋訂啲啲，即係唔係你哋批核啲啲料㗎嘅？

答：冇意會到。

問：冇意會？

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答：係，因為我都好肯定要擺番錫線嘅，因為你送去地盤咁多批嘅，我唔知你有邊批係錫線，我只係交代番畀保華啫。

問：當佢同你講錫條嘅時候，你話有咁嘅印象佢講個錫條吖？

答：係。

問：你有冇覺得「唔係好妥啲，錫條未聽過啲，一路都係講錫線㗎囉」？

答：咪係囉，係。

問：你點同佢講呀，「錫條唔啱啲」？

答：要搵番啲錫線嘅單返嚟。

問：即係你就叫佢話--即係你就聽佢講話錫條，你有冇同佢講話唔妥呀錫條？

答：冇，冇講唔妥。

問：你聽到錫條唔覺得好出奇咩？你話「我哋一路買緊錫線㗎啲，點會搵到錫條單㗎？」咁？

答：係，因為單佢搵，我唔知吖嘛。

問：好，跟住佢呢度就咁講，繼續睇，「翁先生表示他要求能夠顯示雋景送無鉛錫線到榮昌邨地盤的送貨單，還暗示如果沒有相關的送貨單，本人應該知道怎樣做，總有方法去弄些寫上無鉛錫線的送貨單出來。」咁樣，我想問下，首先，你有冇同佢傾過話如果--你啱啱咁講，就話叫佢搵啲有寫住「無鉛」嘅，係咪呀？

答：係。

問：咁即係點呀？即係你到時你想交去畀保華，係你叫佢搵啲--要搵啲無鉛嘅交上去，你當時知道有錫條，你知道係可能唔符合，但係你都叫佢話搵啲錫線嘅嚟，係咪咁呀？

答：因為我覺得會送咗有錫線嘅單落去。

問：如果係咁，你當時諗住點做呀？如果又有錫線嘅單，又有錫條嘅單，係咪都一齊送去保華，定係淨係送錫線嘅單畀保華？

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答：淨係送錫線嘅單。

問：點解呀？保華要知道...

答：因為我入個辦係錫線嚟㗎嘛，點解會錯呢？

問：如果你知道公司真係係有訂到錫條，唔係錫線，保華當時喺度研究緊，調查緊成個鉛水事件，你當時嘅諗法就係話「我淨係畀保華錫線得喇，就算有錫條，我都唔畀佢嘅，搵住佢。」係咪咁呀？

答：冇諗過呢樣，因為我交個辦係嗰個，我一定要交番個啱嘅辦畀人㗎。

問：唔係話你交啱嘅辦、唔啱嘅辦，而係有關單據，佢而家問你攞，佢唔係淨問你攞錫線嘅單據，所有有關單據要畀佢睇，如果你淨係畀佢睇錫線，咁你咪即係隱瞞？

答：我有諗到呢樣，當時。

問：但係你係啱啱同我講話你當時係諗住淨係畀錫線嘅單畀保華睇㗎嘛？

答：係喇，冇錯。

問：咁係咪即係隱瞞，對保華？

答：我唔覺得係隱瞞㗎。

問：呢個係你嘅講法喇？

答：係，我嘅講法。

問：好。佢就話，跟住佢話「暗示如果沒有相關的送貨單」嘅時候，就你有辦法就整到啲無鉛錫線嘅送貨單出嚟嘅，呢度佢咁講，即係佢基本上就係話係你指使佢，就話「搵唔到無鉛啲嘅，都要整啲無鉛嘅出嚟。」即係佢而家係咁樣嚟到指控你嘅，你知唔知，翁生？

答：知道。

問：你睇過㗎嘛？

答：知道。

問：我而家重複一次畀你睇，你都係唔同意㗎喇？

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答：唔同意。

問：係咪呀？

答：係。

問：即係你唔同意話係你指使佢去做單出嚟嘅呢個指控，係咪呀？

答：係。

問：你覺得呢個指控都好唔合理，係咪呀？

答：係。

問：你有咁做過㗎嘛，係咪？

答：係，冇做過。

問：即係佢誣蔑你㗎？

答：我唔知點樣誣蔑，我唔覺得話誣唔誣蔑，因為大家寫嘅供詞大家唔同。

問：等等先，唔好講話咩嘢唔知係咪誣蔑，你而家咁樣睇，你睇完佢嘅證供，你嘅感覺係咪覺得佢誣蔑你先？

答：係。

問：生安白造，係咪？

答：係。

問：因乜嘢事同你有十冤九仇，要咁樣嚟到生安白造，咁樣指控你？你今朝都同我講話你哋兩個一向關係都好㗎嘛，做咩嘢要咁樣？好大劑㗎㗎。

答：我唔知。

問：可以係刑事罪㗎㗎㗎。

答：我知道係刑事罪，但係我唔知點解會咁寫呢份嘢。

問：唔知點解？

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答：因為我係琴日先見到呢份嘢。

問：尋日見到？

答：係。

問：尋日你律師亦都有同你解釋過呢份嘢喇？

答：係，冇錯。

問：尋晚你都有返去諗下？

答：係。

問：不過諗完之後，而家你作供，諗唔諗到點解人哋要咁樣指控你呀？

答：唔知，我真係唔知。

問：後面都再有少少嘅，就係跟住就話「故本人依照翁先生的指示，弄了數張無鉛錫線的送貨單，本人在已有的四張雋景送貨單上更改，將錫條更改為無鉛錫線，然後致電翁先生確認更改送貨單的內容。」咁樣，首先佢呢度話佢跟住就跟你嘅意思，佢就改咗啲單，呢樣嘢你又知唔知？

答：唔知。

問：唔知？

答：係。

問：又係唔知道點解要咁寫嘅，係咪呀？

答：係。

問：跟住佢就話同你確認咗更改嘅內容添，呢樣你都否認，係咪呀？

答：係。

問：又係覺得佢係生安白造嘍喇呢樣嘢，係咪呀？

答：係。

問：你而家作供，你都有機會即係睇咗成件事，都知道嗰四張單同埋雋景

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嗰啲咁嘅發票係即係有出入嘅？

答：係。

問：你認為--你認為呀，點解會有呢件事呢？

答：因為呢啲只係一路引發出嚟嘅，其實之前我都同律師講咗，我真係將呢件事已經遺忘咗，係冇記咗呢樣嘢，所以嗰個印象好模糊，我自己都。

問：張生就話有懷疑係有人做假嘅？

答：係，佢有講。

問：你會唔會懷疑係邊個做假？

答：如果响公司做呢樣嘢，唔係林小姐就係我㗎喇，一定，呢個就即係一定㗎喇。

問：即係你都好坦白，就話如果真係做假嘅，一係你，一係佢㗎喇，係咪呀？

答：係喇，冇錯。

問：好。最後我想問一問你，就係你而家都知道--睇番轉頭，如果嗰四張送貨單係假嘅，雋景建材嗰啲係真嘅，即係你哋公司就有依照到當時嗰啲批核咗嘅樣辦嚟到依照住呢啲咁樣嘅規格嚟到去訂貨，係咪呀？

答：喺。

問：喺吖？

答：係。

問：你會唔會覺得係即係採購部嘅同事可能係因為佢哋冇注意到，或者佢哋掉以輕心，冇留意到嗰個規格而訂錯貨吖？

答：我就覺得掉以輕心，因為我之後發覺，check 番最後做番嗰啲，全部都係冇問題。

問：定係你亦都會唔會懷疑其實可能真係冇講畀清楚聽採購部同事要落啲咩嘢貨呢？

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答：會有咁嘅懷疑，即係自己懷疑到。

問：亦都會咁懷疑？

答：係。

問：呢個係你嘅責任嚟囉嗰？

答：係。

問：係咪呀？

答：係。

許偉強先生：我有其他問題。

主席：唔該。

許卓倫先生：主席，本人有啲問題。

主席：好，不如你話埋畀佢聽你代表邊個。

許卓倫先生：好。

許卓倫先生盤問

問：翁先生，你好，我係代表林麗瓊小姐嘅，我有三個範疇嘅問題想問你嘅，如果我嘅問題有任何地方唔清楚，你可以係問番我，然後我澄清番個問題畀你聽，好唔好呀？

答：係。

問：範疇一，麻煩你揭去文件夾 L 第 149 頁嘅第 4 段，翁生，你睇到嘛？

答：睇到。

問：呢個係林麗瓊小姐嘅書面陳述書，第 4 段就咁講，林小姐話「本人於今次事件發生前不知道用於接駁食水喉管的焊料需為無鉛。」你見嘛？

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答：見到。

問：你接受呢句說話亦都係準確嘅，係咪？

答：我又即係唔知佢真係知唔知，佢講呢句說話。

問：當然亦都唔可以否定呢說話，啱唔啱？

答：係，冇錯。

問：同一個範疇，麻煩你揭去 150 頁，呢個亦都係林小姐嘅供詞嚟嘅，第 5 段尾三嗰行，第 5 段尾三嗰行，第一個整句嘅句子就咁講「本人亦不知道所採購的焊料必須為無鉛。」你見嘛？

答：見。

問：你同樣地，你亦都唔可以否定林小姐呢個嘅信念嘅，啱唔啱？

答：係，啱。

問：下一個範疇，第二個範疇，請你揭去文件夾 L 144 頁，係閣下嘅供詞嚟嘅，補充書面供詞，144 頁，文件夾 L，我想提出嘅就係第 4 段，你嘅口供第 4 段，第 4 段係講及翁先生你需要去一個會議嘅，你可以用你嘅時間睇一睇，睇完話畀我知。

答：係。

問：我想同你確認呢一個會議，喺你嘅公司，即係金日，喺貴公司，你係唯一一個代表貴公司出席嘅人士，啱唔啱？

答：係。

問：清楚啲，張先生及林小姐亦都沒有出席喺呢個會議嘅，係咪？

答：係，冇錯，因為張先生當時唔喺香港嘅。

問：唔好意思？

答：張先生當時唔喺香港。

問：明白。當然姓莫嗰位小姐亦都係冇出席呢個會議？

答：冇。

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問：另外姓黃嗰位，應該係 Patrick Wong，亦都沒有出席呢個會議？

答：係。

問：喺你嘅供詞嘅第 5 段就敘述番你出席完該會議之後，你喺第 5 段就形容就係打電話給林麗瓊小姐？

答：係。

問：當然電話內容就係你邀請林小姐去索取一些嘅文件，係咪？

答：係。

問：下一個範疇，亦都係最後一個範疇，請你揭番去文件夾 L 151 頁，文件夾 L 151 頁，我淨係想專注問 (b) 榮昌邨，羅馬數字 (ii) 嗰一度嘅啫，明白嘛？

答：明白。

問：我知道剛才另外一位許大律師亦都問過你問題嘅，但係我想喺呢度再想問一問你，當然你可以答同意、唔同意、唔知道、唔記得或者其他嘅答案都可以嘅，明白嘛？

答：明白。

問：喺呢個第三個議題嗰度，我係有三點想問你嘅，第一點，喺羅馬數字 (ii) 呢一段嘅第三行，你開始睇睇，「曾多次致電本人」，「本人」即係林小姐，「說因應保華建築營造有限公司（「保華建築」）要求，要提供金日工程為榮昌邨水喉工程購買焊料的紀錄。」就住呢兩行字句啫，你是否可以確認？

答：因為我都想反映番，因為我應該唔會多次致電，因為如果講咗一次嘅，佢就應該會收到我嗰個訊息，...

問：明白。

答：...就唔會多次係追嗰份嘢，我自己覺得係咁樣。

問：好。如果...

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主席：等一陣先，等一陣先。即係你就話唔會多次，係咪呀？

答：係。

主席：即係最多一次？

答：應該打一次畀佢「你要搞啲單嚟喇嘛」，我唔關--我唔會再同佢--因為我要去咗房署開會喇嘛。

主席：唔係，我明，但係個問題係咁，呢度跟住我哋睇到就要「查閱公司紀錄後」，唔係，你都要問佢，你叫佢搵嘢喇嘛，你都要畀時間佢搵嘢？

答：係囉，所以我唔會打咁多次。

主席：唔係，你會打完一次之後...

答：跟住我會去房署開會。

主席：...跟住你要問佢搵到未，有冇喇嘛，啱唔啱呀？

答：應該係夜晚喇喇。

主席：即係我嘅意思就即係唔會得一次。

答：係喇，嗰個可能會隔咗。

主席：未必係夜晚嘅，總之就你話如果唔會多次，即係我而家就覺得如果從成件事睇，就唔會係一次，因為你要打個電話去畀佢「我要搵啲單」，嗰個女士都要話「你畀啲時間我搵先得嘍」，啱唔啱？你小五金之嘛，你公司唔存喇嘛，係咪？

答：係。

主席：啱唔啱呀？

答：（沒有可聽到的回答）

主席：繼續。

問：所以翁先生，我明白呢個所謂嘅情況發生咗大概四、五個月，大概半

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年嘅嘅時間。

主席：四、五個月唔係好耐嘅咋。

問：亦都明白呢個係電話嘅情況，我唔係話多次係一定係五至十次、十至二十次，但係你會接受會係多過一次嘅電話通話，啱唔啱？

答：會，會接受。

問：下一個範疇，就係羅馬數字 (ii) 呢一段嘅第六行，就係「接著」，逗號嗰度，你見嘛？

答：見到。

主席：所以呢度先至係咁，即係呢度先至接著咁嘛，即係你一定係放低咗個電話，「喂，你同我搵下喇。」跟住佢話佢要去搵，搵完之後，佢先至再打番畀你㗎嘛。

繼續。

問：容許我讀出，「接著，本人便致電翁先生，告知他本人只找到四張雋景送錫條到地盤的送貨單，問他是否」適合，「翁先生表示他要求能夠顯示雋景送無鉛錫線到榮昌邨地盤的送貨單，還暗示如果沒有相關的送貨單，本人應該知道怎做，總有方法去弄些寫上無鉛錫線的送貨單出來。」你見到呢段說話？

答：見到。

問：我想問下，我剛才讀出嗰四行字，你係會係例如同意咩，唔同意咩，唔知道咩，唔記得咩，冇評語咩，還是係點樣樣？

答：係唔同意。

主席：唔同意？但係好似頭先許大律師咪有就呢幾行字問過，問你，佢話

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搵到四張雋景送錫條去到地盤嗰啲送貨單，問你啱唔啱用，你當時好似畀嘅答案「我可能有講過都唔出奇喎」，你而家又唔同意？

答：我唔同意呢樣嘢。

主席：吓？

答：因為佢寫嘅--問嘅方法唔同，佢無鉛錫線因為我最主要我都係要錫線，我唔會話答第二啲嘢嘅，即係我講出嚟。

主席：頭先佢讀出嚟嗰陣時，你又話可能有講過都唔出奇？

答：呢個真係--因為我太過模糊，嗰個太耐嘅日子呢...

主席：唔係太過模糊，啱啱發生，即係十分鐘、十五分鐘之前發生嘅事。

駱小姐：主席先生，我諗我要查番個紀錄，頭先許大律師問嘅係另外一段。

主席：問邊一段呀佢？

駱小姐：頭先許大律師問嗰句係...

許卓倫先生：邊位許大律師？

駱小姐：另外一位許大律師問嗰句，而證人同意嗰句係「本人只發現零碎單據，其中有四張」一路去到「上面顯示所送到地盤的焊料是錫條」呢度，證人係同意。

主席：乜嘢話？再講多次。

駱小姐：即係頭先再之前嗰位許大律師問而證人同意...

主席：「本人只發現零碎單據，其中有四張」...

駱小姐：係。

主席：呢個佢使乜佢答啫，呢個係林麗瓊嚟嘛，佢點會問佢啫，係咪呀？唔係，你問乜嘢，頭先？

許偉強先生：佢有答到，就係話第一，佢就話有啲印象係講咗幾張單，幾張送貨單，第二，佢就話佢記得係有提過錫條呢樣嘢，係同錫線係唔

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同嘅。

主席：你繼續問埋先。

許卓倫先生：非常抱歉，唔好意思。

問：翁先生，或者咁，頭先我讀咗四行字出嚟，我逐行逐行同你跟進，每個段落咁，好唔好？

答：（沒有可聽到的回答）

問：林小姐嘅供詞就寫「本人便致翁先生」，你打完電話--多過一次電話畀林小姐之後，林小姐又打電話畀你嘅，你係都唔可以否定呢件事，就咁打電話畀你啫？

答：係。

問：好，繼續問。喺該電話入面，林小姐就「告知他本人只找到四張雋景送錫條到地盤」嘅送貨單，即係喺電話入面--就係林小姐打電話畀你，就係搵到淨係四張雋景送錫條到地盤嘅送貨單啫，呢方面你都唔會否定嘅，啱唔啱？

答：係，冇錯。

問：林小姐繼續，「問他是否」適合，林小姐電話入面問你適唔適合，你都唔可以否定嘅，啱唔啱？

答：我一定會話唔啱，因為我係...

問：唔係，你未答佢之前，...

答：得。

問：...林小姐有問過你是否適合嘅。

答：唔適合，唔適合。

問：但係你接受...

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主席：唔該有層次啲問。

許卓倫先生：唔好意思？主席。

主席：有層次啲問，有層次地問。

許卓倫先生：係，係。

問：喺電話入面，林小姐有問過你呢啲咁嘅單係咪適合嘅，係咪？

答：係。

問：咁一...

主席：有冇？

答：啲單係咪適合嘅，我真係唔記得咗，即係問咗呢樣嘢，或者佢問過我都唔出奇，但係我真係唔記得。

主席：佢有問過，佢有咁講過都唔出奇？

答：係。

主席：得，咪住先，我肯定一樣嘢先，呢度咁寫「接著，本人便致翁先生」，佢有冇打電話畀你呀？

答：電話我真係唔記得。

黎先生：你啱啱話有。

答：唔係，我真係唔記得，即係你話一個、兩個、三個呢啲，即係講嘅電話，我真係完全冇咗個印象。

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主席：嗰日，呢個 7 月 16 日其實都幾重要㗎喎，係咪呀？都唔係好耐啫，
7 月 16 日 2015 年，2015 年 8 月 13 日，我被委任。

許卓倫先生：主席，唔好意思，我諗對證人公平少少，就林小姐寫「7 月
16 日左右」嘅係。

主席：唔係，我知，「接著，本人便致電翁先生」，有冇收過電話，關於
呢四張單？

答：有噏過。

主席：關於呢四張送貨單。

答：你話幾多張，我真係冇印象，但係佢噏過。

主席：唔好講幾多張，你知道個問題個重點喺邊度，個問題嘅重點係有冇
打過電話畀你？

答：有。

主席：有，話畀你聽淨係搵到四張雋景送錫條到地盤嘅送貨單，有冇咁講
過？

答：呢個唔知。

主席：唔知？

答：係。

主席：可能有，可能有，係咪咁呀？

答：係。

主席：抑或完全唔記得？

答：係。

主席：邊一樣嘢呀？

答：唔記得佢打畀我講過乜嘢嘢。

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主席：唔記得？

答：係。

主席：跟住問你合唔合適，有冇...

答：如果佢有問過我咁樣嘅答案，我一定講唔合適，即係佢真係問我呢樣嘢嘅話。

主席：咪住先，佢有冇問你先？

答：都話我係唔記得咗，如果佢真係問過係有咁嘅嘢，我就一定講唔合適嘅。

主席：好，得，呢個你就話唔記得？

答：係。

主席：唔記得。好喇，如果佢真係有咁問過你嘅話，你就一定會話唔合適，係咪咁呀？

答：係，冇錯。

主席：啱喇，好喇，所以跟住後面嗰啲就林小姐所講，「翁先生表示他要求能夠顯示雋景送無鉛錫線到榮昌邨地盤的送貨單」呢一句係佢作出嚟嘅？係林小姐作出嚟嘅？

答：我唔知，因為佢記性可能好好，我因為我...

主席：你話一定話唔合適㗎嘛？

答：一定唔合適，就係，因為我完...

主席：唔合適，跟住呢句就一定佢--一定你有講過喇？

答：我唔會講過呢啲嘢，我唔會講過。

主席：係囉，咁咪即係佢作出嚟囉，啱咩嘛？

答：係，我有講過呢啲嘢。

主席：即係完全佢作出嚟㗎喇，你有講過㗎嘛？

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答：係。

主席：「還暗示如果沒有相關的送貨單，本人應該知道怎樣做，總有些方法去弄些寫上無鉛錫線的送貨單出來。」呢三句林小姐作嘅，因為你冇可能會講呢啲嘢㗎嘛？

答：係。

主席：啱咩嘛？

答：啱。

主席：得。即係換句話嚟講，呢度成段由「接著」開始，去到我頭先講完嗰一句說話「送貨單出來」，其實就住第一句，你就係唔記得，跟住其他啲就全部都係假嘅，啱咩嘛？

答：啱。

主席：得，繼續。

問：翁生，我尊重你嘅答案嘅，第三個範疇最耐一個嘅題目，就係喺羅馬數字(ii)，喺呢一頁嘅耐數番上嚟第四行，就係見到「無鉛錫線，然後」，你見嘛？

答：（沒有可聽到的回答）

問：我讀出嚟，「然後致電翁先生確認更改送貨單的內容。翁先生確認內容後，本人便將已更改的四張送貨單交給翁先生」，第一點，「然後致電翁先生確認更改送貨單的內容」，呢個段落，你係同意咩，不同意咩，唔知道定係唔記得呢？

答：唔記得，真係，因為我有睇過嗰幾張單，所以我都唔記得。

問：下一個段落，就係「翁先生確認內容後」，林小姐就話你有確認內容嘅，你係咪都係唔記得呢？不能夠確認？

答：我都有睇過，點會確認到呢？

問：因此...

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答：因為我有見過嗰張單，我有睇過，點確認呢？

問：因此林小姐咁嘅敘述，你係同意定不同意呢？

答：我真係唔記得呢樣嘢。

主席：唔會唔記得㗎㗎，因為有呢啲事發生過㗎㗎，唔會有呢啲事發生過㗎㗎？

答：所以我咪話有囉，因為我唔會講呢啲咁嘅嘢㗎㗎。

主席：吓？

答：我唔會話咁樣講㗎㗎，因為啲單我都有睇過，我點會講出嚟？

主席：咪係囉，呢啲唔係唔記得，係有呢啲事發生過，兩樣嘢㗎㗎。

答：係，有。

主席：因為佢生安白造咩㗎，係咪？

答：係。

主席：因為你一句已經即係去到問他是否合適，基本上都有下文㗎㗎，根本就，根本你哋成個--如果有電話對話嘅話，基本上得一句起、兩句止嘅之嘛，有嘢講落去㗎㗎，有嘢值得講㗎？

答：係呀。

主席：係囉，跟住全段跟住落嚟啲全部都係多餘㗎，㗎㗎㗎呀？

答：㗎。

主席：係囉，得。

問：最起，就係逗號，「本人」，即係林小姐，「便將已改為的四張送貨單交給翁先生」，林小姐就話交咗嗰四張送貨單畀你，你係同意，唔同意，唔知道，唔記得？

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答：我之前都講過我揸住個公文袋，就拎咗一沓單係拎去保華嘅，呢個我頭先已經提過，佢一定係咁樣交咗畀我，唔係我都拎唔到去保華。

問：因此你都唔能夠否認呢個說話嘅，係咪？

答：係。

主席：咩嘢唔可以否認呢個說話啫？

問：都會接受呢句說話嘅，係咪？

主席：冇呢啲事發生過。

許卓倫先生：我有其他問題。

麥先生：Mr Chairman, a few questions.

麥先生盤問

問：You were the project director for Golden Day at both Tung Wui and Wing Cheong Estates?

答：係。

問：What was your monthly salary during those projects?

答：二萬幾蚊。

問：You were a director of Golden Day at that time?

答：當時係一個經理嚟。

問：What was Ms Lam's salary during the construction of those projects?

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答：我唔知嗰呢個真係。

問：You agree that in the subcontract Golden Day had with Paul Y, that Golden Day was only allowed to use unleaded solder?

答：詳細應該就係。

問：That is why you submitted the sample wire solder to Paul Y?

答：係。

問：And you knew, when you submitted it, that it would also have to be approved by the Housing Authority?

答：係。

問：The entire purpose of having an approved sample is that it is the only solder to be used by Golden Day?

答：係。

問：Yet Golden Day never used the only approved solder?

答：呢個我都作答唔到，因為以我講嘅出嚟，我就知道全部都用嘅，但係佢用咗咩嘢料，我真係冇去考究。

問：Please look at appendix G to the evidence of Chow Ka Ping from Prosperity, page 205. This shows the purchases made by Golden Day from Prosperity in relation to Tung Wui Estate. Do you see that?

答：睇到，而家睇到。

問：Can you confirm that for almost two years, from August 2008 to July 2010, Golden Day only used 50 per cent lead solder?

答：睇呢張嘢...

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主席：等一陣，等一陣，等一陣。喺你答呢個問題之前，我想澄清一樣嘢，因為呢個...

麥先生：Certainly.

主席：...呢個 summary 嗰啲日子全部錯嘅，因為你睇番啲單據其實應該第一張係 2010 年嘅 6 月，即係 2008 年 8 月 23 係錯嘅，第一張應該 2010 年嘅 6 月，第二張係 2010 年嘅 11 月，第三張係 2010 年嘅 12 月，第四張係 2011 年嘅 6 月，第五張係 2011 年嘅 2 月，跟住係 2011 年嘅 2 月，跟住係 2011 年嘅 5 月，2011 年嘅 7 月同埋 2011 年嘅 8 月，所以嗰度嗰啲所有嘢都啱，除咗啲日子全部係錯晒嘅。

麥先生：I am grateful, Chairman. I will rephrase the question.

問：Between June 2010 and August 2011, only 50 per cent lead solder was used by Golden Day at Tung Wui Estate.

答：因為呢個我答你唔到，因為我都係最近先至知嘅，因為我有睇過公司嗰啲單，送落地盤嘅嘢我都有去留意，係啱啱見到呢張單，我先知。

問：Look at appendix H, please, in relation to Wing Cheong, at page 217. This is Prosperity's record, in summary form, of Golden Day's solder purchases in relation to Wing Cheong. Do you see that?

答：睇到。

問：Again, it demonstrates that Golden Day only purchased lead solder?

答：呢個我睇到，而家。

問：I suggest to you, from day one of the project, Golden Day never had any intention to use the approved sample solder in either Tung Wui or Wing Cheong projects. Do you agree?

答：我可以話同意。

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問：The reason you had no intention to use the approved solder was that you could profit from using the less expensive leaded form?

答：因為我從來唔理公司嘅財政嘅，從來佢公司嘅財政對我嚟講係--我從來唔會掂嘅，我只係管地盤出面嘅嘢，我唔會講財政話賺幾多錢，從來我都唔會考究呢樣嘢。

問：It was to the benefit of Golden Day, and therefore I suggest to you, if the less expensive leaded solder was used. Agree?

答：同意。

問：That was your plan from the very start, in both of these projects?

答：呢個我又唔同意，因為我唔知公司點樣落咗單會錯咗，但係呢個咁嘅錫條同埋嗰個錫線嘅錢銀應該係唔會相差太大嘅，以我覺得就。

問：Having intentionally used the wrong solder, the next part was you were forced to try and cover it up with the false four delivery notes.

答：呢個我都答你唔到。

問：It's because it's true, isn't it? That's why you can't answer it.

答：唔係，呢個係事實，因為我唔知道點解會落咗呢隻咁嘅錫條，因為我一路嚟榮昌邨合作，我一路做落去，我都有去留意到呢個錫條，如果我一早知道嘅，我一定都唔會畀佢用。

問：As project manager, you were on site really rather often, weren't you?

答：我唔係經常駐工地嘅。

問：And you had, beneath yourself, a range of other employees answerable to you?

答：我唔需要佢哋向我匯報，我自己去睇個進度嘅啫，因為我係落去開會

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同埋提供技術性嘅做法。

問：As project manager, did you have any interest in the paperwork relating to the materials Golden Day was bringing to the site?

答：我從來唔會睇嘅，啲文件。

問：But how else can you manage the project without doing that?

答：因為我做呢個職位嘅，只係要地盤嘅進度，符合晒所有要求，我係了解地盤嘅運作，項目經理唔係一定要所有文件嘢都要睇晒。

問：But you cannot ensure that there is compliance with the project unless you can ensure that the correct compliant materials are used?

答：當時嘅情形我係好肯定，因為我從來都有質疑過。

問：But you had no system in place.

答：因為落料嗰個問題我都答你唔到。

麥先生：I have no other questions of this witness.

主席：唔該。仲有冇人有問題？

林小姐盤問

問：Mr Yung, I represent China State Construction. I have a few short questions for you. Today, earlier in your evidence, you mentioned that once material samples were approved, the main contractor would issue an approval letter to Golden Day, that would either be e-mailed to you or handed directly to you. Do you remember that?

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答：應該係房署畀總承建商，批咗出嚟嘅嘢就電郵畀我哋公司嘅。

問：That's right. Could the witness be taken to bundle F2, page 972, please. You see this is a memo that was issued by China State to Golden Day, informing Golden Day that Powerflow flux and also lead-free solder FRY had been approved. Do you see that?

答：係，見到。

問：If you then turn to page 985, you see a photo of the FRY 99C. Do you see that?

答：見到。

問：Can you confirm to the Commission that this is a document or the approval letter you were referring to in your evidence earlier?

答：可以。

問：Thank you. You also said that this approval memo or letter would be given to your three staff; is that correct?

答：係。

問：Could you tell us who else would have seen this memo, within Golden Day?

答：應該有，係嗰三個同事啫。

問：Would Mr Cheung be given a copy?

答：應該唔會。

問：What about Mr Hui, the site supervisor?

答：唔會有嘅，佢哋，因為佢直接係電郵畀我哋公司嘅。

問：Right. Now, on a different topic, can I show you a few delivery notes. Could the witness please be taken

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to bundle S1, page 81, please. Do you recognise the signature at the bottom of this delivery note?

答：唔認得。

問：Do you recognise the signature, Mr Yung?

答：係咪 81 頁嗰張？

問：Correct.

答：唔認得啫，呢個簽名。

問：You don't know whose signature it is?

答：唔知。

問：What about if you turn to page 92; do you recognise that signature?

答：應該係莫小姐。

問：Miss Mok?

答：係。

問：And could you turn to page 97, please.

答：係，睇到，97 頁？

問：What about page 97?

答：睇到。

問：Do you recognise that signature?

答：呢個唔認得。

問：It says "Lam" at the bottom. There's only one person with the surname Lam, is there not, within your company at the time?

答：應該係地盤啲工人嚟嘅。

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問：So it's not Ms Lam Lai King?

答：唔係，唔係。

問：You can't be sure?

答：好肯定。

問：Going back to page 92, Ms Mok, as I understand it, is not based on site; is that correct?

答：喺。

問：So do you know why she would sign a delivery note? Does that mean sometimes she would be on site?

答：佢 93 頁嗰個唔係送貨單嚟㗎，嗰個。

問：No, page 92, apologies. Go back to page 92.

答：92，呢個唔係送貨單嚟嘅呢個應該。

問：Page 92.

答：呢個 order 嚟㗎嘛，呢個係。

問：Do you have the right page? It says...

答：92 頁，之後，呢個。哦，呢個唔係林小姐個簽名嚟。

問：Page 92.

答：喺，喺，92 頁。

問：You told us earlier, just now, that the signature...

答：我睇咗 93 頁。

問：...appearing on page 92 is Ms Mok.

答：唔係林小姐--唔係佢哋簽嘅。

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主席：93 邊一個簽呀？

答：呢個我唔知邊個嚟嘅。

主席：唔知，92 呢？

答：92 嗰個我唔知邊個嚟。

主席：唔知？

答：係。

問：You said earlier that it was Ms Mok's signature. Are you retracting?

答：93 嗰張係莫小姐，93 嗰張係...

問：Page 93 is Ms Mok's?

答：係。

問：Page 92, do you recognise the signature?

答：係，93，92，唔識--我唔識佢嘅，我唔知邊個嚟。

林小姐：That's fair enough. Thank you very much. I have no further questions.

主席：唔該。

胡先生：Mr Chairman, I have two questions, very simple one. I hope...

主席：中文喇，唔好英文咁複雜喇，係咪？

胡先生：係。

主席：你識用中文問嚟嘛。

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胡先生盤問

問：翁先生，頭先有律師問過你，就係話係咪你刻意咁樣去 order 一啲唔合乎規格嘅焊料，而--你等我問埋問題先。

答：唔。

問：佢問你係咪刻意咁去落 order，order 一啲唔合規格嘅焊料，從而就係喺呢一個過程中就係得到一啲金錢上嘅利益，我分開兩 part 嚟問你，第一，就係話你同唔同意你係有刻意咁去 order 一啲唔合規格嘅焊料？

答：唔同意。

問：第二，就係話你知唔知道其實錫條同錫線嘅價錢嘅分別？

答：其實我都係唔知嘅。

胡先生：Okay，我有其他問題。

主席：有冇覆問？

駱小姐：冇。

主席問

問：我想問一問你，你話喺嗰個 2001、02 年嘅時候，你每個月嘅人工就係兩萬零鈞，係咪呀？

答：係。

問：走嗰陣時幾多錢？

答：31,000。

問：31,000。有冇花紅分嚟你？

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答：幾年一次，唔係花紅，係雙糧。

問：冇花紅嘅？

答：冇花紅嘅。

問：淨係有雙糧？

答：係。

問：雙糧就咩嘢，幾年先至有一次咁，抑或年年？

答：可能一、兩年。

問：一、兩...

答：係賺到錢嘅咪有雙糧，如果嗰年收入唔好嘅，咪冇雙糧。

問：賺到錢先至有雙糧？

答：係。

問：即係換句話嚟講，你嘅人工就同公司賺錢有多少就有關嘅？

答：係，有關嘅，完全冇關係。

問：你嘅雙糧就有機會有關？

答：吓？冇去諗到呢樣--呢啲。

問：吓？

答：因為我從來冇睇過公司嘅財政嘅，完全未望過嘅。

問：林小姐呢？林小姐嘅情況同你係咪一樣㗎？

答：財政佢管嘅。

問：唔係，唔係講財政。

答：一樣嘅，一樣嘅，一樣嘅。

問：即係都係--即係基本上淨係攤份人工嘅啫？

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答：係喇，一樣。

問：想問你，譬如好似喺 2010、2011 年期間，我哋知道有--應該咁講，
2012 到 2013 年期間就榮昌邨喇？

答：係。

問：我哋見到 2010 年就係東匯邨同埋呢一個紅磡邨，你哋貴公司金日喺
2010 同埋 2011 年嘅期間，同一時期係做緊幾多條屋邨嘅水喉工程？

答：應該有六、七條。

問：六、七條咁多？

答：係。

問：同一時期？

答：係。

問：你嘅意思就即係話你喺嗰兩年裏面，你就要管六至七條屋邨嘅水管建
造，係咪咁呀？

答：係。

問：得。邊六、七條？

答：應該彩雲邨。

問：彩雲邨第幾期？有冇第幾期？

答：第幾期我都唔記得。

問：仲有呢？

答：彩雲邨有兩期嘅，差唔多同時期嘅。

問：同一時期都係你哋金日做嘅？

答：係。

問：繼續。

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答：另一條邨我都記唔起，沙田，香粉寮。

問：咩嘢村呀叫做？

答：香粉寮村。

問：第幾期呀？有冇第幾期？

答：4C。

問：4C，仲有呢？

答：加埋咪六個，六個屋邨。

問：加埋頭先我講嘅？

答：係，六個屋邨。

問：得。

主席：有冇其他問題？冇其他問題，好，唔該晒，可以走得，可以離開。
或者我哋小休十分鐘先，唔該。

下午 3 時 45 分聆訊押後

下午 4 時 02 分恢復聆訊

出席人士如前。

許卓倫先生：主席，本人係代表林麗瓊小姐嘅，現在傳召林麗瓊小姐作供。

主席：好。

金日工程有限公司（“金日”）（中國建築（紅磡邨第二期）及保華（榮昌邨和東匯邨）的分判商）的第三證人：林麗瓊（金日採購員工）以本地話

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宣誓作供
許卓倫先生主問

問：林小姐，你為咗本案，準備咗一份嘅書面陳述嘅，啱唔啱？

答：啱。

問：請你揭去文件夾 L 第 149 頁，喺你面前嘛？

答：喺。

問：現在我就係將你嘅書面陳述讀出嚟嘅。

食水含鉛超標調查委員會

林麗瓊的書面陳述

本人現就羅文錦律師樓 2015 年 12 月 10 日的信函（「該信函」）中所提出的問題向調查委員會提供書面陳述。以下段落號碼對應該信函的問題題號。

本人明白根據《調查委員會條例》（第 86 章）（「該條例」）第七條，任何人在委員會席前提供的證據，不得在由該人提出或針對該人提出的任何民事或刑事法律程序中，被接納為針對該人的證據；而根據該條例第十二條，在委員會席前提供的所有證據均享有絕對特權，提供該等證據的證人，無須因該等證據而在任何訟案或其他民事法律程序中負上法律責任。

1. 本人由 2002 年至 2015 年 7 月上旬，為金日工程有限公司（「金日工程」）的董事，辭任董事職位後，本人為金日工程的公司秘書，負責處理金日工程的人力資源、日常行政、會計及採購事宜。
2. 本人中五畢業，於 1988 年加入金日工程，直至現在。本人工作之一為採購水喉物料（包括焊料），負責採購的聯絡及文書工作。
3. 在金日工程承判紅磡邨二期、東匯邨和榮昌邨水喉工程中，本人及莫慧賢女士（「莫女士」）負責採購地盤材料包括向雋景建材有限公司

(「雋景」)落單採購焊料，但本人並不知道有關焊料是用於地盤的哪個系統，亦不知有關焊料會用於接駁食水喉管。

4. 本人於今次事件發生前不知道用於接駁食水喉管的焊料需為無鉛。

5. 許宏新先生(「許先生」)及鄒師明先生(「鄒先生」)均為金日工程的地盤管工，許先生負責紅磡邨二期和榮昌邨的水喉工程，鄒先生則負責東匯邨的水喉工程。在工程有需要的時候，許先生和鄒先生會打電話給本人或莫女士，告知我們所需焊料的數量及送貨日期。當本人或莫女士未能接聽電話時，金日工程另一職員黃錦文先生有時會幫忙接聽許先生和鄒先生要求水喉物料的電話，然後向本人或莫女士轉述他們的要求，因為焊料屬於小五金類，不是主要的地盤物料，故本人當時沒有為意金日工程有沒有提交焊料樣本給房屋署審批。本人亦不知道所採購的焊料必須為無鉛。根據本人的記憶，許先生和鄒先生打電話給本人落柯打時亦沒有提及所採購的焊料必須跟房屋署所批准的焊料相同及必須為無鉛。

6. 收到地盤管工許先生和鄒先生要求焊料的電話後，本人或莫女士會以電話或購貨單的形式向雋景落單訂貨。由於地盤管工打電話要求焊料時並沒有特別提及焊料是用於接駁食水喉管，所以本人向雋景落單的時候並沒有提及所需的焊料是會用於接駁食水喉管。

7. (a) 紅磡邨二期

(i) 根據雋景所提供的 5 張購貨單[S1/3/84, 86, 93, 95 及 98]顯示，其中 4 張[S1/3/84, 86, 93 及 98]是莫女士向雋景發出的購貨單，另外 1 張[S1/3/95]是由金日工程聘請的短期員工準備並向雋景發出的購貨單，其餘訂購焊料的交易是由本人或莫女士負責。本人是根據地盤管工許先生和鄒先生的要求，向雋景訂購所需數量的焊料。地盤管工沒有指明焊料的牌子，所以本人向雋景落單訂購焊料的時候也沒有指明牌子。至於購貨單編號 340/HME2/PL87[S1/3/95]上，第 5 項物料錫條旁邊寫著「50 力」，這不是金日工程員工所寫的，本人相信該字「50 力」應該是雋景的職員在處理此購貨單時寫上的。

(ii) 本人是根據地盤管工許先生和鄒先生的指示，向雋景訂購所需數量的焊料。如地盤管工要求錫條，本人便會訂購錫條；如地盤管工要求錫線，本人便會訂購錫線。本人在今次事件發生之前不清楚錫條和錫線的分別，亦不

知道有不同牌子的焊料。至於為何紅磡二期使用「英國 50 力扁錫條」，而馬坑項目使用“Fry lead-free solder wire”，本人並不知道原因，本人只是根據地盤管工的要求而訂購所需焊料。

(iii) 第 8 項交易是由莫女士負責向雋景訂購的。根據正常程序本人或莫女士向雋景訂購焊料後，雋景會直接聯絡相關地盤管工，安排送貨到地盤。本人沒有參與任何送貨的安排，所以不知道地盤收貨的情況。本人不記得有關此交易是否由本人負責安排付款給雋景，但一般來說，因為金日工程與雋景已合作多年及售賣的小五金種類繁多，本人在付款給雋景的時候，只會根據雋景的發票安排付款，不會核對雋景的發票是否對應相關的購貨單（如有）。

(b) 榮昌邨

(i) 本人及莫女士負責向雋景訂購焊料。本人是根據地盤管工許先生和鄒先生的要求，向雋景訂購所需數量的焊料。地盤管工沒有指明焊料的牌子，所以本人向雋景落單訂購焊料的時候也沒有指明牌子。

(ii) 根據本人記憶，在啟晴邨食水含鉛事件發生及被傳媒大篇幅報導後，大約在 2015 年 7 月 16 日左右，當時金日工程項目經理翁國財先生（「翁先生」）曾多次致電本人，說因應保華建築營造有限公司（「保華建築」）要求，要提供金日工程為榮昌邨水喉工程購買焊料的記錄。經查閱公司記錄後，本人只發現零碎單據，其中有四張由雋景送到榮昌邨的焊料送貨單，上面顯示所送到地盤的焊料是錫條。接著，本人便致電翁先生，告知他本人只找到四張雋景送錫條到地盤的送貨單，問他是否合適，翁先生表示他要求能夠顯示雋景送無鉛錫線到榮昌邨地盤的送貨單，還暗示如果沒有相關的送貨單，本人應該知道怎樣做，總有方法去弄些寫上無鉛錫線的送貨單出來。故本人依照翁先生的指示，弄了數張無鉛錫線的送貨單。本人在已有的四張雋景送貨單上更改，將錫條更改為無鉛錫線，然後致電翁先生確認更改送貨單的內容。翁先生確認內容後，本人便將已更改的四張送貨單交給翁先生，再交給保華建築，但當時本人並不知道保華建築要求提供單據的原因及用途，之後本人便將

零碎單據棄丟，該四張被更改的送貨單便是第 18 至第 21 項交易的送貨單[B6.4/15354 至 15357]。本人現在事後回想，認為自己當時更改該四張送貨單的行為十分愚昧，為事件畫蛇添足，沒有實質意義，該四張被更改的送貨單與鉛水的出現無關，亦無助委員會現在調查食水含鉛超標的成因。

(c) 東匯邨

(i) 本人及莫女士負責向雋景訂購焊料。本人是根據地盤管工許先生和鄒先生的要求，向雋景訂購所需數量的焊料。地盤管工沒有指明焊料的牌子，所以本人向雋景落單訂購焊料的時候也沒有指明牌子。

8. 在地盤開工後，由項目經理翁先生告知本人及金日工程採購部雋景是焊料供應商，但本人並不清楚為何金日工程會選擇雋景作為其焊料供應商，本人只知道自雋景於 1998 年成立以來，金日工程已經與雋景合作，雋景一向是金日工程的小五金物料供應商之一。
9. 本人或莫女士向雋景訂購焊料後，不會再通知地盤管工許先生或鄒先生，而會由雋景直接聯絡相關地盤管工，安排送貨到地盤。
10. 由於地盤管工要求訂購焊料的時候沒有指明焊料的牌子，所以本人向雋景落單訂購焊料的時候也沒有指明牌子。雋景並沒有向本人推介「英國 50 力扁錫條」此牌子。
11. 本人向雋景訂購焊料後，雋景會直接聯絡相關地盤管工，安排送貨到地盤。由於本人沒有參與任何送貨的安排，所以亦不知道送貨及以後的情況，也沒有採取任何措施。
12. 本人不知道「英國 50 力扁錫條」這個牌子，在今次事件發生之前亦不知道此錫條的成份及是否含鉛。
13. 本人不清楚翁先生遞交樣辦的工作程序和情況，也不知道原來金日工程曾透過翁先生促使總承建商遞交“Fry lead-free solder wire”的樣辦給房屋署。本人是根據地盤管工許先生和鄒先生的指示，向雋景訂購所需數量的焊料。如地盤管工要求錫條，本人便會訂購錫條；如地盤管工要求錫線，本人便會訂購錫線。

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問：日期係 16 年 1 月 5 日，見唔見，林小姐？

答：係，得。

問：亦都有簽名喺度，係你嘅簽名嚟嘅，係咪呀？

答：係。

問：你會採納呢份嘅書面供詞，總共五頁紙嘅，為你主問嘅證供嘛？

答：會。

許卓倫先生：主席及委員，本人冇其他問題。

主席：冇嘢問？

許卓倫先生：冇。

主席：請坐。

許卓倫先生：感激。

許偉強先生盤問

問：林小姐，先問一問你，就係就住你個證人口供，就第 1 同埋第 2 段嘅度都講出話即係你喺嗰個金日工程公司嗰個工作嘅背景嘅，我想同你了解多少少。

答：好。

問：第一，就係喺第 2 段嘅度，你話「本人中五畢業」，跟住就「於 1988 年加入金日工程」公司嘅，我哋知道金日就應該係 87 年嘅成立嘅，即係佢喺成立有幾耐，你就加入咗金日工程公司嘅，係咪呀？

答：係。

問：我想問你加入呢個金日工程之前，認唔認識張先生--張達欽先生？

答：認識。

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問：認識，係透過咩嘢認識佢？

答：佢曾經係同我舊公司有啲關係。

問：舊公司？

答：即係我之前嘅工作。

問：之前嘅工作，即係你 1988 年之前嘅工作，係咪呀？

答：係。

問：嗰個係咩嘢公司嚟㗎？

答：都係水喉公司。

問：都係公司，都係水喉公司，即係佢張生就有同你舊公司嗰度有啲生意來往嘅？

答：係。

問：就從嗰度識佢嘅，係咪呀？

答：係。

問：嗰度第 2 段，你就話「直至現在，本人工作」都係為「採購水喉物料（包括焊料），負責採購的聯絡及文書工作。」即係呢個都係你 88 年開始喺嗰度工作，之後一路個工作性質都係呢一方面，係咪呀？

答：係。

問：跟住你就喺第 1 段嗰度又再講，就係話「本人由 2002 年至到 2015 年」嘅 7 月中旬就為金日工程公司嘅董事咁樣，呢度係咁講嘅。

答：係。

問：我想問下你，就係我咁樣講啱唔啱，就係 1988 年至到 2002 年，你係咪曾經離開過金日工程公司？

答：唔係。

問：唔係嘅，係咪呀？

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答：唔係。

問：因為今日我哋聽之前翁先生今朝嘅證供，佢有提過，就係話佢喺 2002 年之前，即係佢加入呢個金日工程公司之前，曾經同你係喺另外一間公司嘅同事嚟？

答：都係我識張生嗰間公司。

問：都係嗰間公司？

答：都係嗰間公司。

問：即係呢個係 1988 年之前...

答：之前。

問：...嘅同事，係咪呀？

答：係。

問：即係你認識翁先生都好多年囉嗎，係咪呀？

答：係。

問：喺舊公司嗰度，即係講緊未加入金日工程公司，喺舊公司做嗰陣時，喺嗰陣時認識翁先生嘅，舊公司，係咪呀？

答：係。

問：之前唔識佢嘅？

答：唔識。

問：當時翁先生係即係嗰個工作係乜嘢，喺舊公司嘅時候？

答：我記得呀，應該係地盤唔知工人定管工嗰--即係係喺地盤嘅。

問：明白，你同翁先生認識咗都超過二十五年嘅囉嗎，係咪呀？

答：係。

問：都係算係好好朋友？

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答：Okay 嘅，係嘅。

問：係咪呀？

答：係。

問：想問下你，就係你喺金日工程公司，你講話 2002 年直至到 2015 年，喺你嘅證人口供第 1 段嗰度就話係作為董事嘅，呢個作為董事，係咪張生叫你擔任董事一職，係咪呀？

答：係。

問：你成為咗董事呢段時間，你個工作性質有冇咩嘢改變，即係除咗採購、文書工作之外，要唔要做多少少管理嘅工作？

答：冇改變。

問：冇改變，即係話你嘅董事嗰個係掛名，你係董事啫，工作性質都係一樣嘅，係咪呀？

答：係。

問：知唔知點解要你掛名做董事？

答：因為當其時董事--最初我哋公司成立嗰陣時就得張生同張太嘅--即係股東，應該係，我咁講，股東係得張生同張太，佢有陣時有好多即係譬如每年埋數、簽 audit report，即係報稅文件嗰啲嘢，好多時都要搵張太簽嘅，但係張太就其實佢係冇參與我哋公司嘅工作嘅，所以佢就話咁你有陣時--「不如就即係加埋你落去，即係方便簽文件。」咁樣。

問：明白，即係呢個就係當時張生同你講嗰個原因，係咪呀？

答：係。

問：喺第 2 段，你嘅證人口供第 2 段嗰度，你講話你中五畢業後就開始工作？

答：係。

問：我想問一問，你開始工作之後，有冇話讀過啲例如會計或者係啲簿記嘅課程，一啲 bookkeeping 嗰啲課程？

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答：好基本嘅初級簿記。

問：呢個係你一路做嘢，一路讀嘅，係咪呀？

答：一路讀嘅，係，係。

問：都係加入咗金日之後嘅事嚟，呢個，定係之前？

答：之前。

問：之前，喺舊公司嗰陣時已經有讀呢啲 bookkeeping 嘅初級...

答：好基本嗰個初級嗰個，就係讀。

問：明白。我想問下你，喺公司做咁耐，有冇聽過公司係有一個咁樣嘅制度，就係話嗰啲文件，即係買物料嗰啲文件，即係我哋講緊雋景嗰間公司，同佢哋買料嗰啲文件，通常都係 keep 一年左右就唔 keep 㗎喇，你有冇認知呢樣嘢？

答：以我嘅認知，我就記得係--即係我哋--不嬲我哋公司嘅 practice 就係我哋其實就得一套單嘅啫，嗰套單當然係我哋買咗貨嘅單，當然係要入數找數嗰啲，即係報稅嗰啲，而呢一套單，即係每一年我哋埋完數，audit 完，出咗 audit report，或者稅局 approve 咗之後，通常我哋即係跟住一年之後，我哋就掉㗎喇。

問：就掉㗎喇？

答：係喇。

問：有冇聽過話一年之後，就淨係掉啲有關小五金嗰啲單，其他啲大型啲嘅物料嗰啲單都係存倉，就唔掉嘅，係咪咁嘅做法？

答：唔係。

問：唔係。即係以你所知，就係所有單，唔論係咩嘢性質嘅物料嘅單都係你 audit 完咗之後，稅局亦都有問題，咁就掉㗎喇？

答：大概一年後。

問：係咪呀？

答：係。

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主席：掉去邊呀？你講掉係掉去邊呀？掉直情係抆咗佢？

答：抆咗佢，係。

主席：但係我哋知道你哋公司喺洪水橋有個貨倉㗎嗎。

答：以我所知，嗰個就唔係我哋公司嘅--我唔知係咪叫做公司貨倉，我唔知個定義，即係嗰個地方，我就知好似就係一個地方，就係唔知邊個嘅朋友定係咩嘢咁樣，就畀少少位我哋擺下啲地盤料，同埋擺少少文件嘅。以我知，嗰一啲文件就係地盤啲合約或者之前嘅水務文件，就唔係擺單嘅。

主席：有一個貨櫃咁大㗎嗎。

答：冇人過去，我唔知。

主席：冇人過去？

答：係。

問：我想問一問你，林小姐，就係即係你有啲初級嘅 bookkeeping 嘅認識，亦都做咗呢啲咁嘅採購文書工作都相當長嘅時間，你知唔知道通常一般嚟講法例就要求啲單據係需要 keep 七年，冇冇聽過？

答：我聽過七年。

問：即係有聽過要 keep 七年呢樣嘢，係咪呀？

答：係。

問：你做呢個文書工作，採購工作，你又知道個公司就啲單據一定有 keep 夠七年，係咪呀？

答：係。

問：當時你有冇啲咩嘢反映畀公司，就話「唔得㗎嗎，啲嘢要 keep 耐啲㗎嗎。」你有冇咁做過？

答：其實可能係我誤解咗個意思，因為其實我讀嗰陣都好耐，可能我覺

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問：誤解咗咩嘢意思先？

答：即係我誤解咗嗰個七年嘅嗰個-- keep 七年嗰個意思，我以為係-- 呢個係我自己以為啫，即係我不黠都係以為係 keep 到公司嗰個 ledger 同埋嗰個 account 個--即係個 audit report 七年就 okay，即係我唔知道原來單據都要 keep 七年。

問：我想問下你，你就話即係如果係做咗 audit 之後，稅局又有咩嘢問題，就會攞咗嗰啲文件？

答：係。

問：我想問下邊個人喺公司入面，喺寫字樓入面係會負責整理呢啲文件出嚟擺去攞，邊個負責？

答：我。

問：你會負責嘅？

答：係。

問：即係你就定時定候就知道做完 audit 之後，你就會將有關嗰啲文件擺出嚟，就擺去掉，係咪呀？

答：係。

問：點樣掉法？

答：通常係我啲同事拎番嚟搬--推落去，我諗--我覺得佢哋應該係推落去垃圾站，我有跟住佢哋去，即係擺個車仔...

問：即係裝咗落個箱度咁樣？

答：係呀，裝喺啲箱度，推落垃圾房掉。

主席：即係連碎都唔碎嘅？

答：冇。

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主席：就咁推去垃圾站攄？

答：我覺得佢哋係應該--佢哋話拎去掉，我覺得佢哋--我嘅理解係推落去垃圾站掉。

問：最近一次，即係你有知道話啲同事擺咗啲文件出嚟，擺去垃圾站度掉係幾時，最近？

答：我唔記得，應該可能係舊年嘅農曆年前。

問：舊年農曆年前，2015年農曆年前？

答：我記得係咁上下，我唔肯定。

問：好，或者我問埋你呢個問題，你擔任呢個採購同埋文書工作，我想問下你，就係就住金日工程，佢哋周不時都有啲水喉工程接咗返嚟㗎，佢哋做工程嘅時候，嗰啲咁嘅投標嗰方面嗰啲咁嘅過程，你會唔會問唔中會參與下？

答：會。

問：都會嘅，係咪呀？

答：（沒有可聽到的回答）

問：即係話你唔係淨係做採購同埋一般文書，連嗰個投標嗰個工程，個過程有時你都會有參與嘅？

答：係嘅。

問：係咪呀？

答：係。

許偉強先生：我就...

主席：好呀。

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我想問埋最後一條問題，你第 2 段話「直至現在」，即係你今日都仲係喺金日打工？

答：係。

主席：今天都仲係喺金日打工嘅？

答：係。

主席：得。我哋聽朝早...

許卓倫先生：主席閣下，唔知聽日十點半可唔可以？

主席：有啲咩嘢特別嘅原因，請問？

許卓倫先生：係本人嘅原因嚟嘅，因為本人有個聽日簡短嘅案件，喺沙田法院，係九點半開始，我相信係非常短嘅。

主席：九點半開始，你想幾點鐘返到嚟？

許卓倫先生：我諗十點半可以返到嚟？

主席：你真係返到嚟，十點半？

許卓倫先生：有信心。

主席：你有信心？

許卓倫先生：我有信心。

主席：你有信心就得喇，如果返唔到嚟，咁點呀？

許卓倫先生：當然，返唔到嚟的話，本人唔會話要求成個法庭嘅人等本人，咁十點半當然可以係立刻可以開本案，但係本人有信心十點半返...

主席：我哋繼續，你個律師繼續喺度--即係你個律師喺度...

許卓倫先生：係，有個事務律師，當然亦都係肯定係有個事務律師，十點半可以喺度嘅。

主席：事務律師喺度頂住就得喇。

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許卓倫先生：一定有。

主席：如果係咁，其實唔使等你返嚟喎，係咪呀？

許卓倫先生：可能本人喺度更加好啲咁樣。

主席：畀三十分鐘你喇。

許卓倫先生：非常感激。

主席：十點半。

許卓倫先生：Good day.

2016年1月6日

下午4時35分聆訊押後

C Wednesday, 6 January 2016 C

(10.10 am)

D (Transcript of simultaneous interpretation D

E except where otherwise specified) E

F Application by MS LOK F

G MS LOK: Good morning, Chairman and Commissioner. I am
H acting on behalf of Mr Yung Kwok Choi. G

H Ms Lam Lai King handed in a submission yesterday. H

I There are some changes to the circumstances. We have
J now submitted a fresh application. Has the Commission
K received the application? I

J CHAIRMAN: Yes. J

K MS LOK: There are two justifications underpinning the
L application which are set out in detail in my submission
M to the Commission. L

M CHAIRMAN: Yes. Please continue. M

N MS LOK: Yesterday, in her statement, Ms Lam admits that she
O amended the three delivery notes, so there is no
P contention here, and the factual dispute is whether
Q Mr Yung was a party to the incident. O

Q In my submission, this dispute is not related to the
R present Inquiry. Since we are spending public money on
S a hearing, we should not be venturing into unrelated
T issues. Because of the circumstances are so special, in
U that Ms Lam only submitted her statement yesterday -- R

CHAIRMAN: You received it in the morning?

MS LOK: During lunch time, actually.

Even for a criminal trial, criminal proceeding, the accused will be protected in various aspects, he will be allowed time to find evidence, but now it is so rushed and he is sort of required to give evidence today. This is against the principles of procedural justice.

CHAIRMAN: You had a whole full day, half a day, to do what is required.

MS LOK: But we had to do other things yesterday.

CHAIRMAN: Well, everyone is busy up to the very end of the year, so can I seek directions all the time because I am busy?

MS LOK: We need to collect evidence which cannot be completed in a short time.

CHAIRMAN: Such as?

MS LOK: We have to find whether there are records, such as the telephone records, telephone communications, as referred to by Ms Lam.

CHAIRMAN: Telephone records?

MS LOK: Records of making phone calls.

CHAIRMAN: So what? What you can show would be that some calls were made.

MS LOK: We don't know yet whether phone calls were indeed made between the two.

CHAIRMAN: Anything else?

MS LOK: That's all for my submission.

CHAIRMAN: Any other submission from other counsel? Because you brought up the four delivery notes. Anything from the parties?

MR SHIEH: Maybe I can respond to what Ms Lok has said.

Of course, this is not a criminal investigation, and objectively speaking, whether the four delivery notes are fabricated or not does not really prove or disprove whether there is lead in water. So there may be no direct relationship between the notes being forged and whether lead has been found in water.

But our terms of reference are not confined to finding whether there is some chemical reason why lead is found in water. Otherwise, what we have to do would be to invite experts to advise us. There has been some reference to the lack of knowledge or lack of awareness. That's said by the government, government departments, and other parties. So, on the question of the suspicion of forgery, I think there's one point that may be relevant to the work of this Commission.

The perpetrator or those who gave the direction to forge the delivery notes might have some knowledge about what went wrong. That's why they gave such instructions. The individual might know that certain

delivery notes might reflect that the materials delivered contain lead, and that's why that individual would like to have some forged delivery notes, to show a different situation.

Ms Lam might or might not know the material would be regarded as substantial. In that case, Mr Yung may also be in the same situation. The counsel representing Mr Yung might be concerned that we are talking about incurring public expenses in a hearing. But of course, we will adopt a proportionate approach to deal with such issues, because after all, this is not a criminal investigation.

But as long as this issue is in line with the investigation direction, we should be allowed to ask questions. It's another matter how much time should be spent on questioning on a certain issue. I don't think we need to spend much time on getting to the bottom of the matter, but we believe that it is relevant in relation to the knowledge of the person involved.

And if it is said that because Ms Lam already admitted in her written statement, Mr Yung doesn't need to give testimony, Ms Lam may think that it is unfair, and others may go scot-free and this is not fair. I am speaking from Ms Lam's perspective.

The other point, which is a separate point, is this.

C Counsel representing Mr Yung said that because Ms Lam's
D statement was only received yesterday, she needed more
E time, and, Chairman, you asked how much more time would
F be needed to prepare. Well, it's about what instruction
G Mr Yung gave to Ms Lam.

G If we look at page 145 in bundle L1, in Mr Yung's
H witness statement, he also mentioned a telephone
I conversation with Ms Lam on the date in question and
J what instruction was given, and in preparing Mr Yung's
K statement, all the telephone conversations and
L instructions given therein should have been sought from
M the client, and in the statement it is said,
N "I subsequently immediately rang Ms Lam and I don't
O recall specifically what I told her", and so on and so
P forth.

N So that means, I assume, that she must have already
O found all the contemporaneous records, if there were
P any, in preparing the statement. So I think it's quite
Q far-fetched to say that -- but if the counsel insists
R that they should go back and dig up more documents, then
S she should speak up and say why there was no such effort
T made yesterday. As long as it is relevant, questions
U should be allowed to be put and Ms Lam should be allowed
V to give evidence.

T CHAIRMAN: Anything to add?

C MS LOK: No. C

D CHAIRMAN: On timing matters, anything to add? No. D

(A two-minute pause).

E Yesterday, we were hearing the testimony of E
F Mr Cheung, and I recall Mr Yung was one of the F
G signatories to the subcontract, because when I asked G
H about the project director, he signed the subcontract; H
I right? That's Tung Wui or Wing Cheong Estate, either I
J one of them. J

K MR SHIEH: The subcontract -- let's look at L1, page 18, the K
L subcontract between Paul Y and Golden Day, and KC Yung L
M was the person who signed the contract. "Position: PD", M
N that means project director, KC Yung; right? N

O CHAIRMAN: Okay. Thank you. O

(A one-minute pause).

M R U L I N G M

N Ms Lam Lai King and Mr Yung Kwok Choi, in relation N
O to the production of the four delivery notes, is O
P directly relevant to an issue that the COI is tasked to P
Q deal with. That is, whether there is a lack of Q
R awareness in using non-lead-free solder wire and under R
S what circumstances the material was used. S

T Mr Yung also, on behalf of Golden Day, signed the T
U subcontract. He was one of the representatives. And U
V Ms Lam's statement was given to this COI, and all V

parties involved in the Inquiry, yesterday; that is, all stakeholders. As counsel Paul Shieh mentioned, Mr Yung's statement also made reference to that part, and it shouldn't take further time for Ms Lok to take further instructions.

That is why I reject Ms Lok's application.

MS LOK: Chairman, I call Mr Yung Kwok Choi to the stand.

CHAIRMAN: Please go over there.

MR YUNG KWOK CHOI (affirmed)

CHAIRMAN: Please be seated.

Examination-in-chief by MS LOK

MS LOK: Mr Yung, good morning. In this Commission of

Inquiry, you have prepared two witness statements.

I will first take you to the first statement, dated 3 December 2015. That is page 119 of bundle L1.

I am going to read out your statement:

"1. I am the project manager of Golden Day in relation to the subcontracts in the Hung Hom Estate Phase 2, Tung Wui Estate and Wing Cheong Estate ('the three affected estates'). I have been in the plumbing business for over 30 years and I have completed the relevant courses. In 2002, I joined Golden Day, and I left the post in August 2015. Before I left the post, I was the project manager and director of Golden Day.

2. I will, on the main contractor's request, before

commencing works at the site, provide samples of pipes and accessories (including soldering materials) to the main contractor for further approval by the Housing Authority. I will also, through the main contractor and the Housing Department, inform the relevant suppliers in relation to all materials. When works commenced, the works supervisor will place orders based on the progress of works and will procure from Prosperity. I did not directly take part in the procurement of soldering materials.

3. I am responsible for seeking documentation or samples from Prosperity but I did not directly take part in the order of materials. I don't remember whether, in seeking samples for submission to the main contractor, whether I specified that the soldering materials should be lead-free to be provided to Golden Day. In preparing this statement, I did ask the procurement officers of Golden Day and they do not remember whether there was a specification that the soldering materials must be lead-free from Prosperity.

4. I don't remember whether I had told Prosperity, nor am I sure whether Prosperity is aware that the materials used, procured by Golden Day, were used in collecting fresh water pipes.

5. Although I am responsible for getting samples

for submission to the main contractor for approval by the HA, in the trade there is a general consensus that soldering materials belong to sundry materials and before this incident happened I was not aware of non-lead-free materials in the market. I am not aware whether the soldering materials procured contain lead. I also asked procuring officers of Golden Day and they do not remember whether they had specified that the materials should be lead-free when they gave direction to Prosperity.

7. In the initial stage of the works commencement, I would prepare a mock-up flat for approval by the main contractor and the HA, and during works commencement, regular inspection will be carried out. As I was not attached to the site, I had no idea whether the main contractor and the HA's responsible officers examined or noticed whether the soldering materials contained lead or not.

8a. Both solder wires and solder strips are used for connecting copper pipes and accessories, but I don't understand the difference between the two.

b. As I do not understand the difference between the ingredients of tin strip and solder wire, I don't think that in terms of actual works, there is much difference between tin strips and solder wire.

I therefore did not pay attention whether tin strips or solder wire were used.

9a. I did not know a lot about the 50 per cent lead solder strip as a brand. Prosperity did not recommend this to me. I didn't know whether it contained lead. I enquired of this from our procurement staff and they said that they would not specify any brand in procuring soldering material and they did not pay attention to this particular brand, ie 50 per cent lead solder strips, and they could not recall whether Prosperity did recommend this brand.

b. Before this incident, I did not know this brand, ie 50 per cent lead solder strip, and I did not know the difference in content between solder wire and solder strip, and I was not aware whether in other public housing plumbing works that I had participated, 50 per cent lead solder strip or other solder were used.

10a. The water supply system in Yau Lai, Upper Ngau Tau Kok Estate and Tung Wui Estate Community Centre all use copper wires, and the pipes were jointed by the soldering. Yau Lai Estate and Upper Ngau Tau Kok Estate were completed a lot of years ago, it was too long ago, I am not sure now whether the pipes were jointed by soldering, but from my recollection, for Yau Lai Estate, it might have been done by soldering, but for Upper Ngau

Tau Kok Estate, it might be jointed by the pipes with solder embedded.

b. I cannot recall which supplier or suppliers provided the soldering material. We did ask Tung Shing through telephone whether we had procured any soldering material from Tung Shing. Tung Shing informed us no such records could be found now. Golden Day also contacted Prosperity to enquire whether we had procured any soldering material from Prosperity. Prosperity said no record could be found (annex 1 contains the correspondence between Golden Day and Prosperity).

i. Yau Lai Estate -- as the pipes and fittings were provided by the main contractor, I cannot recall, but I can rule out that the main contractor also provided soldering material but I am not sure now.

ii. Upper Ngau Tau Kok Estate -- according to my recollection, the pipes in this estate were jointed by pipes with solder embedded; therefore, there is no record of procurement of soldering material for this project.

iii. Tung Wui Estate Community Centre -- it was completed many years ago. I am not sure from which supplier we got soldering material. As the project was conducted in parallel with Tung Wui Estate, I cannot rule out that the soldering material was procured from

C Prosperity. But since we have enquired of this from
D Prosperity, I understand Prosperity has no such
E records."

C

D

E Chairman, with your permission, I would like to ask
F some supplementary questions from Mr Yung.

E

F CHAIRMAN: Okay.

F

G MS LOK: In paragraph 2, Mr Yung, you mentioned that after
H the approval of the main contractor and Housing
I Department of the samples, you would inform the
J procurement to the contract suppliers. Did you, after
K the approval was granted, tell them to follow the
L samples already approved? To whom did you address the
M communication?

G

H

I

J

K

L A. Mr Wong.

L

M Q. Was Ms Lam also a procurement staff?

M

N A. Yes.

O Q. Did they know Mr Patrick Wong was in the office?

N

P A. They would be given the samples for procurement
Q purposes.

O

R CHAIRMAN: Please repeat your answer.

P

Q A. My answer? After the samples were approved, the letter
R stating that approval had been given would be given to
S Mr Patrick Wong, and Mr Patrick Wong would give the same
T to the procurement department. So they should have
U known.

Q

R

S

T

U

V

CHAIRMAN: Sorry, you mean Ms Mok and Ms Lam should have known this. What about you?

A. I knew what samples had been approved.

MS LOK: So you would instruct the procurement staff to follow the samples. Would you be doing the same during construction?

A. I won't check again.

Q. Apart from what you have just said, do you adopt this statement as your evidence?

A. Yes.

Q. There's a supplemental statement from you. It's dated 5 January 2016. I am going to read out your supplemental statement:

"1. I, on 3 December 2015, made a written statement in response to the questions raised in the letter of Lo & Lo dated 20 November 2015.

2. On 22 December, Deacons, a solicitor firm, wrote to my solicitors with regard to questions of the email sent by Mr Patrick Wong to Paul Y, enclosing four delivery notes. As my solicitor firm only took over my case on 18 December 2015, therefore, on 24 December, they replied to Deacons to say that they were taking instructions. I will hereby make this supplemental statement to respond to the questions raised by Deacons.

3. Since the lead incident dated July 2015,

Golden Day had to handle a lot of enquiries. On around 16 July 2015, Mr Leung Wai Keung of Paul Y called me and asked my company to send a representative to a meeting with Paul Y to discuss all the projects of Wing Cheong Estate and the lead incident of that estate. I have tried to seek instruction from my managing director, Mr Cheung Tat Yam, but I was unsuccessful because Mr Cheung was out of town. I tried to call him but it was also not successful. Therefore, I was responsible for responding to Paul Y's enquiry.

4. On around 16 July 2015, in the afternoon, I had a meeting with Mr Leung Wai Keung. The annex is my calendar of July 2015. For the entries on 16 July, I noted down 'Sai Chuen 2:00'. There were a number of senior people of Paul Y at the meeting, including the COO, Mr Leung Wai Keung, Simon Cheung, Henry Ng and one or two site managers. Paul Y asked to respond to the enquiries made by the Housing Department and whether the material used by Golden Day contained lead or not. I said no, no lead was contained, because I believed at that time that the material did not contain lead. Mr Leung and Mr Simon Cheung asked us to produce relevant documents so that Paul Y can give an account to the Housing Department. I said, because it was so many years ago, we may not be able to find the relevant

documents but we would do our best. Then I accompanied Paul Y's representative to meet the representative of the Housing Department. The entry for 16 July in the annex states the 'HD', meaning a meeting with the Housing Department.

5. I immediately called Ms Lam Lai King of the Golden Day main office. I do not recall exactly what I told her but I did tell her that there's such an urgent request from Paul Y and I instructed her to find the relevant documents and put the documents on the desk in the office so that I can send the documents to Paul Y. I was never responsible for placing orders, receiving deliveries or payment, and all the invoices and delivery notes were never handled by me, therefore I instructed Ms Lam to handle the requests made by Paul Y and the matter was handled by Ms Lam.

6. On 17 July 2015, I was at the Hsin Chong office, handling enquiries by Hsin Chong. I was not in the office (please see the entry for 17 July in the annex). I did not have the habit of using email. Golden Day only has one email address (that is goldenday88@yahoo.com.hk). Mr John Ma from Paul Y asked that Mr John Ma's email was sent to that particular Golden Day email address. I was not in the office. It should be Mr Patrick Wong who received Mr John Ma's

email. Then he called me, saying that John Ma had asked for the documents. Therefore, I gave instructions that the documents on my desk in the office should be given to Paul Y. I instructed Mr Patrick Wong to give those documents to Paul Y.

8. Ms Lam put all the relevant documents for Paul Y in an envelope. I personally gave the envelope to Paul Y's office, but I cannot recall the exact date. As I have already asked Ms Lam to hand over the relevant documents, therefore I did not countercheck the documents handed over. I also instructed Mr Wong Kam Man to send an email and also to send the envelope to Paul Y. I did not check in advance the attachments and documents contained therein.

9. On 4 January 2015, Mr Cheung Tat Yam filed a supplemental written statement. In paragraph 10, he said I had told him on 17 July 2015 that I provided the document to Mr Patrick Wong. I only told Mr Cheung Tat Yam that I instructed Mr Wong Kam Man to send the document to Paul Y, but the delivery notes and invoices were never handled by me. I had nothing to provide to Mr Patrick Wong. Mr Patrick Wong sent an email to John Ma and the documents were provided by Ms Lam, which was placed on my desk, and submitted to Paul Y by Mr Wong Kam Man. I was at Hsin Chong, I was not in my

office.

10. Last, I want to supplement the paragraph like this: I joined Golden Day in 2002. For convenience purposes, I would represent the company to sign things. Mr Yung asked me to act as a director, but I did not hold any shares. In early 2015, I wanted to start my own business and I resigned. Mr Cheung tried to ask me to remain and then in August I resigned formally. I had nothing to do with the lead incident after that."

Mr Yung, in paragraph 4, you referred to a meeting with Paul Y people. Did they refer to the samples you had given them for onward submission to the Housing Department? What was it?

A. Soldering wire, solder wire.

Q. I have some questions for the witness in respect of Ms Lam Lai King's written statement.

Mr Yung, Ms Lam gave a written statement to the Commission yesterday. May I refer you to page 3 of that statement, paragraph 7(b)(ii). I won't read it. Just read it.

Have you finished?

A. Yes.

Q. I have four questions for you. First, I know you did not recall the exact content of your conversation with Ms Lam, but did you mention to Ms Lam that Paul Y would

like to retrieve the procurement records of soldering material --

CHAIRMAN: That's very complicated. Please ask your question again.

MS LOK: On that day -- let me break it down into separate questions.

Did you mention Paul Y's request in your telephone conversation with Ms Lam? In the conversation, did you mention that you had provided samples of soldering wire to the Housing Department?

A. Yes, I did.

Q. You can see that in Ms Lam's statement, it states that Mr Yung asked that he would like to have relevant delivery notes to Wing Cheong Estate, showing that lead-free soldering wire was delivered, and he hinted that if there are no such delivery notes, Ms Lam should know what to do.

Did you actually make that hint?

A. No.

Q. In a conversation with Ms Lam on 16 July 2015, did you expressly or implicitly say that Ms Lam was to amend the content of the delivery notes?

A. No.

Q. One final question. Do you recall whether, or do you have any record showing how Ms Lam informed you of the

C papers prepared for submission to Paul Y? C

A. Yes, on WhatsApp.

D Q. Do you still have the WhatsApp record? D

E A. Yes. E

F Q. Can you produce it to the Commission? I apologise to
the Commission, because this has just been found. F

G (Mr Yung's phone was handed to the Commissioners) G

H CHAIRMAN: It's written as follows: H

"All prepared. You will come back and get them."

I That's 17 July. I

J MS LOK: Please let me have a look. J

K CHAIRMAN: I think we can capture the screen and make
photocopies. K

L MR SHIEH: Can I have a look as well? L

M MR L HUI: (Chinese spoken). M

CHAIRMAN: Yes, Mr Hui.

N MR L HUI: Chairman, I represent Ms Lam Lai King and I would
O be grateful if a copy could be given to us. May I also
take a look at the phone because I did not have
P knowledge about that. P

Q MS LOK: We only found it just now. Q

I have no other question, Chairman.

R Chairman, I have no other questions. R

S MR L HUI: May I ask my solicitor to show this phone to my
client? S

CHAIRMAN: Maybe the clerk can accompany your solicitor out.

It's held by the clerk at the moment.

Ms Lok, no other questions? Yes, Mr Khaw.

Cross-examination by MR KHAW

MR KHAW: Mr Yung, you mention in your statement that you had 30 years of experience in fresh water pipes. So, in your witness statement, you mentioned that in 2002 you joined Golden Day?

A. Right.

Q. And you worked for ten-odd years and recently you left the company. What is your business now?

A. Still in the plumbing business.

Q. Do you have your own company or in another company?

A. I formed a partnership and formed a company.

Q. How long has the company been set up?

A. It was officially set up in July.

Q. So you joined Golden Day in 2002, and in 2002 we understand that Ms Lam also joined Golden Day. Do you know that?

A. I think around that time, but not at the same time.

Q. Did you know Ms Lam before you joined Golden Day?

A. Yes.

Q. How?

A. Well, we knew each other at the very initial stage in another company.

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 33	
C	Q. So you mean before you joined Golden Day?	C
	A. Yes, another plumbing company.	
D	Q. So you were colleagues?	D
	A. Yes. I was a subcontractor and she was clerical staff.	
E	Q. So how long did you two work together in that company?	E
	A. Probably ten years.	
F	Q. Mr Cheung Tat Yam is your brother in law, husband of your elder sister. So you know Mr Cheung as well before you joined Golden Day?	F
	A. Right.	
G	Q. Did your sister recommend you to join Golden Day?	G
	A. No.	
H	Q. Do you have any relationship with Ms Lam?	H
	A. No.	
I	Q. Would you regard yourself as the boyfriend of Ms Lam?	I
	A. No.	
J	Q. So you only have a work relationship with Ms Lam?	J
	A. Right.	
K	Q. But you have been on good terms with her?	K
	A. Yes.	
L	Q. You joined the business in about 1980, some 30 years ago?	L
	A. Yes, 1980.	
M	Q. How did you join the business? Were you an apprentice?	M
	A. I got a driving licence when I first joined the trade,	
N		N
O		O
P		P
Q		Q
R		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 Excess Lead Found in Drinking Water Day 33 B

C so I was the driver, and then at the site I was C
persuaded to join the plumbing business.

D Q. So how did you learn the skills? D

E A. I was the apprentice. I followed some masters. E

F Q. Did you have a plumbing licence? F

F A. No. F

G Q. What about a skilled worker licence? G

H A. Yes. H

H Q. When? H

I A. Because of my years of experience, I got it recently. I

J Q. So when? J

K A. June this year. K

K CHAIRMAN: In June 2015? K

L A. Yes. L

L CHAIRMAN: Did you get a semi-skilled worker licence? L

M A. No. M

N CHAIRMAN: So you were all along unlicensed, until June N
2015?

O A. Right. That was a licence for skilled workers, because O

P at that time I no longer engaged in the actual work, so P

Q before that I was the subcontractor. Q

Q CHAIRMAN: In 1985, what licence did you have? Q

R A. No licence was required back then. R

S CHAIRMAN: So the only skilled worker licence you got was S
one that you obtained in June 2015, and before that, you

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were all along unlicensed?

A. Right.

MR KHAW: Skilled worker licence you mentioned -- any qualifications required?

A. Yes. We needed to take a test, a trade test.

CHAIRMAN: What were the trade tests about?

A. Soldering, et cetera.

CHAIRMAN: What skills were involved?

A. Plumbing skills.

CHAIRMAN: Where did you get the licence?

A. CITA.

CHAIRMAN: What's the difference between this one and the skilled worker licence?

A. They are the same.

CHAIRMAN: So you got the licence in June 2015, so now were talking about the same licence, and before that you had no craftsman licence.

MR KHAW: But you also took part in soldering of water pipes beforehand, and you also got hands-on, and when was that?

A. Before 2002.

Q. So before you joined Golden Day, you also performed plumbing works at site yourself?

A. Yes.

Q. Were you taught by a master?

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 33	
C	A. Yes.	C
	Q. What soldering materials were used?	
D	A. No, not much soldering materials were used. It was	D
E	galvanised lead pipe, iron pipes, and copper pipes, and	E
	by way of compression.	
F	Q. Did you also engage in the use of soldering?	F
G	A. Some required hot water supply and we also performed	G
H	soldering for these pipes, but that happened before	H
	2002.	
I	Q. I am talking about soldering fresh water copper pipes.	I
J	What soldering materials were used?	J
K	A. I don't remember the details, because of the lapse of	K
	time.	
L	Q. In what form or shape?	L
M	A. In strips.	M
N	Q. So you have seen rolls of wire, and we were talking	N
	about 2002, when you had experience of soldering copper	
	pipes. Was tin wire used?	
O	A. No.	O
P	Q. Tin strips were used; right?	P
Q	A. Yes.	Q
	Q. Did you know what the tin strips contain?	
R	A. No.	R
S	Q. Whether it was lead-free or non-lead-free; any idea?	S
T	A. No, no, because it was only used for hot water supply.	T
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V		V

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Q. When was the first time you heard about lead-free solders?

A. It should be about ten years ago.

Q. So in 2005-2006?

A. Right.

Q. Under what circumstances did you hear about that? Did you hear it from others?

A. Yes, hear it from others.

Q. So the first time you saw lead-free soldering materials or used it, when was that?

A. I personally did not use it.

Q. But when did you first see that?

A. In 2010, around 2010.

Q. You saw this one?

A. Yes.

Q. Now, we were talking about three estates. Did you see that in the construction of one of the three estates?

A. During sample submission.

Q. So in one of the HA projects you saw that?

A. Right.

Q. So then you knew that it was lead-free?

A. Right.

Q. And you knew that the brand was FRY?

A. Right.

Q. According to your experience in the trade, do you know

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 33	
C	the purpose of using lead-free soldering materials?	C
D	A. To prevent water pollution.	D
E	Q. So you know that lead is poisonous, is toxic, so by	E
F	common sense, the purpose of using lead-free materials	F
G	is to prevent water contamination, if lead-containing	G
H	materials are used. Have you, in your experience,	H
I	carried out any projects other than public housing	I
J	projects? How about private housing projects?	J
K	A. Yes.	K
L	Q. For private housing projects and the plumbing works and	L
M	the soldering, is there any difference in the use of	M
N	soldering material?	N
O	A. Well, they use soldering material containing silver.	O
P	Q. What's the difference of using silver vis-a-vis tin?	P
Q	A. You use a torch to heat the silver solder.	Q
R	Q. And it takes a longer time?	R
S	A. Yes, a longer time.	S
T	Q. You joined Golden Day in 2002. When you joined, what	T
U	was your position?	U
V	A. I was the site supervisor.	V
	Q. Did you become a director right away upon joining?	
	A. No.	
	Q. When did you become a director?	
	A. It was sometime around 2014, 2015.	
	Q. So it was recently?	

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A. Yes, recently.

Q. Do you remember that at one time Ms Lam was a director?

A. Yes.

Q. Around the same time you became a director?

A. I'm not sure.

Q. You have a sister, Ms Yung Pui Fan. Did she participate
in the day-to-day running of the company?

A. No.

Q. Never?

A. Never.

Q. So we don't expect to see her in the company, in the
office?

A. No.

Q. So she was a nominal director?

A. Nominal.

Q. As a project manager, you of course understand the
project well and you would visit the sites regularly.

For these three affected estates, ie Hung Hom,
Wing Cheong and Tung Wui Estate, on average how
regularly did you inspect the sites?

A. Two or three times per week.

Q. When you did the inspection or visits, you would contact
your site foremen and you would talk to them over the
progress?

A. Yes.

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

B Commission of Inquiry into Excess Lead Found in Drinking Water Day 33 B

C Q. Would you also be talking to the people under the main C

D contractor concerning the time schedule and the D

E progress? E

F A. Yes. F

G Q. Let's be more specific. Let's say it's Paul Y. Who G

H would you be talking to on the site? H

I A. The BS. I

J Q. We know that you have to tender for the project for J

K these estates. Were you involved in the tendering? K

L A. Usually, it would be Mr Cheung. We would only have L

M a discussion after the result is out. M

N Q. In the course of the tendering process, what's your N

O role? What's your involvement? O

P A. I would take a look at the tender. P

Q Q. What do you mean? Q

R A. If you are one of the three shortlisted, there would be R

S an interview, there would be a meeting. S

T Q. Oh, you are talking about the tendering meeting. During T

U the meeting, would you be talking about the U

V specifications of materials in the main contract? Did V

you cover that?

A. No.

Q. Did you have a certain amount of knowledge about the

specifications in the main contract?

A. Yes.

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

B Commission of Inquiry into Excess Lead Found in Drinking Water Day 33 B

C Q. Where did you learn the knowledge? C

D A. I was responsible for preparing the payment slips. D

E Q. What? E

F A. Payment slips. So I have to -- F

G CHAIRMAN: You mean the progress made so far and you would G

H prepare documents to ask for payment? H

I A. Yes. I

J MR KHAW: The specifications would state that the soldering J

K material must be lead-free and other pipes and fittings K

L might have to meet certain other specifications. Did L

M you know that? M

N A. Yes. N

O CHAIRMAN: The Housing Department's contract is in English. O

P Could you understand that? P

Q A. We would submit samples and they would give us some Q

R comments so we can make revisions. R

S CHAIRMAN: So you can read that? S

T A. They would inform us. T

U CHAIRMAN: Did you understand the contract of the Housing U

V Department? It's in English. V

A. No, I couldn't read that.

CHAIRMAN: But you would know the requirements because you would be informed?

A. Yes.

MR KHAW: Regarding the requirement of lead-free soldering

material for plumbing works, were you informed by the main contractors or were you shown the relevant documents?

A. Well, the main contractor didn't mention this.

Q. How would you know that?

A. We would submit information to the Housing Department.

We would only submit information of lead-free soldering material.

Q. How would you know that you were required to submit lead-free material?

A. From common sense.

Q. But you were not aware of the requirements as dictated by the main contractor?

A. No.

Q. The main contractor may tell you verbally the requirements of the specifications in the main contract? Would that be done?

A. Usually, they would only talk about the amount of money, and we were given documents to read.

Q. Look at the subcontract: L1, page 18. This is the subcontract for the project. You must have read this already.

For Wing Cheong, that is the Sai Chuen Road project, it's a subcontract for that project. Down below, you can see some signatures. For Golden Day Engineering Co

Ltd, there's a signature, and then the name is stated as "KC Yung. Position: PD", or project director. Did you write the words "KC Yung" and "PD"?

A. Yes.

Q. And it's your signature?

A. Yes.

Q. And there are two paragraphs: the subcontract, in respect of all the provisions in the main contract, and also the responsibilities and obligations of the subcontractor were totally understood, and before the signing of the contract they would look into it completely, and there were site inspections to ensure that the quotation given is correct and accurate.

That is to say, you stated that before you signed the contract, you understood the requirements and the clauses and provisions in the main contract. But now you are saying you had no knowledge about the requirements on materials in the main contract.

A. Well, we had been working on Housing Department projects for years. The materials required were more or less the same all along, more or less the same. There are many materials that have to be supplied and used.

Q. Did you have a list on what materials should be submitted?

A. Yes.

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Q. Who gave you the list?

A. I will ask Mr Patrick Wong to type out a list. The list is more or less the same for different Housing Department projects.

Q. And how did he compile the list?

A. We might already have a previously submitted list, and then we can compile a fresh list, on that basis.

Q. The list would contain soldering material?

A. Not necessarily.

Q. Is it from your memory?

A. My recollection is that it's there for some projects but not there for some other projects.

Q. You are saying that there's a list for every site? For some sites, the list would contain soldering material, but for some others, the list might contain nothing about soldering material. But for this particular subcontract, you had a list containing soldering material, and soldering material only. So you rely on the list?

A. Yes.

Q. Do you still have the list?

A. I don't know. I have to ask Mr Patrick Wong.

Q. So you can ask your former colleagues.

But for you personally, for projects performed for the Housing Authority or the Housing Department, where

the samples of materials have to be submitted, if you have to submit samples of soldering material, you knew what materials would be submitted?

A. Well, all along we only submitted one type.

Q. And you knew that this was lead-free?

A. Yes.

Q. And you knew very well that this one would conform to the specifications?

A. Yes.

Q. Every time when you submitted materials for approval, what did it involve? This is in your statement: L1, page 119, paragraph 2:

"Before work commenced on the site, I would submit samples of pipes, fittings and material (including soldering material) to the main contractor for onward submission to the Housing Department for approval."

Let's pause here. Yesterday, we heard from Mr Cheung that for these three estates -- Wing Cheong, Tung Wui and Hung Hom -- the practice was that you would submit samples of pipes and other things to the main contractor, so that the main contractor could submit the same to the Housing Department. Do you know that?

A. Yes.

Q. Here, you state that this is done at the request of the main contractor, in relation to the submission of

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samples. That is to say, the main contractor would ask you to submit samples of relevant materials to them?

A. Yes.

Q. Let's look at the case of Wing Cheong Estate. That is, Paul Y is the contractor. Did they ask you to do this?

A. Yes.

Q. Who requested you to submit the samples?

A. It's from the BS Department. We had to do that.

Q. They told you personally?

A. Yes.

Q. Over the phone or what?

A. I would be on the site and liaise with them.

Q. What do you mean?

A. Well, we would compile a list on what materials or samples would be submitted.

Q. So you would talk to the BS staff of the main contractor on what materials would be submitted, and then you prepare all the samples. So, when you discuss with the BS staff, do they give you any document?

A. No.

Q. So how did you record what materials were to be submitted?

A. After discussion, we would type up a list, because we need to follow a schedule in sample submission.

Q. So, when it came to soldering materials, say in

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 33	
C	Wing Cheong Estate, do you remember, when you discussed	C
D	about materials for sample submission, anything about	D
E	soldering materials?	E
F	A. It wasn't mentioned, but sometimes it's on the Housing	F
G	Department's request and we would be told, through the	G
H	main contractor, that this sample would have to be	H
I	submitted.	I
J	Q. So the main contractor did tell you that even samples	J
K	for soldering materials had to be submitted?	K
L	A. Yes.	L
M	Q. So was there any discussion on the brand?	M
N	A. No.	N
O	Q. Did the BS staff tell you which brand should be used?	O
P	A. No.	P
Q	Q. And you believed that this should be used?	Q
R	A. Right.	R
S	Q. Because according to your previous experience, you	S
T	believed that this one must be right?	T
U	A. Yes.	U
V	Q. So you should know that generally, for soldering	V
	materials, it's not a mandatory requirement for	
	soldering material samples to be submitted?	
	A. Yes, I know.	
	Q. However, you still submit it to the main contractor?	
	A. Right.	

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Q. So, when you prepared the materials for submission to the main contractor, were you responsible for getting those materials from the suppliers?

A. Well, the assistant, Mr Patrick Wong, gave me all the information and materials, and I would check them and submit to the main contractor.

Q. So he was responsible for contacting suppliers for information, which would be passed on to you. From Mr Cheung's evidence yesterday, we understand that there would be a board on which the sample materials would be attached?

A. Because we need approval of that material first.

Q. So do you mean that the Housing Department would approve the samples before that board is prepared?

A. Yes.

Q. So if you asked Mr Wong to contact, say, Prosperity for a list of materials to be submitted to the main contractor, and then he brought a stack of materials --

A. Right.

Q. -- among the materials, there would be documentation in relation to the materials, the documentation would be submitted first?

A. Right.

Q. But the documentation would also be obtained from suppliers; 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	B
	Day 33	
C	A. That's right.	C
	Q. You would not use any previous documents?	
D	A. Right.	D
E	Q. So every time you would get a new set of documents or	E
F	materials; you would not use old materials for sample	F
	submission?	
G	A. Right.	G
H	Q. How long have you worked with Prosperity? That's	H
	according to your experience.	
I	A. I knew the company ever since I joined Golden Day.	I
J	Q. So only after you joined Golden Day?	J
	A. Right.	
K	Q. And all along you had business dealings with them?	K
L	A. Yes.	L
	Q. Do you know the staff of Prosperity?	
M	A. I know Chow Ka Ping, that's the boss.	M
N	Q. Are you familiar with him?	N
	A. No. We don't contact frequently.	
O	Q. So, after getting the documents and materials, were you	O
P	the one who delivered them to the main contractor?	P
Q	A. Yes, to the site.	Q
R	Q. So every time you had to carry a lot of materials; did	R
	you have to use a vehicle?	
S	A. Yes.	S
T	Q. And did you contact the BS staff on arrival?	T
U		U
V		V

C A. Yes. C

D Q. So, when you contact the staff, you checked all the
D items?

E A. Yes. I needed to tell them about the materials. E

F Q. Was any further documentation required on arrival? F

G A. No. G

H Q. You just explained to them? H

I A. Yes. I

J Q. When you delivered the materials, was there any further
J discussion on soldering materials?

K A. No. K

L Q. So do you agree that as far as soldering materials is
L concerned, we know that there is no mandatory
M requirement for sample submission of soldering materials
M to the main contractor. This is not the Housing
N Department's requirement, but it was still meaningful
N for you to submit samples, and you knew that because, to
O avoid misunderstanding, you should be sure the type of
O materials procured by the procurement staff to be used.

P A. Yes. P

Q Q. So, once submission was made and approval was sought,
Q the main contractor would notify you. Would they notify
R you personally? R

S A. I would be informed, and the approval letter would also
S be emailed to my company. If they gave me the letter,
T T

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I would take it back to the company. If they emailed the letter to my company, I would ask Mr Wong to check the email.

Q. So they would verbally inform you of the approval first?

A. Yes.

Q. Would you also be informed of materials not yet approved?

A. We would follow up on those materials.

Q. Right, but for materials approved, would they verbally inform you first?

A. Not necessarily all of them. Well, say, in preparing a mock-up flat, we needed materials, and for materials not yet approved, we would follow up on them. Well, for those approved, sometimes they would just directly email my company.

Q. So, in the email, would the materials approved be mentioned?

A. Yes.

Q. Say for soldering materials, you mentioned that you would tell Mr Wong?

A. Right.

Q. Would you also tell Ms Lam and Ms Mok?

A. Perhaps on some occasions I did. Well, perhaps -- because only the three of them would pick up the phone, so it depended on the circumstances.

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Q. Who would be informed? For Wing Cheong Estate, who did you inform?

A. I don't recall exactly who I informed, but definitely one among the three. One among the three would know.

Q. Was it the case that every time approval was given, those three would be informed, in every estate?

A. Yes.

Q. How would they be informed?

A. The materials approved had been -- I mean, approval had been given in relation to the materials, and you needed to follow the approval. It's set out in the letter.

Q. Do you mean you would give the approval letter to them as well?

A. Right, not just verbally. Definitely, they would also receive the letter.

CHAIRMAN: I want to clarify this. Do you mean that when the soldering materials had been approved, you personally would definitely inform one of the three colleagues in your company?

A. Right.

CHAIRMAN: Telling them expressly that this type of soldering materials were to be used?

A. Not expressly, because it would be written in the approval letter.

CHAIRMAN: All right, so you would do that verbally, but if

you had not done it verbally, there would at least be something in black and white stating that in future, procurement of soldering materials, the soldering materials as stated in the email, should be ordered?

A. Right.

CHAIRMAN: So, in other words, for the three colleagues working in your company, they understood very well that when they were to place orders for materials, they would have to place orders for this type from Prosperity?

A. Should be.

CHAIRMAN: "Yes" or "no"?

A. Yes.

CHAIRMAN: So the three of them would have no doubt at all? That means they didn't need to think at all; they just needed to ring Prosperity and say, "A box of FRY 99C lead-free soldering materials, please." So definitely no thinking process involved; they would definitely know what to say?

A. Right.

MR KHAW: Going back to the previous question, through Mr Wong you would ask Prosperity for samples of materials, including soldering materials. So Prosperity would know that they would give you this brand, FRY 99C?

A. No, I wouldn't be sure, because all along I had only used this brand. I had never used anything else.

Q. But I mean, when you asked for samples from Prosperity, Prosperity knew very well that they would be required to submit this brand to you?

A. Right.

Q. Because you specified this one.

A. We never got anything else before.

COMMISSIONER LAI: Well, did you specify it?

A. I specified this because I only ordered this type.

MR KHAW: You are sure about that?

A. Yes.

Q. Please take a look at your statement. Page 119 of L1, paragraph 3:

"I am responsible for obtaining documents or samples from Prosperity, but I did not directly take part in placing orders with Prosperity for materials. I no longer recall whether, when I sought samples from Prosperity for submission to the main contractor, I specified in particular that the materials used, to be supplied to Golden Day, must be lead-free."

A. Because I only ordered one kind of material, I would not ask them so many things.

Q. No, here it says you don't recall, at the time of getting samples from Prosperity, whether you expressly told them that it should be lead-free. But just now you said that, "No, definitely no mistake; surely that would

be the type of material." So what's your answer?

A. I don't know whether they would be sure, but I had all along only sought one kind of samples from them.

I need to clarify here. I would only ask for the sample of this kind of material.

Q. Wait a minute. You said here that you do not recall whether you specified that the soldering materials must be lead-free, and yet you earlier said that everything was very clear, there was a list, and Mr Patrick Wong would know very well which kind of materials should be sought.

A. I really don't know how Mr Patrick Wong talked to them, but as far as I was concerned, I only specified one type. But I don't recall how he had the conversation with them.

MR KHAW: (Chinese spoken).

CHAIRMAN: A mid-morning break. 20 minutes.

(11.30 am)

(A short adjournment)

(11.56 am)

MR KHAW: Mr Yung, before the break, I mentioned to you that before sample submission you would prepare a list.

A. Yes.

Q. So, according to your experience, you know the Housing Department's requirements?

A. Right.

Q. I would like to clarify with you some things about the list. So, before sample submission, you prepared a list, that is you discussed with Mr Wong in coming up with a list. Did you do it?

A. He prepared the list.

Q. So you told him and he prepared the list?

A. Yes.

Q. So, when you spoke to him, would you check the samples against the documents and give him instructions?

A. No.

Q. You only base it on your memory?

A. Well, because different sites have different materials, so there may be dozens of materials required at the site.

Q. So you only base your instructions on your own memory, in asking him to prepare a list?

A. Well, he would prepare based on the list from a previous site and revise that list. So he would follow the list previously used.

Q. So at some point there would be the first draft of a list, based on the HD's request. So, when the first list was prepared, how did you tell Mr Wong what to prepare?

A. Because after being awarded the tender, we needed to ask

for price quotations for materials from different suppliers, and we needed to do that before we put it down on the list.

Q. So you asked Mr Wong to get some information on materials for preparing the list. Did you again base this on your memory?

A. Because, at the price quotation stage, Ms Lam would contact all suppliers, and then, for reasonable quotes, we would then contact those suppliers.

Q. I am not talking about that. I am talking about the list. Mr Wong prepared the list for you, concerning various materials. I am talking about the first list.

A. Because after approval of samples, there would be a complete list which we could follow.

Q. So you are referring to the one given to you by the main contractor?

A. Yes.

Q. So you made adjustments to the list each time?

A. Yes.

Q. And according to the list, what was the description for soldering materials?

A. Usually, soldering materials would not be included in the list because it's regarded as minor hardware. It would not be put as a separate item.

Q. So, about the descriptions of soldering material,

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usually what would be written?

A. Usually, "FRY".

Q. Any photos?

A. No photos required. No photos required on the list.

Q. Any description, like "lead-free"?

A. No, no.

Q. Not at all?

A. No.

Q. So only "FRY", only the word "FRY"?

A. Yes, just to know which brand, F-R-Y, FRY.

Q. Let me show you some documents. B6.3, page 14657. This is from the supplier, a leaflet. Have you ever read such document before?

A. Yes.

Q. This one is Prosperity Building Materials Co Ltd. This is a leaflet about the projects the company had taken part in. This is the job reference on the use of FRY lead-free tin wire.

So, about the list on soldering materials, only the word "FRY" was used and no other description, just one word, "F-R-Y"?

A. Yes, yes.

Q. Any mentioning of its weight?

A. Well, we needed to look at the test report. I am talking about the list.

Q. What list? What's on the list? When it refers to the soldering material, you said that only the word "FRY" is found, and I was asking you whether it would mention that it's lead-free and the weight.

A. No, no.

Q. You are sure that you can only see the three letters, F-R-Y?

A. I'm not sure.

Q. Is there any Chinese character, in addition to English letters? Well, the list is in English; right?

A. Yes.

Q. You told us that after submitting the samples to the main contractor, the main contractor would seek approval from the Housing Department, and you would be given some documents afterwards, and in those documents there would be a list of approved samples. In that list, is it the same as the list that you have prepared, or there's a separate list?

A. A separate list.

Q. Sometimes, they would tell you that the soldering material has been approved, then of course you have to take a look at what has been approved, because you are responsible for this sample submission and approval process. In that list, how would the soldering material be described?

A. We would look at the brand, the approved brand, but I don't look into the details.

Q. So you just tried to see if the "FRY" was there?

A. Yes.

Q. In the list compiled by the main contractor, was there any photo?

A. There were photos for some.

Q. What about soldering material?

A. Yes, I believe there was a photo for soldering material.

Q. Before the break, you said the main contractor would approve the list, and according to your lawyer, you would tell Mr Wong what materials have been approved so that orders could be placed. You believe Mr Wong would also inform other staff in the procurement department.

Earlier on, I asked you this question: apart from Mr Wong, did you directly tell Ms Lam or Ms Mok. You said "sometimes".

A. Yes, sometimes.

Q. So you would not just inform Mr Wong, you would also inform Ms Lam and Ms Mok?

A. Yes.

Q. When you informed Mr Wong of this, would you give him the list from the main contractor?

A. He had one.

Q. And you believe that Mr Wong would also show the same

list to Ms Lam and Ms Mok. So sometimes, when you inform Ms Lam and Ms Mok, would you also show them the list?

A. No.

Q. So how could you make sure that they knew the material is approved by the main contractor?

CHAIRMAN: Why not, why you didn't? This morning I asked this question. I think my question was very clear. You now said that you wouldn't show them the list. I asked you. There were three people in your office. When the list was given to your company, you would inform these three people, so there would be no doubt whatsoever among the three colleagues as regards what to be procured.

A. I said Mr Wong gave them the list.

CHAIRMAN: You didn't say this, this morning, and now you are saying that there are chances that they wouldn't know. Which is true?

A. They should have known.

CHAIRMAN: It's not the same as the answer you gave us, that they knew, because according to my impression I gained from your answer, the three people there had no doubt what to do; they knew clearly. It's so straightforward. And now you are saying that Mr Wong knew but the two others may or may not know.

A. I would say the three of them, all of them, knew.

CHAIRMAN: So the answer you gave earlier was true; they knew, not that they should have known.

MR KHAW: When you informed Ms Lam or Ms Mok, you did not show them the list. How would they know what material to be purchased?

A. Well, when the email is received, I would ask Mr Wong to print out in a kind of a schedule on the materials that have been approved and when the approval was given.

Q. And you would give it to Mr Wong?

A. Well, to Ms Lam.

Q. How would you know that Mr Wong had given the list to Ms Lam and Ms Mok?

A. I would sometimes ask Mr Wong whether he had done so.

Q. So you are sure that the three of them definitely knew what material to be procured.

Let's now return to your witness statement. L1, page 119, paragraph 3. Line 3, the last word in the second line:

"In preparing this statement, I did enquire of this from the procurement staff of Golden Day. They could not remember whether, when they placed order for soldering material, they specified whether it should be lead-free or not."

Also, line 3 of paragraph 5 -- line 2 first:

"... I did not pay attention to the issue of non-lead-free solder being available in the market.

I did not pay attention to whether the procured soldering material contained lead or not. I asked this of the procurement staff of Golden Day, and they cannot remember whether, when they placed order with Prosperity, they specified that the soldering material should be lead-free or not."

So, in preparing this statement, you asked questions of procurement staff. To whom did you address your questions?

A. Ms Lam and Ms Mok.

Q. What about Mr Wong?

A. Mr Wong was not in the office. I had already left at that time.

Q. Okay, I know that. You asked Ms Lam and Ms Mok; by telephone?

A. I gave them telephone calls.

Q. Did you also call Mr Wong?

A. One or two days later.

Q. So you asked all three of them. How? How did you put your question?

A. Did they know that there were problems with the soldering material? Did they place wrong orders? Because I said I could not remember whether I had

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

B Commission of Inquiry into Excess Lead Found in Drinking Water Day 33 B

C instructed you to do this. C

D Q. You said there were problems with the soldering D

E material; did they place wrong orders with the supplier? E

F And you could not recall whether you gave them the F

G instructions. You could not recall. G

H A. Well, there are so many sites. I could not be sure H

I whether I had omitted anything. I

J Q. But you said it was very clear to you. J

K A. So that's why I called them. K

L Q. But before you called them, what's in your mind? L

M A. I certainly knew there was no question of committing M

N such mistakes. N

O Q. When you called them, you told them there might be some O

P mistake with the orders. Did you mention anything about P

Q lead-free? Q

R A. No. In my mind, there was only one soldering material. R

S Q. So you did not mention the words "lead-free"; you were S

T only concerned about placing wrong orders. Did you T

U mention FRY? U

V A. No. V

Q. "So what's the mistake? Did you place order for the Q

R wrong soldering material?" What did they tell you? R

S A. They said they could not remember. S

T Q. Remember what? T

U A. They could not remember the order that they have placed. U

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

B Commission of Inquiry into Excess Lead Found in Drinking Water Day 33 B

C Q. So they did not know what material was purchased. Were you surprised, on hearing this? C

D A. Yes. D

E Q. So it's really outrageous; right? E

F A. (Nodded head). F

G Q. Did you query them, "How come you did not know what to do? It was clearly expressed"? G

H A. No. H

I Q. Why? I

J A. Because I am already working in another company. I have to know something before I write my statement. J

K Q. So you are now not working in this company, but you felt there was a need to ask them questions. To you, it's K

L a serious and important matter; right? L

M A. Yes. M

N Q. You wanted to know what had happened? N

O A. Yes. O

P Q. When you asked them, it was before you'd made the statement, and you understand this Commission is P

Q inquiring into this serious matter; it's a serious matter, right? Q

R A. Yes. R

S Q. Since this is a serious matter, you called them, each one of them, and they gave you the same answer? S

T A. The same answer, yes. T

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Q. Why didn't you query them? Why didn't you ask them,
"What went wrong", how come they did this?

A. There were so many sites, I didn't know whether I had
given them all the instructions properly, 100 per cent.

CHAIRMAN: But there was only one soldering material you had
used. Even if you did not tell them to do this for one
site, I think Mr Khaw is asking why, given the matter is
so serious, why you didn't query the answers.

A. Because, when I prepared this, I was also in a chaotic
situation.

CHAIRMAN: We are talking about the time when you called
these former colleagues to look into the matter. You
wanted to find out the truth, and according to Mr Khaw,
you only did it halfway through and you did not pursue
further questions. I think Mr Khaw is asking you why
you did not pursue the matter.

A. I don't know how to answer this. Maybe it's because of
the mood I was in.

MR KHAW: So you cannot really answer this question?

A. No.

Q. At that point, you doubted whether you have omitted to
tell them?

A. I suddenly had this doubt, whether I had omitted to tell
them.

Q. But today you are very clear? There's no

misunderstanding; they ought to know. Which is true?

A. Well, when I called them, I had doubts, but after I prepared this statement, I thought that they should have known this. That's what I have put in my statement.

CHAIRMAN: You mean that today you know that they should know, but at that time you did not know. What has prompted you to change your mind?

A. Well, they were following up issues with the samples. We always submitted the same samples.

CHAIRMAN: So there was no change, the circumstances did not change; just you have changed your mind?

A. Yes.

MR KHAW: Another question. When goods were delivered to the site, was there any occasion when you were personally present?

A. No.

Q. So, after the soldering materials arrived at the site, usually Prosperity would send invoices to your company?

A. Yes.

Q. Would you look at the documents sent to your company?

A. No.

Q. So you had no idea what was written on those documents; you never read them?

A. Right, until very recently.

CHAIRMAN: Sorry, I have a question. Allow me to interject.

So you never read the documents, and Ms Lam, the lady from the accounting division, would check. But on reading, she would know that the words "FRY 99C" were mentioned.

A. I personally did not read it.

CHAIRMAN: Yes, but when she read it, did she tell you, "Mr Yung, for the list concerning so many estates, you have been using FRY 99C lead-free, but now it's 50D lead tin wire"? Did she say that?

A. No, never.

CHAIRMAN: For Hung Hom Estate, did she tell you?

A. No.

CHAIRMAN: Because if we look at Hung Hom Estate, that is quite interesting. For Hung Hom Estate, that's S1, and then page 78. In summary, you can see on the screen -- do you see that? -- 2009, in March and June, on the first two occasions, orders were placed for FRY lead-free tin wire, and then for the last two occasions in 2011, in March-April, FRY lead-free tin wire. But for the period in between, they were not?

A. Yes, I see that.

CHAIRMAN: So nobody ever questioned that?

A. Nobody told me.

CHAIRMAN: Nobody told you, and according to you, they all

had the knowledge?

A. Right.

MR KHAW: Now I would like to refer you to Ms Lam's

statement. Page 149. Ms Lam, in relation to this

Inquiry, has prepared this written statement, and may

I refer you to paragraph 4.

CHAIRMAN: Sorry, going back to the previous document,

page 78, I have another question.

Why would your site use tin strips or wire in such
a manner? At the start and at the finish, you used
lead-free tin wire, but in between, you used tin strips.

A. I would not speculate because I am not sure.

CHAIRMAN: But do you have any idea why your site

supervisors or foremen would do it that way?

A. I can't think of why they would do it this way.

CHAIRMAN: They knew very well that lead-free materials

should be used; they knew very clearly; right?

A. They should.

CHAIRMAN: Similar to the three staff in your office, they

should know, and they should know even better, because

they directly used the materials at the site and then
supervised the works?

A. Yes, they should know even better and they should ask if
they had any doubts. I suppose they should know very
well.

CHAIRMAN: So, for the two staff, how long had they worked
in Golden Day, which two, the two at the site?

A. Over ten years.

CHAIRMAN: In the plumbing business, they are very familiar
with the requirements. They wouldn't make a mistake?

A. I can't say for sure whether they would make a mistake
or not.

CHAIRMAN: But you have been in the business for so long and
you have been using the same kind of soldering material,
and for over ten years only one kind of sample would be
submitted, and they work for you, definitely there would
not be a mistake, and if you had seen this pattern of
purchasing tin soldering materials, you would have
asked, because it was very unreasonable?

A. Correct.

MR KHAW: So you said now you know very well that Ms Lam,
Ms Mok and Mr Wong should know about that very clearly.
So, in relation to the foremen at the site, how did they
know which soldering materials were to be used?

A. I don't know. I don't want to speculate. But I reckon
that they would ring and communicate.

Q. Ring where?

A. Well, I had absolutely no idea about placing orders.

CHAIRMAN: Let's not talk about placing orders. Placing
orders, that means all along wrong orders had been

placed. Why? Because you cannot say that at the start and finish the correct materials were used, but not in between.

A. That's why I said I could not speculate.

MR KHAW: So you did talk to Ms Lam, Ms Mok and Mr Wong that those materials have been approved, including soldering materials. As for site foremen, how did you communicate with them, to make sure they knew which materials had been approved?

A. I did not communicate with the site foremen, because they would ring the procurement division about materials required to be used. For more complex materials, I might not be able to remember the brands, but they had the list and they would ring them.

Q. Didn't you find it necessary to tell the site foremen, because they were supervising works at the site?

A. Well, that didn't occur to me. Perhaps I just forgot to talk to them about that.

Q. So, for site foremen, they would only know about it if they had talked to the procurement staff?

A. Right.

Q. I would like to refer to Ms Lam's written statement, page 149 in L1, paragraph 4. Here, Ms Lam said as follows:

"Before this incident happened, I did not know that

the soldering materials for connecting fresh water pipes should be lead-free."

That's her statement. What is your response?

A. It wouldn't be a surprise if she didn't know that it should be lead-free.

Q. So she knew the brand but she might not know the ingredient?

A. Right.

CHAIRMAN: It wouldn't be a surprise that she didn't know -- why? Because she should know. She's in the accounting division.

A. But we did not talk about this.

CHAIRMAN: But she should know, because apart from placing orders, she also took part in settling the accounts and checking the invoices?

A. I understand.

CHAIRMAN: But if your company, as of now, has no document or invoice with the words "FRY 99C", then that would be reasonable. But the point is you do have some invoices bearing those words; do you understand?

A. Yes.

MR KHAW: Then over the page, another statement, paragraph 5, the last three lines:

"I did not know that the soldering materials procured must be lead-free. According to my

recollection, Mr Hui and Mr Chau, when they rang me to place orders, they did not mention that for the soldering materials to be procured, they must be the same materials approved by HD and must be lead-free."

First of all, Ms Lam said that there was no mentioning of the materials being the same as the materials approved by the HD. Do you accept it?

A. I cannot answer on her behalf of, because it is not a matter of whether I accept it or not. I only read her statement yesterday.

Q. That was her statement, and you just mentioned that she might know which brand; she just might not know that it was lead-free. So you were certain that this brand would be used?

A. Yes. That's the case for me.

Q. And this one has been used for so long, and my question to you is this. The staff in your company, most of them should have known that this is a lead-free material, including Ms Lam and Ms Mok; right?

A. The majority of them.

Q. So if she says that, first of all, she doesn't know whether the soldering materials must be the same approved by the HD, and it should be lead-free, would you say that her statement is untrue?

A. Well, I would say that she should know that the

materials procured should be the ones approved by the HD, but I don't know whether she knows that it should be lead-free.

Q. But you just now already said that the majority of your staff should know that it is lead-free. Your previous answer said that the majority of your company staff, including Ms Lam and Ms Mok, knew about this brand and they should know that it was lead-free, and now she is suggesting that she did not know it should be lead-free, and my question is whether you think what she said is not correct.

A. Right.

Q. I have a question on the supplementary written statement, about what happened over the past three months. So let's refer to page 144; I still have some questions for you.

Paragraph 3. Do you have the statement in front of you, page 144?

A. Yes.

Q. Do you see that?

A. Yes.

Q. In paragraph 3, it's about what happened in July, and you said the following:

"Ever since the lead in water incident happened in July 2015, Golden Day Engineering had to handle a lot of

enquiries. On about 16 July 2015, Mr Leung Wai Keung from Paul Y Engineering rang me, requesting that a company representative be sent to the office of Paul Y immediately for a meeting to discuss the lead in water incident in relation to the Wing Cheong Estate."

Now, you talk about a lot of enquiries after the incident happened in July, including enquiries from contractors. From who else?

A. Hsin Chong, Hing Shing, China State.

Q. All contractors?

A. Yes.

Q. So the projects involving Golden Day?

A. Right.

Q. There were many enquiries in July and Paul Y wanted you to have someone there to have a meeting immediately, so it was a rather nervous situation for you and it's really something rather urgent. Were you concerned that the company might be implicated in this lead in water incident?

A. No.

Q. You were not worried? You knew that you were in the clear; there would be no problem?

A. Correct.

Q. Did you feel the need to contact Mr Cheung?

A. Yes. We had to contact Mr Cheung, because normally, it

would be for Mr Cheung to attend the meeting, because he is the boss.

Q. You had to tell him; although you thought there would be no problem for the company, you had to tell him, but you failed to contact him?

A. No.

Q. So you had to seek instructions.

Paragraph 4:

"In the afternoon of 16 July 2015, in response to Mr Leung Wai Keung's request, we went to a meeting in Paul Y's office."

And you talk about the people in attendance. The last three lines:

"Paul Y mentioned that they had to meet a deadline in responding to enquiries from the Housing Department, and I was asked about whether the material used by Golden Day contained lead. My answer was no, because at that time I believed the material used by my company did not contain lead."

So you were very clear. You told the Paul Y representative, "No, we didn't use any material containing lead", because at that time you believed that your company would not use such material. How could you be so sure? You didn't have to check; you immediately said that, "There's no problem; we used lead-free

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materials." How were you so sure?

A. Because I submitted samples which I believed to be problem-free.

Q. That's why you are so sure. And they wanted you to get some documents to show them. Was there a deadline to respond? You had to hand over certain things, certain documents, by a certain period. What's the deadline?

A. The next day.

Q. What documents were required?

A. All documents relating to the copper wires, valves and soldering materials.

Q. So all items related to the plumbing works?

A. Yes.

Q. Did they mention delivery notes?

A. They were referring to delivery notes.

Q. What about invoices?

A. They didn't mention invoices.

Q. So they were talking about solely delivery notes. So you promised to find the documents requested by them. In your mind, you thought there would be no problem in finding the documents?

A. Well, actually, I told them that I might not be able to find the documents they asked for.

Q. Why did you say that?

A. Because I know, for minor hardware items, the company

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 33	
C	would discard the relevant documents one year after completion.	C
D	Q. How did you know? Because you did not pay attention to these documents.	D
E	A. I was asked to take the documents to the warehouse, near the Chinese New Year.	E
F	Q. So they would not be discarded, they would be transported to a warehouse?	F
G	A. Well, for those related to hardware, minor hardware items, the documents would be discarded, but some other documents would be filed away.	G
H	Q. When did you set this system? Documents for minor hardware items, they would be discarded; for major items, documents would go to a warehouse -- when did you set this system?	H
I	A. There's no setting of system, because there were too many documents, there's no space for them, and that's why there's an annual exercise to dispose of the documents.	I
J	Q. When did you start to do this?	J
K	A. Six or seven years ago.	K
L	Q. So, when you received the request from Paul Y, you said that you might not be able to find them?	L
M	A. Yes.	M
N	Q. Then immediately you talked to Ms Lam. That is in	N
O		O
P		P
Q		Q
R		R
S		S
T		T
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V		V

paragraph 5 of your statement:

"After the meeting, I immediately called Ms Lam.

I cannot recall the exact words I used, but I must have informed her that there's this urgent request from Paul Y and I instructed her to find the relevant documents."

Let's pause here. You said, when you were in Paul Y, you said you might not be able to find documents.

A. But I was pressurised. I was surrounded by five people saying that the documents must be submitted by the following day.

Q. But if you could not find any, there's no question of complying with that request. So, in front of Paul Y people, you said you might not be able to find documents. Did you tell them this?

A. Yes.

Q. When you talked to Ms Lam, what was the first thing you said to her?

A. I cannot remember.

CHAIRMAN: Why did you say that you might not be able to find the documents, when Paul Y asked for this?

A. Because these are related to minor hardware items, so very likely the documents would have been discarded.

CHAIRMAN: Well, they must have been discarded, because the

estates were completed in 2012, so you should not say, "We might not be able to find it." You should have said, "We have already discarded those." It's in your own words. It's in your statement. It's what you said at the time.

My point is, you shouldn't tell Paul Y that you might not be able to find it. You should just tell Paul Y, "We didn't have that, because according to our practice, they are related to minor hardware items, the documents would be discarded after a year, and it's more than a year now."

MR KHAW: So, in your mind, although you told Paul Y this answer, you knew that you would not be able to find the documents?

A. So that's why I told them I would do it on the basis of best endeavours.

Q. Then Ms Lam would not be able to just suddenly discover the documents.

A. Well, I told her this, because I had to go to the Housing Department right away for a meeting.

Q. So let's talk about your conversation with Ms Lam. You seem to expect her to find the documents. Did you expect her to find the documents?

A. It didn't occur to me.

Q. You asked Ms Lam, "Please find the documents for me,

Paul Y want them urgently." So you expected the documents to be available. When you answered Paul Y's request you said you might not be able to find them, but when you talked to Ms Lam, you wanted Ms Lam to try her best to find the documents. Did you tell her what documents she should try to find?

A. The documents related to the soldering materials delivered to the site, and the samples that we submitted.

Q. There are many documents here, there's documents related to the submission of samples, documents related to the delivery of material. Did you mention specifically "delivery notes"?

A. Yes.

Q. Did you use the exact words?

A. I cannot recall.

Q. Did you mention documents related to Prosperity, the supplier?

A. I should have mentioned this because I knew it was this material.

Q. "I instructed her to find the documents immediately and she will place the documents found on my desk in the office and I would send the documents to Paul Y."

Did you have a conversation with Ms Lam that the documents should have been discarded?

A. No.

Q. Why not?

A. Because I have already told Paul Y that the documents might not be available.

Q. Did you tell Ms Lam what she can do if there were no documents?

A. Well, I was in a hurry to go to the Housing Department, so I did not mention that.

Q. You instructed her to find the documents immediately. If they had been discarded -- how much time did you give Ms Lam, and then was she supposed to inform you by a certain deadline?

A. I only mentioned that it was urgent. I was expected to give Paul Y the documents the next day.

Q. So at that time, both you and Ms Lam didn't know whether you would be able to find the documents. So why didn't you ask Ms Lam to inform you in the evening of that day whether she could find any documents? You only told her to put all the documents on your desk, and you wanted to deliver those documents to Paul Y the next day?

A. Yes.

Q. After this telephone conversation with her, you did not give her a deadline to reply to you. Did she actually call you back, "Mr Yung, I found this or that"?

A. It's so long ago, I cannot recall any subsequent

conversation.

CHAIRMAN: There was a warehouse of your company. Where was it? Where is it?

A. Hung Shui Kiu.

CHAIRMAN: In the New Territories, a warehouse on an agricultural site. How many containers?

A. Just one.

CHAIRMAN: One. What is it for?

A. For documents.

CHAIRMAN: But you discard documents on minor hardware items. All right.

MR KHAW: Paragraph 6 now. On 17 July 2015, you were dealing with other enquiries of Hsin Chong, and you received an email from Mr John Ma of Paul Y. You were not in the office. The email was seen by Mr Wong, and Mr Wong called you that the email had been received.

A. I cannot recall whether it is I who called Mr Wong or the other way around.

Q. Before this call, did Ms Lam tell you whether the documents you had wanted had been found? Mr Wong told you there's this email from John Ma. Before this telephone conversation, did Ms Lam call you and say, "Mr Yung, I found this or that"?

A. No.

Q. There was no other conversation with Ms Lam?

A. Well, I was in a meeting; I was not supposed to make any calls.

Q. Then Mr Wong received an email and he called you, asking for the documents. Mr Wong asked you whether he should send the documents on your desk to John Ma. Although you were not in the office, but you knew that on your desk there are some documents. How did you know?

A. I saw in the WhatsApp. I was informed through the WhatsApp.

Q. So, from WhatsApp, you knew that it was ready?

A. This morning, I was looking through WhatsApp and trying to find if there was a record, and it was only discovered this morning.

Q. All right. But back then, when Mr Wong asked you, did you know whether documents had been prepared by Ms Lam which were placed on your desk?

A. When he asked me, and if I had told him that, then I suppose I should have known.

Q. Paragraph 6, at the end, you said you instructed Patrick Wong to send those documents to Paul Y, and you did not read the documents before giving this instruction.

Then in paragraph 7:

"Ms Lam put the documents prepared for Paul Y in a folder and I personally delivered that to the office of Paul Y, and I do not remember the exact date."

So, first of all, Mr Wong sent some documents to Paul Y first, and you personally sent them again to the office of Paul Y. It should not be more than a day in between the two events. So Mr Wong first of all sent some documents by email to Paul Y, but you had no idea what those documents were?

A. I only knew that those were delivery notes.

Q. So you knew they were delivery notes? Because, at the time, you gave some instructions to Ms Lam -- sorry, WhatsApp. There's a WhatsApp saying, "It's ready, you come back and pick them up." Only eight words in Chinese, nothing else. Then in your mind you assumed they were delivery notes, but before Mr Wong sent them, you had no idea what those documents were? All right. Then it was said it was put in a Manila folder, and then you personally took the Manila folder to the office of Paul Y. Did you open and check?

A. I did not.

Q. So you did not consider it necessary to just take a look at the documents?

A. No, I did not, not at all, because it was done in a hurry.

Q. But this is not reasonable. Paul Y asked you urgently for these documents, for the purpose of the Commission's Inquiry, and you had this conversation with them. You

were the one who knew what was requested. But before handing over those documents, you did not look at those documents at all, not even opening the folder?

A. No.

Q. You were not concerned about that at all?

A. Because I was in a hurry to go off somewhere, to do something else.

CHAIRMAN: So, in other words, Mr Patrick Wong sent, or rather, emailed documents to John Ma, but you were not present so you did not look at the documents. You had no idea what documents were sent by email to Paul Y, and you had no idea, on the following day, what documents were taken to the office of Paul Y.

MR KHAW: Did you or did any colleague prepare a copy of the documents sent?

A. No, because I went to work very early.

Q. All right, very early, but what's the relevance? Did you make a copy of the documents so that you knew what documents were sent to others? Perhaps they were newspapers.

A. No, no copies.

Q. So Ms Lam sent you a message on 17 July, "It's ready, you come back and pick them up". Did you ask Ms Lam about that?

A. No, because I was in a meeting.

Q. Did you reply to Ms Lam?

A. I cannot remember whether I replied to Ms Lam. I do not remember what time the meeting finished.

Q. So you have this WhatsApp message dated 17 July, which is a conversation between you and Ms Lam, and the next line of the message was the 22nd. Was any dialogue deleted before you submitted this conversation to the Commission today?

A. No, I never.

Q. Going back to your witness statement, paragraph 8:

"Because I already instructed Ms Lam to retrieve the relevant documents on Paul Y's request, I would not double-check after she found the documents. So I instructed Mr Patrick Wong by phone to send email to Paul Y, to deliver the folder to Paul Y, but I did not check the appendices and documents before that."

All right. So did you ask Ms Lam?

A. Because I was away from the office throughout the week, I had not asked about that because I had already forgotten about it.

Q. You had completely forgotten about it. So about sending documents to Paul Y, did you give an account to Mr Cheung?

A. No, because he wasn't in Hong Kong, and after delivering the documents I had completely forgotten this incident.

Q. So you completely forgot it; you took it that it never happened?

CHAIRMAN: So the senior management of your company,

Mr Cheung Tat Yam and you -- I stand to be corrected -- but both of you had no idea what document was submitted to Paul Y?

A. Well, let me supplement that Mr Cheung was not present in Hong Kong, and I was taking care of affairs outside the company and Ms Lam was taking care of internal affairs.

CHAIRMAN: So you had no idea?

A. No.

MR KHAW: Another question. In your supplementary statement, paragraph 6, page 145, you said that John Ma sent an email to Golden Day, and then Mr Wong rang you about this email. So, when you received the phone call from Mr Wong about this email, I mean before you received the phone call, had you already received Ms Lam's WhatsApp message telling you the same?

A. I don't remember. I really don't remember.

Q. If you look at G2, page 1166, on page 1166, at the bottom, it should be an email from John Ma to you, dated 17 July 2015 at 2:41 pm, and it says that you should furnish them records of the captioned for information, in response to the recent HD concern. It should be

sometime in that afternoon that Mr Wong informed you
 that he had received John Ma's email.

A. Roughly that time.

Q. Sometime in the afternoon, not in the evening; right?

A. Right.

Q. So that was sometime around 2 pm, and Ms Lam's message
was received at about 11 o'clock in the morning. So, in
other words, before you received a phone call from
Mr Wong about John Ma's email, you had already known
that documents had been prepared by Ms Lam, if you look
at the order of things. And your version is that you
told Mr Wong at the time that you knew that there were
documents on your desk, and he should take those
documents immediately.

 But then, if we look at the records, only six or
seven hours later did Mr Wong send the documents to
Paul Y, because at the top you can see that an email was
sent to Paul Y at 9:37 pm, for DOs, which I understand
to be delivery orders, sent to Paul Y.

A. But could it be the case that the call was received
after I had a meeting with Hsin Chong? Because I recall
that I had the meeting with Hsin Chong at about 11.

Q. Well, you said that you were short of time, but if you
received a call from Mr Wong about John Ma's email at
2.00, do you know why Mr Wong waited until 9 in the

evening before sending the email to Paul Y?

A. I had no idea.

CHAIRMAN: Lunch break? Let's come back at 2.30. Thank

you.

(12.58 pm)

(The luncheon adjournment)

(2.30 pm)

MR KHAW: Mr Yung, before the lunch break we were talking about documents that were sent to Paul Y. Mr Wong sent the documents through email, and you also delivered the documents. You said you were out of the office for one week and after you returned you did not take any follow-up action. You did not follow up anything with the documents sent to Paul Y, and Paul Y did not make any further enquiries.

A. No.

Q. And you did not follow up anything with Ms Lam concerning the documents sent?

A. No.

Q. There was no mention of those documents?

A. No.

Q. So, after the week you were away, you returned, and the only conversation you had with Ms Lam over the documents sent to Paul Y is the only occasion you mentioned in paragraph 5?

A. I can't remember if there's any conversation.

Q. There might be further conversations, over the phone or face-to-face?

A. I cannot remember.

Q. But you don't rule out further conversations, apart from that occasion?

A. Usually, I would also make phone calls back to the office, over other matters.

Q. So there might be further conversations concerning the documents requested by Paul Y?

A. But I don't think there was any further discussion.

I believe I was busy dealing with Paul Y's request of installing temporary water supply.

Q. So, apart from the one described in paragraph 5, there were other discussions or conversations, but those were not related to the Paul Y case.

A. Yes.

Q. After the documents were given to Paul Y, we now know that there were four delivery notes stating that there is FRY lead-free solder. When did you first see them?

A. It's early December. Mr Cheung produced them and called me, and asked why there were such notes, delivery notes.

Q. So Mr Cheung brought up this question? Before that, you were not aware of the four delivery notes?

A. No.

Q. Did Mr Cheung, in his discussion with you, tell you that these were the four you have given to Paul Y, and did he also mention he had received documents from Prosperity?

A. Yes, he mentioned it, although not in great detail.

Q. Mr Cheung, when he referred to the four delivery notes, say that the documents might be forged?

A. Yes.

Q. Did you then take a look at the four notes?

A. I took them out and glanced at them on the desk.

Q. When Mr Cheung brought this up, he was in the company?

A. Yes.

Q. And you had already left? You had gone to work elsewhere?

A. Yes.

Q. So you were having the discussion while sitting near the desk. He gave you these four notes. Did he also give you invoices issued by Prosperity?

A. I cannot remember. I can only remember there were four delivery notes.

Q. So Mr Cheung asked you to go to his office to have a discussion. He said he had suspicions that there might be some forged documents. You saw the four notes but you did not see the Prosperity documents on that occasion. When did you first see documents issued by Prosperity?

A. My lawyer showed them to me.

Q. So it's recently, in recent weeks. All right. You saw those documents, and you know Prosperity documents, compared with the delivery notes given to Paul Y, are quite different; you know that?

A. Yes.

Q. Your lawyer showed you the Prosperity invoices. Did it occur to you that someone had forged some documents?

A. It was a long time ago. I didn't think of this.

CHAIRMAN: Sorry, please don't use "documents". Please be specific.

MR KHAW: So Mr Cheung had a discussion with you. He showed you the four delivery notes; right? And he did mention that he had doubts that someone had forged the notes. Then, when your lawyer showed you the invoices issued by Prosperity, you did not at that time have any doubts about forgery of documents?

A. I had already forgotten the whole thing. It was forgotten.

Q. No, Mr Yung. At first, Mr Cheung told you that he had doubts about forgery of documents, and he was very concerned. That's why he called you back to have a discussion. At that time, you didn't have a chance to look at the invoices issued by Prosperity. Of course, this must remain at the back of your mind, and then your

lawyer showed you the invoices. What's your feeling then?

A. Well, I was thinking about the documents, how they came about.

Q. So you are saying you had doubts, you had this feeling of suspicion, that someone somehow manufactured or made the documents. So you also had doubts about forgery. Did it occur to you which are forged, invoices or delivery notes?

A. I have no way to make a conclusion. I was told by Mr Cheung, and I only glanced at the invoices. I had no idea which were genuine and which were fakes.

Q. Your lawyer showed you the invoices of Prosperity, and then you instantly thought about possible forgery. You would be very concerned; right? It could be a serious matter?

A. I didn't know whether it would be serious.

Q. You have been in business for so many years and you have been handling different documents over the years.

Common sense would tell you, if you have doubts that someone has somehow forged some documents, it would be a serious matter; do you agree?

A. Agree.

Q. So, after you have seen the invoices issued by Prosperity, you thought that would be a serious matter.

At that time, there were four delivery notes given to Paul Y, and it was you who gave the notes to Paul Y. If those delivery notes were forged, then you would be providing forged documents to Paul Y, and you were a party to this when you gave them to Paul Y. Wouldn't you think that would be a big deal, a serious matter, and wouldn't you be interested in finding out why? Did you tell Mr Cheung, "I have now seen the invoices of Prosperity and what happened"?

A. No.

Q. Did you talk to Ms Lam that these documents might be forged?

A. No.

Q. Why? Why not?

A. Well, I was very busy. I couldn't handle so many things.

Q. Let's not talk about you being busy. There is always the need to prioritise things. Now, at that time, you knew that the documents you had provided might be forged?

A. Well, I consulted my lawyer.

Q. And the lawyer would tell you that those were forged, and that's why we have to come up with this supplemental statement?

A. Yes.

Q. That's why you want to make this statement, to give an account of what you knew. But there's no mention of forgery of documents and you were concerned. It doesn't mention anything. At the time of making this statement, you knew that you might have provided forged documents to Paul Y. Didn't you think that you have the need to give an account of that in your statement?

A. It didn't occur to me.

Q. Were there other reasons?

A. No, no other reasons. Because I was rather confused.

Q. Why?

A. Why there were such documents, I felt uneasy.

Q. Why didn't you take follow-up actions, since you were confused, so as to clarify things? You would like to clear yourself of --

A. It had nothing to do with me that someone did that.

I cannot really give you an answer as to why.

Q. Please take a look at Ms Lam's statement. L1, page 149, page 150 and page 151. First of all, Ms Lam's statement was only submitted yesterday. I believe your lawyer must have told you the contents. Before you saw this statement, before you received this statement, can you confirm that you did not have any follow-up conversation with Ms Lam over the documents?

A. No.

Q. So here, let's look at (b) (ii):

"According to my recollection, after the lead in water incident at Kai Ching Estate and the extensive media coverage, on around 16 July 2015 ..."

According to your evidence, that was the time when you had a meeting with Paul Y; can you remember?

A. Yes.

Q. "... at that time, the Golden Day project manager, Mr Yung [that is you] phoned me repeatedly and said Paul Y had requested to ask us to produce the record of procurement of soldering material for Wing Cheong Estate."

So, on the 16th, there were a number of phone calls to her, not only the one call referred to in your statement. Do you agree with this account?

A. At the time, I cannot recall whether I had made one, two or three phone calls.

Q. It's possible you might have been two or three calls, but in your statement, you only made one call.

A. Okay.

Q. Then in the fourth sentence it says:

"After checking with the company records, I only found odd invoices, and there was a delivery note to Wing Cheong Estate and it indicated that the soldering material sent to the construction site was tin strips."

First of all, they found odd notes. Four were issued by Prosperity. They were delivery notes.

So I would like to ask you: so whether you had two, three or whatever number of calls, did Ms Lam tell you that she found four delivery notes? Did she mention that?

A. Yes, yes.

Q. When did she mention that?

A. I do not recall what time she mentioned that.

Q. You do not recall. Well, this morning, when I asked you, I asked you on numerous occasions -- I said after you asked her, did she reply, and at the time you said "no".

A. I don't think she did, but I was thinking about it.

Q. And now, right now, you recall that she mentioned four delivery notes. Are you sure now?

A. I'm not sure. I'm not sure how many delivery notes there were.

Q. You cannot be sure how many delivery notes, whether it was three or four?

A. I did not pay attention. I do not recall.

Q. Then it says that the soldering material sent to the construction site was tin strips. Did she say, "Mr Yung, the delivery note said it was tin strips"?

A. I cannot recall. I really do not recall.

Q. "Then I called Mr Yung and I told him that I only found four delivery notes. From the delivery note, that indicated that tin solder strips were sent to the construction site, and I asked him whether that was appropriate."

She said there were four delivery notes indicating that tin solder strips were sent; do you recall? Is that correct?

A. Well, she might have said that. That would not be surprising. Maybe. Because when I was in the meeting with Paul Y, solder wire was my submission, and now it says "strips", solder strips, and I wanted to clarify that solder wire was sent to the construction site.

Q. So you are saying that she might have said tin strips, and in your conversation with her you realised it was not solder wire; is that correct? So, in your recollection now, you had dialogue with her at that time, when you were conversing with her, and you realised that it was not your approved material?

A. I was quite sure that I needed solder wire. There was so much material sent to the construction site that I needed to confirm what batch she was referring to.

Q. So you are saying you recall that tin strip was mentioned. So you realised that tin strip was not approved, and it occurred to you that it was strange,

because you are saying that you still think you heard her saying it was tin solder strips, tin strips. So didn't you find it surprising, when you heard the "tin strips"? You usually ordered tin wire; why is it strips now?

A. (Chinese spoken).

Q. Okay. Then she continues to say:

"Mr Yung indicated he required that lead-free solder wire delivery note was delivered to Wing Cheong Estate construction site, and also had hinted that if the relevant delivery note was not sent, then I don't know what should be done and there should be a way to add solder wire to the delivery note."

Well, can you confirm there was lead-free solder material? So what do you mean? If you wanted to deliver to Paul Y, you needed lead-free material, and now there was tin strips, it might not comply, it was not approved.

A. Because I think that solder wire might have been delivered.

Q. Well, at the time, what were you thinking then? "We now have a note for solder wire and solder strips, so should they be delivered to Paul Y together or should you only deliver solder wire to Paul Y"?

A. Only solder wire delivery notes, because why should it

be wrong; it should have been solder wire.

Q. Well, if you were aware that the company had ordered solder strip, not wire, and Paul Y at the time was investigating the whole lead in water incident, and you were thinking that all I should deliver to Paul Y should be solder wire, that should be sufficient?

A. I did not think about that. I delivered them a sample and I should just send them material that was similar to the sample.

Q. No, they are not just asking you for delivery note for solder wire. They are asking for all delivery notes. If they were only looking for solder wire, then you would be covering up, wouldn't you?

A. I was not thinking about that at the time.

Q. But then you just said that at the time, you said only providing the solder wire delivery notes.

A. That was not a cover-up.

Q. That's what you are saying.

A. Yes, that's what I am saying.

Q. Then she says it was hinted that if the relevant delivery notes were not available, you had a way to deliver or to produce a lead-free solder wire delivery note. So it seems that you instructed her that if you can't find lead-free material, you still need to produce a lead-free material. So that is the allegation. Are

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you aware, Mr Yung?

A. I can repeat it once more for you.

Q. So you disagree?

A. I disagree.

Q. You disagree that you had instructed her; is that what you are saying? Or that is unreasonable, that you did not do so?

A. No, I did not.

Q. So she is alleging that you did that.

A. I don't think it's a matter of who is alleging who did what. We just have different witness statements.

Q. Well, set aside who is blaming who now, who is pointing fingers or alleging. Do you think that she is -- alleging, that she is framing you?

A. Yes.

Q. What grudge does she hold against you for her to frame you? Because this morning you said you had a good relationship with her. Well, there are serious consequences. There could be criminal liability.

A. I don't know why she wrote this statement. I only saw this statement yesterday.

Q. You saw it yesterday. Your lawyer also explained the document to you. You also went home and thought about it. Now you are giving evidence; do you know why she would allege that?

A. No, I don't know.

Q. Further on, it says:

"Therefore, I followed Mr Yung's instructions and I produced a lead-free solder wire delivery note, and in the existing four Prosperity invoices, I had made some amendments and made them to be lead-free solder wire, and then I made a phone call to Mr Yung and confirmed that the delivery notes had been amended, the contents of the delivery note had been amended."

First, were you aware that there was an amendment to the delivery note?

A. I don't know.

Q. Or what you say, you don't know why she gave this statement. Then she confirmed that the contents of the delivery note were amended. You deny that as well?

A. Yes.

CHAIRMAN: You are also saying she is making stories up?

A. Yes.

MR KHAW: You are giving evidence now. You have had the opportunity to review the whole incident. You are aware of four Prosperity delivery notes, and the invoices, that there were some discrepancies. So do you think why such an incident occurred?

A. These were just incidents arising. As the counsel said, I had forgotten about this incident; I did not have any

recollection. So I have very vague memories of the whole affair.

Q. Well, Mr Cheung said he suspected there was some fraudulent behaviour. Do you know who made this fraudulent behaviour?

A. Well, if it wasn't Ms Lam, then it was me. That's definite.

Q. You are very honest. You are saying if there was any fraud, it was either you or her?

A. Yes.

Q. Lastly, I would like to ask you, you are now aware, in hindsight, if the four delivery notes were a fraud or fake, and Prosperity's were real, then your company did not comply with the approved samples and you did not comply with the specifications and procured the material; is that correct?

A. Yes.

Q. Would you feel that the procurement staff, maybe they were negligent, they were careless, they did not take note of the specifications?

A. I think it was careless, because later on, subsequently I found no material -- there were no problems with subsequent orders.

Q. Or perhaps you not make it clear to the procurement staff what material they should order?

A. That was a suspicion as well.

Q. That means it's your responsibility?

A. Yes.

MR KHAW: I do not have any questions.

Cross-examination by MR L HUI

MR L HUI: Chairman, I do have some questions.

CHAIRMAN: Why don't you identify yourself, who you
represent?

MR L HUI: Mr Yung, good afternoon. I represent Ms Lam
Lai King and I have three areas of questions I would
like to put towards you. If there are any areas where
I am not clear, you can ask me to clarify them.

A. Okay.

Q. Area 1. Please refer to bundle L1, page 149,
paragraph 4. Have you found that paragraph, Mr Yung?
This is Ms Lam Lai King's written statement. In
paragraph 4, Ms Lam says:

"I was not aware that solder material had to be
lead-free material for connecting joints prior to this
incident."

You accept?

A. Well, I'm not sure whether she was aware of this or not.

Q. Of course, you cannot deny the possibility.

Another area. Please turn to page 150. This is
also Ms Lam's statement. Paragraph 5, in the third-last

sentence, the full sentence reads:

"I am also not aware that the procured solder material has to be lead-free."

Do you see that sentence?

A. Yes.

Q. Again, you cannot rule out that this is the belief held by Ms Lam?

A. No.

Q. The next area: in bundle L1, please turn to page 144, your supplemental statement. I want to refer you to paragraph 4 of your statement. This is about you, Mr Yung, attending a meeting. You can read this. Take your time. After you have finished, please tell me.

Please confirm that for this meeting, you were the only one from Golden Day attending the meeting? You were the only representative from Golden Day?

A. (Nodded head).

Q. Mr Cheung and Ms Lam weren't there? Mr Cheung was out of town?

A. Correct, Mr Cheung was out of town.

Q. Okay. Of course, Ms Mok was not in that meeting either, and Mr Patrick Wong did not attend the meeting?

A. No.

Q. In paragraph 5 of your statement, you state that after attending that meeting -- and you described the calls

you made to talk to Ms Lam Lai King. You asked Ms Lam to search for certain documents; right?

A. Yes.

Q. The next area, actually the last area. Please turn to page 151 of the bundle. For page 151, my question is just about (b) (ii), Wing Cheong Estate; do you understand?

A. Yes.

Q. I know Mr Khaw has already asked you questions about this. Let me ask you some further questions. You can say you agree or disagree with what I say, or you can give us other answers, as you see fit.

There are three points. The first point, under (ii), starting from line 3 -- please read the sentence from line 3:

"... repeatedly call myself [ie Ms Lam]. He said that in response to the request by Paul Y, we had to provide records of procurement of our soldering material by Golden Day for Wing Cheong Estate plumbing works".

Can you confirm this sentence?

A. I should not have made repeated calls. The message should have been received by just making one call.

That's my feeling.

CHAIRMAN: Please pause.

So you are saying that you shouldn't have made

C repeated calls; there should only be one? C

D A. Well, it would just take one call, for the documents,
E and I had to go to the Housing Department for another
F meeting.

G CHAIRMAN: But then you asked her to find something. You
H had to give her time after making the call.

I A. I then went to the Housing Department. I

J CHAIRMAN: Then you had to call her to see if she had found
K anything. My point is you should have made more than
L one call. You said you shouldn't have made repeated
M calls, but if you look at the course of the whole
N incident, it would take more than a call. You would
O call her and say, "You need to search for something",
P and Ms Lam would have to respond to that afterwards.

Q A. Yes. Q

R CHAIRMAN: Please continue. R

S MR L HUI: Mr Yung, the whole incident took place four or
T five months ago. It was not that long ago, says the
U chairman. I am not talking about five calls or ten
V calls, but you would have to accept that it's more than
one?

A. (Nodded head).

Q. The next area. (ii), line 6. "Then", and so on.

CHAIRMAN: So you must have ended a call and she would try
to find something, and then she would call you back.

MR L HUI: "Then I called Mr Yung and told him that I could only find four delivery notes from Prosperity for solder tin strips and asked if these would be appropriate. Mr Yung said he would like to have delivery notes showing that lead-free solder wire was sent by Prosperity to Wing Cheong Estate, and he hinted that if there were no relevant delivery notes, I should know what to do. There must be some way to get some delivery notes showing that lead-free solder wire was sent."

Do you agree? Would you say you agree with this or disagree, or you have no knowledge?

A. I disagree.

CHAIRMAN: Didn't Mr Khaw ask you questions about these few lines? She said "found four delivery notes of Prosperity for the delivery of solder strips to the site", and asked whether they would be appropriate, and you said you might have said yes, but you now disagree with what she has said.

A. I just want to have something for solder wire.

CHAIRMAN: And you said you might have said this, when this was read out.

A. Well, it's a very fuzzy memory.

CHAIRMAN: Well, it just happened 10 or 15 minutes ago.

MS LOK: I have checked the record. Mr Khaw was asking questions in relation to another paragraph. But the

other one, Mr L Hui, "I only found some odd documents showing that the soldering materials delivered to the site was solder strips."

CHAIRMAN: There's no need for him to reply to this question. It's the statement of Ms Lam Lai King. There's no need to put this question.

MR KHAW: He said he had the recollection that he mentioned a number of delivery notes were found, and he said that he knew that soldering wire or tin wire would be different from soldering strip.

CHAIRMAN: Please continue.

MR L HUI: Mr Yung, I read out the four lines to you. Let's follow up the issues one by one. According to Ms Lam's statement:

"I called Mr Yung."

She called Mr Yung.

After you made more than one call to Ms Lam, she called you back. I don't think you can deny that she called you. In that telephone conversation, Ms Lam told you that she only found four delivery notes of Prosperity delivering solder strip to the site. So Ms Lam told you that she could only find four delivery notes of Prosperity for the delivery of solder strip.

You won't deny that?

A. No.

Q. Ms Lam asked if they were appropriate, over the phone.

Would you disagree with that?

A. Certainly.

Q. Ms Lam asked you whether they were appropriate?

CHAIRMAN: Please, please, please, do it in an orderly
manner. Please do it one layer at a time.

MR L HUI: In the telephone conversation, Ms Lam asked you
whether those notes would be appropriate, or would be
suitable.

A. I cannot remember. Maybe she did ask me, but I could
not remember.

CHAIRMAN: You could have said something to reply:

"Ms Lam" -- let me clarify one point. "Then I phoned
Mr Yung". Did she call you?

A. I cannot remember receiving any call.

CHAIRMAN: If you say there were one, two or three calls --
it was only 16 July. It was an important day. It was
not that far away. We were appointed on 13 August.

MR L HUI: It says "thereabouts".

CHAIRMAN: Then it says, "Then I called Mr Yung". Did you
receive her call concerning the four delivery notes?
Did you receive her call?

A. I cannot remember the number of delivery notes.

CHAIRMAN: Let's not talk about the number of delivery
notes. You must know what I am trying to ascertain.

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Did she call you?

A. Yes.

CHAIRMAN: And she told you that she could only find four delivery notes of Prosperity for the delivery of solder strip to the site?

A. I don't know.

CHAIRMAN: Maybe yes, maybe no, maybe she told you, maybe not, because you cannot recall. What is it?

A. I cannot recall what she told me.

CHAIRMAN: Then she asked whether they were suitable or appropriate?

A. If she had asked me, I would have said no.

CHAIRMAN: Sorry, did she really ask you?

A. I cannot recall, but if she had asked me, I would have said no.

CHAIRMAN: So you cannot recall if she had call you, you would definitely say "not appropriate" or "not suitable". Then, for the sentence following that, "Mr Yung said he would like to have delivery notes showing the delivery of lead-free solder wire by Prosperity to Wing Cheong Estate site" -- so she made this up; right? Ms Lam made this up?

A. I don't know. Maybe she has a good memory.

CHAIRMAN: She has certainly said that the answer is not appropriate, so you shouldn't have said this, so she had

to make up this particular remark; you didn't say that.

"... and he also hinted that if there was no relevant delivery note, I should have known what to do; there must be some way to get some delivery note showing the delivery of lead-free solder wire."

So Ms Lam must have made this up because there's no way you could have said that? So, in other words, the sentence that I read out up to the end, where the delivery notes were produced -- so the first sentence you do not recall and the rest was all made up; is that correct?

A. Yes.

CHAIRMAN: Okay. Please continue.

MR L HUI: I respect your response. The third area of questioning I have is in (ii) on this page, the fourth-last line. Do you see "lead-free tin wire"? Let me read it out:

"Then I called Mr Yung to confirm the amended delivery note contents. After Mr Yung confirmed the contents, I handed the amended -- the four delivery notes to Mr Yung. Then I phoned Mr Yung to confirm that the delivery note contents were amended."

Do you agree, disagree, you do not know, or you don't recall?

A. I do not recall, because I have not seen that delivery

note, so I do not recall.

Q. The next sentence:

"After Mr Yung confirmed the contents ..."

Well, Ms Lam said you confirmed the contents. Do
you recall or not recall?

A. I did not see the document so I cannot recall. I did
not see the note.

Q. So do you agree or disagree with Ms Lam's description?

A. I do not recall.

CHAIRMAN: It's impossible to not recall, because these
things did not occur, these incidents did not occur.

A. I wouldn't have said these things because I have never
seen those delivery notes.

CHAIRMAN: It is not that you do not recall. These things
did not occur in the first place. That's two separate
issues, because she is making things up; is that
correct?

A. Yes.

CHAIRMAN: Because when she asked you was that was
appropriate, that was the end of the story, because if
there was a telephone conversation, it should end with
one or two sentences. There was nothing worth
discussing?

A. Correct.

CHAIRMAN: Then the rest of that paragraph is redundant;

am I correct?

A. Yes.

MR L HUI: Okay. "Lastly, I, Ms Lam, handed the amended delivery notes to Mr Yung."

So Ms Lam says she gave the four amended delivery notes to you, Mr Yung. Do you agree, disagree, you do not know or you do not recall?

A. Well, I previously said I had a document bag. I went to Paul Y with a whole bunch of documents; I already mentioned that just now. So that means she had given them to me, otherwise I could not produce them to Paul Y.

Q. So you cannot deny what was said here?

A. Yes.

CHAIRMAN: What do you mean, you cannot deny what was said?

A. Well, these things never occurred.

MR L HUI: I have no more questions.

Cross-examination by DR McCOY

(All questions from Dr McCoy were in English)

DR McCOY: Mr Chairman, a few questions.

You were the project director for Golden Day at both Tung Wui and Wing Cheong Estates?

A. Yes.

Q. What was your monthly salary during those projects?

A. Some \$20,000.

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

B Commission of Inquiry into Excess Lead Found in Drinking Water Day 33 B

C Q. You were a director of Golden Day at that time? C

D A. At that time, I was a manager. D

E Q. What was Ms Lam's salary during the construction of E those projects? E

F A. I don't know. I really don't know. F

G Q. You agree that in the subcontract Golden Day had with G Paul Y, that Golden Day was only allowed to use unleaded G solder? G

H A. Well, that should be the case. H

I Q. That is why you submitted the sample wire solder to I Paul Y? I

J A. Correct. J

K Q. And you knew, when you submitted it, that it would also K have to be approved by the Housing Authority? K

L A. Correct. L

M Q. The entire purpose of having an approved sample is that M it is the only solder to be used by Golden Day? M

N A. Correct. N

O Q. Yet Golden Day never used the only approved solder? O

P A. I cannot answer that because what material was used P ultimately, I have no way of finding out. P

Q Q. Please look at appendix G to the evidence of Chow Q Ka Ping from Prosperity, page 205. This shows the Q purchases made by Golden Day from Prosperity in relation Q to Tung Wui Estate. Do you see that? Q

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A. Yes, I can see the document now.

Q. Can you confirm that for almost two years, from August 2008 to July 2010, Golden Day only used 50 per cent lead solder?

CHAIRMAN: Please hang on. Before you answer this question, I would like to clarify one issue.

DR McCOY: Certainly.

CHAIRMAN: The summary dates are all wrong, because if you look at the invoices, the first one should be 2010 June. The second invoice -- 23 August 2008 is wrong. The first one should be June 2010. The second one should be November 2010 and the third one should be December 2010, the fourth one should be June 2011. It should be February 2011 for the fifth one, then May 2011, July 2011 and August 2011.

Everything else is correct, except for the dates.

DR McCOY: I am grateful, Chairman. I will rephrase the question.

Between June 2010 and August 2011, only 50 per cent leaded solder was used by Golden Day at Tung Wui Estate.

A. I cannot answer you, because I was only aware of the incident recently. I had not read the company's notes and I just saw this document and I'm only aware right now.

Q. Look at appendix H, please, in relation to Wing Cheong,

at page 217. This is Prosperity's record, in summary form, of Golden Day's solder purchases in relation to Wing Cheong. Do you see that?

A. Yes.

Q. Again, it demonstrates that Golden Day only purchased lead solder?

A. I can see the document.

Q. I suggest to you, from day one of the project, Golden Day never had any intention to use the approved sample solder in either Tung Wui or Wing Cheong projects. Do you agree?

A. All I can say, I agree.

Q. The reason you had no intention to use the approved solder was that you could profit from using the less expensive leaded form?

A. I never bothered about the company's finances. The company's finances were not my responsibility. I was only responsible for the construction side. I wouldn't care about whether there was a profit in it. I just didn't bother.

Q. It was to the benefit of Golden Day, and therefore I suggest to you, if the less expensive leaded solder was used. Agree?

A. I agree.

Q. That was your plan from the very start, in both of these

projects?

A. I do not agree because I do not know how the wrong order was placed, but the tin strip or tin wire, there shouldn't be a big difference in price, as far as I know.

Q. Having intentionally used the wrong solder, the next part was you were forced to try and cover it up with the false four delivery notes.

A. I cannot answer that.

Q. It's because it's true, isn't it? That's why you can't answer it.

A. That's not the truth. I just don't know why this tin strip order was placed. I was not aware that tin strips were used. If I knew in advance, I would not allow them to use that.

Q. As project manager, you were on site really rather often, weren't you?

A. Well, I am not regularly based on the site.

Q. And you had, beneath yourself, a range of other employees answerable to you?

A. I do not need them to answer to me. I would check the progress myself. I would attend meetings and provide technical consultation.

Q. As project manager, did you have any interest in the paperwork relating to the materials Golden Day was

bringing to the site?

A. I would never read those documents or papers.

Q. But how else can you manage the project without doing that?

A. Because, in my post, I only need to make sure that the construction site progress complies with all the requirements. I understand the construction site work. The project manager does not have to read all the documents.

Q. But you cannot ensure that there is compliance with the project unless you can ensure that the correct compliant materials are used?

A. Well, at the time I was very sure.

Q. But you had no system in place.

A. Regarding procurement, I cannot answer that.

DR McCOY: I have no other questions of this witness.

CHAIRMAN: Further questions from anyone?

Cross-examination by MS LAM

(All questions from Ms Lam were in English)

MS LAM: Mr Yung, I represent China State Construction.

INTERPRETER: The reception is poor.

MS LAM: I have a few short questions for you. Today, earlier in your evidence, you mentioned that once material samples were approved, the main contractor would issue an approval letter to Golden Day, that would

either be emailed to you or handed directly to you. Do you remember that?

A. It should have been something issued from the Housing Department to the main contractor and there would be an email sent to my company.

Q. That's right. Could the witness be taken to bundle F2, page 972, please.

You see this is a memo that was issued by China State to Golden Day, informing Golden Day that Powerflow flux and also lead-free solder FRY had been approved. Do you see that?

A. Yes, I can see that.

Q. If you then turn to page 985, you see a photo of the FRY 99C. Do you see that?

A. Yes.

Q. Can you confirm to the Commission that this is a document or the approval letter you were referring to in your evidence earlier?

A. Yes, I can confirm that.

Q. Thank you. You also said that this approval memo or letter would be given to your three staff; is that correct?

A. Yes.

Q. Could you tell us who else would have seen this memo, within Golden Day?

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 33	
C	A. No one else, only the three colleagues.	C
	Q. Would Mr Cheung be given a copy?	
D	A. No, I don't suppose he would get one.	D
E	Q. What about Mr Hui, the site supervisor?	E
F	A. No. They won't get any, because this was sent to our company through email.	F
G	Q. Right. Now, on a different topic, can I show you a few delivery notes.	G
H	Could the witness please be taken to bundle S1,	H
I	page 81, please.	I
J	Do you recognise the signature at the bottom of this delivery note?	J
K	A. No.	K
L	Q. Do you recognise the signature, Mr Yung?	L
	A. Are you referring to the one on page 81?	
M	Q. Correct.	M
N	A. I cannot recognise this signature.	N
	Q. You don't know whose signature it is?	
O	A. No.	O
P	Q. What about if you turn to page 92; do you recognise that signature?	P
Q	A. I think it's Ms Mok.	Q
R	Q. And could you turn to page 97, please.	R
S	A. I see that. (Chinese spoken).	S
	Q. What about page 97?	
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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 33 B

C A. I can see it. C

Q. Do you recognise that signature?

D A. I don't. D

E Q. It says "Lam" at the bottom. There's only one person E

F with the surname Lam, is there not, within your company F

G at the time? G

A. It should be from a site worker.

H Q. So it's not Ms Lam Lai King? H

A. No.

I Q. You can't be sure? I

A. I am sure. J

Q. Going back to page 92, Ms Mok, as I understand it, is J

K not based on site; is that correct? K

A. Correct. L

Q. So do you know why she would sign a delivery note? Does L

M that mean sometimes she would be on site? M

A. Page 93 is not a delivery note. N

Q. No, page 92, apologies. Go back to page 92. O

A. That's not a delivery note. O

Q. Page 92. P

A. That's an order. Q

Q. Do you have the right page? It says --

R A. This is not the signature of Ms Lam. R

S Q. Page 92. You told us earlier, just now, that the S

T signature appearing on page 92 is Ms Mok. T

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A. Not from them.

CHAIRMAN: Who signed this one on page 92, and what about
page 93?

A. I don't know.

MS LAM: You said earlier that it was Ms Mok's signature.
Are you retracting?

A. The one on page 93 is Ms Mok's.

Q. Page 93 is Ms Mok's?

A. Yes.

Q. Page 92, do you recognise the signature?

A. I don't recognise this signature.

MS LAM: That's fair enough. Thank you very much. I have
no further questions.

MR WU: Mr Chairman, I have two questions.

CHAIRMAN: You can use Chinese? You do know how to ask
questions in Chinese?

Cross-examination by MR WU

MR WU: Mr Yung, you were asked whether you intentionally
ordered non-compliant soldering material. You were
asked whether you placed the order for non-compliant
soldering material intentionally, so as to get monetary
benefit out of it.

So my question is in two parts. Do you agree that
you intentionally ordered material that was not in
compliance, did you deliberately do that?

C A. I don't agree. C

D Q. Do you know the price difference between solder wire and
D solder strip?

E A. No. E

F CHAIRMAN: Any re-examination? F

F Questioning by THE COMMISSIONERS

G CHAIRMAN: I have a question for you. In 2011, 2010, your
G monthly salary was something more than 20,000. What was
H the salary when you left? H

I A. 31,000. I

J CHAIRMAN: Any bonus? J

K A. Once every few years double pay, no bonus, only double
K pay.

L CHAIRMAN: And only once every few years or once in one or
L two years?

M A. Every one to two years, when there's a profit. If the
M revenue wasn't good, there will be no double pay. N

N CHAIRMAN: So double pay only when it's a profitable year. O

O So your pay is not related in any way to the profit
P of the company? Well, you might have double pay if the
P company enjoys a profit? Q

Q A. I have never been involved in the company's finances. Q

R I have never looked into those. R

S CHAIRMAN: What about Ms Lam? Was she in the same situation
S as you? T

T

T

U

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V

A. Well, she manages finances.

CHAIRMAN: I am not talking about finances of the company.

So basically she also only received basic pay?

A. The same as me.

CHAIRMAN: In 2010-2011 -- how should I put it -- from 2012

to 2013, it's Wing Cheong Estate. In 2010, it was

Tung Wui Estate and Hung Hom Estate. Your company,

Golden Day, in 2010-2011, at the same time you were

working on a number of projects of different estates.

How many were there?

A. There were six, six or seven.

CHAIRMAN: That many, at the same time? So in those two

years you were responsible for managing projects in six

or seven housing estates, as far as plumbing works were

concerned. Which six or seven estates?

A. Choi Wan Estate, I think.

CHAIRMAN: Phase number? Which phase?

A. I cannot recall.

CHAIRMAN: What about others?

A. There are two phases in Choi Wan Estate, almost at the

same time.

CHAIRMAN: Undertaken by Golden Day?

A. Yes.

CHAIRMAN: Please continue.

A. I cannot recall the name. It's in Sha Tin. Heung

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

B Commission of Inquiry into Excess Lead Found in Drinking Water Day 33 B

C Fan Liu. C

D CHAIRMAN: Which estate? D

E A. Heung Fan Liu Estate. E

F CHAIRMAN: Phase number? F

G A. 4C. G

H CHAIRMAN: And others? There were six. H

I A. Okay, altogether six projects. I

J CHAIRMAN: Do we have other questions? J

K If not, thank you. You may leave now. K

L (The witness withdrew) L

M CHAIRMAN: Perhaps we can have a ten-minute break now. M

N (3.45 pm) N

O (A short adjournment) O

P (4.02 pm) P

Q MR L HUI: Chairman, I am acting on behalf of Ms Lam Q

R Lai King. I would like to call Ms Lam to give evidence. R

S MS LAM LAI KING (sworn) S

T CHAIRMAN: Please take a seat, Ms Lam. T

U Examination-in-chief by MR L HUI U

V MR L HUI: Ms Lam, for this hearing you have prepared V

a written statement; right?

A. Yes.

Q. Please turn to bundle L1, page 149. Is that before you?

I will now read out your written statement:

"Commission of Inquiry on lead in water incident.

C Written statement of Lam Lai King. C

D I now respond to the questions raised by D
E Messrs Lo & Lo in a letter dated 10 December 2015. The E
F answers are numbered in accordance with the question F
G number. G

H I understand that under the Commission of Inquiry H
I Ordinance (Cap 86, section 7), evidence provided by I
J anyone before the Commission should not be used in any J
K civil or criminal proceedings against that person and it K
L will not be accepted as evidence against the person L
M making the statement. Also, according to section 12, M
N all the evidence given to the Commission should enjoy N
O absolute privilege. Witnesses providing the evidence O
P would not have to shoulder any legal responsibility in P
Q any civil proceedings or court case. Q

M 1. From 2002 to the first half of July 2015, I was M
N a director of Golden Day, and after I resigned as N
O a director, I became the company secretary of O
P Golden Day. I was responsible for the human resources, P
Q day-to-day administration, accounting and procurement of Q
R Golden Day. I was educated to form 5 level. R

R 2. I joined Golden Day in 1988 until now. One of R
S my duties would be to procure plumbing materials S
T (including soldering material). I was responsible for T
U procurement, liaison and clerical work. U
V

3. In the projects undertaken by Golden Day for Hung Hom Estate Phase 2, Tung Wui Estate and Wing Cheong Estate plumbing works, I and Ms Mok Wai Yin were responsible for procurement of material used on the site, including placing orders to Prosperity for the procurement of soldering material, but I did not know which site would use the soldering material, and I did not know that the soldering material would be used for connecting drinking water pipes.

4. Before this incident, I did not know that soldering material used in connecting drinking water pipes had to be lead-free.

5. Mr Hui Wan San ('Mr Hui') and Chau See Ming ('Mr Chau') were the site foremen of Golden Day. Mr Hui was responsible for the plumbing works of Wing Cheong Estate Phase 2 and Wing Cheong Estate. Mr Chau was responsible for the plumbing works of Tung Wui Estate. When the project required, Mr Hui or Mr Chau would make a phone call to me or to Ms Mok, to tell us the quantity of soldering material required and the delivery date. If I or Ms Mok could not take the phone call, another staff of Golden Day, Mr Patrick Wong, would sometimes help us by taking the calls from Mr Hui or Mr Chau, requesting plumbing materials, and then he would relate the request to me or to Ms Mok. As soldering material

is a minor hardware item and not major site material, at that time I did not know whether Golden Day submitted any soldering material to the Housing Department for approval, and I did not know that the soldering material procured had to be lead-free. According to my recollection, when Mr Hui and Mr Chau called me to place orders, they did not mention that the procured soldering material had to be the same as that approved by the Housing Department and the soldering material had to be lead-free.

6. After receiving a phone call from Mr Hui and Mr Chau on the site, I myself or Ms Mok would make a call or issue a purchase order to Prosperity for the purpose of procurement. As the site foremen did not mention the soldering material would be used for connecting drinking water pipes when they placed the telephone order, so I did not mention in the order to Prosperity that the required soldering material would be used for drinking water pipes.

7(a) Hung Hom Estate Phase 2.

(i) According to the five delivery notes provided by Prosperity [S1/3/84, 86, 93, 95 and 98], out of the five, four were purchase orders issued by Ms Mok to Prosperity [that is S1/3/84, 86, 93 and 98]. Another one [S1/3/95] was issued by a temporary staff of

Golden Day to Prosperity for the order. The other transactions for the procurement of soldering material were performed by I myself or Ms Mok. According to the requests made by Mr Hui or Mr Chau of this site, I would state the quantity required in the order placed with Prosperity. The site foreman would not specify the brand of the soldering material, so I didn't mention any brand in the order placed with Prosperity. As for the purchasing order 340/HME2/PL87 [S1/3/95], the five materials had the words, '50 per cent lead', or '50 lik in Chinese denoted. Those were not written by Golden Day staff. I believe that '50 per cent lead' should be something written by Prosperity in handling the order.

(ii) I act in accordance with the instructions given by Mr Hui and Mr Chau of the site and order the required amount of soldering material from Prosperity. If the site foreman asked for the procurement of the solder strip, then I would place an order for solder strip. If the site foreman asked for solder wires, I would place an order for solder wire. Before this incident, I did not know the difference between solder strips and solder wires, and I did not know that there were different brands of soldering material. As regards why 50 per cent lead flat solder strips were used in

Hung Hom Estate Phase 2 and FRY lead-free solder wire was used for the Ma Hang project, I do not know the reason. I only placed the order for the soldering material as instructed by the site foreman.

(iii) The eighth transaction was an order placed by Ms Mok to Prosperity. In accordance with the normal procedure, either I myself or Ms Mok would place an order with Prosperity for soldering material, and Prosperity would contact the relevant site foreman for delivery to the site. I was not involved in the delivery, so I did not know what happened when delivery was made to the site. I cannot recall whether the payment for this particular transaction was arranged by me. But generally, we have been working with Prosperity for years and there were large varieties of minor hardware items. We would only pay against the invoice issued by Prosperity. We will not check whether the invoice corresponds with any particular purchase order, if any.

(b) Wing Cheong Estate.

(i) I myself or Ms Mok were responsible for procuring soldering material from Prosperity. I acted in accordance with the request made by Mr Hui and Mr Chau, the site foremen, and asked for the relevant quantity of soldering material. The site foremen will

not specify the brand of the soldering material.

Therefore, I did not specify any brand in the order placed with Prosperity.

(ii) According to my recollection, after the exposure of the lead in water incident in Kai Ching Estate and the wide media coverage, on around 16 July 2015, at that time Mr Yung Kwok Choi, project manager of Golden Day, did repeatedly call myself on that day, saying that Paul Y had requested that Golden Day provide records on the procurement of soldering material for Wing Cheong Estate plumbing works. After checking company records, I only discovered some odd documents, and there were four delivery notes of Prosperity for delivery to Wing Cheong Estate, which showed that the soldering materials delivered was solder strips. Then I called Mr Yung and told him that I could only find four delivery notes issued by Prosperity for delivery to the site, and asked if they were appropriate. Mr Yung said he would like to get delivery notes showing that Prosperity had delivered lead-free solder wire to the site of Wing Cheong Estate and hinted that if there was no such delivery notes, I should know what to do, and there must be a way to get some delivery notes showing that the lead-free solder wire were delivered.

Therefore, I complied with Mr Yung's instructions and

produced some delivery notes indicating that it was lead-free solder. I amended the contents of the delivery note, I amended four delivery notes, and I changed the solder strip into solder wire, and then I called Mr Yung to confirm that the amended contents were produced. After Mr Yung confirmed the contents, I delivered the four delivery notes to Mr Yung, and Mr Yung forwarded that to Paul Y General Contractors. But at the time I did not know what the reason was, I did not know why Paul Y requested the invoices and what was the use of the invoices. Therefore, I discarded the odd delivery notes afterwards. Those amended delivery notes, they are items 18 to 21, and the delivery note is B6.4/15354 to 15357. I also, in hindsight, feel that at the time, the amended four delivery notes, this action was very stupid, it was a redundant action and there was no actual meaning, the four amended delivery notes and the appearance of lead in drinking water are not related, and it would not assist the Commission in its investigation of why there was excess lead in drinking water.

(c) (i) I and Ms Mok were responsible for procuring solder material from Prosperity and we acted upon the request of the site supervisor, Mr Hui and Mr Chau, and we ordered the soldering material as needed from

Prosperity. The site supervisor did not specify the brand name of the soldering material, so when I placed the order with Prosperity, they also did not specify a brand name.

8. So, when the construction started, the project manager, Mr Yung, had told me that Golden Day Engineering would purchase their solder material from the supplier, Prosperity Engineering, but I am not sure why Golden Day Engineering would choose Prosperity as its solder supplier. I only know that ever since Prosperity was established since 1998, there was already co-operation between Golden Day and Prosperity. Prosperity has always been a minor metal supplier for Golden Day Engineering.

9. I and Ms Mok, when we placed the soldering material order with Prosperity, we would not notify the site supervisor, Mr Hui or Mr Chau, and we would contact the relevant site supervisor directly through Prosperity and arrange for delivery to the construction site.

10. Since the site supervisor had requested the procurement of soldering material and they did not specify the brand name, so, when we placed an order with Prosperity, we also did not specify a brand name. Prosperity did not recommend the brand name UK 50 lead tin solder. They did not recommend that brand.

11. So, after I placed an order with Prosperity, Prosperity would contact the relevant site supervisor directly and they would arrange for delivery to the site. Since I did not participate in any delivery arrangements, I also was not aware of what happened with the delivery afterwards and I also did not take any measures.

12. I do not know the brand name UK 50 lead tin solder strip, and prior to this incident I did not know whether the solder strip contained lead or not. I am not sure what the procedure was when Mr Yung submitted the sample and what the work procedure was.

13. I also do not know the reason why Golden Day Engineering would handle the FRY lead-free solder wire sample submission to the Housing Department through Mr Yung, and according to the site supervisor, Mr Hui and Mr Chau's instructions, they would procure the solder material through Prosperity."

It is dated 5 January 2016. Is that correct? Do you accept this as evidence?

A. Yes.

CHAIRMAN: (Chinese spoken).

Cross-examination by MR KHAW

MR KHAW: Ms Lam, I would like to ask you, regarding your witness statement, in paragraphs 1 and 2, you say in

Golden Day Engineering -- you describe your job details.

I would like to understand a little bit more.

First of all, in paragraph 2, you say that you graduated with form 5 qualifications and in 1988 you joined Golden Day Engineering. So it was established in 1987 and you joined Golden Day in 1988. So, when you joined Golden Day Engineering, prior to that did you know Mr Cheung Tam Yam?

A. Yes.

Q. How did you get to know him?

A. He had some business relationship with my old company.

That is in my previous job.

Q. So before 1988, what company was that?

A. It was also a plumbing company doing water pipework.

Q. So Mr Cheung had some business with your old company and that's how you knew him; is that correct?

A. Yes.

Q. In paragraph 2, it says, "up until now", and you were later responsible for procurement of pipes, including soldering material, and you were responsible for the paperwork. So you started work in 1988 and the work nature was in that area?

A. Yes.

Q. Then in paragraph 1, you continue to say, from 2002 to July 2015, you were the director of Golden Day

Engineering. So I would like to ask you, is it correct what I say that in 1988 to 2002 -- did you ever leave Golden Day Engineering?

A. No.

Q. Because prior to today, prior to Mr Yung's evidence this morning, he said that prior to 2002, before he joined Golden Day Engineering, he and you were colleagues in a previous --

A. Yes, in Mr Cheung's company.

Q. So that was before 1988; is that correct?

A. Yes.

Q. So you have known Mr Yung for a number of years?

A. Yes.

Q. So, in the old company, before you joined Golden Day, in the old company, at that time, you were acquainted with Mr Yung and you didn't know him before that?

A. No.

Q. At that time, what was Mr Yung's job nature in the old company?

A. I don't recall. I'm not sure whether he was a labourer or a foreman. He was at the construction site.

Q. So you have known Mr Yung more than 25 years?

A. Yes.

Q. So you are good friends with him?

A. Okay, I suppose. Yes.

Q. I would like to ask you, in Golden Day Engineering, you said that from 2002 to July 2015 you were a director of the company. So, as a director, were you appointed by Mr Cheung?

A. Yes.

Q. So, when you were a director, did your job nature change? Aside from procurement and paperwork, did you handle any management? No change?

A. No.

Q. So your director status was just nominal; the work remained the same. Do you know why you were nominated a director?

A. At the time, initially, when our company was formed, it was just the husband and wife team, Mr and Mrs Cheung. They were the shareholders. The shareholders were Mr and Mrs Cheung. Sometimes they had to sign audit reports, they had to file tax returns, and it had to be signed by Mrs Cheung. But Mrs Cheung did not participate in the company's work, so I was added so that I could sign papers.

Q. So that was the reason given to you by Mr Cheung?

A. Yes.

Q. In paragraph 2 you say that after graduating from form 5, you started work. So, after starting work, did you take accounting or bookkeeping courses?

A. Well, elementary courses.

Q. So you studied on the job. So that was after joining Golden Day or was that prior to Golden Day?

A. Prior to Golden Day.

Q. So, in your old company, you were already taking elementary courses?

A. Yes.

Q. I would like to ask you -- you have worked for so long in the company -- have you heard of a work habit, the procurement documents -- for example, of Prosperity, their procurement documents, you would only keep the documents for one year and then you would discard them? Are you aware of this?

A. As far as I am aware. The company practice, there were only one set of documents of our purchases. Of course, we would have to keep records, we would have to file tax returns, we would have to pay, and every year, after our audit, after the audit report was approved by the tax Inland Revenue, we would discard them.

Q. Have you heard that one year, after the year, they would only dispose of the filler metal, the minor metal hardware?

A. No.

Q. So, as far as you know, all the documents, regardless of whether it was minor hardware, after auditing, if there

were no further questions by the Inland Revenue, they would discard them?

A. Roughly a year later.

CHAIRMAN: Where would you discard it? When you say "discard", did you dispose? We know that your company has a warehouse in Hung Shui Kiu --

A. As far as I know, I don't know you should call it a company warehouse. That venue, it's a location, a friend of the company allowed us to store some material and documents. As far as I know, the documents, they would contain contracts. It's not for storing procurement orders.

CHAIRMAN: It's a whole container?

A. I have never been there.

MR KHAW: I would like to ask, Ms Lam -- you have some elementary bookkeeping knowledge and you have done procurement work for quite a long time.

A. Yes.

Q. Are you aware that the law requires for receipts to be kept for seven years? Have you heard of this?

A. Yes, I have heard of seven years.

Q. You have heard of the need to keep records for seven years?

A. Yes.

Q. You handle paperwork, procurement work. You are aware

that the company documents, receipts, are not kept seven years, and at the time did you point this out to the company, that "We need to keep records for a longer period"?

A. Maybe I misunderstood the meaning of seven years.

Q. What do you mean?

A. Maybe I misunderstood the meaning of the seven-year rule. I have always thought that we were required to keep the ledgers and the audit reports for seven years.

I didn't know that we had to keep the invoices and documents for seven years.

Q. So, after the audit, after the IRD has not raised any questions, the documents would be discarded. Who in the office would be responsible for sorting out the documents for disposal? Who would do it?

A. I would do it.

Q. So you are responsible for that. So regularly, after doing the audit, you would sort out the relevant documents for disposal. How? How did you do it?

A. My colleague would, I think, take those to the refuse station, refuse collection station.

CHAIRMAN: They would be put in a box? Would they be shredded first or would they just be disposed of right away?

A. My understanding is they would take all those documents

to the refuse collection station.

MR KHAW: In the recent disposal exercise, when was it?

When did your colleague take such documents to a refuse collection station?

A. I cannot recall. It should be before the Chinese New Year last year.

Q. In 2015?

A. Yes. I am not sure.

Q. Let me put one more question to you. You were responsible for paperwork and procurement. Golden Day undertakes different projects, and they will have to tender for the work. Are you involved from time to time?

A. Yes.

Q. So you are not just responsible for procurement and paperwork; you would also be involved in tendering?

A. Yes.

CHAIRMAN: Let me put one more question to you. Are you still working in Golden Day? Today, you are still working with Golden Day?

A. Yes.

CHAIRMAN: We will resume tomorrow.

MR L HUI: Can we make it 10.30?

CHAIRMAN: Any special reason for that?

MR L HUI: A personal reason. I have a brief case in

Sha Tin. It will start at 9.30.

CHAIRMAN: When will you return?

MR L HUI: 10.30.

CHAIRMAN: Can you really make it at 10.30? You are
confident? Okay. What if you can't make it?

MR L HUI: I won't ask all the people to wait for me.

CHAIRMAN: Yes, your solicitor will be there. Okay, you
have someone to stand in, your solicitor. In that case,
we don't have to wait for you to return in the first
place.

MR L HUI: It's better that I am here.

CHAIRMAN: Okay. I will give you 30 minutes. We will
resume at 10.30.

(4.35 pm)

(The hearing adjourned until 10.30 am the following day)

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