

B

B

C

2016年1月18日

C

D

上午10時41分恢復聆訊

D

E

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

E

F

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

F

G

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

G

H

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

H

I

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

I

J

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

J

K

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

K

L

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

L

M

N

N

O

O

P

主席：宣誓先。

P

Q

Q

R

證人：林德深（何標記前僱員（持牌水喉匠）（啟晴邨和葵聯邨第二期））
以本地話宣誓作供

R

S

S

T

主席：許大律師。

T

U

許偉強先生：係。

U

V

V

B

B

C

C

D

許偉強先生主問

D

E

問：林生。

E

F

答：係。

F

G

問：我係代表委員會嘅律師。我知道你就住呢一個委員會嘅調查，你現時就有律師代表嘅，係咪呀？

G

H

答：係，冇錯。

H

I

問：我就想都帶你去睇一睇你之前就住我哋呢個調查，就向我哋發出過一啲嘅回覆，同埋你有啲證詞嘅，...

I

J

答：係，冇錯。

J

K

問：...咁我想你睇一睇嗰兩份文件先。

K

L

答：係。

L

M

問：然後，我哋就將你嗰兩份文件個內容就讀出嚟，...

M

N

答：好。

N

O

問：...我亦都會再問番你願唔願意採納番嗰啲文件嘅內容作為你今次個調查委員會嘅供詞嘅，好唔好？

O

P

答：Okay，唔該晒。

P

Q

問：首先，我想你睇一睇就係 Q1。

Q

R

答：係，係。

R

S

問：Q1 嘅第 10 頁。你見到文件嘅右下角就顯示咗個頁數嘅，睇到嘛？林生。

S

T

答：睇到，睇到。

T

U

問：係。揭番去第 10 頁，就係有一份係日期係 2015 年 10 月 28 號嘅文件，就寫住「致：羅文錦律師樓」，見到嘛？

U

V

V

B

B

C

答：係。

C

D

問：呢個就係你就住羅文錦律師樓，10月16號，2015年10月16號個來信而作出有一啲回覆，總共就有大概十九點。你喺呢個第11頁，應該係你嘅簽名，係咪呀？

D

E

答：係，冇錯。

E

F

問：咁呢度就係你第一封即係發出畀我哋嘅回覆。第二封就係第二個文件，應該就係24頁。

F

G

G

H

答：係。

H

I

問：24頁係一個2015年12月10號嘅文件。24頁。

I

J

答：Okay，係，唔該。

J

K

問：係。搵到嘛？

K

K

答：係，搵到，搵到。

K

L

問：Okay。好嘞，咁呢個就係2015年12月10號嘅文件，你就係畀我哋調查委員會秘書處。

L

M

答：係。

M

N

問：就亦都係就住呢一個委員會，你就作咗另外一份文件嘅，亦都係即係當為你一個證供咁樣嘅。睇到嘛？

N

O

答：睇到。

O

P

問：呢個亦都係兩頁，24同埋25頁。

P

Q

答：係。

Q

R

問：25頁嗰度都見到有你嘅簽名嘛？林先生。

R

S

答：係。

S

T

問：而家就我會將你呢兩份文件先讀出嚟先，...

T

U

答：好。

U

V

V

B

B

C

問：...等大家可以知道文件嘅內容，好唔好？

C

D

答：Okay, okay。

D

E

問：係，而家去番 Q1 嘅第 10 頁。

E

F

答：唔。

F

G

28-Oct-2015

G

H

致：羅文錦律師樓

H

I

I

J

就貴律師樓 2015 年 10 月 16 日來信的 19 個問題，本人回復如下：

J

K

1) 是 2 個工程，我是何標記公司的員工。

K

L

2) 是負責水務持牌水喉匠工作，本人 2013 年至 2014 年期間多次入院，2014 年於屯門醫院切掉左腳，現時行動不便，在何標記公司是停薪留職。

L

M

3) 關係是水喉匠。

M

N

4) CV 見附表 (3 頁)。

N

O

5) 見附表 2015 年 7 月 11 日英文信 (2 頁)。

O

P

6) 見附表 2015 年 7 月 11 日英文信 (2 頁)。

P

Q

問：或者我哋呢度睇一睇你嗰個 7 月 11 日個英文信，就應該喺呢一個文件夾嘅第 15 頁。睇到嘛？林生。

Q

R

答：睇到，睇到。

R

S

問：呢個就係你所指嘅英文信，...

S

T

答：係

T

U

問：...2015 年 7 月 11 日，亦都係--16 頁亦都係有你個簽名，睇到嘛？

U

V

V

B

B

C

答：係。

C

D

問：好，咁我哋去番第 10 頁嘅第 7 段。

D

E

7) 是持牌水喉匠，幫何標手的履歷見 CV 附表。由學徒做起。

E

F

F

G

問：個 CV 附表我哋見到喺第 12 頁都有你嗰個 CV，其中包括一個英文嘅 CV，仲有一個中文嘅 CV。

G

H

答：係，冇錯。

H

I

問：英文嗰個就應該係舊少少，去到 2003 年。跟住中文嗰個就較為新啲嘅，係咪呀？

I

J

答：係，冇錯。

J

K

問：咁就去番第 10 頁，第 8 段。

K

L

L

M

8) 見附表 2015 年 7 月 11 日英文信 (2 頁)。

M

N

N

O

問：我哋啱啱都好快咁睇過。

O

P

P

Q

9) 考水喉牌時，冇要求考重金屬，亦無修讀重金屬課程。

Q

R

10) 考水喉牌時，冇要求考重金屬，亦無修讀重金屬課程。已做水板合格報告給水務署，見附表水板報告 2 頁，水板報告是無要求重金屬化驗。

R

S

S

T

問：你嗰兩頁嗰個水辦個報告，就應該我哋可以見到第 21 同埋喺 22 頁，喺呢個文件夾。睇到嘛？

T

U

答：唔。

U

V

V

B

B

C

問：呢個就係你所講嘅兩份水辦報告。

C

D

答：係。

D

E

問：好。去番第 10 頁嘅第 11 段。

E

F

11) 是由何標記公司負責專案管理的部門做材料報告交給總承建商，交房屋署申報批核，總承商收到房屋署批出文件，見附表 2015 年 7 月 11 日英文信 (2 頁)。

F

G

G

H

12) 見附表 2015 年 7 月 11 日英文信 (2 頁)。

H

I

13) 何標記公司的合約部、採購部負責。

I

J

14) 2015 年 10 月 8 日已回復水務署，見附表 2 頁。

J

K

K

L

問：應該你係講緊--已回復水務署，10 月 8，係，呢個你都係講緊第 17 頁，10 月 8 號嗰個會面紀錄。睇到嘛？

L

M

答：睇到，睇到。

M

N

問：係，好。15--對唔住，係應該係 15。

N

O

O

P

15) 由何標記公司合約部、採購部負責，見 2015 年 8 月 3 日附表 (1 頁)。

P

Q

問：8 月 3 日嘅附表就應該係你嘅文件夾第 19 同埋第 20 頁，有兩封係畀水務署嘅信。睇到嘛？

Q

R

R

S

答：睇到。

S

T

問：係嘞，就係呢兩封，係咪呀？

T

U

答：係。

U

V

V

B

B

C

16) 見附表 2015 年 8 月 3 日附表(1 頁)及 2015 年 7 月 11 日英文信(2 頁)。

C

D

17) 由何標記地盤管工負責，通知總承建商交房屋署安排做驗收工作。是由何標記做食水樣板報告，已做水板報告給水務署，見附表水板報告(2 頁)。

D

E

18) 水喉工人有建築業安裝水喉技工牌。

E

F

19) 考水喉牌時，冇要求考重金屬，亦有修讀重金屬課程。應該不用焊條物料接駁，因為有重金屬，持牌水喉匠不認識重金屬問題，所以導致出現漏洞。

F

G

G

H

問：呢個就係你第一部分回覆，係咪？

H

I

答：係，冇錯，係。

I

J

問：好，我而家讀埋你第二個文件，就喺第 24 頁。嗰度就係亦都係 2015 年 12 月 10 號嘅文件。

J

K

K

L

TO: 調查委員會秘書

L

M

FM: 林德深

M

N

N

O

啟晴邨、葵聯邨鉛水事件，我願意做污點證人。

O

P

P

Q

第一部分

Q

R

1) 材料是由採購部同何標記老闆安排買材料到地盤。

R

S

2) 我只是何標記受雇員工持牌水喉匠。

S

T

3) 材料含鉛，我用肉眼是看唔到金屬含鉛，我只可以相信公司的誠信。(我是無權力化驗材料報告)

T

U

4) 材料到地盤由建築公司檢查好，再交由房屋署檢查無問題書面得到建築公司回復，房屋署批准才可以進行安裝。

U

V

V

B

B

C

5) 做 submission 材料批准是由另一位何標記的地盤工程師處理。

C

D

D

第二部分

E

E

F

F

1) 曾經通知修改材料，事隔時間太耐，唔記得清楚。如果有問題的話房屋署就唔可以簽署 WWO046 part 4 完工紙給持牌水喉匠向水務署申請完工報告。當入 WWO046 part 4 完工紙同時，總承建商有責任跟進 WWO046 Part 4 材料報告是否無問題，由總承建商安排給房屋署簽署報完工。

G

G

H

H

2) 當水務署收到完工報告 (WWO046 part 4) 就安排時間到地盤視察和驗收，當時持牌人在此工程上亦沒收過 WWO1008 扣分報告，水務署亦出左 WWO046 part 5 1005 供水證明書，則師和持牌水喉匠亦都會收到水務署發出的 WWO046 part 5 合格文件報告。

I

I

J

J

3) 在工程初期，原先的 WWO046 part 1 & part 2 材料紙是有修改過，房屋署亦批過。如在後期水喉裝置（例如物料）跟原先的喉圖及附表有所出入時，房屋署工程師與水務署溝通就可以括勉申請。

K

K

L

L

主席：就可以...

M

M

許偉強先生：就可以括勉申請。

N

N

O

O

第三部分

P

P

1) WWO 046 的 part 1 & part 2 則師、房屋署已簽給持牌水喉匠並交到水務署，亦得到水務署批核的 WWO046 part 3 開工紙。

Q

Q

2) 建築公司、何標記公司為何無跟房屋署則師、水務署已批出 WWO046 part 1 & part 2 材料附表購買材料。

R

R

3) 潔具、水龍頭建築公司負責採購，水制、什制何標記公司負責採購，冇按 WWO046 part 1 & part 2 材料附表採購和安裝。

S

S

T

T

4) 反正到這個時候我就直講，入紙需要兩個月時間，地盤監管話如果修改材料部門與部門之間溝通就可以括勉、可節省時間，這個是事實，例如圖紙修改都可以括勉申請。

U

U

V

V

B

B

C

5) 材料用合格無鉛材料，點解水務署做化驗結果發現焊口有金屬含鉛報告，我只是受雇員工，材料是由何標記公司安排。

C

D

6) 我亦無收過通知，除非製造商廠家倒閉或有工潮冇貨理由才可申請修改材料清單。

D

E

E

F

7) 調查委員會在調查含鉛期間，沒有公佈調查結果之前水務署已發信取消持牌水喉匠牌照。（不一定全部責任歸我）

F

G

8) 至於預製件問題，香港境內的持牌水喉匠只可以做香港境內工作，發牌局亦有提及香港境內的持牌水喉匠可到境外簽牌（例如有香港車牌的人士是唔可以到大陸開車）。我參與過大陸和澳門工程 10 多年，都不可以簽牌。所以將責任全部推到我身上是唔公平。

G

H

H

I

9) 點解水務署在事後修改法例八份文件，連 WWO046 表格都修改左，水質化驗報告都加上重金屬化驗要求？我實在擔當唔起！（點解有報導將事情推到我身上了事？我覺得對我非常危險）

I

J

J

K

10) 本人現在身體已經傷殘，每個星期都需到醫院檢查，做物理治療。鉛水事件對我精神困擾實在太大，我本人唔想抵賴，我是有部分責任。

K

L

L

M

問：林生，就你聽完我讀過你嗰兩份即係 report，...

M

N

答：係，聽過。

N

O

問：...同埋個即係你畀我哋嘅供詞，你願意採納你呢兩份文件作為你對呢個調查委員會嘅供詞嘛？

O

P

答：呢個接納嘅。

P

Q

問：係。我想問一問，除咗呢兩份文件嘅內容以外，即係我啱啱讀出嚟嗰兩份內容以外，你仲有冇其他嘢想修改或者補充？

Q

R

R

S

答：就我今朝就搵咗一份就 update 嘅，係另外一個口供嚟嘅，就送咗畀你哋喇嘞。

S

T

問：係。

T

U

答：我就嗰度講得好清楚，我係點樣係做，點樣離開，又再發生咗一啲問題出嚟。

U

V

V

B

B

C

問：明白。就住你今日提交嘅補充文件，我相信即係所有在場嘅人士都而家有一份你個更新嘅文件喺度。

C

D

答：係。

D

E

問：就住你呢一份更新嘅最新口供資料，我就遲啲晏少少我問你問題時候，都會再帶出入面有關嘅問題，...

E

F

答：Okay, okay, 係。

F

G

問：...或者我可能想要你澄清一下，你最主要想表達嘅信息嘅，咁到時我哋可以澄清一下。

G

H

答：Okay。

H

I

問：林生，我首先就想問一問你關於啲個人資料先。

I

J

答：好。

J

K

問：我知道你就喺 2009 年就加入何標記，...

K

L

答：係。

L

M

問：...喺你嘅履歷上面都見到。咁或者我哋翻開你嘅履歷都睇一睇，睇第 12 頁--如果我哋睇番 14 頁嘅度，我哋就見到由 2009 開始，14 頁就中文嘅一份。

M

N

答：係。

N

O

問：嗰個就係由 2004 年開始，你嘅履歷嚟嘅。就我哋見到喺呢一張文件入面，就講出咗你 2009 年開始到現在就喺何標記工作。我亦都見到就住你之前嘅一份履歷，即係英文嘅一份，都見到你喺 2009 之前，都喺唔少即係大嘅機構即係工作過。

O

P

P

Q

Q

R

答：係。

R

S

問：其中都包括例如有怡和建築、金門建築公司咁樣。

S

T

答：係，係。

T

U

問：我想問一問你，就係我見到你個履歷入面都有講過，就係你 1976 年就入行嚟嘞，差唔多，係咪呀？

U

V

V

B

B

C

答：唔。

C

D

問：喺你嘅第一份回覆嗰度都係講入行嘅時候，都係跟師傅學師，就係學嘅，係咪呀？

D

E

答：係，係，冇錯，係。

E

F

問：我就想了解多少少，就係關於你嗰個背景，就係我想問一問你教育程度係...

F

G

答：嗰度已經有寫嘅，嗰度嗰個 CV 嗰度。

G

H

問：係。

H

I

答：係。

I

J

問：你係講緊...

J

K

答：係中學程度。

K

L

問：係，中學程度。係咪中五？

L

M

答：係。

M

問：讀完中五之後，就開始就做有關嗰個水喉工作？

N

答：就去做學師，學徒。

N

O

問：學徒。中五畢業後，到學徒，有冇話有讀過一啲即係有關水喉嘅課程？

O

P

答：即係好簡短嘅水喉理論課程。

P

Q

問：水喉理論課程。喺邊度讀？

Q

R

答：有啲去工業學校，即係聽下嗰啲講座，即係冇乜特別嘢。

R

S

問：聽下講座？

S

T

答：係。

T

問：就有話一啲正式嘅課程，例如要考試嗰啲咁樣？

U

答：唔係正式。

U

V

V

B

B

C

問：嗰啲唔使嘅。有冇就住即係技術方面考過任何即係我哋所講例如大工牌，即係呢一方面嘅？

C

D

答：即係其他牌照？

D

E

問：係嘞，其他牌照。

E

F

答：係有氣體牌，呢個煤氣嘅氣體牌。

F

G

問：煤氣。即係個 gas installer 嗰個氣體牌？

G

H

答：係嘞，冇錯。同埋亦都擺到英國水務學會嘅呢個 MIOP 嘅牌照。

H

I

問：係。呢個英國水務學會就係應該係你嘅履歷嗰度，第 12 頁嗰度就講過 Member of the Institute of Plumbing 嗰個，係咪呀？

I

J

答：係。

J

K

問：我想問下，即係擺嗰個牌照係要需要具備啲咩嘢資格？

K

L

答：需要兩個有資歷嘅資格專業人士係簽我個名，然後再遞我嘅履歷上去畀--去英國嗰邊審批。

L

M

問：係。你所講話兩位嘅專業嘅人士，你係講緊都係即係有關係水務...

M

N

答：都係水務有關係嘅。

N

O

問：唔。例如佢哋係支持你個申請嘅，咁你就可以遞個申請表格上去，係咪呀？

O

P

答：係嘞，冇錯。

P

Q

問：咁就唔需要話--申請之前，唔需要話即係通過啲咩嘢考試嗰啲，係咪呀？

Q

R

答：佢檢查我個履歷，同埋佢--因為我當時係有水務牌照，就加埋有氣體牌，咁我嘅年資已經係有十幾年，佢就話係 pass 我。

R

S

問：明白。

S

T

答：咁我亦都係一個 RP。

T

U

問：RP 即係 registered person，係咪呀？

U

V

V

B

B

C

答：即係簡寫，佢哋就話係嗰度有資格嘅人士。

C

D

問：好。呢度都係睇番你嘅履歷同埋工作經驗嚟到即係審批，係咪呀？

D

E

答：係，批我嘅，係。

E

F

問：好。至於嗰個--你下面嗰一度 Institute of Plumbing Hong Kong Council 嗰個，嗰個係又需要具備啲咩嘢資格可以做到？

F

G

答：嗰個英文嗰度講就話我係呢個 BS Co，亦都經過好長時間為呢啲公司效力，就即係提升去到做地盤嘅 BS Coordinator，亦都去到做呢個地盤嘅監管同埋收貨，代表業主。

G

H

問：明白。我係講緊話嗰個 Institute of Plumbing Hong Kong Council 嗰個，即係喺你個履歷，就係一開始 Qualifications 最下面嗰一--最後嗰一欄。

H

I

答：唔。

I

J

問：即係 Institute of Plumbing Hong Kong Council，呢個係--即係你係嗰個 Hong Kong Council 嘅成員，定係其他嘅角色？

J

K

答：都係嗰個角色。

K

L

問：都係成員，係咪呀？

L

M

答：唔。

M

N

問：即係個 council 嘅成員，2002年開始，係咪呀？

N

O

P

主席：Member，係咪呀？Member 定乜嘢？

P

Q

Q

R

問：係咪個 member？

R

S

S

T

主席：你寫...

T

U

U

V

V

B

B

C

答：Member，係。

C

D

問：好。我知道你就係應該 1982 年就正式取得個持牌水喉匠個牌照嘅，係咪呀？

D

E

答：係，係。

E

F

問：我想問番你，就係當年你取得呢個持牌水喉匠個牌照嘅時候，係需要符合啲咩嘢資格先可以做到？

F

G

答：首先，就係要去水務局考牌，就係要畫圖。

G

H

問：畫圖。

H

I

答：同埋去見啲阿 Sir 喇，高級啲阿 Sir 就要問好多細節上嘅工程嘅施工方法，同埋有特殊嘅施工方法。

I

J

問：施工方法？

J

K

答：嘎。

K

L

問：唔。

L

M

答：要考啲啲——一般都係持牌水喉匠必經嘅考。

M

N

問：唔。即係要唔要筆試？

N

O

答：筆試都喺畫圖嗰度做埋。

O

P

問：畫圖嗰度就當咗係？

P

Q

問：唔。但係你考呢個即係要畫圖之前，有冇啲咩嘢既定嘅課程或者有啲講義係要畀你作參考，你先至知道要考啲咩嘢範圍？

Q

R

答：佢本身水務有個指引係話畀你參考嘅。

R

S

問：唔。即係你申請你前，佢有個指引畀你參考，係咪呀？

S

T

答：係呀。

T

U

問：即係佢有啲文件畀你睇，就知道要考啲乜嘢嘅？

U

V

V

B

B

C

C

答：即係佢就唔會話畀你聽，只係知道你要有個課--要考呢個畫圖啲試，佢就畀你參考，即係話你要冇咩嘢即係要帶備，就話要考啲--將來會考啲大約咩嘢嘅水務局嘅例嘅嘢。

D

D

問：係。我想你睇一睇就係水務規則，《水務設施規則》。

E

E

答：係。

F

F

問：我帶一帶你去睇而家嗰個規則。你睇下 G1。麻煩林生你睇一睇 283 頁。呢個就係現時我哋現有嘅《水務設施規則》入面，就住持牌水喉匠即係佢哋嘅資格，即係申請持牌水喉匠個牌照個時候，係需要合乎咩嘢資格。或者如果你可以睇下--我哋睇下中文嘅第 33 條，喺 283 頁。

G

G

H

H

I

I

答：係，係，冇錯。

J

J

問：睇到嘛？

K

K

答：33，係。

L

L

問：係。喺呢度就講持牌水喉匠個牌照申請就係咁嘅，「(1) 任何人—持有職業訓練局 1987 年後頒發的水喉全科技工證書」，咁就另外，就係話「持有相等資格，及任何持有職業訓練局頒發的香港水務設施課程證書及相等資格的人，均可申--或相等資格的人，均可申請水喉匠牌照。」睇到嘛，呢度？

M

M

N

N

答：睇到。

O

O

問：呢個就係現時嗰個條例。我想問番，即係你當時嘅時候，就係冇需要話即係就住你申請持牌水喉匠，就係話要持有咩嘢職業訓練局嗰啲技工課程，係咪呀？

P

P

Q

Q

答：嗰陣時我三十年前，就係冇呢啲...

R

R

問：就係冇呢樣嘢？

S

S

答：冇，冇。

T

T

問：因為我就都喺前幾日就吵番一個舊嘅水喉--《水務設施條例》，我哋可以參考一下當時嗰個情況。如果我哋睇番 A3，文件夾 A3。舊嗰個版本，如果我哋睇番 A3 嘅 2519 頁。

U

U

V

V

B

B

C

C

D

主席：2519？

D

E

許偉強先生：2519，係，第33條。

E

F

問：唔好意思，林生，我呢度淨係得個英文嘅版本，或者都可以睇一睇。

F

G

答：唔緊要，唔緊要。

G

H

問：係嘞，33就寫住“Application for Plumbing’s Licence”，
咁都係講緊話...

H

I

I

J

主席：等一等先。

J

K

許偉強先生：係。

K

L

主席：等一等先。

L

M

許偉強先生：好呀。

M

N

N

問：咁...

O

O

P

主席：未得。

P

Q

許偉強先生：係。

Q

R

R

S

問：第(1)(a)嗰度都係講番有幾個團體...

S

T

T

U

主席：等一陣先，未得。

U

V

V

B

B

C

許偉強先生：好，sorry。

C

D

主席：我哋搵唔到嗰一頁，搵唔到嗰一頁，個電腦。得。

D

E

許偉強先生：33。

E

F

主席：三十幾？

F

G

許偉強先生：33。

G

H

主席：Regulation, 33?

H

I

許偉強先生：係，33條，應該喺2519頁。

I

J

主席：呢度，唔。

J

K

許偉強先生：係，再前一頁應該，個底部，係。係，呢度開始。

K

L

問：呢度我哋就睇到33，(1)嘅(a)同埋(b)都係講話即係需要持有某啲機構嘅資格嘅。就33，(2)嗰度，就話雖然喺(1)嗰度係咁樣訂明，「任何人如果有呢個對水喉嘅認識嘅話，都可以係申請就呢個持牌水喉匠嘅牌照」咁樣。我哋就咁睇番，林生，你當時申請持牌水喉匠嘅時候，就應該就有話特別去持有喺(1)嗰度所講啲機構發出一啲嘅資料嘅，係咪呀？

L

M

M

N

N

O

答：係，係冇嘅。

O

P

問：係嘞，所以你嗰個申請都應該係就住呢一度嘅第(2)條嗰個條款，即係去證明你自己係對水喉係有認識，去申請呢個持牌水喉匠嘅？

P

Q

答：係，冇錯。

Q

R

問：係咪咁樣？

R

S

答：係

S

T

問：我想問下你，對於嗰個考呢個--即係申請呢個持牌水喉匠嘅時候，你需唔需要特別話就住嗰個水喉接駁嗰方面，即係例如尤其是係焊接嗰方面係需要你有任何認識嘅？

T

U

U

V

V

B

B

C

答：就嗰陣時嘅水務條例，嗰個接駁焊口嗰陣時就係唔需要用咁嘅方法做。

C

D

問：唔。當時你申請嘅時候，你所認知個方法，首先講一講你申請水喉嘅呢個持牌水喉匠嘅時候，...

D

E

答：係。

E

F

問：...你所接觸嘅喉管，即係食水喉管係用咩嘢物料造？

F

G

答：第一，有兩種，一種就係套絲，即係絞牙，即係 GI 喉；一種就係銅喉。

G

H

問：係。

H

I

答：銅喉我哋以前就係用攞杙式。

I

J

問：攞杙式。唔，係。即係你去申請做持牌水喉匠嘅時候，你所認知嘅銅喉嗰個接駁都係用攞杙嘅形式，係咪呀？

J

K

答：係，冇錯。

K

L

問：你當時就有話接觸過用呢個燒焊個方法做嘅，係咪呀？

L

M

答：燒焊就係一係燒銀焊，一係燒銅焊。

M

N

問：唔。即係你當時都有接觸過燒銅喉即係呢樣嘅工序，係咪呀？

N

O

答：係，冇錯，係。

O

P

問：你自己話有冇特別去學過點樣去做呢個燒銅喉嘅工序？

P

Q

答：燒銅喉嗰啲就係跟師傅學師嘅，嗰啲。

Q

R

問：唔。

R

S

答：係。

S

T

問：有做過嘅，係咪呀？

T

U

答：有做過嘅。

U

V

V

B

B

C

答：係。

C

D

問：...即係已經開始有接觸到有即係燒銅喉？

D

E

答：已經有。

E

F

問：已經有？

F

G

答：即係我已經入行咗有四十幾年。

G

H

問：唔。

H

I

主席：你 82 年擺到持牌水喉匠，即係你講緊跟師傅，即係可能講緊七幾年已經有，係咪咁呀？

I

J

答：係。

J

K

K

L

問：你七幾年嗰陣時開始接觸即係話學做就住銅喉嗰個燒焊，嗰陣時係用啲咩嘢，燒焊用啲咩嘢物料--焊料？

L

M

答：燒焊有銀焊、有銅焊。

M

N

問：銅焊？

N

O

答：燒銅嘅。

O

P

問：係。即係燒銅嘅焊？

P

Q

答：係，冇錯。

Q

R

問：咁知唔知係啲咩嘢物料？

R

S

答：直情係用銅去兩邊熔咗佢，熔落個焊口度。

S

T

問：唔。當時有冇用例如錫料？

T

U

問：好。我都想同你跟進一下，就係我知道你擺到嗰個持牌水喉匠嗰個牌

U

V

V

B

B

C

照就係屬於 Grade I 嘅。

C

D

答：唔。

D

E

問：咁睇番嗰個條例，都應該有分 Grade I、Grade II 嘅？

E

F

答：係，冇錯。

F

G

問：我哋或者可以睇一睇個 Grade I、Grade II 嘅分別，就應該喺 G1。

G

H

答：第幾頁？

H

I

問：G1，286 頁。

I

J

答：係，係。

J

K

問：可以睇一睇過中文嗰個，就係「第 I 級 — 用於建造、安裝、保養、更改、修理或移動任何種類的消防供水系統或內部供水系統。」睇到嘛？

K

L

答：睇到。

L

M

問：第 II 級就係有兩個分別嘅，即係有兩個部分。「(i) 用於保養及修理消防供水系統或內部供水系統；及(ii) 用於安裝、保養、修理及移動用水器具。」

M

N

答：唔。

N

O

問：咁我嘅理解就啱唔啱？就係...

O

P

答：啱。

P

Q

問：...如果 Grade I 嘅話，就係嗰個...

Q

R

答：Grade I 就係 A 牌，第二個部分就係個 B 牌。

R

S

問：係，有 B 牌。

S

T

答：B 牌只係做維修。

T

U

問：做維修。所以 A 牌就係勁啲嘅，即係 A 牌...

U

V

答：可以申請嘅。

V

B

B

C

問：...就係個範圍大啲嘅？

C

D

答：係，申請個大樓嘅。

D

E

問：好。我都想跟進下，就係你剛才同我哋講話你 1982 年就去申請，向水務署申請個牌照嘅時候，你最主要都係話即係要畫圖，咁就同埋知道嗰個即係施工方法咁樣？

E

F

答：係，冇錯。

F

G

問：當時去申請呢個牌照嘅時候，有冇特別你需要同水務署去展示，你就住例如焊接水喉啲啲工程你嘅認識，需唔需要？

G

H

答：係唔需要。

H

I

問：唔需要。另外，就住你個履歷有一點，就係你一開始講你嘅職業嘅時候，你都開宗名義講你係一個即係 Building Services Engineer，就係即係我哋所知就係屋宇裝備工程師。我想問一問，你就大概幾時開始，就係即係你係擔任呢個屋宇裝備工程師即係呢一個工作？

I

L

答：係，冇錯。

L

M

問：幾時開始？

M

N

答：嗰個履歷嗰度有寫到，我係--如果我講工作就係日期應該嗰度有。

N

O

問：唔。

O

P

答：七幾年已經做。

P

Q

問：已經開始？

Q

R

問：我想問一問你，就係即係我哋之前聽過一啲房屋署同埋一啲總承建商，咁佢哋都會有自己嘅屋宇裝備工程嘅，據佢哋嘅解釋，就係屋宇裝備工程師都係主要負責風、火、水、電咁樣，你都聽過㗎喇，係咪呀？

R

S

答：係。

S

T

T

U

U

V

V

B

B

C

問：咁我想知道，你就話--即係你話係做呢個擔任屋宇裝備工程師呢一個職位，我想問下，即係需要冇啲咩嘢資格先至可以，你話你成為呢個屋宇裝備工程師？

C

D

D

E

答：即係工程師，你首先自己有牌照，然後之後喺間公司佢可以--又係你個老細認為你能夠處理到工程上嘅一般所去處理嘅問題。

E

F

問：你講嗰個牌照，係咪就係講緊嗰個水務署發畀嗰個--發畀你嗰個...

F

G

答：包括呢個英國 MIOP 同埋煤氣牌。

G

H

問：唔。嗰個你就係 2002 年先成為嘅，係咪呀？

H

I

答：係，冇錯。

I

J

問：即係所以你就應該係 2002 年之後，先至即係稱之為係有呢個屋宇裝備工程師嘅資格，係咪呀？

J

K

答：係，冇錯，係。

K

L

問：好。另外，我想問一問，就係你呢個持牌水喉匠呢個牌照，咁你都擺咗成三十幾年，係咪呀？

L

M

答：係，冇錯。

M

N

問：咁你係咪每年去更新，同水務署，每年去 review？

N

O

答：冇每年更新。

O

P

問：唔需要每年更新？

P

Q

答：唔需要。

Q

R

問：咁係幾耐更新一次？

R

S

答：佢唔係叫更新，係每年續牌一次。

S

T

問：係，即係續牌，續牌一次？

T

U

答：一年一次。

U

V

問：一年一次嘅。

V

B

B

C

答：十二月尾。

C

D

問：就去到年底咁樣，係咪呀？

D

E

答：係，一年一次。

E

F

問：唔。續牌嘅過程，即係係咪一個即係我哋所講流水作業，即係有冇話特別有啲乜嘢附加嘅一啲條件？

F

G

答：佢叫你續牌交錢。

G

H

問：即係交錢嘅啫，係咪呀？

H

I

答：係。

I

J

問：就冇話再問番你，呢幾年做過幾多個工程，或者你啲經驗...

J

K

答：嗰啲唔會再問。

K

L

問：冇嘍，係咪呀？即係你攞過第一個牌，你以後每一次，三十幾年續牌，就交咗錢，就續到？

L

M

答：係，冇錯。

M

N

問：唔，好。我想問一問，就係你攞到呢個水喉牌，1982年之後，我都見到你嘍--即係啱啱都講過有幾間公司，包括有幾間大嘅建築公司都做過。

N

O

答：係。

O

P

問：我想問下你，例如你嘍怡和，即係 Jardine Engineering 同埋嘍金門建築工作嘅時候，你係咪佢哋個僱員？

P

Q

答：我係佢哋嘅僱員。

Q

R

問：即係有僱員合約嘅，你哋大家，係咪呀？

R

S

答：有嘅。

S

T

問：例如我打個譬如，你嘍金門做嘅時候，咁你就--我見到你都講出咗有好多項工程你都有負責過嘅。我想問下，例如你嘍金門做緊嘅時候，你係佢哋嘅僱員，你會唔會都會就住其他啲公司，如果需要做水喉工

T

U

U

V

V

B

B

C

程，即係搵你作為持牌水喉匠去同水務署去申請嗰啲水紙？

C

D

答：但係嗰陣時就如果喺金門，就唔可以。

D

E

問：就有嘅，係咪呀？

E

F

答：嘎。

F

G

問：淨係做佢哋？

G

H

答：即係係打工就要履行佢個合同。

H

I

問：唔，好。所以如果你話你當時同金門做嗰陣時，都需要例如你去簽--即係我哋所謂持牌去簽嗰啲水紙入去水務署嘅？

I

J

答：就咁樣，喺金門公司有啲特殊嘅嘢需要我哋去出--去做嘢先叫嘅啫。

J

K

問：唔。即係如果金門公司佢哋嘅工程係需要係入水紙嘅，要作為持牌水喉水喉匠要去簽名，咁都會搵你？

K

L

答：咁樣就唔係要我簽名，而係公司裏面啲持牌水喉匠做嘅時候嘅手續有漏洞，就需要我哋去協助佢嘅啫。

L

M

問：即係例如你喺金門做嗰陣時，佢公司入面亦都有其他持牌水喉匠，係咪呀？

M

N

答：係，係。

N

O

問：即係由佢哋去簽？

O

P

答：即係佢哋簽。

P

Q

問：唔。咁例如佢哋嘅--例如你話金門佢自己內部嘅持牌水喉匠佢負責去簽名嘅，同你嗰個資格有冇咩嘢唔同，作為持牌水喉匠？

Q

R

答：咁唔係有咩嘢特別唔同，只不過佢哋都係有咁嘅資格係做呢個工作，但係我哋喺發現佢嗰個大家工作嘅條件上面，個時間同埋日子有差誤嗰陣時，我哋要提醒佢，「究竟你要幾時要啲乜嘢。」

R

S

S

T

問：明白。可唔可以咁講？例如入嗰啲紙，佢哋去簽喇，其實嗰啲紙你都簽得嘅？

T

U

U

V

V

B

B

C

答：唔簽得。

C

D

問：點解？

D

E

答：因為佢簽咗，我哋唔可以再簽。

E

F

問：我知。即係我話如果你以資格嚟講，如果佢哋--即係如果唔係叫佢哋簽嘅，如果搵你簽，你都做到啲嘛？

F

G

答：唔得。

G

H

問：即係你都有資格去做嘅？

H

I

答：因為嗰單工程唔係我嘅合約範圍。

I

J

問：唔係你嘅合約範圍。即係例如你同金門打工嗰陣時，即係佢哋會定咗你做邊幾個工程咁樣，係咪呀？

J

K

答：係，係，冇錯。

K

L

問：有冇僱員合約，你嗰陣時同金門做嗰陣時？

L

M

答：有。

M

N

問：有嘅？

N

O

問：唔。都係擺月薪嘅？

O

P

答：月薪嘅。

P

Q

問：好嘞，講講你喺何標記個情況，何標記你2009年加入，亦都係何--你喺你個口供度都有講過嘅，你都係何標記嘅僱員嚟嘅，係咪呀？

Q

R

答：就咁樣，何標記就係佢請我，就佢係公司係冇咗持牌人。

R

S

問：係，冇持牌人，係。

S

T

答：就佢就搵人要求我幫佢簽水喉牌。

T

U

問：唔。我首先搞清楚先，就係你同何標記嗰個關係都係即係你係一個僱員合約嘅關係，係咪呀？

U

V

V

B

B

C

答：僱員合約嘅關係。

C

D

問：都係每個月出糧畀你嘅，係咪呀？

D

E

答：每個月出糧嘅。

E

F

問：有冇話分即係例如佢何標記，例如嗰個月做多啲 project，做多啲項目，咁你又會收多啲錢嘅嗰個月，有冇咁分？

F

G

答：就咁樣，因為有啲插曲，就即係有少少我係接受唔到嘅，咁我就辭職。

G

H

問：係。唔好講辭職先，即係你嗰個可以慢慢解釋畀我聽。

H

I

答：好。

I

J

問：我想知道就係你入咗何標記嗰度做，你就話你係支月薪嘅，係咪？

J

K

答：唔，唔。

K

L

問：我想知道就係除咗月薪之外，你會唔會話何標記嗰個月或者嗰一、兩個月特別多工程嘅，你嗰一、兩個月會唔會係有多啲人工出咁樣？

L

M

答：唔會。

M

N

問：唔會嘅。都係支番嗰份糧，係咪呀？

N

O

答：係。

O

P

問：好。

P

Q

主席：唔係，你出糧嘅方式有冇改變過？

Q

R

答：係，聽唔到。

R

S

主席：你出糧嘅方式有冇曾經改變過，即係你喺加入咗何標記到你離職嘅期間，有冇話最初就係用月薪出糧，後來就唔係做月--唔係用月薪出糧，就係計工作量嘅？

S

T

答：嗰個情況就我係辭咗職之後，因為仲有工程喺手係簽落咗，所以佢就改為斬件。

T

U

U

V

V

B

B

C

主席：二零零--2014年你辭咗職之後，二零零幾多年你辭職？你有封辭職信個啲。

C

D

答：係聽你講咗一半，就聽唔到，唔好意思。

D

E

E

F

問：2010年。你喺個更新嗰個畀我哋啲資料，其中有一封就係2010年7月1號你畀何標記嘅信？

F

G

G

H

主席：2010年，係呀。

H

I

許偉強先生：2010。

I

J

J

K

答：係。

K

L

問：呢度我哋可以睇番呢封信先，就係一個 Letter of Resignation，一個辭職信。

L

M

答：唔，唔。

M

N

問：有冇喺你面前，而家？

N

O

答：有。

O

P

問：好短嘅啫，半頁。好，唔該。

P

Q

問：呢度你就話，你而家就想辭去你作為嗰個 WSD superintendent 就 with effect from 2010年8月1號。你呢度所講嘅“WSD superintendent”，係咪就係講緊你作為持牌水喉匠嗰個工作？

Q

R

R

S

答：係佢畀我嘅職位嚟嘅啫。

S

T

問：職位，係咪呀？你當時嘅職位叫做咩嘢？

T

U

答：佢寫咗我係水務監督。

U

V

V

B

B

C

問：水務監督，係咪呀？

C

D

答：係。

D

E

問：唔。即係呢個就係你同何標記公司內部大家個稱個職位？

E

F

答：係。

F

G

問：咁呢度你都即係遞咗辭職信。呢個想問一問你，當時辭職個原因係咩嘢？

G

H

答：因為我另外有個附表佢係有好多問題喺度，咁我就冇--即係繼續唔到，因為我犯咗規，做嘢。

H

I

問：唔，好。或者你睇一睇你所講嗰個附表入面，我哋睇頭嗰兩個事項，即係你嗰度有個天水圍 104，...

I

J

答：係。

J

K

問：...另外有一個屯門警察宿舍，...

K

L

答：宿舍，係，冇錯。

L

M

問：...都係講材料不符。我想問下，即係你可唔可以解釋畀我哋聽，例如就住呢兩項，你話材料不符，第一，係個咩嘢情況先？

M

N

答：就個情況，我哋持牌水喉匠係入咗 form 係畀建築，再搵畀房署檢查過，同意咗我哋嘅材料，咁我持牌人先可以申報水務署攤開工紙。

N

O

問：你係講緊就係嗰個 ww...

O

P

答：Part I、II。

P

Q

問：Part I 嗰個，同埋 Part II。

Q

R

答：咁就出咗 Part III，就可以正式開工。

R

S

問：係，冇錯。

S

T

答：就好有個問題出現咗，就係我唔知道佢有咩嘢理由將材料就變動咗，我就係持牌人就會--係會受到水務署嘅責備、懲罰。

T

U

U

V

V

B

B

C

主席：唔係，咪住先。你 (A) 嗰個就係天水圍 104，呢個係公屋工程嚟嘅，係咪呀？

C

D

答：呢個係警察--唔係，呢個係--唔係，呢個係公屋嚟嘅。

D

E

主席：係咪呀？

E

F

答：係。

F

G

主席：呢個公屋工程，就要交嗰個...

G

H

答：材料紙。

H

I

主席：係嘞，就上去畀房委員。咁 (B) 嗰個就係警察宿舍呢個就係 ASD 嘅項目嚟個囉嗎？

I

J

答：係，冇錯。

J

K

主席：唔。

K

L

問：好嘞，或者你可唔可以解釋下，你話個材料不符嗰個情況係點樣？

L

M

答：材料不符，就首先要我哋係得到房署批咗個 site 嘅材料係可以用呢啲牌子，我先至可以做 submission 畀水務署，水務署簽咗我哋嘅 Part III 出嚟，可以接受開工，任何人都唔可以改，除非係冇材料嚟或者係有出現問題，就先至則師就係發正文件畀持牌人水喉匠，先可以改得嘅。

M

N

N

O

O

P

問：係，冇錯。如果我哋睇下，其中你講嗰個屯門警察宿舍嗰個。

P

Q

答：唔。

Q

R

問：如果喺你個文件，即係更新文件入面，其中有一份就係一個 Ho & Partners Architects，何顯毅...

R

S

答：係，冇錯，呢個則師嚟嘅。

S

T

問：係嘞，則師吖嘛？

T

U

答：係。

U

V

V

B

B

C

問：我哋有一個係 2009 年 12 月 16 號則師畀水務署嘅一封信，咁嗰封信兩頁紙嘅。

C

D

答：係。

D

E

問：嗰度都係講番話個則師就呈交咗一個係更新嘅一啲物料嘅清單就畀番佢。

E

F

答：係，冇錯，係。

F

G

問：呢個清單就係同原先入落水務署，就住 WWO046 Part I、Part II 嗰個係有啲唔同嘅，...

G

H

答：係，冇錯。

H

I

問：...咁所以要更改。

I

J

答：係。

J

K

問：例如則師都同水務署就交代咗有啲咩嘢更改，咁以你嚟講，有啲咩唔妥當嘅地方，呢度？

K

L

答：因為我填嘅附表個清單係呢個 WWO I 同埋 II，嗰個材料清單係打咗係同呢個材料係唔同。

L

M

M

N

問：係。

N

O

答：咁去到我係需要去睇嘅時候發現，嘩，裏面多咗好多我有申報嘅，咁就要同則師申請，因為我持牌人唔可以隨便喺個 site 裏面改材料嘅，...

O

P

P

問：冇錯。

Q

Q

答：...應該要經過業主、則師同意先改得嘅，...

R

R

問：係。好嘞，如果...

S

S

答：...咁要出呢封信。

T

問：係，唔。如果則師就交代咗畀水務署，就話呈交咗呢一張更新嘅物料嘅清單，...

T

U

U

V

V

B

B

C

答：係，係。

C

D

問：...如果水務署睇咗冇問題，咁就...

D

E

答：水務署係望咗之後，佢係入 file，係冇批嘅。

E

F

問：係。咁你嘅擔心係咩嘢？即係既然嗰個則師都已經同水務署交代咗，你自己嘅擔心係--即係呢個同你原先所入嘅嗰個水紙嗰份附表係有唔同嘅物料，係咪呀？

F

G

答：係，冇錯。

G

H

問：所以你就即係應該就係填咗嗰張紙之外，你就要負--對嗰啲物料去負責嘅，係咪呀？

H

I

答：冇錯，冇錯，係。

I

J

問：而你又唔知道之後轉咗啲物料，係咪咁嘅意思？

J

K

答：就咁樣，因為我哋就建築都好合作嘅，同我哋即係大家都檢查啲文件，「喂，我哋有啲修改咗。」我就話唔入得，因為入咗之後我會扣分，變咗呢個問題就影響個樓嘅入伙時間。

K

L

M

問：你呢個關注有冇同何標記講番？

M

N

答：係投訴咗好多次。

N

O

問：你當時有冇建議應該係點樣做法先係正確？

O

P

答：我哋就同咗公司講，呢個問題你實際上係唔正確嘅，冇人批你--批嘅，同意你改嘅，但係我哋去到持牌人揸住份表格唔入得，唔報得完工，咁就要公司澄清，要搵番佢嗰個工程師，「而家多咗啲嘢，你哋公司係咪正確知道？你要有番則師嘅文件通知我持牌人先至可以受理。」

P

Q

R

問：唔。如果以你嘅角度嚟講，如果有則師通知咗水務署，咁水務署亦都即係冇再提出異議，就住更改咗嗰啲物料...

R

S

答：佢則師入咗簽咗名，大家同意呢份，就搵去畀水務署入紙，咁水務署睇咗之後，發現我係有多咗嘅資料，係水務局係唔反對呢個則師加嘢嘅。

S

T

U

問：係。如果既然則師都做咗呢一個步驟，咁你覺得仲有啲咩嘢需要係要

U

V

V

B

B

C

同水務署去跟進嘅呢？

C

D

答：我可以入 Part IV 完工紙，就則師再加簽名，咁我先至可以履行呢個工作。

D

E

問：係。你當時同何標記講咗你呢個關注，咁佢點同你講？

E

F

答：咁講真係我都唔知，如果咁直講，即係好似好多問題出咗嚟。

F

G

問：唔。

G

H

答：總言之實際上你係冇按呢個表格買料，咁我去講嘅，只不過就係口講，講咗多次，都有去聽我咁講，我話「你改嘅唔緊要，你一定要通知我同則師，你買咩嘢嚟，則師唔知道買咗乜嘢，我又唔知你擠咗啲咩嘢落去。」

H

I

問：係。即係總括嚟講，就係即係呢個你個關注，就係你當時辭職嘅原因，係咪呀？

I

K

答：最重要呢個問題。

K

L

問：好。我想問一問你，就係你辭咗職之後，2010年7月，你都繼續係幫何標記有做呢一個即係入水紙呢方面嘅工作？

L

M

答：情況就係咁樣，因為我發現佢有好多嘢，我就當然就係向佢投訴，即係畀--就發 e-mail 畀佢，我話「你而家你真係實在太多，地盤個個都唔得嘅，你八個地盤都有--裏面都有事出現，你唔係一單、兩單買唔到你都話，你而家八個地盤都係咁樣，咁我持牌人，一個簽牌嘅水喉匠邊度頂得順你個個工作？」

M

P

問：唔，我哋停一停先。你話佢哋就住啲啲工程都轉咗啲物料，係咪呀？我想問一問你，個轉物料，即係呢一個咁嘅動作係邊個提出嘅呢，即係係個總承建商提出，定係何標記佢自己要轉物料嘅呢？

P

Q

答：個情況就總承建商亦都有份，點解呢？嗰個潔具嘅龍頭就係歸建築買嘅，我持牌人做呢個工作係包括成個系統裏面嘅，就係有埋佢嗰個水龍頭報告，我哋持牌人填咗嘅，但係佢嚟嘅又唔同。咁何標記買嘅材料再去裝又唔同，咁我哋持牌人去到水務局嗰度實死梗，即係冇得諗嘞。

Q

R

問：我就想問下你，你2010年7月遞咗呢個辭職信，何標記都接受咗你個請辭，係咪呀？即係你跟住都離開咗嚟嘞，離開咗何標記嘅，係咪

R

S

S

T

T

U

U

V

V

B

B

C

呀？

C

D

答：離開咗好耐。

D

E

問：即係但係你都繼續有幫何標記，就住佢啲工程，作為持牌水喉匠，就做嗰啲工作？

E

F

答：就我要解釋番清楚少少。

F

G

問：係。

G

H

答：因為當時我離職之前係有呢啲項目係簽咗喺度，我同何標記講「你要搵番持牌人同我接手番啲簽落未完嘅工程先，因為我而家係簽咗畀水務署。」咁佢應承咗話去搵持牌水喉匠接番我手，即係換咗我個牌，再上過其他人。

H

I

問：唔。

I

J

J

K

答：因為我係簽一個 site 嘅項目，通常都會起個樓都會兩、三年嘅，所以變咗就剩低啲首尾，就係未用得晒嘅。

K

L

問：唔。如果我哋講番呢個啟晴嗰個項目，呢個項目即係你作為持牌水喉匠，需要入紙同水務署申請嗰個 WWO46 Part I、Part II 嘅時候，呢個應該係你遞咗呢個辭職信，2010年7月之後嘅事，你記唔記得？

L

M

M

N

答：唔係，嗰個情況遞紙同人紙嘅時間係唔係喺嗰裏面，因為佢哋已經係安排好晒、填好晒啲表格，已經等則師--上水務署批出嚟嘅，但係我哋已經批出嚟嘅，但係我就已經遞咗紙就話我唔會再簽牌，亦都畀我過一封信我停止嘅咁樣。

N

O

O

P

問：好，停一停先。我哋先搞清楚啲日子先，如果我哋睇一睇啟晴邨，就係你負責嘅有關 WWO46 嗰個文件，如果我哋睇下 C7.1.C7.1,4751.林生，你睇一睇，呢個就係應該係就住啟晴邨，其中一頁就係 WWO046 嘅一個申請。

P

Q

Q

R

答：係。

R

S

問：係。你見到就下面嗰度，Licensed Plumber 就應該係你本人簽名嘅，睇到嘛？

S

T

答：係，冇錯，係。

T

U

U

V

V

B

B

C

問：佢嗰個簽署個時間就係 2011 年 3 月 28 號，睇到嘛？

C

D

答：係。

D

E

問：係。我就想知道，呢個就應該係你講緊你係離開咗，即係向何標記請辭咗之後，所簽發嘅呢一個水紙，即係呢一個申請嚟嘅，係咪呀？

E

F

答：係。

F

G

問：我想知道就係你離開咗何標記之後，但係你都有幫佢例如做嗰啲工程簽嗰啲文件，你哋大家嗰個合作嗰個模式係點樣？即係你已經唔係...

G

H

答：嗰個就係冇人工出嘅，...

H

I

問：係。

I

J

答：...就係只不過係用我嘅軟件形式代替。

J

K

問：軟件形式？

K

L

答：即係佢就話「你既然問唔做，我哋又同佢簽咗啲名，而且入緊紙，即係你做幾多就計幾多喇」咁樣。

L

M

問：好，停一停先。即係你當時就已經唔係何標記嘅員工，係咪？

M

N

答：係。

N

O

問：軟件形式，即係你有--你用一個自由人嘅身分即係去參與，即係我哋所講好似 freelance 咁樣去幫佢簽咁樣嘅形式，啱唔啱？

O

P

答：係。

P

Q

問：咁我想知道你所講話即係軟件，就即係...

Q

R

R

S

主席：唔係，你應該咁樣問，你用咩嘢形式，你自己講嘞。咁你係何標記嘅僱員，抑或係何標記嘅一個我哋叫做 contractors，一個分判商？因為即係你話唔係僱員，段件計，咁你就即係自己做生意，咁即係又要擺商業登記，又呢樣個樣，又要報稅，咁你究竟係咩嘢？

S

T

T

U

U

V

V

B

B

C

答：咁樣，我之前就係本身就員工。

C

D

主席：係吖。

D

E

答：係咁啱嗰個項目做緊都係員工嚟嘅，但係佢只不過係擺個商業登記，只不過就係大家點樣去出數，入--過數畀我嘅啫。

E

F

主席：即係你就話你繼續係員工嚟嘅？

F

G

答：係。

G

H

主席：二...

H

I

答：但係都係用個商業登記擺錢。

I

J

主席：2010年7月之後都仲係員工？

J

K

答：係。

K

L

主席：即係辭職就唔係真個囉嗰，其實？

L

M

答：唔係，辭職係真㗎。

M

N

主席：咁跟住...

N

O

答：佢冇人工出喇嘛。

O

P

主席：不過係用段件計？

P

Q

答：係嘞，冇錯。

Q

R

主席：段件計未必等如你唔係佢嘅員工個嗰，...

R

S

答：咁...係咪呀？

S

T

答：咁呢啲係法例上嘅嘢，我就唔係咁熟。

T

U

主席：即係你嘅意思--就即係你嘅理解，就係2010年--咁你而家話你2010年7月之後，究竟有辭職定冇辭職？

U

V

答：之前係有辭職信。

V

B

B

C

主席：我知有辭職信，但係唔等如一定辭職㗎嘛，因為我以前喺呢個勞資審裁處做過，咁好多時啲酒樓工人因為啲老闆要唔畀呢個長期服務金，咁就跟住次次都係十八個月就完一個合約，跟住你又出去行街行一陣，跟住返番去又做，又十八個月㗎嘛。

C

D

D

E

答：唔係，佢就係咁樣，...

E

F

主席：係囉。

F

G

答：...我講清楚啲。

G

H

主席：唔。

H

I

答：我係做佢呢個協議就係同佢埋番尾，只不過係畀一個月人工。

I

J

主席：乜嘢話？

J

K

答：佢只不過負責一個月嘅人工工資畀我，我就同佢即係 complete 咗佢個單項目。

K

L

主席：唔係，咁你即係 2010 年，即係--對唔住，2010 年幾多月話，7 月呀？

L

M

M

N

黎先生：7 月，7 月。

N

O

O

P

主席：2010 年 7 月之後，你嘅理解就係段件計，就唔再係佢嘅工人，係咪咁嘅意思？

P

Q

答：係嘞，唔係工人，佢只係負責畀一個月嘅工資我去完咗...

Q

R

主席：點樣樣一個月嘅工資？

R

S

答：即係佢一個月嘅工資，淨係話你幫佢去將報完工呢個--呢一單嘢只係叫我--要求我去一個月。

S

T

T

U

黎先生：即係二零年--2010 年 7 月之後，你就有月薪？

U

V

V

B

B

C

答：係嘞。

C

D

黎先生：但係你就應承幫佢，就係啟晴邨呢個工程，你幫佢簽埋呢一份嘢，就係佢畀一個月嘅人工你？

D

E

答：係嘞，冇錯。

E

F

F

G

主席：一個月嘅人工。對唔住，係你可唔可以話畀我哋聽幾多錢呀，當時？

G

H

答：40,000 釐。

H

I

主席：就即係 2010 年 7 月之後，就 40,000 釐就簽埋呢個啟晴邨。對唔住，等我問一問先。如果你繼續畀佢嗰度做，個個月有 40,000 釐人工收個嗎？

I

J

答：唔係個個月。

J

K

主席：吓？

K

L

答：淨係報完工先得 \$40,000。

L

M

主席：唔係，你以前係月薪嚟㗎嘛？

M

N

答：以前月薪係三萬幾。

N

O

主席：以前月薪就三萬幾，就無論幾多個工程？

O

P

答：都要係每個月都返工。

P

Q

答：係嘞。

Q

R

主席：就淨係完工嗰陣時就簽張 form？

R

S

答：係嘞，冇錯。

S

T

主席：簽張 form IV？

T

U

答：係。

U

V

V

B

B

C

主席：咁就收\$45,000？

C

D

答：\$40,000。

D

E

主席：係嘞，\$40,000，唔。咁開工，form I呢--form I、II呢？

E

F

答：就包晒喺裏面。

F

G

主席：即係就每個項目就總之就簽個 I、II、IV--I、II、IV呀？

G

H

許偉強先生：II、IV。

H

I

主席：I、II、IV，係咪呀？水喉匠簽嘅？

I

J

許偉強先生：I、II、IV。

J

K

主席：I、II、IV？

K

L

答：唔係，Part I、II。

L

M

主席：係囉，I、II、IV囉，IV都係你簽㗎嘛？

M

N

答：嘎，嘎。

N

O

主席：總之簽 I、II、IV，就 40,000 釐？

O

P

答：係。

P

Q

主席：唔。

Q

R

黎先生：你使唔使做嘢？淨係簽，唔使做其他嘢？

R

S

答：所有管理唔係我做。

S

T

黎先生：咁你即係實際上有乜嘢工作做，淨係負責簽名個嗎？

T

U

答：我只係去--佢話完咗，就落去 site 睇下啲嘢，補晒喉未，入紙駁街

U

V

V

B

B

C

喉，同佢擺水錶，申請晒成個大廈嘅啲報完工嘅安裝。

C

D

黎先生：即係你淨係負責文件上嘅工作？

D

E

答：係呀，冇錯。

E

F

黎先生：一切即係做嘅嘢完全唔關你事？

F

G

答：完全...

G

H

黎先生：管理員工啲嘢都唔關你事？

H

I

答：我係冇咁嘅責任做嘅樣嘢。

I

J

黎先生：嘎，嘎。

J

K

問：你剛才講，你就喺 2010 年辭職之前，你就要返工嘅，係咪呀？

K

L

答：係。

L

M

問：即係要返--即係返寫字樓，定係...

M

N

答：寫字樓同埋落 site。

N

O

問：唔。好嘞，你就辭咗職之後，咁就唔需要返工，你就講話主要你就係簽啲幾張文件嘅啫，係咪呀？

O

P

答：係。

P

Q

問：咁所以喺個工作啲個性質上面係有改變到嘅，即係...

Q

R

答：係改變晒。

R

S

問：改變晒嘅。我想問下你，就係你辭職之前，咁你都係幫何標記打工嘅時候，你打工嘅時候，如果有項目進行緊嘅，咁你都要負責簽啲文件。但係你簽啲文件之餘，咁都要做例如啲項目工程嘅管理都要做，係咪呀？

S

T

答：咁樣，我同佢做嘅工作--係佢買材料同埋地盤嘅工人，全部都係佢自己伙記管理。

T

U

U

V

V

B

B

C

問：係。自己伙記管理嘅，係咪呀？

C

D

答：係。

D

E

問：咁我想問下，就住嗰個地盤管理呢一瓣，你辭職前同埋辭職後有冇分別？

E

F

答：辭職前同後都--就咁講，大致都係唔係好大嘅上落，只不過要求佢係要跟番水務局嘅 Part I、II 去買材料，最重要。

F

G

問：咁係咪咁講，就係其實辭職前同埋辭職後，你嘅工作，主要工作都係去負責簽嗰啲 Part I、Part II 嘅文件嘅，係咪？

G

H

H

I

答：係，係。

I

J

問：只不過係話即係你自己返工嘅次數就減少咗好多，辭職之後，係咪咁解？

J

K

答：即係應該係咁講。

K

L

問：咁我亦都想知道，你辭職之前，你同何標記簽嗰啲 Part I、Part II，咁如果有其他公司當時想搵個持牌水喉匠，「我有其他工程，想問你幫我哋手簽嗰啲水紙」，你會唔會負責做呢啲咁嘅工程？

L

M

M

答：咁樣講，有啲係師兄弟、朋友，係非常少，即係好少。

N

N

問：好少，係咪呀？

O

答：嘍。

O

P

問：有，都有嘅？

P

Q

答：即係嗰啲係--即係佢唔相熟嗰啲點做，佢就係委託我去教路。

Q

R

問：就唔會係你簽嘅？

R

S

答：就即係只不過係提議要咁處理，即係簽嘅就係嗰啲報街喉嘅嘢嚟嘅，即係...

S

T

T

U

主席：即係都要簽，係咪呀？

U

V

V

B

B

C

答：係。

C

D

D

問：都係要簽嘅？

E

E

答：係一單嘅啫。

F

F

問：一單啫？

G

G

答：係呀。

H

H

問：嗰陣時點樣計數，我想知道你一單咁樣幫人哋簽？

I

I

答：嗰啲冇嘅，即係佢大家朋友，即係食下飯，咁即係「幫幫我手，我冇人幫我哋呢啲嘢啫」咁嘅意思。

J

J

問：冇話特定一個數目叫佢畀幾多你嘅？

K

K

答：冇，冇，冇嘅。

L

L

問：好嘞，咁你 2000 年辭咗職之後，...

M

M

主席：10，2010。

N

N

許偉強先生：唔好意思。

O

O

P

P

問：2010 年辭咗職之後，咁你就話就何標記畀咗大概 40,000 釐你，就叫你搞掂番，搞掂晒例如嗰啲原先有嘅工程嘅水紙，叫你即係簽番咁樣，就畀過 40,000 釐畀你，就係要你完成嗰啲咁嘅工作嘅。我想問下你，2010 年之後，你同何標記嗰個工作嗰個情況轉變咗，咁你有冇話幫咗其他嘅公司，就住佢有啲水喉嘅項目需要你作為持牌水喉匠去簽嘅文件，咁而你又幫佢哋手，2010 年之後？

Q

Q

R

R

S

S

答：唔係，嗰個唔係幫佢哋手，都係即係個師兄弟，即係有啲唔係幾慣做呢個手續嘅，要搵啲聯絡啲乜嘢，咁就大家去教佢，同埋只不過就係係做街喉。

T

T

U

U

V

V

B

B

C

問：有冇收錢㗎，啲啲？

C

D

答：啲啲唔係收錢，即係佢係大家識，即係同你食餐飯，即係「幫幫手，即係我搵唔到人做呢啲。」

D

E

問：咁我想問下你，你 2010 之後，即係你辭咗何標記，咁你幫番佢搞掂番啲啲既有嘅申請嘅文件，咁佢就話總共就畀 40,000 釐你咁樣？

E

F

答：就呢個情況就係咁樣，我就好強調話「你啲材料--因為之前你係唔跟附表，我真係冇辦法做。」

F

G

G

H

問：我想知道嘅，就係我未問完呀啱啱，就係你 2010 年同何標記辭咗職，你就幫佢做埋手頭上嘅嘢，咁就簽埋啲啲文件，咁佢就話總之你做晒啲啲嘢，就畀 40,000 釐你，...

H

I

答：段單計嘅。

I

J

問：...係咪呀？

J

K

答：係呀。

K

L

問：即係如果啟晴做完嘅，就 40,000 釐咁樣。咁我想問下你，你同何標記除咗啟晴之外，你仲幫佢做過其他嘅工程項目係咁樣段單計嘅有幾多呀？

L

M

M

N

答：應該就係得兩單至三單嘅。

N

O

問：即係除咗啟晴之外，都仲有兩、三單嘅？

O

P

答：唔係，包埋。

P

Q

問：包埋啟晴，兩、三單？

Q

R

答：嘍。

R

S

問：咁...

S

T

主席：即係由 2010 年嘅 7 月去到 2015 年嘅 7 月，就得兩、三單工程你係同何標記做？

T

U

U

V

V

B

B

C

答：係呀，因為我已經喺三年前--三年裏面已經係入咗醫院做手術，我根本就唔同佢接，即係話有可能再同佢再做，已經同佢--通知咗佢。

C

D

主席：三單？

D

E

答：即係三單，即係佢簽落嘅，...

E

F

主席：我知呀。

F

G

答：...未搵到新持牌人接手嘅啫。

G

H

主席：即係三單，係咪呀？

H

I

答：係。

I

J

主席：簽落未搵到新，係囉，即係三單喇？

J

K

答：係。

K

L

主席：即係2010到2015年就三單。繼續。

L

M

問：除咗呢三單之外，即係何標記嘅，就有其他公司就搵你係做類似咁嘅工作，係咪呀？

M

N

答：冇嘍。

N

O

問：咁呢三單，你話例如啟晴就大概40,000釐，就包埋其他啲嘢工作嘅。咁其餘啲兩單，咁係點樣計法？

O

P

答：都係一樣，因為我已經係入咗紙，簽晒出去，就變咗就佢未搵到持牌人，搵到持牌人就唔需要我再繼續做嘍。

P

Q

問：唔。

Q

R

答：因為我以前即係都有簽過，佢都係換咗我個持牌人出嚟嘅。

R

S

問：我明。但係你個意思係話，你啟晴，佢就話「你幫我做埋佢，咁就收40,000釐。」

S

T

答：係，冇錯。

T

U

U

V

V

B

B

C

問：咁另外嗰一單或者兩單嘅，咁佢又點同你計嗰個費用呢？

C

D

答：都係一樣，都係 40,000 釐。

D

E

問：都係差唔多 40,000 釐咁樣？

E

F

答：係呀。

F

G

問：唔，好。我想問一問你，如果我哋睇番 C7.1 嗰度。C7.1, 4751, 都係呢一頁。

G

H

答：係。

H

I

問：我哋見到呢個就係你簽，就住我哋可以睇到，你呢一個申請係就住 fresh water supply、flush water supply 嘅，睇到嘛？喺上面，2 嘅上面。見到有個“WSD approval letter reference :73566”嗰度，睇到嘛？林生。

I

J

答：唔。

J

K

問：咁呢度你就係寫到明，你呢個係就住 fresh water supply 同埋 flush water supply 嘅申請嚟嘅，咁呢個係你簽名嚟喇。咁我哋再睇一睇，另外仲有一張係就住啟晴邨嘅，就係 5208。5208 就係另外一張係 WWO46，咁係就住呢個啟德--即係啟晴呢個項目所簽嘅。呢度如果你睇番嗰個 Part I 下面嗰度，就講緊所覆蓋嗰個水喉工程個部分，就寫住有“Fresh, Flush, F.S.”，即係 fire service, “up-feed pump”同埋“fresh water booster pump inside pump RM”。呢度就呢一個文件，就係另外一位持牌水喉匠簽嘅，見到嘛？

K

L

L

M

M

N

N

O

O

P

答：係。

P

Q

問：有位姓陳嘅，係，陳達盧（譯音）應該係。咁就你認唔認識佢？呢個姓陳嘅。

Q

R

R

S

答：唔識佢。

S

T

問：唔識。我想問一問，就係你哋當時點樣去分就住一個工程嘅呢，例如邊啲部分係你簽，邊啲部分係另外一位持牌水喉匠簽，你知唔知道㗎？

T

U

答：呢個好清楚，呢個因為房署嘅工程，plumping 嘅機械就屬於歸消防

U

V

V

A
B
C
D
E
F
G
H
I
J
K
L
M
N
O
P
Q
R
S
T
U
VA
B
C
D
E
F
G
H
I
J
K
L
M
N
O
P
Q
R
S
T
U
V

公司處理。

問：係。

答：我就只不過做大樓嘅同埋 underground，就係咁樣嘅，分開。

問：明白。即係所以例如消防嗰方面嘅，或者係個泵房嗰啲嘅，就會係另外一位持牌水喉匠做嘅，係咪呀？

答：係嘞，冇錯，係。

問：咁我想搞清楚呢一點嘅啫，就係如果你睇番 4772 頁。4772。

答：唔。

問：好，如果你睇睇呢張，我就知道因為就住每一個工程嘅唔同部分，咁可能你都要入嗰啲--申請嗰個水紙嘅。嗰呢一度我哋見到，就係呢一張就係就住啟晴個項目，林生，你睇一睇就係 Part I 下面，有講到 WSD approval letter reference，見到嘛？

答：唔。

問：咁呢度就係話佢嗰個涵蓋嘅部分就係寫住“Fire service water supply”嘅，即係講緊係嗰個消防嗰方面嗰個供水系統嘅咁樣。咁但係呢個就係你本人簽，林德深，係咪呀？

答：係。

問：即係我想搞清楚，就係呢個就係講緊消防嗰方面嘅供水系統，咁但係即係你剛才講話因為又分得好清楚，例如消防、泵房嗰啲就另外一位簽嘅，你就主要係大樓上面嘅即係供水系統。咁我想問一問，點解呢一個就住消防嗰個供水系統係你簽名嘅？

答：頭先我都講咗係 underground 批，因為嗰個係接駁街喉嘅供水，咁就歸持牌水喉匠，就係我簽嘅。

問：Okay，明白，好。即係雖然呢個係就住即係消防系統嘅供水，但係因為係涉及街喉，咁都係你簽嘅？

答：係嘞，冇錯。

問：好。我想問一問，就係你做咗持牌水喉匠咁多年，你對嗰個水務規則

B

B

C

入面，就住嗰啲水喉或者係部件、一啲材料，係需要符合呢個英國標準呢樣嘢，你知唔知道？

C

D

答：知道嘅。

D

E

問：知道嘅。咁而嗰個--我想問下你，就係就住焊料嚟講，需要用無鉛呢樣嘢，就你係咪一路都清楚呢樣嘢，知道㗎？

E

F

答：呢個無鉛焊料喺水喉例裏面係有嘅。

F

G

問：係。

G

H

答：咁但係佢買咗啲咩嘢牌子返嚟，導致到--我哋去到 site 係睇唔到嘅。

H

I

問：唔，明白。我哋買咗咩嘢料返嚟，我哋再慢慢進一步再討論。

I

J

答：唔，唔。

J

K

問：首先，我想知道就係你幾時開始對呢個用無鉛焊料，即係呢樣嘢係需要嘅，即係呢樣嘢你係有認知？

K

L

答：根本我哋考牌嗰陣時已經係知道咗係唔可以用有鉛嘅金屬嘅。

L

M

問：即係你講緊你 1982 年考牌嗰陣時已經知道呢樣嘢？

M

N

答：知道係有提及過係唔可以有鉛嘅，安裝嘅。

N

O

問：好。咁呢個你就係講緊--一般籠統嚟講，當時就係話即係水喉嘅安裝嘅設備都唔可以有含重金屬嘅？

O

P

答：喺法例寫係有。

P

Q

問：吓？

Q

R

答：喺法例寫係有。

R

S

問：係。即係法例又有，而你考牌嗰陣時，你都係知道嘅？

S

T

答：考牌嗰陣時冇講。

T

U

問：唔係，你啱啱講話你考牌嗰陣時，就已經知道要係用無鉛嘅，即係或者係唔可以有重金屬嘅？

U

V

V

B

B

C

答：係，冇錯。

C

D

問：咁呢樣嘢你係--即係你話考牌嗰陣時係知道，你係講緊你考牌之前，你已經聽人哋講有呢個認識，定係從何得知嘅呢？

D

E

答：都係睇下嗰啲水務局嘅指引。

E

F

問：指引？

F

G

答：嘎。

G

H

問：即係呢個都係你講緊話你就要考牌嘅時候，即係水務局畀你哋嗰啲文件嗰啲指引入面有講嘅？

H

I

答：佢唔係畀我哋，係可以參考佢水務局嘅指引啫。

I

J

問：唔。咁嗰陣時就喺嗰指引度，你就睇到有關唔可以含有重金屬呢樣嘢嘅？

J

K

答：係...

K

L

L

M

主席：唔係，咪住先，許大律師，唔好用重金屬，重金屬可以好多嘢嘅，銅都可以係重金屬嚟嘅，銀又可以係重金屬嚟嘅，唔好用重金屬。

M

N

N

O

問：你就住嗰個唔可以用有鉛嘅物料係做水喉嗰個工程，呢樣嘢你係從何得知？

O

P

P

Q

答：喺水務署嘅指引裏面有。但係佢買嘅料話係合格嘅，咪又合格，我哋都即係冇辦法係證明到唔合格。

Q

R

問：係。

R

S

S

T

主席：就呢個另外一件事，係咪？

T

U

答：係呀，冇錯，冇錯。

U

V

主席：兩樣嘢嚟嘅先。

V

B

B

C

C

D

問：講番你嘅認知，關於嗰個即係要用無鉛嘅物料，即係物料唔可以含鉛呢樣嘢，就係你係從水務署嗰啲資料度得知，係咪呀？

D

E

答：係呀。

E

F

問：咁我想知道就係有關用無鉛焊料呢樣嘢，即係特別就住焊料嚟講，用無鉛焊料呢樣嘢，你係幾時第一次知道呢樣嘢？

F

G

答：呢個就好籠統嘅，即係我都唔記得咗係幾時睇到，即係知道就係唔可以用嘅，知道就，喺我哋考牌嗰陣時就知道嘅。

G

H

H

I

問：好。即係你都係講番同一樣嘢，就係話考牌嗰陣時，就係根據水務署畀你嗰啲資料，籠統地知道就唔可以用有鉛嘅物料，係咪？

I

J

答：係，係。

J

K

問：我就想搞清楚，就係物料有好多種，就住焊料嚟講，係需要用無鉛呢樣嘢嘅，你係知道㗎嘛，呢樣嘢一路都知道？

K

L

答：本身好多焊料都係有鉛嘅，就唔係淨係得一樣嘢。

L

M

問：等等先。你話本身咩嘢話，好多焊料？

M

N

答：都係有含鉛嘅。

N

O

問：有含鉛嘅。好多焊料有含鉛呢樣嘢，你係即係從何得知？

O

P

答：因為呢樣嘢，即係出咗呢件事之後，我哋就會問啲代理行，即係佢就話根本就唔係淨係講你嗰度呢單嘢，根本上其實好多嘢都有含鉛嘅。

P

Q

問：好。你呢個講法就係講緊話事發，即係呢個鉛水事件之後。

Q

R

答：之後，係。

R

S

問：我想講就係呢個鉛水事件之前，例如係講緊 2015 年 7 月之前，咁你都做咗持牌水喉匠好多年，就住你話--剛才你話你知道原來啲焊料有好多含鉛嘅，呢樣嘢你係幾時知，你係事發之後先第一次知，定係之前已經知㗎嘞？

S

T

T

U

答：都係三個月前知㗎咋。

U

V

V

B

B

C

問：吓？

C

D

答：三個月前先知。

D

E

問：三個月前？

E

F

答：係嘞。

F

G

主席：你講即係鉛水事件發生之前三個月先知？

G

H

答：之後呀。

H

I

主席：哦，之後。

I

J

問：即係而家計起三個月前知道嘅，係咪呀？

J

K

答：係。

K

L

問：如果我哋講緊鉛水事件發生之前，即係2015年7月之前，你有冇對呢個焊料，即係係用邊隻嘅焊料做呢個食水銅喉呢樣，你有冇認知？

L

M

M

N

答：呢個問題我就真係--唔係我負責，因為係公司材料部去買嘅。

N

O

問：一步一步嚟先，我哋唔好講公司材料部先。即係買啲乜嘢料返嚟，暫時我哋唔好討論。我想知你本人，你都做咗即係水喉行業咁多年，你對於呢一個焊料，即係嗰個用做食水銅喉嘅焊料需要用例如邊隻牌子，或者係用啲乜嘢成分，呢樣嘢你知唔知？即係喺呢個鉛水事件之前。

O

P

P

Q

答：呢個就可以講就係話係個材料行同我公司嗰個溝通，咁佢哋畀啲咩嘢材料做 submission，呢個我就睇唔到。

Q

R

R

S

主席：而家唔係問呢個問題，林先生。個問題就係喺呢個鉛水事件發生之前，你應該--不如直接啲問，喺鉛水事件發生之前，你幾時第一次知道焊料係要無鉛嘅焊料？

S

T

T

U

U

V

V

B

B

C

答：因為佢訂購返嚟嘅材料，佢係如果係無鉛嘅...

C

D

主席：我唔係問你訂購啲嘢。1993年我哋知道建築署就已經有一個 specifications，就係話要用無鉛嘅焊料嘅，1993年建築署已經出咗。咁你1993年嘅時候知道未呢？

D

E

答：因為啲嘢我嗰陣時就唔係即係咁深入睇到。

E

F

主席：深入，未...

F

G

答：即係冇正式去了解到。

G

H

主席：即係知定唔知，1993年嘅時候？

H

I

答：嗰陣時啲嘢文件我有見過。

I

J

主席：吓？

J

K

答：啲嘢文件我有睇過嘅。

K

L

主席：咁？你咁多年，由1982去到幾時先至第一次知道啲焊料係要無鉛焊料呢？請問。

L

M

答：我哋只係知道係無鉛焊料，即係叫公司唔好買有...

M

N

主席：兩件事嚟嘅，公司買咗啲咩嘢就係另外一件事，而家我哋淨係想知道你幾時第一次知啫？公司買啱又好，買錯又好，特登唔買啲隻又好，係另外一件事。

N

O

答：Okay，咁呢個應該係九幾年之後。

O

P

主席：九幾年？

P

Q

答：係，九幾年之後。

Q

R

主席：九幾年呀？

R

S

答：九五、六年嘅，大約。

S

T

主席：我就話畀你聽，93年就已經出咗，係咪建築署，啱唔啱呀？

T

U

答：唔係，呢個情況我係--即係我知你問我係乜嘢，但係我就係--因為我當年我做工，我哋唔係去刨啲嘢嘅文件嘅。

U

V

V

B

B

C

主席：得。

C

D

D

問：有冇見過呢一隻綠色一卷卷嗰個焊料，呢一隻？

E

E

答：因為嗰段時間，...

F

F

問：呢隻“FRY”...

G

G

答：...已經喺大陸工作，我哋冇用呢啲嘅。

H

H

問：咪住先。我就講緊你由 1982 年成為持牌水喉匠之後，到舊年 2015 年 7 月鉛水事件發生之前，你有冇見過呢一隻焊料？

I

I

答：呢隻焊料我係冇見過。

J

J

問：從來冇見過？

K

K

答：冇，我係冇見過，因為嗰陣時我哋公司學師用嘅焊料就係佢都係錫條，但係佢哋都係合格。

L

L

問：合格。一步一步嚟，你講話你學師嗰陣時用嗰啲焊料係啲錫條嚟嘅，係咪呀？

M

M

答：都有--錫線、錫條都有。

N

N

問：你點樣去--你哋當時點樣去區別呢個--邊啲為之錫條，邊啲為之錫線，從個形狀上去區別，定係從牌子去區別？

O

O

答：形狀有啲係圓嘅，好似個線轆綳住嘅。

P

P

問：係。

Q

Q

答：如果你話錫條正式就係三角形嘅，就燒紅焗落去嘅。

R

R

問：錫條，我畀你睇一睇，如果你講緊--你講嗰個錫條，呢啲係咪你講嗰啲錫條？

S

S

答：呢個我--呢隻我唔識。

T

T

問：唔知？

U

U

V

V

B

B

C

答：唔知，唔知。

C

D

問：咁你嗰陣時講啲啲，話你--即係你去學師嗰陣時，線轆...

D

E

答：係三角形一條咁長嘅，一條嘅。

E

F

問：三角形呀？

F

G

答：係呀，唔係呢種形。

G

H

問：唔係呢啲嚟嘅。你講嗰個三角形，即係佢係即係屈到好似三角形咁，定係點呀？

H

I

答：都唔係嘅，好似個牙刷咁咋嘛。

I

J

問：好似咩嘢？

J

K

答：好似個牙刷咁搽落去。

K

L

問：牙刷咁樣搽落去？

L

M

答：即係形狀長少少，三角形嘅。

M

N

問：係，好。咁但係當時你話啲啲--你學師嗰陣時都知道啲啲咁嘅物料都係合規格嘅？

N

O

答：係呀。

O

P

問：咁有冇同你講話啲啲物料點樣為之合規格？

P

Q

答：哦，呢啲我就即係講唔到，因為我都唔知佢同邊個買。

Q

R

問：好。即係你就當時你嗰個想法，就係即係總之用嗰隻就係合規格，就有深究到係啲咩嘢物料嚟嘍嘍？

R

S

答：係，冇錯。

S

T

問：唔。你喺做呢個...

T

U

主席：唔係，對唔住，對唔住。

U

V

V

B

B

C

許偉強先生：係。

C

D

主席：我都好似未聽到個答案，咁你係幾時第一次認知？

D

E

問：即係你第一次知道有關無鉛焊料呢樣嘢係幾時？

E

F

答：喺我哋--應該係八幾年，係學師嗰段時間。

F

G

問：有聽過嘅？

G

H

H

I

主席：八幾年。

I

J

答：有知道係--因為我哋嗰啲--即係以前嘅大廈就好似用焊條嘅呢啲。

J

K

主席：係，啱吖。

K

L

答：因為我哋以前除非係做酒店、醫院都有機會嘅，我哋一個持牌嘅工人通常十年都唔會用一次嗰啲--呢啲焊料燒，因為我哋以前做嗰啲樓𠵼嘢咩都係鉛水喉嚟嘅。

L

M

主席：所以我咪問你囉，幾時你第一次知？

M

N

答：好後期，因為我哋冇接觸到啲大型嘅，就酒店、醫院根本做唔到。

N

O

O

P

問：你畀我哋嘅證供，你之前就講話喺九幾年嘅，九零年中就知道有關呢個無鉛焊料，你而家係講緊九幾年你先知，定係八幾年就已經知道？

P

Q

答：應該九幾年知，但係嗰陣時我哋做工作係冇用到呢啲，都唔--聽就有，咁我就冇--從來冇用過呢啲材料。

Q

R

R

S

問：好。我想問下你，就係你由開始做持牌水喉匠到即係而家，你有冇自己試過落手落腳做呢啲咁嘅水喉，即係銅食水喉嘅燒焊工程，你自己有冇落手落腳做？

S

T

答：冇。

T

U

問：冇嘅。你有睇住啲工人做嘛？

U

V

V

B

B

C

答：因為我哋嗰陣時唔係燒嘅，就係攞枋嘅，我哋係冇用到焊接。

C

D

問：嗰陣時就用攞枋，但係即係呢--我哋知道呢啲例如講緊十幾年--十幾、廿年，你都有見過係用燒焊嘅工序做食水銅喉，係咪呀？

D

E

答：見過，但係不過以前嘅 fitting 就裏面有條坑，有條鉛嘅，喺出廠係有埋。

E

F

問：對唔住，你講多次？

F

G

答：因為我認識嘅時候，我哋喺根據材料嘅標準，嗰個 fitting 裏面有個內坑，係廠已經有條錫條喺裏面。

G

H

問：即係內置咗有焊料，係咪呀？

H

I

答：係呀，唔需要我哋買嘅。

I

J

問：唔。好，我想知道就係你咁多年，即係喺地盤巡視咩嘢都好，有冇見過啲工人用啲--我剛才展示畀你睇啲錫條，一條條銀色啲啲去做燒焊工程，你有冇睇過？

J

K

K

L

答：就即係我哋唔係好注重佢施工嗰個情況，因為我哋只係知道佢做完啲嘢，試壓，攞咗 approval 批准，咁我哋就係按佢呢啲嘢係處理。

L

M

M

問：即係試壓嗰個就係講緊有冇漏水，係咪？

N

N

答：有冇漏水嘅啫，係。

O

問：咁即係你主要嗰個針對點就係有冇漏水呢樣嘢，係咪呀？

O

P

答：係，冇錯。

P

Q

問：至於你話--我想問你就係話，你咁多年，因為我講緊都好多年，你去地盤巡視，去睇下個進度嘅時候，有冇見過工人攞住啲一條條啱啱我畀你睇啲銀色嘅錫條去做燒焊嗰個工作？我就想知道呢樣嘢啫。

Q

R

R

S

答：通常佢哋都--係我哋都--佢係--我哋以前嘅師傅係做，就係用三角形嘅焊條同埋啲圓嘅錫線。

S

T

問：錫線。你講到錫線，即係係咪類似呢啲咁樣，...

T

U

答：大約係咁上下。

U

V

V

B

B

C

問：...係咪呀？

C

D

答：嘎。

D

E

問：但係你就話冇見過呢啲卷埋綠色咁樣嘅？

E

F

答：我係唔會睇得到呢樣嘢，只係見到有條嘢嘅啫。

F

G

問：係。淨係留意一條咁樣，係咪？

G

H

問：好，咁我想問你個牌子嚟講，呢個“FRY”，“F-R-Y”，之前你有冇留意過？

H

I

答：我都未--佢哋--佢冇呢啲嘢睇到。

I

J

J

K

主席：咩嘢話？

K

L

答：吓？

L

M

主席：咩嘢話？未見過？

M

N

答：佢係呢啲材料到 site，佢係 submit 畀佢哋地盤睇嘅時候，我哋係冇睇到呢啲料。

N

O

主席：得，好。我想問一問你，譬如--因為我而家睇緊你個 CV 其實，我睇緊你喺金門做嗰度嗰啲嘢，你個第 12 頁，你就話你係負責 E&M services installation of the project mainly in plumbing & drainage installation。我講緊金門，跟住你喺度講到好多項目你都有份，其中就呢個新力啤喺北京、可口可樂，跟住嘉士伯呢啲咁樣樣。呢啲全部都係好話唔好聽，飲落肚嘅，咁要用啲咩嘢焊料？

O

P

P

Q

Q

R

R

S

答：就咁樣，我頭先講過，佢啲焊料就係用銀焊。

S

T

主席：銀焊？

T

U

答：同埋呢個銅焊。

U

V

V

B

B

C

主席：係。咁你有冇見過人哋燒焊？

C

D

答：嗰啲有。

D

E

主席：即係呢啲有嘅？

E

F

答：有嘅。

F

G

主席：唔。

G

H

問：咁你當時喺嗰啲工程入面見到人哋燒焊，有冇見到係用你所講個錫線嚟到燒焊？

H

I

答：應該就唔用呢啲。

I

J

問：冇嘅？

J

K

答：喺大陸係冇，佢哋唔係用呢種材料。

K

L

問：我哋針對啲嚟講，啟晴邨，啟晴邨，咁當時即係你都負責入咗啲水紙嗰啲。咁你喺你嘅證人口供都講話，即係你都會周不時去巡視下嘅，去個地盤，係咪呀？我想知道例如啟晴邨嘅時候，你有冇見到工人做燒焊食水銅喉嘅工作呢？

L

M

M

N

答：因為呢啲，我哋係睇唔到乜嘢，即係燒個過程嘅。

N

O

問：即係你去到地盤嘅時候，就從來冇見過佢哋做緊燒焊工作，係咪咁解？

O

P

P

Q

答：即係我去到--去睇嗰啲係完咗，我先至會再去睇，就攞嗰啲合格嘅即係 test 報告嗰啲。

Q

R

問：唔。我哋睇番--如果我就想睇一睇你諗其中有一個同水務署嘅會面紀錄，就講番你即係當時駐場，即係喺個地盤大概幾耐去一次等等嘅。如果我哋睇番 C19.7。C19.7 嘅 14794，呢一個就係你同呢個水務署，即就住呢一個對你嘅牌照嗰個調查，咁就即係睇下你有冇違規嗰個調查嗰個聆訊紀錄嚟嘅。咁嗰個會面就係我哋睇到 14791 就係 2015 年 7 月 13 號，咁佢將呢個會面嗰個內容就將佢記錄喺而家呢一份文件度。

R

S

S

T

T

U

U

V

V

A
B
C
D
E
F
G
H
I
J
K
L
M
N
O
P
Q
R
S
T
U
VA
B
C
D
E
F
G
H
I
J
K
L
M
N
O
P
Q
R
S
T
U
V

咁我想你睇一睇就係 14794 嘅第 16 段，我哋可以睇一睇呢度，第 16 段，呢度「署方」，即係水務署，「向林先生查詢他在工程期間到工地監督的次數。林先生表示最頻密時，一個星期會有四至五日到工地；而在最少時，約是三個星期左右才會到工地監督。」我想問一問你，就係即係呢個係一個平均即係個情況，咁你話有啲時候就一個禮拜去四、五次嘅。我哋就住啟晴咁講，例如一個禮拜有去到四、五次嘅，有幾個禮拜會係咁嘅情況？

答：就咁嘅情況，因為我哋持牌人唔係淨係去上樓，因為我哋仲要去水務署同阿 Sir 解釋，大約要幾時要去水務署嘅倉提貨擺水錶，咁就要安排啲伙計要點嘅--去擺錶點樣裝，要將嗰個用戶單位每一個、每一個要登記晒，寫番份報告畀水務局。

問：係。

答：咁同時我哋持牌人唔係淨係去嗰棟樓行，好似我哋呢度都有得睇，我哋都係要有同水務署係做呢個街喉嘅接駁，喺邊個位係撥出去畀水務局接喉嘅呢，咁我哋係要好了解清楚，要同水務局嘅另外一個大喉部係接觸嘅，唔係淨係去睇個大樓，...

問：我明白。

答：...同埋我哋最主要嘅分測就係個 underground，每一座樓宇嘅總喉要做處理，同埋天面，即係水缸嘅部署落番每一個單位嘅位置，嗰度係最重要嘅，單位只不過 practically 嘅啫。

問：好。我都知道因為係你嘅工作，咁...

主席：都未答過問題啫，對唔住。

許偉強先生：係嘞。

主席：有幾可一個禮拜去四、五次？嗰個問題就係咁。

答：因為佢個地盤開工嘅時候，佢唔--我亦都有一個係寫咗嗰個水喉牌--水喉匠嘅開工時候工作嘅表，即係要列咗出嚟嘅，所以變咗我就要睇番嗰個我寫咗出嚟嗰個--嗰張表，好清楚我係點樣去個地盤，因為個地盤一開工，佢只不過得個留窿嘅，即係大半--成十個月都有嘢做

B

B

C

嘅，咁我去冇嘢睇個喎，淨係睇--見到啲佛沙吊嚟吊去、吊嚟吊去。

C

D

D

E

問：我就想針對性地講下即係你喺啟晴邨，你嗰個會面嘅時候，你就話最頻密嗰陣時，一個禮拜會去四、五次嘅？

E

F

答：係。

F

G

問：即係我想知道你一個禮拜去四、五次呢種情況，大概會有幾多個禮拜係咁呢？

G

H

答：一個禮拜大約係有兩次嘅。

H

I

問：唔係，唔係。我係講緊，你嗰度講最頻密一個禮拜有四、五次去個地盤嗰度，...

I

J

答：呢個情況就係接駁街嗰嘅時候。

J

K

問：接駁街嗰嘅時候。係嘞，我想知道例如呢個時候會持續幾耐，一個禮拜去四、五次咁樣嘅情況會持續幾耐呢？

K

L

答：呢個時候淨係星期六就大家啲政府部門都唔返工，咁就只係得個做街喉，我哋要安排啲師傅，即係每日都會喺度㗎嘞。

L

M

M

N

問：星期六唔使返工，得，我明白。你話一個禮拜有四、五次你會去嗰個地盤巡視，最頻密係咁樣嘅情況，...

N

O

答：係，冇錯。

O

P

問：...我只係想知道一樣嘢，就係話呢個四、五次，一個禮拜去四、五次呢個情況會出現幾多個禮拜，例如淨係得一個禮拜其中係去四、五次，定係會有成個月，每一個禮拜你都去四、五次嘅呢？

P

Q

Q

R

答：大約一個月。

R

S

問：一個月嘅，係咪呀？

S

T

答：唔。

T

U

問：你話當時最主要係做緊啲咩嘢工作嘅話？

U

V

V

B

B

C

答：要自己去 check 啲圖，check 下個 site，接駁街喉，同時要睇下啲
啲工人安裝啲啲啲唔啲例。

C

D

問：係。

D

E

E

F

主席：呢個係接駁街喉嗰陣時候，係咪講緊？

F

G

許偉強先生：係。

G

H

主席：得。

H

I

問：你一個禮拜去四、五次呢個情況有一個月嘅，呢一個月入面，你巡視
個地盤嘅時候，有冇話見過工人係做緊銅食水喉即係安裝、焊接嗰個
情況，有冇見過？

I

J

J

K

答：嗰啲好--見到都唔係好大量，即係佢哋係做 practical 上--佢係只
不過見到下面嘅嗰啲低層嘅嗰啲商舖或者係啲 E&O 房，即係嗰啲睇到
嘅啫。

K

L

L

M

M

N

主席：接駁街喉嘅時候，係嗰個地盤差唔多最後個階段個時候囉嗰，係咪
呀？

N

O

答：唔係，呢個問題就要好多複雜嘢，因為我哋要聯絡馬路部、水務署、
大喉部，咁幾時畀我哋開地去做呢樣嘢，咁我哋會不停要約水務局落
嚟收貨，點樣試壓，點樣行卡，點樣去交代清楚畀水務署嘅官員，即
係個工作就係咁樣。

O

P

P

Q

主席：即係幾時，即係嗰個建築呢個？

Q

R

答：呢度我有個表格呢度有寫，有阿 Sir 簽名嘅日期嘅。

R

S

主席：你唔好話畀我聽表格，你做咗--82 年到而家大大話話三十幾年，
駁大喉究竟係幾時呀？

S

T

答：係嗰我入 Part IV 前一個半月。

T

U

U

V

V

B

B

C

主席：係囉，即係差唔多埋尾嘅時候，係咪？

C

D

答：係呀，冇錯，係。

D

E

問：咁你而家係咪即係同我哋講，你話當你好頻密咁樣去到個地盤巡視嘅時候，你就有特別留意到嗰個即係食水銅喉燒焊嘅工作？

E

F

F

G

答：呢個因為我哋已經去到駁街喉階段，咁我哋好多嘢要申請，唔係淨係管燒焊嘅嘅工作。

G

H

問：我最後問多你一次，你去巡視地盤嘅時候，我哋就住啟晴邨去講，你有冇見過工人係真係做緊呢個焊接食水喉嘅工作？

H

I

I

答：呢個都會有嘅，就係唔係話咁大量，因為佢唔係淨係做銅喉，一個地盤裏面又要做大水--總大喉，有 DI 喉、有 PVC 喉、有做水缸，點樣大家去個過程。

J

J

K

問：你話都會有嘅，即係你都見過有工人喺現場做緊即係接駁食水喉，即係焊接食水喉嘅工程。你有冇睇到佢當時係用啲咩嘢焊料？

K

L

L

答：呢個焊料佢都係一條條揸住，我都係--即係呢啲圓嘅。

M

M

問：即係類似呢啲咁？

N

N

答：係嘞。

O

O

問：係咪呀？

P

P

答：嘅。

Q

問：咁但係你就話--你之前嘅口供，你就話冇見過呢啲綠色一卷卷嘅？

Q

R

答：哦，呢個我見唔到，我見到佢咁嘢咩都散晒㗎嘞。

R

S

問：散晒嘅？

S

答：係。

T

T

問：散晒，即係一條條嘅，都係咁嘅，係咪呀？

U

U

答：係呀，係呀，係呀。

V

V

B

B

C

C

問：唔。好，我想問一問你，就係就住嗰個你作為持牌水喉匠，責任嗰個範圍想同你即係討論一下。如果我哋睇番嗰個而家嗰個條例裏面所講--我哋睇一睇個條例先，個條例就喺 G1，咁有英文嗰個版本嘅話，就喺 G1 嘅 229 頁。

D

D

E

E

答：見過。

F

F

問：229 頁，我哋睇下中文嗰度，第 15 條。林生，睇到嘛？

G

G

答：唔該你，係。

H

H

問：呢度就係咁寫嘅，就係話「除第(2)款另有規定外，任何人不得建造、安裝、保養、更改、修理或移動任何消防供水系統或內部供水系統，但持牌水喉匠或水務監督授權的公職人員就則屬例外。」即係你哋就可以做呢啲嘢嘅，係咪呀？

I

I

J

J

答：唔。

K

K

問：跟住(2)嗰度就係講番，「水務監督認為是性質輕微的消防供水系統或內部供水系統的更改或修理工作，或水龍頭的更換墊圈工作」，即係比較有咁話繁複嘅工作，「可由不屬持牌水喉匠的人或不屬水務監督授權的公職人員去進行。」如果有人係違規，就點點點，呢度係咁講。

L

L

M

M

即係呢度嘅意思，就似乎就係講，除咗一啲好細微嘅工作，一啲佢哋所謂嘅性質輕微嘅，即係 minor 啲嘅工作，就要係由持牌水喉匠去做嘅。呢個你睇咗第一點先。

N

N

O

O

跟住我想你睇多一份文件，然後我先至再問一問你啲相關問題。如果你睇一睇 C3，2422。

P

P

Q

Q

答：唔該，okay。

R

R

問：2422 就係水務署發出嘅一個 circular，佢呢度就咁講，佢就話喺有啲情況，就“licensed plumbers withdraw from the plumbing work of a project and ask other person to take over the work without notifying the Water Authority.”即係話有啲持牌水喉匠佢冇真係親自落手落腳去做嘅，就搵咗啲其他人去做個工程，就有話特別去知會水務署。

S

S

T

T

呢度呢張 circular 就係咁講，“I like to remind you”，

U

U

V

V

A
B
C
D
E
F
G
H
I
J
K
L
M
N
O
P
Q
R
S
T
U
VA
B
C
D
E
F
G
H
I
J
K
L
M
N
O
P
Q
R
S
T
U
V

即係提醒你，即係作為持牌水喉匠。

“you should not hand over the plumbing work for which you have signed Waterworks Form ‘G’ to any other person so as deem to transfer the responsibility for supervising the work unless the person to take over is himself a licensed plumber and has obtained the approval of the Water Authority.”呢度嘅意思就係話「你就唔可以即係將嗰個工程，原先係即係你負責嘅，就去就交咗畀另外一位人做，除非嗰個人佢都係持牌水喉匠，先至可以」咁樣。

第三項，就咁嘅，“So long as you remain to be the licensed plumber of a particular job for which you have signed Waterworks Form ‘G’， you may employ workers who are not necessarily licensed plumbers to assist you in carrying out the work.”。即係你可以請啲工人返嚟，嗰啲工人未必一定係持牌水喉匠，但係你可以請佢哋返嚟去做呢啲工作。

“Under no circumstances should you use your licence to enable no-licensed persons to undertake plumbing work without involving yourself in the supervision of the work.”

我點解畀你睇呢兩份文件，個意思就係話從個法例嚟講，就似乎就係話佢要求個持牌水喉匠就佢親身自己去做呢啲咁嘅有關嘅工程，除咗一啲佢哋所謂即係性質比較輕微啲之外。

呢度個意思就係話，其實你唔使一定要自己落手落腳做，你就可以請人返嚟做，不過，你都要去監督成個工程個進行。我想知道就係你由盤古初開，一有呢個持牌水喉匠嗰個資格開始，你自己有冇試過親身即係落場去做有關嘅工程？

答：咁樣講，我哋落到去有陣時就即係教啲師傅，佢都唔係咁投入嘅時候，有啲嘢即係要做番一個樣咁畀佢睇。

問：唔。咁對你自己個認識，即係對於有關嘅法例。

答：係。

問：即係你自己作為持牌水喉匠，你嘅認識，你係認為--即係主要係你要親自去落手落腳去做嗰啲工程，定係你作為持牌水喉匠，就要只係扮

B

B

C

演一個監督嘅工作？

C

D

答：係指導。

D

E

問：指導，係咪呀？

E

F

答：係。

F

G

問：即係你嘅認知係咁樣嘅？

G

H

答：係嘅，冇錯。

H

I

問：你係做指導嘅工作嘅？

I

J

答：係，指導佢。

J

K

問：唔。好嘞，呢度我就想問一問你，就係你喺呢個人 WWO46 之餘，你係咪知道就係嗰個總承建商係就住有關嘅物料需要呈交昇房署一啲樣辦做批核呢樣嘢，你係知道㗎嘛？

K

L

答：呢個一定要。

L

M

問：呢個知道嘅，係咪呀？

M

N

答：係。

N

O

問：我想問下你嘅，就係你每一次呈交嗰個 WWO46 嗰個表格，嗰個附件入面。或者我哋可以睇一睇，就住啟晴邨嗰一張，喺 C7.1 4751。4751 就係你簽嗰張即係申請，即係 46 嗰度...

O

P

答：我搵到。

P

Q

問：...Part I。咁就 Part I 同埋--係，Part I--Part II 你就唔需要簽嘅，即係 Part II 就喺 4752。你要簽嘅就係 Part I 嚟嘅，...

Q

R

答：係，冇錯。

R

S

問：...係咪呀？

S

T

答：係。

T

U

問：好嘞，你簽 Part I 嘅時候，你都會附帶咗一張咁嘅列表，就係講番出嚟，就係即係用咗啲乜嘢材料、部件咁樣嘅，...

U

V

V

B

B

C

答：係呀，冇錯。

C

D

問：...係咪呀？

D

E

答：係。

E

F

問：呢個你清楚。我想問下你，就每一次你呈交呢一個咁樣嘅附件，就住呢啲咁嘅水喉嘅材料--做水喉嘅材料同埋啲部件，呢個附件入面有寫明牌子、供應商。我哋睇下 4753 嗰度。

F

G

答：C number，仲有個 cert number，係喇。

G

H

問：冇錯，係嘞，有個啲啲...

H

I

答：材料 cert 嘅冧巴。

I

J

問：...--嗰個製造商，同埋一啲 standards of compliance，即係有啲證明啲冧巴。就呢啲咁樣嘅資料，你係根據乜嘢做出嚟嘍？

J

K

答：呢個資料首先就係何標記佢擺咗呢個工程之後，係由佢個合約部擺出去佢個 spec 同埋佢哋嘅要求，就同咗建築定好咗呢個表格，呢個 site 係用咩嘢材料。

K

L

L

M

問：等陣先吓。你話即係同個總承建商...

M

N

答：係。

N

O

問：...去商討出嚟嘅，係咪呀？

O

P

答：係，就係我公司工程師。

P

Q

問：同埋你公司嘅工程師？

Q

R

答：係。

R

S

問：係，即係何標記嘅工程師？

S

T

問：唔。就住啟晴個項目，你所講公司嘅工程師係邊一位，記唔記得？

T

U

答：佢有兩個，一個叫做 Kevin。

U

V

V

B

B

C

問：Kevin Kwong？

C

D

答：Kevin Kwong。一個叫做--等陣先吓。記得英文，嗰個 Andy，Andy Chan（譯音）。

D

E

問：Andy Chan？

E

F

答：係。

F

G

問：Andy Chan 都係何標記嘅職員嚟嘅？

G

H

答：都係佢職員，係嘞，佢係呢個落價個部門嘅。

H

I

問：好。好嘞，你知道即係佢哋係負責同總承建商...

I

J

問：...去即係商討嗰啲 specifications，係咪？

J

K

答：係，冇錯。

K

L

問：好嘞，咁我想問下你，呢一張咁嘅附表係你做，定係邊位做？

L

M

答：係何標記同建築師得到呢個資料，就打咗一份呢啲報告交界我嘅。

M

N

問：就交界你嘅，係咪呀？

N

O

答：係。

O

P

問：好嘞，你收到呢一份表格之後，你需唔需要話諗去查下啲資料正唔正確？

P

Q

答：呢個一定要，因為佢要畀啱而家填上去表格嘅相同牌子嘅名稱、製造商邊度、BS 幾。咁我 spot-check 過冇問題，全部都合乎我表格所寫嘅嘢。

Q

R

問：好，等等吓。你話會 check？

R

S

答：唔。

S

T

問：你會根據乜嘢去 check 呢一份表格入面嘅內容係啱？

T

U

答：咁就要問番公司佢嗰個採購部同呢間賣材料嘅公司，佢要交晒呢啲

U

V

V

B

B

C

approve 咗嘅 cert 畀我對過佢係咪買呢隻料同呢隻牌子。

C

D

問：唔。好嘞，咁你對過，即係你覺得係符合嘅？

D

E

答：係。

E

F

問：你就先至會簽呢一份即係 Form 46 Part I?

F

G

答：呢個問題仲有啲補充，就係話我係核對過晒每個 item 都 okay，我就會填我嘅持牌水喉匠應該填嘅嘢填晒落去嗰個 WWO046 Part I、II 嗰度。

G

H

問：即係 4751 嗰度？

H

I

答：係嘞，係。

I

J

問：4751 入面啲啲資料係你填㗎喇？

J

K

答：填咗之後，我哋就要再交番畀我公司同建築公司嘅總承包，再交予畀房署嘅 clerk of works，再搵上去畀房署嘅則師同業主，認同咗之後再簽出 Part I、II，佢哋簽名，我先至可以再攤份表格返嚟，再去水務局入紙申請 Part III。

K

L

M

問：好。我想問下你嘅，例如你簽呢一個 Part I 嘅時候，咁我哋知道例如呢個 Part I，例如 4751，就係持牌水喉匠同埋個 AP，即係個則師...

M

N

N

O

答：唔。

O

P

問：...都要簽㗎嘛，係咪呀？

P

Q

答：持牌水喉匠、則師同業主都要。

Q

R

問：係嘞。冇錯，即係業主就係 Part II 嗰度佢要簽，係咪？

R

S

答：係嘞，冇錯。

S

T

問：Part I，我哋先講 Part I 先。

T

U

答：係。

U

V

問：Part I 你一般嚟講，就係持牌水喉匠簽先，定係個則師簽先？

V

B

B

C

答：Part I 係我簽先。

C

D

問：你簽先嘅？

D

E

答：係。

E

F

問：好嘞。例如擺到去畀 AP 簽嘅時候，你在唔在場？

F

G

答：唔喺度。

G

H

問：唔喺度嘅？

H

I

答：係交界建築。

I

J

問：即係你交界總承建商，由佢哋去...

J

K

答：由公司遞上去。

K

L

問：由總承建商遞去畀房屋署？

L

M

答：係，check 過晒冇問題嘞。

M

N

問：好嘞，到等佢簽完之後，就畀番你，你就遞交去水務署？

N

O

答：係，冇錯。

O

P

問：係咪咁？

P

Q

答：係嘞。

Q

R

問：唔，好。我就想睇一睇，就住呢份 form，你所填寫嘅即係資料都想睇一睇嘅。

R

S

答：唔，係。

S

T

問：呢度你就講出咗就係--Part I 嗰度就講出咗嗰個有關嘅項目，...

T

U

答：係，冇錯。

U

V

問：...即係啟德嗰個項目。

V

答：係。

B

B

C

問：另外，你呢度都講咗就住個覆蓋範圍，就係 fresh water supply、flush water supply 嘅，睇到嘛？

C

D

答：睇到。

D

E

問：啱啱同你睇過。好嘞，跟住亦都你會講咗嗰個水錶嗰個大細，係咪呀？

E

F

答：係。

F

G

問：咁都列咗出嚟，幾乘幾、幾乘幾咁樣嘅，係咪呀？

G

H

答：係嘞，冇錯，係。

H

I

問：呢啲都係你寫㗎喇？呢啲都係你寫㗎嘛，係咪？

I

J

問：好嘞，去到 2 嗰度，我哋睇睇吓。

J

K

答：係。

K

L

問：即係“PURPOSE OF SUBMISSION”，即係呢一個呈交嘅目的。咁呢度即係你--即係呢個就係你要確認呢樣嘢嘅，就話“we hereby notify that the plumbing works detailed above”，就會幾時幾時開始咁樣。咁“CERTIFY”下面嗰句，“that the pipes and fittings installed/intended to be installed, including those as listed on the attached Annex to this Form and those not listed, are as prescribed by the Waterworks Regulations.”

L

M

M

N

N

O

O

P

你呢度所簽署嘅嘢，就係即係你確認咗，就係話首先後面嗰一份附表入面，嗰啲咁嘅物料、嗰啲部件，就係要符合即係水務署嘅要求嘅。

P

Q

Q

R

答：係，冇錯，係。

R

S

問：但係你呢度就唔單只係咁添嘞，你話直情係冇列表嗰啲，即係 not listed 嗰啲，冇列表嗰啲都要符合呢個要求嘅，即係你呢度係咁講嘅。因為佢呢度就係講話“including those as listed on the attached Annex”，即係包括咗你嗰呢一個附表入面所講嘅物料，同埋“those not listed”，就有列表嘅，你都係要確保證明係妥當嘅。呢度你係作出咗一個咁嘅聲明個嘞？

S

T

T

U

U

V

V

B

B

C

答：就即係我想加少少咁講，其實就唔係話我想去講呢樣嘢，而係佢冇列出去嘅嘢，根本就係都係要白紙黑字嘅。

C

D

問：係。

D

E

答：因為點解？我去開會嗰陣時，同水務署都提及過，我話--即係好似佢哋修改嗰張新嘅 form，就係咁樣。

E

F

問：唔。我首先要搞清楚一樣嘢先，就係列表裏面所要求你包括嗰啲物料部件，就唔係所有嘅，...

F

G

G

H

答：係，冇錯，係。

H

I

問：...你明白嘛？

I

I

答：我知。

J

問：我哋可以睇一睇即係有關填呢一張 form 嘅時候一啲嘅備註。我哋睇一睇 B15.1。

J

K

K

L

主席：第幾頁？

L

M

許偉強先生：B15.1，37627。

M

N

N

O

答：係，唔該你，唔該你，係，係。

O

P

問：37627 呢個就係一個即係附帶嘅--即係註釋嚟嘅，關於你呢個填嗰張 form。即係水務署係有啲說明嘅。如果你睇一睇呢個 notes 下面嘅第 7 個度，...

P

Q

Q

R

答：係。

R

S

問：...佢就係咁講，佢就話“All pipes used/intended to be used are required to be reported in the Annex.”即係話啲水喉要用邊啲就一定要喺個附表度列明嘅。睇到嘛？

S

T

答：唔。

T

U

U

V

V

A
B
C
D
E
F
G
H
I
J
K
L
M
N
O
P
Q
R
S
T
U
VA
B
C
D
E
F
G
H
I
J
K
L
M
N
O
P
Q
R
S
T
U
V

問：跟住佢就咁講，“For fittings, only draw-off taps, stop valves, gate valves, ball valves and combination fittings need to be reported.”咁樣，睇到嘛？

答：睇到。

問：係嘞。跟住佢就話有個 directory 就可以喺佢個網頁嗰度見到嘅咁樣。呢度就似乎就係講出，即係就住某啲物料同埋部件，就先至需要你喺個列表度寫出嚟嘅。好嘞，呢個我想首先問一問你，你知唔知即係淨係呢一啲嘅部件同埋物料係需要喺個附表度列出嚟，呢樣嘢你知唔知？

答：呢個就好清楚嘅，呢個係 BS 幾，呢個就係嗰個金屬嘅成份嗰啲，BS 要求嚟嘅。

問：我知，唔好講 BS 嘅要求先。我而家問你嘅，就係話就住你嗰張附表，即係 Part I 所附帶嗰張清單，嗰張表格喇，咁就入面所列出嗰個物料嗰個列表，係喺呢個 notes 嘅第 7 個度，係淨係就住某啲物料你先至要擺喺個列表度呢樣嘢，你之前知唔知？

答：呢個係知嘅。

問：知嘅。好嘞，咁你去番 7.1。7.1 吓，7.1 個度，因為你簽嗰份表格，你所確認嘅嘢，即係你所聲明嘅嘢，就唔只係嗰個列表入面嗰啲部件。似乎呢個聲明，你睇番 2 個度，就話所有 pipes and fittings，包括咗喺呢一個附表入面嗰啲物料，就算冇列到喺嗰個附表入面嘅，你都係要確保嗰啲咁嘅物料係符合水務規則嘅咁樣。

答：係。

問：首先，我想問一問你嘅，你同唔同意你有一個責任去確保，就係話用嗰啲物料，除咗喺呢個列表入面列出嚟嘅物料，加呢個列表冇列出嚟，但係會用嘅物料，你都有個責任去確保係需要符合呢個水務規則呢樣嘢，你同唔同意，如果簽咗呢張表格嘅話？

答：呢個就有少少講喇，...

問：係。

答：...當水務署係批嘅嘢呢，佢係有 cert 畀到出嚟嘅，我哋先填到落去嘅。

B

B

C

問：唔，好。即係你而家嘅意思係咪即係話，你只能夠就住呢個附表裏面
嗰啲物料同埋部件，...

C

D

答：係。

D

E

問：...你先至可以即係負責確保佢哋係符合水務規則咁樣，...

E

F

答：係，冇錯，係。

F

G

問：...係咪咁嘅意思？

G

H

答：係。

H

I

問：唔。即係呢個係你個想法？

I

J

問：好嘞，你呢個附表呈交咗，咁你都知道呢個附表就有列晒所有就住做
即係水喉工程嘅所有物料㗎嘛。其他嗰啲物料如果要用嘅，要用嘅，
咁你喺個過程之中，你知唔知係用邊啲物料？例如焊料咁，喺呢個列
表度有嘅，用啲咩嘢物料，你知唔知？

J

K

K

L

答：就咁樣，如果我哋填上去係有 cert number 冇盛，係唔需要填。

L

M

問：唔需要填，係，我明。唔需要填，我知道。

M

N

答：咁同時係有部分嘅係小五金，佢水務局係唔會 cert 嘅；同時，我哋
因為呢啲附表裏面有 cert number 嘅嘢，係停水嘅掣先至有 cert
嘅，唔停水嘅嘢㗎喇水務局唔批。

N

O

O

P

問：唔。你講咗幾樣嘢，第一樣嘢，你就話小五金，就水務署就有 cert
嘅，...

P

Q

答：係。

Q

R

問：...係咪呀？咁所以就有一個特定嘅規格咁樣去跟嘅？

R

S

答：係，冇錯，係。

S

T

問：首先，你就住我個問題--你先答咗我個問題先。我個問題就係話，你
喺交 Part I 嘅時候有呢個附表，你都知道會用呢啲附表入面嗰啲材
料嘅，係咪？

T

U

U

V

V

B

B

C

答：係。

C

D

問：我嘅問題首先就係話，就住附表入面冇講嘅，其中包括焊料，附表都冇講嘍嘛？

D

E

答：係。

E

F

問：你喺成個工程進行之中，你會唔會從邊一方係收到信息話我知道其他啲物料呢係用邊啲牌子、邊啲規格，你知唔知嘍？

F

G

答：呢啲就要--我哋要公司同建築、同房署講。

G

H

問：即係你唔知嘍？

H

I

答：唔需要知嘍。

I

J

問：但係你需唔需要知一件事，你知唔知呢？

J

K

答：知係要申報房署。

K

L

問：係。但係我講嘅就例如焊料，例如要用一隻特定嘅牌子，有冇人會同你講話「林生，你個附表以外呀，其他有啲物料，包括例如焊料嘅，要用啲咩嘢牌子，用咩嘢規格。」有冇人話畀你聽？

L

M

答：冇。

M

N

問：你會唔會去問呢？

N

O

答：因為我附表都有得填，我問都有乜效果。

O

P

問：唔，唔，好。好嘞，就住啲物料，因為我哋知道呢次水務署即係就住你個牌照作出啲調查，咁其中一樣都係話，例如如果你啲個--喺呢個附表入面有列出啲咁嘅材料嘅清單，係咪呀？咁有好多時喺個工程進行當中，可能會作出修改嘅，係咪呀？

P

R

答：唔。

R

S

問：呢樣--你都即係有遇過呢啲情況，係咪呀？

S

T

答：係，都會有。

T

U

問：好嘞，如果就住啲列表嘅物料同埋部件要作出修改嘅，咁你有冇責

U

V

V

B

B

C

任去通知任何人？

C

D

答：呢個問題就--發生呢啲事，就係由總包同我公司反映出嚟嘅。

D

E

問：唔。點樣話？你...

E

F

答：由我哋建築嘅總包同我公司反映出嚟，...

F

G

問：反映出嚟。

G

H

答：...係問清楚則師，再由持牌人再去水務局問需唔需要申請。

H

I

問：好。我哋或者睇一睇你其中一個講法。

I

J

主席：即係你嘅意思完全唔關你事喇，係咪？

J

K

答：唔係唔關，我哋係要問清楚需唔需要申報，就問--再去通知水務署。

K

L

問：你首先要問需唔需要申報。問邊個呀？

L

M

答：問水務署啲啲 AI，啲阿 Sir 囉。

M

N

問：好。或者喺食晏之前，我再同你討論下有關呢一方面嘅問題先。一個問題嘅啫，就係如果你睇番文件夾 Q1 嘅第 17 頁。第 17 頁，第 4 段，呢個都係講緊你同水務署一個會面紀錄嚟嘅，就係 2015 年 10 月 8 號嘅一個會面紀錄。

N

O

P

我哋睇一睇第 4 段嘅度，就係咁樣講嘅，就「林先生稱就啟晴及葵聯邨所使用的水喉配件的更改，作為負責該項目的水喉匠的他曾向該工程項目的註地盤屋宇裝備工程師提出需向本署」，即係水務署喇，「申報，惟該工程項目的註地盤屋宇裝備工程師曾向他表示無須修改及再次遞交有關的水務表格 WW046 第一及第二部分，由房署同埋署方的相關人員溝通即可，故林先生冇向本署遞交有關更改水喉配件的水務表格。」睇到嘛？

P

Q

Q

R

R

S

S

T

答：係。

T

U

問：好嘞，呢度我都先想問你一個問題，呢度你就話，你就曾經就係同駐

U

V

V

B

B

C

C

地盤嗰個屋宇裝備工程師就提出，就要向水務署去申報作啲更改嗰個表格，即係更改嗰個列表嘅。我哋就問過房署，房署就話佢哋就有駐地盤嘅屋宇裝備工程師嘅。我問咗呢條問題先，你可以慢慢諗。就係我想問下你，你呢度所講個駐地盤屋宇裝備工程師，係講緊總承建商嘅駐地盤屋宇裝備工程師，定係邊一位屋宇裝備工程師？

D

D

E

E

答：呢樣嘢我就唔知佢 title 嘅，因為我就喺駁街喉嗰段時間，就即係同阿 Sir 講「你有啲嘢唔對，你好執番畀我先得喇。」咁佢就話「你如果你咁搞，即係唔使入伙嘞。」

F

F

G

G

問：等陣先。你講嗰個阿 Sir，你話唔知佢嘅職位係咩嘢喇，呢位阿 Sir 係--即係邊度嚟嘅阿 Sir？

H

H

I

I

答：有建築、有房署。

J

J

問：建築就係總承建商，係咪？

K

K

答：係。

L

L

答：因為我見到佢都係只得一、兩個鐘頭，我都--佢一講完就走咗。

M

M

問：好，你而家講就又有係總承建商嘅，又有係房屋署嘅阿 Sir，係咪呀？

N

N

答：係，係。

O

O

問：但係就住你話問佢關於需唔需要向水務署申報呢個--呢件事，你同佢講嗰個阿 Sir，係房屋署定係總承建商嘅阿 Sir？

P

P

答：嗰啲人都喺度一齊講。

Q

Q

問：一齊講嘅？

R

R

答：嘅。

S

S

問：好，咁或者我哋食完飯之後再跟進下呢部分。

T

T

主席：好呀，我哋晏晝兩點半再繼續，唔該。

U

U

V

V

B

B

C

C

D

下午 12 時 58 分聆訊押後

D

E

下午 2 時 31 分恢復聆訊

E

F

出席人士如前。

F

G

證人：林德深（何標記前僱員（持牌水喉匠）（啟晴邨和葵聯邨第二期））
宣誓繼續作供

G

H

許偉強先生繼續主問

H

I

問：林生，我哋食晏之前--林生，...

I

J

答：係，唔該晒。

J

K

問：係。我哋食晏之前就喺度講緊就係有一個你同水務署嗰個會面紀錄嘅。

K

L

答：係。

L

M

問：我哋睇番就係文件夾 Q1 嘅 17 頁。

M

N

答：唔該，唔該，唔。

N

O

問：第 4 段，我哋都係講緊話即係話有關嗰啲水喉配件嗰個清單個更改應該係點樣做法嘅，記得嘛？

O

P

答：記得。

P

Q

問：呢度你就話佢呢個係敘述番你喺會面紀錄講嗰個情況。

Q

R

答：係。

R

S

問：就係話作為負責該項目嘅水喉匠，即係你喇。

S

T

答：唔。

T

U

問：就曾經向該項目嗰個駐地盤屋宇裝備工程師提出話要同水務署申報，就要改嗰啲物料嗰個清單，但係個駐地盤嘅工程師就話唔使改，就等佢哋同房署溝通就得喇喇咁樣，食晏之前我哋都傾過喇。

U

V

V

B

B

C

答：係。

C

D

問：就係你就講番畀我聽即係你就知道啲阿 Sir 係咁同你講嘅，嗰個阿 Sir 就包括有房屋署，亦都有總承建商嘅阿 Sir 嘅。

D

E

答：係。

E

F

問：我首先想問一問...

F

G

答：同埋我公司嘅人都有喺度嘅。

G

H

問：吓？

H

答：我公司都有個即係駐喺地盤做嘢嘅人都知。

I

問：何標記，係咪呀？你講緊係何標記有駐地盤嘅人都知？

I

J

答：係，因為我嗰陣時...

J

K

問：係邊位？

K

L

答：因為佢...

L

M

問：係咪梁生？

M

N

答：應該梁生都有份喺度嘅，...

N

O

問：你...

O

答：...但係佢就過幾日問佢，又話太耐，唔記得咗。

P

問：唔緊要，我哋逐步逐步嚟。首先我想問下你，就係你所講話阿 Sir，你今日就同我哋講阿 Sir，喺呢個會面紀錄就好清楚係講緊駐地盤屋宇裝備工程師嘅咁樣，我想問番你，就係話喺呢個會面嘅時候，你同水務署個會面紀錄面嘅時候，即係呢個會面紀錄嗰個會面嘅時候，你係咪特別有提到屋宇裝備工程師？

P

Q

Q

R

R

S

答：呢個就係水務局加落去嘅，唔係我講呢個全名嘅。

S

T

問：你講畀水務署就係講緊阿 Sir？

T

U

答：我就話我去到呢個地盤就曾經有通知過佢，佢哋就話咁樣，佢就唔知佢點樣名稱，就水務署阿 Sir 就即係用咁嘅名稱代替嘅啫。

U

V

V

B

B

C

問：好，所以如果我而家問番你「係唔係真係講緊屋宇裝備工程師呢？」
咁，你會點講呀？即係係定唔係？

C

D

答：唔係我講。

D

E

問：唔係你講，即係你都唔知佢嗰個職位係咩嘢嘅？

E

F

答：我只知道佢係代表嚟嘅。

F

G

問：你知道佢係代表邊一個部門？邊一個機構？

G

H

答：係房署嘅人同埋建築。

H

I

問：但係即係嗰個細節佢係咩嘢職位你就唔知道？

I

J

問：好，好，我首先想問一問你，就係喺啟晴呢一個工程之前，例如如果
喺 WWO46 嗰個表格上面附上嗰個物料清單，喺其他即係你負責過嘅
項目，我哋講，如果有咁嘅清單而需要及後係作更改嘅，你有冇呢啲
咁嘅經驗？

J

K

K

L

答：有。

L

M

問：我想問下，好似啟晴之前，如果有呢啲咁嘅情況，係交咗 WWO46 嗰
個清單之後，物料有改動喇咁，會係邊一個人去負責去同水務署呈交
番一個即係更新咗嘅清單呢？

M

N

N

O

答：就咁樣講，我哋一般水喉匠就唔需要再申報嘅。

O

P

問：唔需要？

P

Q

答：因為我哋驗完嗰個工程之後，阿 Sir 就話呢個唔係好大嘅動作，只不
過喺嗰張 form 度加簽番個名，即係承認確認呢啲嘢係而家安咗嗰啲
就得喇。

Q

R

R

S

問：好，我而家講緊係啟晴邨之前嘅項目。

S

T

答：係，冇錯，係。

T

U

問：你話啲阿 Sir 就係話如果有更改到嘅，就最後就簽番個名就得喇？

U

V

V

B

B

C

答：係，冇錯。

C

D

問：你講緊簽啲個係咩嘢？邊張 form？

D

E

答：簽喺 046 嗰度嘅清單啲個。

E

F

問：喺清單嗰度？

F

G

答：係。

G

H

問：即係話用手改咁樣？

H

I

答：用手寫落去，簽番個名，即係阿 Sir 叫你先做嘅，阿 Sir 冇叫你，唔可以做。

I

J

問：明白。如果你話阿 Sir 叫你做，即係話喺清單嗰度改番，然後簽番個名，呢一個步驟你以前有做過？

J

K

答：做過好多次㗎喇。

K

L

問：做過好多次，係咪呀？

L

M

答：係。

M

N

問：所以都係例如你同水務署啲人，如果有更改物料嘅，係你本人同水務署嘅阿 Sir 去溝通，然後就喺張單度簽番咁樣，係咪呀？

N

O

答：大家都有嘅，就包括我公司啲人都要在場。

O

P

問：都要在場，係。

P

Q

答：即係你係個物料而家有咗--有 BS 標準嘅根據，但係阿 Sir 認為呢個都唔係一個好嚴重嘅影響入伙嘅，就同意你喺度加簽番個名。

Q

R

問：明白，但係你話加簽番呢個名，即係作為更改咗嘅一個即係確認咁樣喇？

R

S

答：係。

S

T

問：呢一個咁嘅步驟都係需要你同水務署接洽，係咪？

T

U

答：係，冇錯。

U

V

V

B

B

C

C

問：好喇，我想問下，就住啟晴呢一個工程，呢度你就話有房屋署，亦都有總承建商嘅阿 Sir 同你話「唔使㗎，唔使改㗎喇，咁就等嗰個房屋署同埋水務署嘅相關人士佢哋自己溝通就得㗎喇。」咁？

D

D

答：係呀，係呀。

E

E

問：佢呢個咁嘅講法，你話阿 Sir 話畀你聽嘅？

F

F

答：就咁樣，因為頭先我帶嚟嗰份文件，佢哋以前就豁免嘅，佢哋政府同政府係得嘅，即係譬如修改少少圖紙或者係少出入嘅嘢，係政府以前批咗畀佢嘅。

G

G

H

H

問：我個問題啱啱就係你唔好講之前嗰個豁免嗰個情況先。

I

I

答：係，係，冇錯，冇錯。

J

J

問：講番啲啟晴邨，你而家就住呢一個會面紀錄所講嘅嘢，就係話當時有人--有阿 Sir 同你講，就係話「你唔使主動去要求改㗎喇，等佢哋房署同埋水務署啲人佢哋自己之間溝通㗎，就搞得掂㗎喇。」呢樣嘢你第一，係咪啲地盤嗰度聽到？

K

K

L

L

答：啲地盤聽到。

M

M

問：你係講話嗰啲咁嘅阿 Sir 就咁同你講嘅？

N

N

答：因為佢--即係佢都好多理由，講啲兩句，即係話「而家都啲市民要入伙，政府部門係好--要快要搞掂，如果你再入紙呢，係遲㗎，之後你通知我哋，我哋會同水務局溝通搞掂。」係咁。

O

O

P

P

問：就係咁？

答：係。

Q

Q

問：一個人同你講啲咁嘅嘢定係多過一個人有咁同你講過？

R

R

答：一個人講嘅。

S

S

問：一個啫，好。

T

T

U

U

主席：呢個係邊個話？係房屋署嗰啲人？

V

V

B

B

C

答：呢個係建築公司嘅，因為佢哋問佢嘅，佢哋答覆係咁樣。

C

D

主席：建築公司即係中國建築？

D

E

答：中國建築同埋我公司個 foreman，大家都喺度。

E

F

主席：乜嘢話？

F

G

答：即係我公司嘅 foreman。

G

H

主席：你公司嘅 foreman...

H

I

答：係。

I

J

主席：...就同中國建築，中國建築就話唔使改喇咁樣樣？

J

K

答：唔係，佢話問一問阿 Sir。

K

L

主席：問一問阿 Sir。

L

M

答：阿 Sir 就話「唔好搞喇，再入一入紙兩個幾月呀，啲市民入伙呀」。

M

N

主席：中國建築嗰個問阿 Sir，阿 Sir 即係房屋署嘅人，係咪呀？

N

O

答：係喇，冇錯，係喇。

O

P

主席：即係有你公司嘅人，有中國建築嘅人，有房屋署嘅人？

P

Q

答：即係我哋唔係喺會講，係喺個 site 嗰度。

Q

R

主席：喺個 site 度講，係呀。

R

S

答：喺個 site 嘅外圍，因為當時係好嘈、好趕嘅。

S

T

問：何標記嘅職員，你話即係梁生，當時在唔在場，講呢樣嘢嘅時候？

T

U

答：我而家去問番佢哋嘅人都--大部分都--六年嘅人都走晒，我都唔知點搵番佢。

U

V

問：即係你有問番何標記嘅職員嘅，係咪呀？有問番嘅？

V

B

B

C

答：有問，佢都話唔係好記得。

C

D

問：好，有問過...

D

E

主席：對唔住，啟晴邨係幾時落成話？2014年，一...

E

F

答：一...

F

G

主席：14年先落成。

G

H

答：13年，13年年頭。

H

I

主席：13、14。得，繼續。

I

J

問：你問過何標記邊幾位職員？

J

K

答：有工人，有我，同埋有個 foreman，就有--係咁多。

K

L

問：梁...

L

M

答：即係大家講「喂，你畀番份表我先得啲，唔係我--即係我要入紙嚟啲。」
咪咁樣。

M

N

問：好，你剛才同我哋講，就話喺啟晴呢個項目之前，如果要更改啲個表格入面啲個附件嘅，你都會同水務署去接洽，係咪？

N

O

P

答：係，冇錯。

P

Q

問：係咪呀？

Q

R

答：係。

R

S

問：好喇，你呢一次，你話聽到有阿 Sir，包括例如總承建商嘅人就同你咁樣講，係咪呀？

S

T

答：係，係。

T

U

問：你覺得即係咁唔咁異呢？即係你覺得同以前個做法唔同咗啲。

U

V

V

A
B
C
D
E
F
G
H
I
J
K
L
M
N
O
P
Q
R
S
T
U
VA
B
C
D
E
F
G
H
I
J
K
L
M
N
O
P
Q
R
S
T
U
V

答：就即係咁講，我都係照講嘅啫，佢哋因為--個問題佢哋都係要做好多手續嘅，即係好似例如呢個呢份今朝畀你哋嘅文件，佢要咁樣重新做過一份表格畀我持牌人先可以入到嘅，佢覺得如果再做呢份--咁大份文件，再入番晒啲 catalogue、cert.咩嘢都畀齊我呢，真係要做兩個幾月，又要再轉番去水務署，水務署亦都會講一句說話「喂，你呢度多--你個牌子唔好整單咁嘅嘢我嘆喇咁樣，即係又搞餐飽嘅」。

問：明白，好，所以你就即係倚賴當時個阿 Sir 同你講嘅嘢，所以就冇同你特別同--你冇親自就同水務署嗰邊就再接洽關於嗰個更改嗰個附件嘅問題，係咪呀？

答：冇喇喇。

問：好。我又想畀你睇一睇其中一個水務署嘅都係啲 circular，睇下你有啲咩嘢回應嘅。睇一睇 C3 2305 頁，C3 2305 頁就係水務署就係 2004 年 2 月 27 號，發畀所有持牌水喉匠同埋即係 AP 嘅一份文件嚟嘅，我哋都睇一睇呢份文件先。呢份文件最主要都係講出你哋嗰個 WW046 嗰張 form 呈交嘅時候個手續上有冇啲乜嘢--即係成個機制有冇啲咩嘢轉變嘅，呢度係咁講。佢呢度就--我哋首先睇下 (a) 先，因為呢度就話水務署就而家有個電子文件個管理系統，所以就想將呢個 WW046 嗰個呈交就即係再完善啲咁樣，首先我想問下你，記唔記得有收過呢一張 circular？

答：呢張有，因為佢用中央電腦喇開始。

問：呢個你記得嘅？

答：係。

問：好，(a) 就話唔使一式三份，就交一份就得喇，如果我哋可以一路睇落去，睇下 (g) 嗰度，即係呢一頁嘅最後嗰度，佢就話如果係有啲輕微嘅修改，而呢啲修改係由 LP，例如 LP，即係你哋提供嘅，LP 就需要寄番一個即係之前嗰個 WW046 同埋你嘅簽名，同埋就就住每一項有修改嘅，都要咁樣做嘅。

另外佢就話 "This needs to be done before staff of the Water Authority conducts inspection."，即係話呢個咁嘅修改--改動就要俾水務署嗰個嚟到檢視嗰個正式嗰個現場個情況之前就要做咗呢個步驟喇喇。

有幾樣嘢我想問下你嘅，呢度就咁講嘅，佢哋就話如果係 LP 提

A
B
C
D
E
F
G
H
I
J
K
L
M
N
O
P
Q
R
S
T
U
VA
B
C
D
E
F
G
H
I
J
K
L
M
N
O
P
Q
R
S
T
U
V

出嘅，有啲小更改，即係輕微嘅更改，我想問下你，就係第一，喺你嗰個經驗入面，有冇啲咁樣嘅物料更改係由你本人即係 LP 提出？

答：就我有機會，因為我係持牌人，唔可以改任何材料嘅自己。

問：一般嚟講，我哋講緊例如喺啟晴邨嗰個工程之前，即係我所講嘅情況，一般嚟講，如果改一啲 WWO46 個附件入面嗰啲物料，一般係邊一個提出？

答：首先個情況都係由我公司有乜嘢轉動，首先要向建築講清楚，建築再寫文件畀房署或者業主，再提出我哋要修改乜嘢內容嘅嘢。

問：好，咁即係話係咪咁講，以你所知，一般呢啲咁樣對於材料、部件嗰啲修改如果係同 WWO46 係唔同嘅，一般嚟講，就係總承建商佢哋會提出嘅，係咪咁呀？

答：係，冇錯，係。

問：好喇，我想問下你，就係總承建商提出嗰個修改的話，你本人嚟講，你就唔需要做任何嘢，即係你嘅認知，就係佢哋去搞，係咪呀？

答：唔係，要嘅，因為佢係修改好啱嘅嘢，如果係要入正紙，我要按照佢哋畀個最新嗰啲 update 嘅 cert. 同埋材料嘅 catalogue，則師、業主要重新簽名。

問：明白，咁嘅意思係咪即係話就算嗰個更改唔係你 LP 提出嘅，假設係總承建商提出嘅，你都要做跟進嘅工作嘅？

答：本身正式--正常手續咁做，但係有啲就係可以豁免就話「唔好搞喇。」有啲私人嘅 job，啲則師可以打電話去「而家我持牌呢啲嘢而家趕住時間驗，佢需唔需要入紙」。

問：你所講嗰個豁免係講緊即係咩嘢意思？

答：豁免即係話我哋要入正紙，就大家嗰個程序再嚟一次，重新安排，咁變咗佢就覺得你大家都--則師都承擔咗呢個責任，打電話嚟，就叫你嚟開會喇，咁就唔再搞喇。

問：你嘅意思就係話如果豁免嗰啲情況，如果則師都通知咗水務署嘅，就搞掂喇喇？

答：搞掂喇喇。

B

B

C

問：係咪呀？

C

D

答：係。

D

E

問：好，我哋而家講下有豁免啲情況，即係如果要跟進嘅，假設...

E

F

答：哦，如果有...

F

G

問：你聽埋我問先。假設總承建商係話某一啲物料喺個工程進行期間就改動咗，同原先個表格附件係唔同嘅，喺咁嘅情況，總承建商提出咗一啲咁嘅修改，你本人作為 LP，需唔需要跟住做啲跟進工作嘅呢？

G

H

答：佢都會畀問題我，即係話「如果你上去搞」或者則師同埋我哋呢啲...

H

I

問：一齊...

I

J

答：...即係大家溝通係冇問題嘅。

J

K

問：好，大家溝通一件事，但係你本人喺啲咁嘅情況下，仲需唔需要簽番啲文件或者係就住修改咗啲乜嘢部件、材料嘅，通知番水務署呢？

K

L

答：就睇啲個嚟 site 睇嘢啲個阿 Sir 點樣反應。

L

M

問：咪住先，嚟 site 睇啲個阿 Sir，你講緊水務署個阿 Sir？

M

N

答：水務署個阿 Sir。

N

O

問：唔係嗎，呢度係講緊水務署阿 Sir 嚟之前，你已經要做嘍喇嘛？

O

P

答：即係我知道，係。

P

Q

問：咁嚟之前...

Q

R

答：即係有啲情況我哋係做唔到啲個文件，時間到喇，就亦都同咗佢上司傾過，亦去啲個 site 啲個--嚟現場啲個阿 Sir 亦都會再諮詢我哋係咪加咗呢啲咁嘅嘢，如果係有，簽番名。

R

S

問：好，即係話如果現場大家再解釋、再溝通，改咗嘅、確認咗嘅，你都會簽番名嘍喇嘛，係咪？

S

T

答：係喇，冇錯。

T

U

問：好。你今朝同我哋講，你話 2010 年你辭職啲陣時，即係向何標記辭

U

V

V

B

B

C

職，嗰陣時你個唔滿意嘅地方，不滿嘅地方就係話嗰啲咁嘅物料呈交
咗之後，跟住又改咗，又有特別去通知你，係咪呀？

C

D

答：係。

D

E

問：係咪呀？

E

F

答：唔。

F

G

問：即係你而家嘅講法就係話如果有豁免嗰啲其實你係要知道㗎嘛，係咪
呀？

G

H

答：就個情況咁樣，因為我簽咁多單，八單佢都出事嘅，搞到我都成日好
似去受到法律控制咗，我壓力好大，頂唔住，我即係話我唔撈。

H

I

問：你話出事嘅意思係咩嘢？

I

J

答：即係我簽咗佢八個 project，佢買，你都唔知佢按咩嘢程序，佢鍾意
買呢嚟嘢嘢，鍾意整個嚟嘢嘢，我揸住嗰啲嘢都唔知--我同水務局
講，就唔係則師同意嘅，又冇人批過佢，佢又走去買晒呢啲咁嘅嘢嘢
裝晒上去。

J

K

K

L

L

M

問：好，即係你 2010 年嗰陣時你嗰個--即係當時嘅感覺就唔係幾良好，
因為硬係覺得可能有啲嘢做咗而你係唔知道，但係你可能會負責嘅，
所以你就頂唔順啲咁嘅壓力喇，所以就呈辭，係咪咁個意思？

M

N

N

答：係，冇錯，係。

O

O

P

問：好，所以你當時即係呢樣嘢都係--即係你覺得係幾緊要，緊要到你要
辭職添？

P

Q

答：我亦都口頭，同佢開會，亦都畀 e-mail 佢，亦都通知佢好多次，我
話「你咁樣做，我就唔做喇」。

Q

R

問：好，我想問一問你，就係因為你呢個 2010 年辭職呢件事，因為我哋
都係今日先聽到，第一次，喺你個文件入面，如果你睇番你第一個同
委員會個回應嗰度，喺 Q1 嘅第 10 頁。

R

S

S

T

答：係，係，唔該，唔該。

T

U

問：喺呢一份回應入面就從來都有提過話你辭職呢件事嘅，你喺第 (2) 段
仲喺度講就話「在何標記公司是停薪留職。」係咁樣講嘅，睇到嘛？

U

V

V

B

B

C

喺第(2)段最後一句。

C

D

答：唔。

D

E

問：睇到嘛？

E

F

答：「停薪留職」，係。

F

G

問：係咪呀？而喺你跟住一份口供，喺 24 頁，24 頁，第(2)段都係咁講嘅，「我只是何標記受僱員工持牌水喉匠。」似乎你喺呢兩份文件預備嘅時候，你一路都係講緊，你話「我仲喺何標記都係受僱嘅員工嚟嘅，同埋係停薪留職，我都仲係喺佢嗰度做嘅。」就完全冇講過話 2010 年就係辭職呢件事嘅，我想今日同你去搞清楚，就話點解你當時呢兩份文件都有特別提到 2010 年辭職嗰件事呢？

G

H

H

I

答：因為嗰段時間我係仲未執齊啲文件，寫唔到出嚟。

I

J

J

K

主席：仲咩嘢話？未咩嘢話？

K

L

答：我未執好啲文件，寫唔到嗰個問題出嚟。

L

M

主席：你自己究竟有冇辭職都唔知？

M

N

答：唔係，有，我係即係話我係點嘅理由辭職啲啲資料，我未執好。

N

O

主席：你其實係咪遞咗辭職信，不過人哋叫你唔好辭職？

O

P

答：呢啲肯定會有講過。

P

Q

主席：乜嘢話？

Q

R

答：呢個佢肯定有咁講過。

R

S

主席：實際上你係咪都有辭過職，只不過...

S

T

答：辭咗職，冇糧出喇，做咩嘢...

T

U

主席：不過計人工嘅方法唔同咗咋？

U

V

答：咁又唔係喎，真係辭咗職，我已經乜都有嚟喇，即係連呢個強積金又冇，乜都有晒，我都係冇工打，我又入咗醫院，開始入醫院。

V

B

B

C

C

D

D

問：好，即係有咗月薪喇？

E

E

答：係，冇錯。

F

F

問：就個工作嗰個性質就唔同咗，你又唔係...

G

G

答：佢就以咁樣嚟代替，叫斬件。

H

H

問：即係個工作形式就唔同咗，你所講嘅斬件咁嚟計？

I

I

答：係喇，係喇。

J

J

問：就唔係每日要返工？

K

K

答：冇。

問：所以你就即係覺得你係已經辭咗，係咪呀？

L

L

答：即係話「你盡快搵持牌人接番我手尾」。

M

M

問：好。跟進一點嘅啫，就係你剛才話你辭職嘅時候即係好擔心過一件事，就係話「你咁樣遞咗個表格入面個附件，跟住又及後又改咗」，又有話畀你聽，「喂，會出事㗎。」咁，你所謂嘅出事係咩嘢意思？

N

N

答：出事即係話你驗樓會過期，扣我分。

O

O

問：扣你分。即係如果驗樓嘅時候發覺用啲料唔係你之前遞上嚟嗰啲嘅，而你又冇特別去跟進嘅，就佢扣你分，係咪咁嘅意思？

P

P

答：係喇，冇錯，係喇。

Q

Q

問：你所講嗰個扣分嗰個制度，如果我同你睇一睇，即係好簡單地睇一睇，C3, C3 2440, 呢個係水務署就喺--都好早期㗎喇，1984年嗰陣時，即係你攞咗持牌水喉匠大概兩年左右嘅事情，出過一封咁嘅信嘅，就係一個“Point Penalty System for defects in Plumbing Works Carried Out by Licensed Plumbers”，睇到嘛？

R

R

S

S

T

T

答：睇到。

U

U

問：記唔記得有冇收過類似咁嘅嘢？

V

V

B

B

C

答：收過。

C

D

問：即係你所講個...

D

E

答：呢啲收過嘅。

E

F

問：你所講個扣分制度係咪呢度所講個 point penalty system，就係？
係咪呀？

F

G

答：唔。

G

H

問：如果你呢度講，就都有交代到就話點樣為之可以續牌，同埋你點樣會
例如吊銷你嘅牌照，喺咩嘢情況之下咁樣嘅，我想問一問你，就係點
解你覺得你交咗 form 46 嗰個附表入面所列出嘅嗰啲材料嘅清單，
I 而呢個 AP，AP 都有同水務署通知咗「呢啲嘢改咗。」水務署咁樣情
況之下，你認為佢都會扣你分？

H

I

J

答：唔係，有通知就佢都係用豁免形式，如果有通知，佢另外 2442 嗰度
K 係講你犯咗咩嘢事，扣幾多分。

J

K

L

問：唔係，我個問題就係話就算 AP 已經同水務署交代咗有啲咩嘢物料要
L 做更改嘅，好似我哋今日睇過例如嗰個警察宿舍嗰啲咁嘅工程，AP
M 已經有同佢交代咗--有同水務署交代咗話邊啲嘢要改嘅，喺咁嘅情況
之下，你都認為如果同你 46 嗰張唔同嘅話，就會扣你分？

L

M

N

答：唔扣。

N

O

問：唔會扣嘅？

O

P

答：則師已經係寫咗文件上去證明咗。

P

Q

問：係喇，我想問下你，如果喺咁嘅情況，你嘅擔心係咩嘢呢？即係則師
Q 如果同佢哋講咗嘅，就唔扣喇喇，例如...

R

答：哦，咁又唔係，佢有啲則師唔肯。

R

S

問：吓？

S

T

答：有啲則師唔肯講喇喎，「喂，你哋改材料，你哋下低搞得唔清楚，你
T 叫我幫你簽」。

U

問：好，你今朝遞上嚟嗰啲文件其中有啲工程就有則師同水務署交代咗喇

U

V

V

B

B

C

喇？

C

D

答：係。

D

E

問：就話要更改嘅？

E

F

答：唔。

F

G

問：嗰啲就唔會話出事㗎，因為已經交代咗喇喇嘛？

G

H

答：唔。

H

I

問：你所講嗰啲出事話點解「我要辭職，好大問題㗎，會出事㗎。」就係你所講，而家就話如果則師冇跟住同水務署交代嘅更改，就可能會出事，係咪咁嘅意思呀你？

I

J

答：係喇，冇錯，係喇。

J

K

問：好，我想你睇一睇就係今朝都問過你有一部分嘅，就係呢個 C3 --唔好意思，應該係--等等，等等。C7.1，4751，呢個我哋今朝都討論過，就係話你當時填呢張申請表嘅時候，就喺 2 個項，我今朝都問過你，就係話你要做一個聲明，喺第 2 段嗰度，即係呢個 submission 嘅目的，“PURPOSE OF SUBMISSION”嗰度，睇到嘛？中間嗰度，你就話要 certify 個 pipes and fittings 就係要即係唔理係咪有包括到喺個附表度，都係要按照水務嗰個規則嚟去做嘅，因為--你識唔識睇呢段個英文？

K

L

L

M

M

N

N

O

答：一部分睇到嘅。

O

P

問：睇到嘅。如果呢度講話 “We CERTIFY that the pipes and fittings installed/intended to be installed”，即係一係就要裝，一係就話準備要裝嘅，“including those as listed on the attached Annex to this Form”，即係話包括咗嗰個附表入面嗰啲咁嘅部件、物料咁，“and those not listed”，亦都包括咗喺個附表度有講嘅，你都同意㗎，亦都係接受㗎，就話「我要根據水務規則去做嘅。」咁，係咪呀？

P

Q

Q

R

R

S

S

T

答：係，冇錯，係。

T

U

問：你今朝都有同我講過就係話你認為--你自己認為其實你只需要對呢一個附件上面有寫到嘅部件係負責嘅啫，如果呢個附件冇寫到列出嚟嘅一啲物料、部件，你就唔需要話真係確實佢哋一定要跟水務規則咁樣

U

V

V

B

B

C

嚟到去做嘅，呢個係咪你嘅睇法？

C

D

答：唔係，呢個係同水務署開會講過，我話「你個附表裏邊嘅 BS 嘅責任嗰度係冇得填嘢，亦都有 cert.，我係--你認為我要呢啲點填，我可以嘗試下你嗰個，有冇方法？」但係佢都話冇。

D

E

E

F

問：但係你呢一個咁樣嘅立場，就係話水務署對於嗰件物料有冇 cert.，你先至需要負責呢樣嘢嘅，同你喺呢一度 certify 咗嗰一句係有少少唔係好吻合嚟啫似乎。

F

G

G

H

答：唔係，唔係，唔係，你有少少誤解咗，嗰個問題即係話嗰個問題如果喺我嘅簽嘅嘢有 cert.嘅，你係漏咗喺裏邊，咁先至為嗰個依據，但係如果喺水務局係有曾經 cert.過嘅，嗰啲嘢係唔係水務局同意有 BS 呢張嘅嘢係唔需要搞。

H

I

I

J

問：好喇，你點樣去到即係嚟到決定邊啲為之水務署 cert.過係要附合 BS 嘅嘢？即係你憑乜嘢去到咁樣分？

J

K

答：我咪要問公司，問材料行擺啲材料嘅牌子有冇做過 cal. cert.，有冇擺過政府嘅 cert.。

K

L

L

問：你問公司嘅？

M

M

答：係。

N

問：好，我想問你剛才就係話如果呢個係你嘅立場嘅話，即係話「有 cert.，我先負責嘅啲啲。」係咪？即係呢個係你嘅講法吖嘛？

N

O

O

答：係。

P

P

問：即係要水務署係 cert.過嘅，嗰啲咁嘅物料你先至會喺呢個聲明係概括--即係包括咗嘅，係咪呀？

Q

Q

答：係。

R

R

問：如果冇 cert.嗰啲咁嘅材料就唔包括嚟喇咁？

S

S

答：唔係，就有少少補充番，即係大家都有啲寫唔晒嘢落去嘅，即係補充番，即係話如果佢唔係停水嘅材料，水務局係唔會 cert.嘅，因為譬如...

T

T

U

問：即係例如焊料咁...

U

V

V

B

B

C

答：唔係，減壓掣咩，即係或者係隔沙包，佢唔係停水，係水務係唔會做 cert.。

C

D

問：焊料都有喇？

D

E

答：小五金更加冇喇。

E

F

問：好。

F

G

G

H

主席：水喉有冇呀？

H

答：水喉都有，得個 A 嘅咋。

I

I

主席：吓？

J

J

答：水喉得個 A 嘅咋，喉管得個 A。

K

K

主席：都有嘅？

L

L

答：冇嘅。

M

M

N

N

問：好，我想問一問你，就係你記唔記得你第一次，即係唔好啟晴定係邊個項目，第一次你負責簽呢啲 WWO46 係幾時？

O

O

答：成三十年喇，我簽過百幾個地盤。

P

P

問：三十年前？

Q

Q

答：係。

R

R

問：好，你都簽咗呢份嘢都有好多年，係咪？

S

S

答：係。

T

T

問：呢份嘢都有呢個聲明，呢個聲明就似乎同你嘅講法有啲唔同，呢個聲明就似乎包括晒--即係你要負責嗰個範圍，係包括晒所有材料部件嘅，唔係淨係附表入面嗰啲嘅？

U

U

答：呢個我明白你問嘅問題，因為我就曾經喺水務署同--講過，我話則師、

V

V

B

B

C

業主亦都有簽過呢一份 form，但係水務嘅阿 Sir 就話「太耐喇，呢份 form，而家就我哋係已經搞緊一張最新嘅 form 出嚟」。

C

D

問：好，唔好理最新嗰張 form 先，你一路簽開嗰嘅 form 46...

D

E

答：都係咁喇。

E

F

問：...都係咁喇嘛？

F

G

答：係呀，係呀。

G

H

問：你都係當時做咗一個聲明，就係話對所有物料你都要負責，即係佢都係要符合水務個規則，呢度就有話特別去分邊嘅係有 cert. 定係有 cert.，你明白我問題嘛？

H

I

答：我明白。

I

J

問：所以似乎即係你所講，呢度就係你個包括嗰個範圍係大過你啱啱同我哋講嗰個有 cert. 冇 cert. 嗰個分別嗰個範圍喇嗎？

J

K

答：冇 cert. 嗰嘅冇 BS，咁點做呀？我做唔到。

K

L

問：呢個就係你嘅睇法喇？

L

M

答：我有得填嘅。

M

N

問：呢個就係你嘅睇法喇？

N

O

答：係，冇錯。

O

P

問：好。縱使你係做--即係填咗呢張 form 三十幾年，呢張 form 都係有講到話對所有物料都要符合水務個規則嘅做法，即係縱使你係簽過咁多嘅，你都唔覺得有冇一啲重要性就係去睇下除咗嗰張附表嗰個物料之外，其他嗰嘅物料係用嘅乜呢咁？

P

R

答：咁樣講，我哋通常好多時候我哋都會發生呢啲咁嘅問題嘅，我哋都會去問呢個水務署嘅 AI、嗰嘅工程師，佢哋都係話「呢啲唔使填嘅，你只係填番有 BS，冇 cert. 嘅嘢填上嚟就得喇」。

R

S

T

問：好，所以就係如果係你所講嘅，如果冇 cert. --水務署冇 cert 嗰嘅，你直情問都唔會問用嘅乜嘢--...

T

U

U

V

V

B

B

C

答：有問。

C

D

問：...用啲乜嘢物料？

D

E

答：唔係，即係話畀佢聽「而家我哋用呢啲嘢。」佢話「你都有 cert. 畀嚟，你問嚟做乜嘢？你填番你有 BS 嘅嘢就做喇」。

E

F

問：好，咁小五金--假設小五金係包括焊料咁講，你有冇曾經話同例如何標記或者總承建商嗰邊問過話「呢啲係用啲咩嘢料？」有冇曾經覺得有需要問過呢樣嘢？

F

G

G

H

答：通常我哋做持牌人就啲小五金係冇得問--唔需要問。

H

I

問：就唔理嘅？就唔理嘅？

I

J

答：唔需要問。

J

K

問：唔需要問，好。你今朝--我哋講過，就係我問你同埋主席都有問過你，就係關於你 2010 年即係遞咗呢一個辭職信之後有做過幾多個工程係你要負責例如搵牌，即係去簽呢啲水紙嘅，你有答過我哋就係話應該有兩、三個，係咪呀？包括啟晴，有兩、三個？

K

L

L

M

答：係，兩、三個，做唔完...

M

N

問：係咪呀？

N

O

答：因為我已經入醫院，即係冇得再做喇。

O

P

問：明白，我想你睇一睇就係呢個 F3 --唔好意思，應該係 F2 嘅 1340，F2 1340 就係就住呢個中國建築嘅一啲工程項目，而嗰啲項目就即係冇被呢個鉛水事件影響嘅一啲屋邨嚟嘅。我哋睇下呢個表入面所講，林生，你睇一睇第 10 項嗰度，一個美東邨，睇到嘛？

P

Q

Q

R

答：唔。

R

S

問：寫住持牌水喉匠都係你林德深本人嘅，你記得呢個工程嘛？

S

T

答：記得。

T

U

問：呢個工程係咪都係你遞咗嗰個辭職信之後一路有做，呢個？

U

V

答：我要睇番--我搵唔到呢個表格出嚟。

V

B

B

C

問：好，唔緊要，我哋睇下其他啲嘢，好唔好呀？

C

D

答：唔。

D

E

問：12，元州邨第五期，2012年，記唔記得呢個工程？

E

F

答：呢個係記得嘅。

F

G

問：記唔記得？

G

H

答：唔。

H

I

問：記得？

I

J

答：係。

J

問：呢個都係應該係--我哋就咁睇呢個表嘅資料，就應該都係你遞咗辭職信之後負責嘅工程嚟㗎，同唔同意？

K

答：因為呢啲係簽咗，未轉到持牌人。

K

L

問：未轉到持牌人，係咪呀？

L

M

答：係，係。

M

N

問：但係呢一個你亦都係--即係以你嘅講法就係喺同何標記遞咗辭職信之後，即係你哋啲啲按件去做嘅安排嘅情況㗎，係咪呀？

N

O

答：係。

O

P

問：好喇，另外一個13，油塘嗰個社區會堂，記得嘛？

P

Q

答：13嗰個油塘嘅？

Q

R

問：係喇。

R

S

答：係...

S

T

問：2012年嘅，都係你遞咗辭職信之後。

T

U

答：唔係，即係你嗰個寫話同我嗰個簽嗰個講法係兩個地址㗎，一個係油塘嘅大本營。

U

V

V

B

B

C

問：都唔緊要喇，總之而家即係我哋嘅認識，有關油塘嗰個社區會堂所做嘅工程，係咪呀？

C

D

答：係。

D

E

問：呢個你都記得喎 2012 年都係按照嗰個斷件計嗰個情況去做嘅，係咪呀？

E

F

答：係。

F

G

問：好喇，睇下呢個 15，晴朗嘅呢個 shopping mall，睇到嘛，15 嗰度？

G

H

答：係。

H

I

問：呢個亦都係同何標記又係用斷件計嗰個情況去做，係咪？

I

J

答：都係簽落咗，佢未搵到持牌人之前，我要幫佢...

J

K

問：都係咁嘅形式？

K

L

答：...賴番手尾咁嘅啫。

L

M

問：咁亦都係--即係都係咁講，都係你 2012 年辭咗職之後其中一個工程嚟，係咪呀？

M

N

答：係喇，係，係。

N

O

問：16 都係喇，水泉澳邨第一期，記得嘛？

O

P

答：係，冇錯，係。

P

Q

問：似乎就咁睇呢個表就多過你同我哋講話兩、三單嘞，即係好似...

Q

R

答：唔係，嗰個情況咁樣，唔係兩、三單，而家仲有，唔只咁多，我因為叫佢畀咗信，我話「唔再做，你要搵持牌人接手番我啲。」佢就第三期、第四期就轉咗個持牌人，轉咗之後，又唔好彩，個持牌人又為咗啲問題又唔撈，佢轉幾轉唔到，我就...

R

S

S

T

問：又去返番嚟你度？

T

U

答：佢就話「你有咩嘢咪同我講」。

U

V

V

B

B

C

問：即係最後都係你負責番嘅意思，係咪呀？

C

D

答：即係話未轉到持牌人嘅，我個承諾就係話「如果乜嘢，你有犯錯，我就幫你手」。

D

E

問：好，啱啱我哋睇呢個表，我講嗰幾個項目都係 2010 年之後，都係斷件計嗰個做法，我想問下你每個項目係咪都係話畀番你 40,000 釐咁呀？

E

F

F

G

答：40,000 釐啫。

G

H

問：每個項目都係？

H

I

答：唔理你簽幾多座，六座、八座、十座都係 40,000 釐。

I

J

問：咪住先，即係啱啱我哋睇咗有四、五個項目，即係你係講緊四、五個咁多個包埋，都係淨係畀你 40,000 釐嘅啫，就唔係每個 40,000 釐？

J

K

答：一個 40,000。

K

L

問：吓？

L

M

答：一單 40,000。

M

N

問：一單 40,000，係咪呀？

N

O

答：係喇，冇錯。

O

P

問：好，okay，得，好。我就想你另外睇一睇 H1，H1 嘅 121 頁，呢個係瑞安就提出嘅一個表，就係講番都係就住一啲冇影響到嘅屋邨嘅一個撮要個表嚟嘅。我哋又睇一睇呢度，你見到呢個表最右面嗰欄就寫住“Licensed Plumbers”，睇到嘛？

P

Q

答：係。

Q

R

問：即係持牌水喉匠，如果我哋--林生，我哋又睇一睇第 5 項目嗰度，藍田邨，睇到嘛？

R

S

S

T

答：係。

T

U

問：呢個就係一個瑞安項目嚟嘅，講緊水喉工程就寫咗你係個持牌水喉匠嘅，呢個記得嘛呢個？

U

V

V

B

B

C

答：記得。

C

D

問：記得。好喇，如果我哋再睇落啲，睇下呢個第 7 項，葵聯邨第一期，睇到嘛？

D

E

答：唔。

E

F

問：2011 年水喉工程，都係寫住你林德深，睇到嘛？

F

G

答：係。

G

H

問：第 8，呢個應該係油麗邨，睇到嘛？

H

I

答：係。

I

J

問：又係啲，係咪呀？

J

K

答：唔。

K

L

問：第 9，油麗商場，睇到嘛？

L

M

答：唔。

M

N

問：都係你做持牌水喉匠。善明邨，第 10，睇到嘛？D10，睇到嘛？

N

O

答：係。

O

P

問：都係林生你。跟住石硤尾邨第五期，林生，跟住就龍逸邨又係林生你嘅。呢度都係--呢啲，即係如果我哋講緊 2010 年之後嘅呢啲工程，如果有寫到你嘅名作為持牌水喉匠呢啲咁嘅項目都係你同何標記，係咪--以你嘅講法，就係以呢個斷件計嗰個形式又係咁樣去做，係咪呀？

P

Q

答：係，係。

Q

R

問：亦都係每一個工程 40,000 釐，係咪呀？係咪呀？

R

S

答：係，係。

S

T

問：係，好。

T

U

答：唔係，有啲就 20,000，有啲就 40,000 啫。

U

V

V

B

B

C

問：吓？有啲 20,000？

C

D

答：係，即係 20,000 嘅就好--即係得個公園仔咁。

D

E

問：即係小型啲嘅就 20,000？

E

F

答：係。

F

G

問：大型啲就 40,000？

G

H

答：係。

H

I

問：都係咁上下，即係都係用一個形式喇？

I

J

答：係。

J

問：好，即係話呢度咁睇，好鬼多嘍喎，即係成十，再加埋啟晴、葵聯，就超過十個嘍囉喎，就唔只你今朝...

K

答：唔係，你一幾年到 13 年呀，你講緊係？

K

L

問：係呀，今朝我哋問你...

L

M

答：即係佢入紙唔係入紙嗰日就係嗰日完。

M

N

問：係，我知道，但係我哋今朝問你係話由 2010 年開始到 2015 年，你負責過幾多個，你就話兩至三個，而家睇嚟似乎多好多，係咪呀？

N

O

答：即係咁樣講，嗰個係 13 年即係簽落嘅，離咗職嘅，但係嗰啲入咗紙嗰啲就唔繼續，其他唔入紙嗰啲就唔再玩喇。

O

P

Q

問：好，唔緊要，我哋又睇下另外一個課題。剛才我哋討論過你主要個工作，主要個工作，第一，就係入呢個 WWO 嗰個表格，係咪？即係呢個係你其中一個最主要工作，但係如果睇番文件嚟講，同水務署嗰個溝通嚟講，你另外一個工作都係要睇個水錶位，係咪呀？嗰個都係你其中一個重要工作嚟嘅，係咪？

Q

R

R

S

答：係，冇錯。

S

T

問：至於你話喺現場，喺現場個地盤嗰度，我想問一問你，就係你話會有一個月左右嘅時間就每次上--即係每個禮拜上去四、五次嘅咁樣--四、五日嘅，第一，我想問下你，監督嗰啲咁嘅水喉工程係咪你工作

T

U

U

V

V

B

B

C

範圍裏面？即係監督啲工人點樣去做水喉工程係咪你個工範圍？

C

D

答：監督水喉技工做嘢就唔係我做。

D

E

問：即係技工做嘅嘢就唔係你嘅範圍之內？

E

F

答：因為我唔係管進度，唔係教佢安裝，佢哋係去現場裏邊啲有特殊嘅情況係解決唔到嘅，我哋先至上去睇下佢點樣可以做得啱個例嘅啫。

F

G

問：明白。今朝我同你討論過個法例入面對你哋持牌水喉匠嗰個工作嗰個範圍，即係你哋責任範圍都有佢個訂明嘅？

G

H

答：係。

H

I

問：另外亦都有啲 circular 係咁訂咗嘅。

I

J

答：係，係，係。

J

K

問：似乎無論嗰個法例跟咗，定係個 circular 我哋去跟都好，你起碼都有個責任--睇下你同唔同意，起碼都有個責任就係去監督嗰現場地盤嗰個做水喉嗰個工程，起碼你都要監督呢樣嘢嘅，呢樣嘢你同唔同意？

K

L

M

答：我都有份持牌水喉匠做嘢嘅工作過程嘅，我自己寫咗，就係冇畀你哋嘅，就係話我因為嗰個施工期，因為佢又預製件一路一路上，係冇嘢做嘅，要嗰呢個大約要十個月後至一年後，佢先至開始做樣辦房做嘢。

M

N

N

O

問：係，啱。

O

P

答：變咗我去嗰個地盤做工嗰時，只得個係四個月至五個月工期，我可以睇到嘢嘅啫，就係咁樣。

P

Q

問：喺嗰四、五個月就有水喉工人...

Q

R

答：裝嘢喇。

R

S

問：...積極地去做安裝水喉嘅工作，係咪？

S

T

答：係喇，冇錯，係。

T

U

問：喺你講嗰四、五個月，如果你落去個地盤嗰度嘅，我想問你嘅就係你

U

V

V

A
B
C
D
E
F
G
H
I
J
K
L
M
N
O
P
Q
R
S
T
U
V

A
B
C
D
E
F
G
H
I
J
K
L
M
N
O
P
Q
R
S
T
U
V

個職責，你嘅責任係咪需要都睇下啲工程做得妥唔妥當，啲工人個個工藝做得好唔好，呢樣係咪你嘅責任範圍之內呢？

答：呢個就係跟進佢嘅圖紙嘅施工，同埋佢啲師傅做嘅嘢有冇抵觸法例，就係同埋佢哋有冇安裝上有即係誤解咗水務局嘅收貨要求，我哋就去嗰度糾正佢嘅啫。

問：好，你咁講呢，即係我個問題其實就好簡單，就係話一般嚟講，你去到現場要睇，你要睇--你去監督嘅時候，你嘅責任係咪包括咗去睇下嗰啲水喉工程、啲工人嘅工作係咪做得妥當、符合標準，呢個係咪你有責任去睇嘅？我想問你呢樣嘢。

答：呢個有。

問：有責任去睇嘅。好，如果係咁講，喺 Q1 嗰度，我想問番就係你其中有一封寫畀水務署嘅信，就同你想釐清下嘅啫，Q1 嘅第 19 頁，第 19 頁就係 2015 年 8 月 3 號你寫畀水務署嘅一封信嚟嘅，當時就係佢嗰度調查嗰件事，同水務署。呢度你就話「本人林德深持牌水喉匠只負責入紙申報水務署工作，受僱於何標記水喉公司，角色是工人。」停一停，呢度係咪唔係好啱呢，你咁講，如果你個角色只是工人嘅話，就唔係好啱囉喎，因為你剛才都同我講過話你都係需要做一個監督嘅工作嘅，你同唔同意？

答：就咁樣講，我哋係同佢做呢件嘢，根本上我哋就係工人嚟，我唔係老細，即係我係同佢簽嘅，只不過係佢嗰個--佢畀水務局嘅手續嚟嘅。

問：好，我明你嘅講法，你唔係老細，係咪呀？

答：唔。

問：但係我嘅問題就係話如果你講你只是工人角色，又似乎唔係咁啱，因為你係持牌水喉匠，有你個既定法例底下要求嘅責任嚟嘅嘢？

答：啱，你講得啱，因為我哋去到 site 開會，我哋只不過係打上去只係負責都係水務嘅持牌人嚟嘅啫，我角色都係上班嘅。

問：角色係咩嘢話？

答：係上班㗎嘛。

問：上班嘅？

B

B

C

答：係喇，就咁簡單。

C

D

問：上班，即係你嘅意思就係話你嘅角色就係同一般工人有分別？

D

E

答：有分別嘅，因為我仲要返去寫字樓做文件，又要去水務局，係好多，
個角色唔係 full time 嘅度。

E

F

問：Full time 唔 full time 並不是問題嘅重點嚟嘅，重點就係你有填
過張表格 WWO46，嗰張表格係你個身分先填到㗎嘛。

F

G

答：係呀。

G

H

問：一般工人係填唔到，同意嘛？

H

I

答：係。

I

J

問：同意嘛？係咪呀？

J

K

答：（沒有可聽到的回答）

K

L

問：如果係咁嘅話，你有資格填嗰張 form，我剛才問你，就係你都係需
要接受某啲個個責任㗎？

L

M

答：係。

M

N

問：你都同我講，就係一般嚟講，你都係需要睇住監督住嗰個工程㗎？

N

O

答：係，都要嘅，係。

O

P

問：係咪？

P

Q

問：所以係咪咁講，你就並不是只是工人，係咪呀？即係你都要監督工人
做嘅嘢㗎嘍？

Q

R

答：但係我喺佢哋嘅裏邊，我就係一個工人嘅身份嘅咋，我唔係咩嘢工程
師，咩嘢、咩嘢、咩嘢...

R

T

T

U

主席：你可能係一個工人嘅身分，不過工人身分裏面都有唔同嘅種類，判
頭都係工人嚟㗎，不過判頭要睇住下面嗰班人做嘢㗎？

U

V

V

B

B

C

答：呢個我都頭先都講過，我都係...

C

D

主席：係咪？

D

E

答：...即係簽牌嘅工作嘅工人。

E

F

主席：即係你嘅工作就係負責簽字嘅啫，係咪？

F

G

答：係，冇錯，係，係。

G

H

主席：就唔係負責監督工人嘅進度，即係理論上你嘅角色就係技術顧問？

H

I

答：係，冇錯，冇錯。

I

J

主席：技術顧問？

J

K

答：係。

K

L

主席：得，好。

L

M

許偉強先生：好，唔該。

M

N

問：睇番呢個 19 頁，呢個係 2015 年 8 月 3 號所講，係咪？都係呢大概五、六個月嘅事嚟嘅啫，呢度你第一句都係話「受僱於何標記水喉公司」，都有特別講到話「我其實已經辭咗職，我同佢嗰個關係唔同咗喇。」你又冇特別去講明呢樣嘢嗎。

N

O

O

P

答：呢個我就即係疏忽咗，其實就係實際上文件係有辭職嘅。

P

Q

問：係有嘅。好，再問多你一樣嘢，就係如果你睇番呢個 14810，14810 就係你畀水務署另外一封信嚟嘅，呢個就係再早期少少，7 月份嘅時候，即係鉛水事件啱啱曝光咗冇幾耐嘅時候，你畀水務署嘅信嚟嘅，林生，睇到嘛？

Q

R

R

S

答：唔。

S

T

問：一封英文信嚟嘅，14810，14810 --唔好意思，C19.7 14810。

T

U

答：係。係，唔該你。

U

V

V

B

B

C

問：呢個英文信，7月11號2015年，睇到嘛，林生？

C

D

答：睇到。

D

E

問：我想問，首先我想問一問你，呢個係咪你嘅手筆嚟㗎？即係你自己寫㗎，呢樣嘢，定係你搵人幫手寫？

E

F

答：即係我咁樣，我就搵啲同事幫我執過佢，我講清楚晒成個故事。

F

G

問：搵同事係搵何標記嘅同事定係搵邊度同事？

G

H

答：我哋啲舊同事，唔係何標記。

H

I

問：唔係何標記，即係你以前做開嘅同事，係咪呀？

I

J

答：係。

J

K

問：好，即係你講，佢就幫你寫番低係英文咁樣？

K

L

答：係。

L

M

問：我諗你都可以識睇到大致上講咩嘢嘅，或者我哋睇一睇第一段先，好唔好呀？

M

N

答：好。

N

O

問：你呢度就講話香港嘅持牌水喉匠就淨係負責香港嘅水喉工程嘅，呢度你應該係講緊啲預製組件嘅問題嘅，應該。

O

P

答：唔，唔。

P

Q

問：呢度就話“*For all the plumbing works being installed inside the pre-fabricated concrete which the production are carried out in mainland China*”，即係話如果有啲預製組件係有關水喉嘅工程，就如果係嗰個製造係喺內地進行嘅話，呢度你就話「我哋作為香港持牌水喉匠，就唔負責㗎喇。」呢度係咁講嘅？

Q

T

答：係。

T

U

問：你之前都講過話，用個例子，即係話「你香港有車牌，你上到內地都唔可以揸喇。」咁樣，係咪？

U

V

V

B

B

C

答：（沒有可聽到的回答）

C

D

D

E

E

F

F

G

G

H

H

I

I

J

J

K

K

L

L

M

M

N

N

O

O

P

P

Q

Q

R

R

S

S

T

T

U

U

V

V

問：好喇，我哋跟住嗰段，呢個就係籠統啲嘅說法，就唔係淨係講--似乎就我嘅睇去，就似乎唔係淨係講預製組件嘅，呢個係一個一般嚟講嘅情況嚟嘅。你呢度就話“Any irregularities to the Hong Kong Waterworks Standard Requirements for plumbing installation in the building of the Housing Estates which may be found will not be our responsibility.”呢度似乎你就講緊話如果有啲乜嘢係同香港水務嗰個標準係有誤差嘅，就唔係你哋嘅責任，你呢度，我想搞清楚先，你呢度都係仲係講番嗰啲預製組件咩，定係你係籠統一般性嘅講法？

答：我哋做過金門建築大陸嘅工程，我哋所有香港人喺上高係唔可以用我哋自己嘅牌嚟做任何嘢嘅。

問：明白。

答：喺大陸係要經過監理公司，所有中國嘅法例就係咁樣，我哋唔可以違規嘅，就係咁樣啫。

問：好喇，我問番你個問題先，可能你未清楚我個問題。第一段你就係講緊話「預製組件喺大陸做，就唔關我事，我係香港持牌水喉匠啫，我唔係內地持牌水喉匠」...

答：係，冇錯。

問：...「所以點關我事呢？」第二段，呢度你講係話「任何一啲如果係喺嗰個屋邨入面進行嘅工程，而如果嗰啲水喉工程係同水務署嗰個標準有落差嘅，我都唔負責㗎喇。」你呢度係就住嗰個預製組件嚟講咩，定係講緊一般嘅情況？

答：離開境外嘅嘢就係我哋做唔到。

問：好喇，即係所以你呢度都係講緊即係境外、境內嗰個分別嘅，係咪呀？

答：係，冇錯。

問：如果你係境內嘅，即係話如果你係喺香港入面進行個工程，冇內地工程嘅，全部喺香港進行嘅，啲水喉工程，你哋要負責㗎嘛，你作為持牌水喉匠，係咪？

答：就呢個負責程度有兩種，一種，如果係隱閉嘅，就係房署自己收貨。

B

B

C

問：睇下先，隱閉呀？

C

D

答：即係話藏喺牆嘅裏邊嘅嘢。

D

E

問：牆內。

E

F

答：或者係 underground 嘅嘢。

F

G

問：或者 underground 嘅嘢？

G

H

答：係。

H

I

問：咁就係咩嘢話？

I

J

答：屬於房屋署自己收貨。

J

K

問：房屋署自己收貨？

K

L

答：就水務署係唔需要做嘅。

L

M

問：嗰啲工程，你作為持牌水喉匠，你有冇責任去監督嘅呢？

M

N

答：我係簽唔到名。

N

O

問：簽唔到名同你係咪有--即係簽唔到名一件事，你...

O

P

答：因為我個牌水務局係有好澄清㗎，隱閉嘅嘢係要經過則師係豁免嘅，寫 undertake 嘅係佢做--佢負責晒嘅，係則師簽名嘅。

P

Q

問：係則師簽名嘅？

Q

R

答：係呀。

R

S

問：你呢個喺邊度睇番嚟？

S

T

答：不鏽全香港幾十年都係咁做。

T

U

問：唔係，喺邊度睇番嚟？

U

V

答：好似頭先嗰度有兩封信，英文嘅信就係包括喺裏邊嘅，叫做豁免㗎畀佢嘅，水務局嘅嘢嚟嘅。

V

問：你而家係咪可以搵到嗰兩封信出嚟？

B

B

C

答：搵到。係，呢兩封，唔該你。

C

D

問：好。

D

E

許偉強先生：或者可唔可以休息十分鐘？我想睇一睇呢兩封。

E

F

主席：好呀。

F

G

許偉強先生：佢講緊嘅係更新嘅文件嘅入面有一張好似有張 memo 咁嘅。

G

H

主席：係，係，我見過。

H

I

許偉強先生：應該有兩張類似嗰個顏色嘅。

I

J

主席：係，或者我哋休息十分鐘先。

J

K

許偉強先生：好，唔該。

K

L

下午 3 時 33 分聆訊押後

L

M

下午 3 時 50 分恢復聆訊

M

N

出席人士如前。

N

O

O

P

證人：林德深（何標記前僱員（持牌水喉匠）（啟晴邨和葵聯邨第二期））

P

宣誓繼續作供

Q

許偉強先生繼續主問

Q

R

問：林生，我哋睇一睇你啱啱休息之前提及過嗰兩份文件先。第一份文件，我哋知道就係你今日遞交嗰個一啲進一步嘅文件，其中喺你嘅話更新最新口供資料嗰一查文件入面就有一張係一個 memo 嘅，1989 年 5 月 22 號，睇到嘛？

R

S

S

T

答：唔。

T

U

問：就係呢一張，我哋先睇一睇呢一張先，呢一張就係水務署嘅應該係佢哋嘅--係喇，“Regional Administration”，即係你行政嗰方面

U

V

V

B

B

C

發出嘅一封文件嚟嘅，呢度係咁講嘅--首先我想問下，呢個文件你收過嘅，係咪呀？即係你有...

C

D

答：我有收過。

D

E

問：你有收過，你何來得到呢份文件嘅呢？

E

F

答：因為地盤裏邊講，而家水務局係制止，唔畀佢哋做呢個驗收工作，佢畀個 copy 我，叫我留意下需唔需要申報嘅嘢要做番。

F

G

問：喺當時，即係直情係 1989 年嗰陣時你已經收到有呢個文件，定係你最近先收到？

G

H

答：喺呢封信佢出咗之後三個禮拜後，我先有。

H

I

問：即係都係嗰個年份嗰陣時收到嘅？好多年前收到㗎喇，係咪呀？

I

J

答：係，冇錯。

J

K

問：好喇，我哋睇一睇呢份文件，呢份文件就寫住就係“Installation of Fire Service”同埋“Inside Service”，即係話防火嗰啲設備同埋內部供水系統嗰啲設備嘅安裝。呢度係咁講“It has been an existing Waterworks requirement that all underground pipework must be inspected by staff of this department”，即係話現有嗰個要求就係所有嗰啲地下嘅喉管都先要得到呢個水務署嘅檢視嘅，inspect 嘅，“before it was backfilled or covered up”，即係佢被埋番嗰啲窿嘅之前，就要檢視咗先嘅，等水務署嗰啲人員檢視嘅。

K

L

L

M

M

N

N

O

O

P

呢度就話最後一句，第一段，“This requirement extends to all projects including those administered by Government department.”，即係話包括咗政府部門嘅 projects，都要做呢個程序，係咪？

P

Q

Q

R

答：係，冇錯。

R

S

問：好喇，跟住呢個咁嘅 memo 個作用就係喺第 2 段嗰度主要，就話由而家開始，即時生效，就係“this requirement of inspection is exempted for Government projects which are administered by Government architects/engineers or their consultants.”，即係話呢啲咁樣個所謂審視嗰個要求，檢

S

T

T

U

U

V

V

A
B
C
D
E
F
G
H
I
J
K
L
M
N
O
P
Q
R
S
T
U
V

A
B
C
D
E
F
G
H
I
J
K
L
M
N
O
P
Q
R
S
T
U
V

視嘅要求就而家唔需要，就如果係政府嘅 projects，就唔需要做，如果政府佢哋自己會派啲 architects，即係則師、工程師等等，佢哋嘅顧問，如果佢哋去睇咗嘅，咁就信佢哋喇。

答：係，冇錯。

問：信佢哋睇喇，變咗就 government projects 就唔需要好似以前咁，就話啲地下喉管要喺埋番啲地下工作之前，就要水務署嘅人嚟到去審視嘅，唔需要喇。即係呢個都係因為政府工程，信得過政府啲則師，信得過佢哋工程師，所以就唔需要水務署特別派人嚟再做檢視，係咪呀？即係呢個你都明白係咁嘅意思？

答：係，冇錯。

問：好，呢一個文件就有特別話講話就住啲個持牌水喉匠佢哋本身啲個責任問題係點作出任何嘅修訂或者作出任何嘅另外嘅要求嘅，呢份文件有講啲嘛？

答：呢個係佢哋內部嘅 memo 嚟嘅。

問：係，即係冇特別就住你哋作為持牌水喉匠個工作範圍、責任範圍作出任何更新或者修改，冇，係咪呀？

答：佢個見解，我哋都問過水務署，佢哋就話以前係畀佢豁免嘅，而家就唔准。

問：好，即係呢個就係話政府工程就唔使水務署嚟到審視啫，呢個文件就係講呢樣嘢啫，係咪？

答：係，係，係。

問：好喇，我哋睇下第二份，就係講緊 9 月份，即係舊年 9 月，2015 年 9 月，係咪？

答：係。

問：呢份亦都係你剛才提及另外一份文件，呢個又係由水務署又發畀呢個房屋署嘅呢份文件，我哋又睇一睇佢講乜東東。呢個就係講水務規則第 6(3)，就係話就係啲咁嘅有關嘅防火嘅供水系統同埋內部供水系統就要經過水務署審視同埋批核，先至可以話開始用或者係 cover up 佢嘅咁樣，呢度就話所以佢哋就有啲中期嘅，就住呢啲地下喉管同埋啲隱閉咗嘅，好似你咁講，就係啲隱藏咗嘅喉管，就作一啲中期嘅

A
B
C
D
E
F
G
H
I
J
K
L
M
N
O
P
Q
R
S
T
U
VA
B
C
D
E
F
G
H
I
J
K
L
M
N
O
P
Q
R
S
T
U
V

檢視嘅，呢個水務署。

不過，"However, it has been our practice, as mentioned in our memo in WWO"啱啱我哋睇嗰個，1989年嗰個，就喺呢個memo就講，政府嘅projects就唔受到呢個約束嘅，即係政府嘅projects可以豁免咗呢一個咁嘅中期嘅呢個檢視嘅，都係咁講嘅，都係講番啱啱我哋睇嗰個memo講乜嘢。

好喇，呢度第2段就係咁講，我哋要記得呢個係鉛水事件曝光之後，即係9月份嘅事，呢度就話"Upon recent review"，即係最近我哋都覆核過呢個情況，"we find that whilst the Waterworks Ordinance does not bind the government, it binds the Housing Authority, which is a statutory body established under the Housing Ordinance."

"Accordingly"，所以，佢就話當"Housing Department applies to the Water Authority for water supply"，嗰啲咁嘅有關嘅"plumbing works should be inspected and approved in the same manner as those from other applicants governed by the Waterworks Ordinance and Waterworks Regulations."

好喇，後面最後一句，"Please therefore note that with immediate effect, the requirement of interim inspection of underground and concealed pipeworks before covering up applies to projects of the Housing Department when the Housing Department is acting in the capacity of an executive arm of the Housing Authority."

呢度就咁講，呢度就話嗰個咁嘅所謂豁免由而家開始就唔包房委會嗰啲咁嘅工程，「房委會嗰啲工程，我而家先旨聲明先」，呢個水務署嘅講法就係話，「由而家開始房委會嗰啲工程都要做呢啲咁嘅中期嘅檢測嘅」。

答：啱。

問：即係佢即係唔知內部官僚定係咩嘢，搞清楚，但係呢份嘢就係講出，就係話「房委會嗰啲，你就冇呢啲咁嘅豁免㗎喇，而家開始」。

答：係喇，冇錯，冇錯。

B

B

C

問：好，即係都係就係咁啫，都係講呢樣嘢啫，係咪？

C

D

答：係，冇錯。

D

E

問：呢份文件亦都有特別就去話就住你哋，即係作為持牌水喉匠嗰個咁嘅責任個範圍就作任何修訂或者作任何更嘅，同意嘛？

E

F

答：呢個我唔係好理解佢哋啲意思嘅，我只係知道係唔可以再畀佢豁免咁嘅啫。

F

G

問：好，得。睇完呢兩份，我哋又睇一睇另外一個課題，就係預製組件，係咪呀？

G

H

H

I

答：係。

I

J

問：預製組件，我哋知道就淨係適用喺啟晴邨嗰個工程項目嘅，係咪呀？啟晴邨嗰個項目入面係用預製組件嘅？

J

K

答：呢個我只係知一個啫，其他我唔知嘅。

K

L

問：好，好，我想問下你，就係喺你負責做啟晴邨呢個項目嘅時候，你係點樣得知有呢啲咁嘅預製組件係需要喺內地製造呢啲咁嘅嘢，你係點樣得知？

L

M

M

N

答：因為我就話呢啲嘢係要房署去入紙通知水務署嘅，呢個係手續佢哋要做，唔係我做。

N

O

問：首先，首先你最初得到呢個資訊，有關話啟晴邨嗰個項目要用預製組件呢樣嘢係邊個先話畀你聽，通知你？

O

P

答：呢個就係冇人同我講過，我只係知道佢哋就話--我話「如果你有咁嘅處理，要通知水務署嘞，你房委會」。

P

Q

問：邊個話畀你聽話？

Q

R

答：即係地盤啲工人話有啲係裝好咗嚟香港嘅，我話「呢樣唔得嘞，我係唔--同建築講我唔參與得呢個動作」。

R

S

S

T

問：明白。即係話你喺啟晴邨嗰個地盤實際嗰個工作嘅時候，有工人同你提及呢個預製組件呢個情況，你就得知，係咪呀？

T

U

答：係。

U

V

V

B

B

C

問：你當時知唔知道呢啲咁嘅預製組件係要喺內地生產，呢樣嘢？

C

D

答：唔清楚。

D

E

問：唔清楚。一路都唔知嘅？

E

F

答：知道嘅時候只係通知建築「你要同房署講清楚，同佢去水務署申請」。

F

G

問：即係話你及後就知道係內地生產嘅，係咪？係咪呀？

G

H

答：係。

H

I

問：知道咗之後，你嗰個立場就係話房署要同水務署申請呢樣嘢，係咪呀？

I

J

答：要去通知佢呢啲組件喺大陸做嘅。

J

K

問：你話要佢通知佢，係話叫房署通知水務署，係咪呀？

K

L

答：係，冇錯。

L

M

問：呢啲組件係喺內地做嘅，你就覺得唔關你事，係咪呀？如果大陸做嘅話。

M

N

答：我已經解釋咗，我就冇權去管佢點做。

N

O

問：好，你又知唔知佢哋當時喺內地搵啲乜嘢生產商或者佢哋搵咗啲咩嘢公司嚟做呢啲預製組件，何標記或者總承建商嘅人有冇同你講？

O

P

答：冇講過。

P

Q

問：冇講過，你都唔知間廠喺邊嘅？

Q

R

答：即係完全都有得問，因為我都唔--個製件點出嚟到香港，我只係知道啲，有喺度之嘛。

R

S

問：你講多次。

S

T

答：我只係知道佢個製件係嚟到，吊上樓嘅之嘛，乜都唔知。

T

U

問：吊上樓？

U

V

答：係。

V

B

B

C

問：總承建商或者何標記佢哋有同事，有啲伙記上過深圳嗰度同深圳嗰個廠去接洽，呢樣嘢你當時知唔知？

C

D

答：唔清楚，因為佢冇畀--冇任何安排，我係都唔知喺邊度有呢啲嘢送嚟。

D

E

問：即係冇話畀你聽？

E

F

答：冇話到。

F

G

問：你有冇去問呢，即係話「預製組件喺邊度做㗎」？

G

H

答：即係咁樣情況，我亦都唔清楚有冇第三者簽呢啲嘢，係大陸監理公司咁，抑或咩嘢公司，我都係冇權過問，都唔係我嘅責任。

H

I

問：好，你覺得--因為啲預製組件，我哋當佢哋--即係我哋知道就喺內地做嘅，但係喺邊度做都好，做完之後都係擺番嚟都係香港用㗎嘛，即係啲預製組件，係咪呀？

I

J

J

K

答：係，冇錯。

K

L

問：亦都包水喉嘅物料咁樣，係咪？

L

M

答：係。

M

N

問：如果你話佢哋內地做，嗰度唔關你事，但係呢啲咁嘅材料、預製組件做完之後擺番嚟喺香港用㗎嗰，你覺得你作為喺香港嘅一個持牌水喉匠，你有冇責任去到監督呢一啲咁嘅工程呢？

N

O

答：佢係嚟到返嚟，嗰個預製件㗎嗰裝嵌好晒，咩嘢喉都睇唔到㗎嗰。

O

P

問：乜嘢喉都睇唔到？

P

Q

答：係。

Q

R

問：你有冇話問下佢「嗰班人做用啲咩嘢喉㗎？用啲咩嘢物料」...

R

S

主席：唔係，點解你話咩嘢喉--我唔係好明點解你話咩嘢喉都睇唔到？

S

T

答：因為預製組件已經裝嵌咗，呢啲 group 好晒。

T

U

主席：呢啲但係房署嗰啲喉全部都外露嘅，只不過喺上面裝埋嗰啲喉嚟埋

U

V

V

B

B

C

上去啲石屎嘅外面之嘛。

C

D

答：唔係，唔係，唔係，係暗藏咗啲石屎嗰度。

D

E

主席：真係咁樣樣嘅咩？

E

F

答：係。

F

G

主席：抑或你嘅理解同我嘅理解有多少出入呢？

G

H

答：嗰啲我唔...

H

I

主席：唔係，實際上你有冇見過？

I

J

答：佢係...

主席：因為嗰個問題就係咁，我哋知道啟晴邨有部分嘅房口就係喺大陸裏面已經裝埋呢啲咁樣樣嘅水喉設施，有部分就係香港先至裝嘅，冇理由上面嗰啲同下面嗰啲唔同㗎？

J

K

答：唔係，佢咁樣，因為佢一路起，佢未曾實行係要咁裝嘅，但係有部分就係香港裝番嘅。

K

L

M

主席：你明咩嘛，所以如果係咁樣樣嘅話，就即係全部都係外露嘅，只不過有啲就係大陸已經裝咗外露，就成個運落嚟，有啲就係香港先至裝上去嘅啫，係咪咁呀？你明唔明呀？

M

N

N

O

答：呢個都明白。

O

P

主席：咁究竟係你嗰個啱吖，抑或我嗰個啱吖？因為我...

P

Q

答：其實佢其實兩種都有。

Q

R

主席：吓？

R

S

答：兩種都有。

S

T

主席：兩種都有？

T

U

答：係。

U

V

主席：內藏啲啲石屎裏面都有？

V

B

B

C

答：佢係香港嗰啲預製件未曾搞清楚之前就喺香港明裝嘅。

C

D

主席：實際上你知唔知究竟個情況係點嘍，林先生？

D

E

答：咁...

E

F

主席：因為我嘅理解，房署就好簡單，房署所有啲水喉都要外露嘅。

F

G

答：嗰啲我唔知佢個點樣，我只知道佢係裝...

G

H

主席：唔係，你做房署水喉嘍。

H

I

答：唔係，佢唔係喺嗰度安裝，我哋就管唔到嘅。

I

J

主席：唔係，我明，唔係香港裝你就唔監管，但係喺上--即係我嘅意思就好簡單嘅啫，因為我哋知道有啲樓層就喺香港做，有啲樓層就係喺內地做，冇理由喺香港做嗰啲樓層同大陸做嗰啲樓層會唔同嘍，係咪？出嚟嘅效果，即係出嚟嘅外觀，唔係個效果。

J

K

答：呢啲我唔敢話，我唔清楚，因為佢喺用大陸工人裝，我係 charge 唔到佢大陸嘅公司，亦都監管唔到佢哋嘅工人。

K

L

主席：你 charge 唔到，即係 charge 唔到即係錢銀上 charge 唔到？

L

M

答：我都有個費同佢去上大陸做嘢嘍。

M

N

主席：即係收唔到...

N

O

P

黎先生：管唔到。

P

Q

R

主席：即係收唔到錢？

R

S

答：即係冇錢畀我，我點解走去做呢？就係咁樣。

S

T

主席：得。

T

U

許偉強先生：好，唔該。

U

V

V

B

B

C

C

D

D

主席：咁所以就唔監管喇？

E

E

答：（沒有可聽到的回答）

F

F

主席：得。但係個問題係咁，林先生，到最後你要簽 WWO46 part IV 嘍
啲？

G

G

答：我哋就係已經通知咗房署，你要去話番畀水務局聽呢啲嘢大陸嚟嘅
嘢，就唔係我去報，我報唔到。

H

H

主席：你直情唔簽喇？

I

I

答：唉，嗰份表格攞唔到出嚟嘍嘛。

J

J

主席：點樣攞唔到出嚟呀？

K

K

答：應該通常就係房署要通知水務署嘅。

L

L

主席：我唔係好明，點樣攞唔到出嚟呀？即係因為人哋簽咗，你就一定
簽咗，抑或你簽咗，人哋一定要簽呀？即係點樣攞唔到出嚟呀？

M

M

答：即係嗰個部分唔係我管嘅，我唔會幫佢我係承擔呢個責任，係我...

N

N

主席：咁咪係囉，咁咪應該唔簽 part IV 囉。

O

O

答：Part IV 其實係成個 site 嘅。

P

P

主席：我知，你有一躉樓裏面譬如有三分一係內地做嘅，有六躉樓，你嘅
意思即係「因為有三分二我係要負責嘅，所以我就簽埋嗰三分一。」
係咪咁樣？

Q

Q

答：我係冇...

R

R

主席：即係你嘅意思咁樣，所以攞唔到出嚟？

S

S

答：因為我咁樣做，就成個 site 我諗都入唔到伙，因為嗰啲表格都申請
有含糊，變咗大家都冇。

T

T

主席：你咪由佢囉？

U

U

答：唉，由我又...

V

V

B

B

C

主席：啱唔啱呀？

C

D

答：第二個問題喇，即係我哋講咗畀佢聽，佢可能佢房署已經同水務局搞掂晒，我走去閒，話人哋冇做嘢呢。

D

E

主席：即係總之簽咗個名落去就算喇，係咪呀？係咪呀？

E

F

答：都有計㗎。

F

G

主席：冇計。

G

H

答：係。

H

I

問：好，跟進多一個問題，就係啱啱休息之前我都有問過你關於 2010 年你辭職嗰個原因，你有同我哋解釋過，就係話即係當時有好多咁嘅工程就係你遞交咗個物料個表格嗰個附件，但係及後有改動，你剛才畀我哋嗰個證供就係話如果嗰啲改動係則師如果係同咗水務署嗰度溝通咗嘅，你唔會有事，係咪呀？

I

J

J

K

K

L

答：當然喇，係。

L

M

問：我想問下，如果就算冇溝通，冇溝通到，改咗嘅，你就覺得因為你填咗嗰個最初步嗰個 46 嗰張 form 入面呈交咗嗰個附表，所以有改動，你都要負責嘅，係咪咁嘅意思？

M

N

N

O

答：咁樣講，因為首先改材料唔係持牌人都隨意去改嘅，係首先要經過總包同我公司認為需要更改，要同房署去攞申請，再 submission 所有嘅 material 嘅材料畀則師，同意咗，然後先至可以再申報任何規格嘅嘢嘅，即係好似呢個就係呢份嘢亦都畀咗你哋嘅，就係講到要我哋要點正式做，就係要水喉匠、則師、房署、建築一齊去搵呢個阿 Sir，AI，即係話「我哋而家呢個地盤有咁嘅動向，要做呢樣嘢。」通知咗阿 Sir，阿 Sir 先至即係你有幾多咁嘅嘢需要做，等阿 Sir 考慮過接唔接受你再入紙。

O

P

P

Q

Q

R

R

S

問：所以呢啲咁嘅情況，即係你都係其中一個係需要同番水務署去溝通嘅人，係咪呀？

S

T

答：係，冇錯。

T

U

問：所以如果你話你當時嘅擔心就係話如果呢啲咁嘅情況，AP 如果有同水

U

V

V

B

B

C

務署直接溝通嘅，你都會有責任嘅咁樣，係咪呀？

C

D

答：係入唔到。

D

E

問：好，我想問你，最後喇，就係你喺啲證人供詞都講，第一，你都話啲啲物料個採購就唔關你事，係咪呀？

E

F

答：係。

F

G

問：係何標記佢哋去做採購，係咪呀？

G

H

答：（沒有可聽到的回答）

H

I

問：我今日都問過你，就係就住啲啲列表，即係話 form 46 入面你所講啲啲物料、部件，你今日就同我哋講，就係話如果水務署有 cert. 嘅，有 cert. 到啲啲嘅，你都唔要負責，你淨係負責佢有 cert. 啲啲咁嘅物料嘅之嘛，係咪？係咪呀？

I

J

答：係。

J

K

問：好喇，所以喺就嗰個呈交 46 嗰個過程，你唔覺得你有啲咩嘢做錯㗎？

K

L

答：就咁樣，如果我喺呈報 046 part I、II 嘅時候，水務署嘅高級人士就會通知我嘅，「你而家呢份表格係唔完整。」佢會出一個 order 畀我，叫我去澄清啲問題，再改番個表格。

L

M

M

N

問：就住啟晴同埋葵聯呢兩個項目，嗰個表格你呈交咗，都有問題？

N

O

答：都唔係㗎，佢猛咁發過嚟，發到--都發十幾次嘅，都問唔中都會。

O

P

問：即係就住你嘅表格，都好多查問嘅？

P

Q

答：係，冇錯。

Q

R

問：係咪都係就番你嗰個附表入面啲啲用啲啲材料？

R

S

答：係，冇錯，冇錯。

S

T

問：好，跟住你就向佢哋解釋番，係咪呀？

T

U

答：係，要我哋持牌人，即係好似呢份嘢，水務局話「我唔明白你啲咩嘢嚟㗎，你整啲咁嘅嘢。」就叫我就要用書面，佢有撥送畀房署收嘅，

U

V

V

B

B

C

我就睇到佢嗰個要求，我哋就要好快執番晒啲嘢，再 send 番畀水務署，解決呢個問題。

C

D

問：好，我想問下你，就係嗰啲物料，即係要交樣辦畀房署做批核，呢個過程你知咩？即係我今朝問過你。

D

E

答：唔係我做。

E

F

問：我知唔係你做，你知道有呢個過程嘅，係咪？

F

G

答：有。

G

H

問：好喇，批核咗物料，用啲咩嘢物料，房署批核咗，話咗畀總承建商聽，總承建商話咗畀何標記聽，...

H

I

答：係，冇錯。

I

J

問：...你喺何標記嗰度，你會唔會知道話批核咗邊啲咁嘅樣辦嘅物料係邊啲，你會唔會有個清單係知道邊啲批核咗？

J

K

答：房署就唔會畀我哋。

K

L

問：我知，房署唔會畀你，何標記會唔會有人畀你？

L

M

答：冇。

M

N

問：都冇嘅，係咪呀？

N

O

答：（沒有可聽到的回答）

O

P

問：好，你知道做每個工程都要辦房呢樣嘢㗎，水喉？

P

Q

答：辦房只不過係一個單位嘅嗰個 set up 嗰個喉路嗰個啲走勢嘅啫。

Q

R

問：冇錯，如果我哋講番啟晴同埋葵聯呢兩個屋邨嘅項目，做辦房嗰陣時，你有冇在場㗎度睇？

R

S

答：辦房就咁樣講，佢係做完晒，即係大家都建築同我哋都對過晒啲位置，都認為 okay，就通知房署嚟睇過個樣辦房。

S

T

問：你講嗰啲位置係咩嘢位置？

T

U

U

V

V

B

B

C

主席：唔係喎，我哋係講緊樣辦房，我哋講緊木--你而家講木板房抑或樣辦房？

C

D

答：佢係做個木板房，講錯咗。

D

E

主席：你而家講緊木板房，係咪呀？

E

F

答：係，唔好意思。

F

G

G

H

問：你話木板房驗過一啲位置，你係講緊咩嘢位置？

H

答：講啲喉路喺間屋點樣行嘅，即係咁嘅啫。

I

I

問：呢個係做完嗰個木板房之後，你哋去睇嘅？

J

J

答：係，水喉工人同埋建築佢都有問我哋如果咁樣做，有冇例嘅抵觸嘅啫。

K

K

問：唔係，我嘅意思係做咗個木板房，你有冇去睇過啱唔啱、收唔收貨咁呀？

L

L

答：去嗰度睇下佢意見，有冇抵觸法例。

M

M

問：唔係，唔係，唔係睇下有冇意見先，唔好講個意見住，你有冇親自去到現場...

N

N

答：有。

O

O

問：...睇下嗰個木板房「喂，掂唔掂呀」？

P

P

答：佢個木板房通常都唔係喺 site 做嘅，喺房署另外搵一個地方做。

Q

Q

問：喺房署另外一個地方做嘅？

R

R

答：係。

S

S

問：但係你會親自去睇嘅？

T

T

答：都會，佢車我哋去望一望，就有嘢睇。

U

U

問：好，樣辦房呢？

V

V

B

B

C

答：樣辦房就唔使我哋去睇。

C

D

問：唔使你哋去睇嘅？

D

E

答：係。

E

F

問：你亦都有睇過，係咪呀？

F

G

答：我哋係 critical，一路上...

G

H

問：睇圖，睇圖，你講？

H

I

答：睇 critical，...

I

J

石先生：Pit hole...

J

K

答：...即係佢裝幾多層唔係--睇下佢啲嘢齊晒未，試咗啱未，做完晒啲要求嘅嘢未。

K

L

M

問：好，我想你最後睇一睇你第二份證人口供，Q1 25。

M

N

答：係咪呢個？

N

O

問：最後嗰段，你話--即係你提及你個身體狀況，就每日要去醫院--每個星期要去醫院檢查，做物理治療，你話「鉛水事件對我個精神困擾實在太大」，呢度最後嗰度你係咁講嘅，「我本人唔想抵賴，我是有部分責任。」睇到嘛？

O

P

Q

答：係。

Q

R

問：可唔可以講一講你覺得你個責任何在？

R

S

答：即係個責任--即係咁樣講，就好鬼廣泛，又唔--即係都唔係話完全，即係就話個責任，出事嗰陣時就當然係好多人都指，就話喺--擘大--喺我度啲喇，但係有責任嘅人都係有好多，都唔係淨係我一個，即係我覺得即係監管上都係有個責任嘅，就唔係話我去擔當咩嘢責任，係講唔到，我都唔知點解釋。

S

T

U

V

U

V

B

B

C

問：責任你講話即係可能好多人都有責任，係咪？

C

D

答：係。

D

E

問：好多人喺監管上都可能會冇責任，係咪？

E

F

答：係。

F

G

問：呢個我哋最後個總結都會去調查呢件事出嚟嘅。

G

H

答：係，冇錯，冇錯，係。

H

I

問：我就想知，因為呢度你係記唔記得你本人，「我是有部分責任」，睇到嘛？

I

J

答：唔。

J

K

問：「我是有部分責任」，我想同你搞清楚，因為我唔想對你唔公平，即係你講咗你有部分責任，究竟你係講緊啲乜嘢責任呢？我都希望你係藉住今日你嘅口供，都說明下你所講「我是有部分責任」係咩嘢解？

K

L

答：即係責任上就可以咁講嘅，因為我唔係 full time 喺度，即係變咗工程上嗰個過失就係唔係話完全睇得晒嘅，即係話漏眼都有，即係唔係話完全我自己唔使負責嘅，我有抵賴到呢樣嘢。

L

M

N

問：你覺得你有啲乜嘢走漏眼呢？

N

O

答：嘩，就六棟樓幾千個單位，幾萬個閘掣，我都冇可能去逐個--即係唔好話去點樣跟，即係我都係以一種係監管係去巡視下，抽查下，即係亦都唔可能逐個睇得晒嘅。

O

P

Q

問：例如你覺得就住例如工人喺工程進行中究竟用咗啲咩嘢料，用咗啲咩嘢材料，即係包括焊料呢啲，你覺得你係咪有責任去睇嘅呢，呢方面？

Q

R

答：呢個問題就當然係會有。

R

S

T

許偉強先生：冇其他問題。

S

T

U

主席：有冇人想喺而家問問題？Mr Wong。

U

V

V

A
B
C
D
E
F
G
H
I
J
K
L
M
N
O
P
Q
R
S
T
U
V

A
B
C
D
E
F
G
H
I
J
K
L
M
N
O
P
Q
R
S
T
U
V

王先生盤問

問：林先生，我代表水務署嘅。

答：係，係。

問：我想問你幾個問，第一，我想睇番你嗰個 CV，你英文個 CV，Q1 12 頁。

答：係。

問：就英文嘅，所以你應該識英文㗎喇？

答：一部分睇到嘅，講。

問：“Key Data”嗰度，“Key Data”，你就話你就“Experienced in plumbing and drainage field. Well know the HK Government, HK Drainage Department and HK Water Supply Department requirements.”，即係其實你係對--你自己就話你自己對呢個水務署供水嗰個要求，嗰啲 requirement 你就好有經驗嘅，嘅要求，係咪呀？你自己咁講㗎嘛，係咪？

答：係。

問：今朝許大律師都問過你，你亦都知道嗰個焊料係要用無鉛嘅，你九幾年已經知，我而家帶你去睇 C19.7 14794，許大律師帶你去睇第 16 段，我想你睇第 14 段，「署方向林先生查訊，指他是否清楚知道水務署已禁止在焊接時，使用含鉛的焊接物料，林先生表示知道。」係咪？

答：係。

問：今朝都話大概係 90 年代你就知道呢樣嘢喇，90 年代？

答：即係大約嗰個時間。

問：嗰段時間，好喇，你亦都多次向調查委員會講你去巡查就睇下有冇抵觸法例，係咪？

答：就咁樣，我哋睇啲法例，就係講公廈安裝啲唔啲水務條例嘅，首先最

B

B

C

重要，同埋啲--好似你話個焊料嗰啲問題喇。

C

D

問：唔係焊料嘅問題。

D

E

答：唔係，唔係焊料嘅問題，都有去睇嘅。

E

F

問：係喇，其中一個要求，你話好 experienced 就係講焊料咁嘛？

F

G

問：你知道有呢一個要求，無鉛嘅要求咁嘛，咁...

G

H

答：呢個要求本身都係有。

H

I

問：係喇，咁你作為持牌水喉匠，你去監管呢個水喉工程嘅時候，你要知道佢係咪用無鉛嘅焊料，呢個係你嘅職責嚟嘅嗎？

I

J

答：就咁樣，阿 Sir，我講清楚啲，因為我哋公司畀嗰啲料去到地盤，𠵼𠵼𠵼都剪碎晒，咩嘢都睇唔到，淨係睇到條錫。

J

K

問：好，我就呢個題目，我需要再同你釐清一下，你睇前一頁，12 段，12 段第三行，「林先生指焊接物料是由其公司的採購部負責購買，故他認為並不適宜就該些焊接物料作出檢查，他亦不清楚焊接物料」嘅來源地。林先生，其實你就唔需要自己去做檢查，你問一問就得喇，係咪？你可以問嚟嗎，即係既然你又知道法例有要求係無鉛嘅，你又知道你嘅職責係要保證呢啲法例係符合嘅，有焊料...

K

L

L

M

M

N

N

O

答：就咁樣...

O

P

問：你等我問埋先。有焊料送到地盤，你知道工人用焊料嘅，其實好簡單，你唔需要做實驗，你問一問何標記，問一問你老闆「呢啲係咪無鉛？因為我要符合規定嚟嗎，你請我返嚟就係為咗符合規定嚟嗎。」第一，你有冇問過先？

P

Q

Q

R

答：所以我同你講，佢哋去做 submission，擺出呢啲材料單嗰啲咁嘅盒，包裝，okay 嚟嗎，我就係知道呢啲嘢。

R

S

S

T

問：等等先，一步步嚟。我個問題係你作為個持牌水喉匠，你有沒有問過何標記--你公司，就話「喂，好緊要嚟嗎，要用無鉛焊料，你而家送到嚟嗰啲要畀我工人用嗰啲焊料是否無鉛？」你有冇問過呢條問題先？

T

U

U

V

V

B

B

C

答：首先咁樣講，我以前信公司，因為佢嚟嗰啲料，佢真係個牌子個盒送嚟嘅貨係寫住無鉛嘅。

C

D

問：等等先，你即係話你係見過送貨嚟嗰啲物料個盒嗰度寫住「無鉛」嘅？

D

E

答：係喇，佢擺畀建築公司嗰度，就 submit 睇相嗰度𠵼嗱啲都有嘅。

E

F

問：但係你今朝回答許大律師嘅時候，好似係你講過，我可能記錯咗，所以你要改正我，如果我記錯咗，你嘅證供好似話你從來都有見過嗰個焊料，剪開晒㗎㗎。

F

G

G

H

答：唔係，唔係，唔係，你有啲誤會咗，阿 Sir。

H

I

問：唔好意思，你講你嘅答案係咩嘢？

I

J

答：我去到佢哋材料 submission 嘅單，係第一次我哋係一定見到嘅，佢係擺啲單係畀去建築搵去畀房署批嘅時候，係送貨嗰陣時第一次係完全見到晒有嘅。

J

K

K

L

問：停一停，即係話何標記向房委或者總承建商提供嗰個物料嘅樣辦，你見過嘅？

L

M

答：佢...

M

N

問：有冇見過？

N

O

答：有見過。

O

P

問：有見過，你見過，你知唔知嗰隻係乜嘢？

P

Q

答：嗰啲我唔記得。

Q

R

問：你見過，但係唔記得？

R

S

答：我唔係記住咁多嘢。

S

T

問：但係焊料得一隻咋㗎。

T

答：你叫我去--咁多牌子嘢，我點會記住喺度真係？我知道佢嚟嗰陣時，嗰啲材料係合格嘅，再裝上去點會有含鉛，我就唔理解。

U

問：一步一步嚟，喺何標記你公司上料畀房委嘅時候或者總建築商嘅時

U

V

V

A
B
C
D
E
F
G
H
I
J
K
L
M
N
O
P
Q
R
S
T
U
V

A
B
C
D
E
F
G
H
I
J
K
L
M
N
O
P
Q
R
S
T
U
V

候，你知道佢哋用邊隻牌子嘅物料嘅，係咪？頭先你講咗，你知嘅，你見過咩嘢？

答：我見過，但係牌子我就唔知佢咩嘢名，而家我諗唔起個名係乜嘢。

問：而家諗唔起唔緊要，但係當時你會--同埋如果你想知，你可以問何標記，係咪？問公司，係咪？公司上嚟嘛？

答：呢啲係由公司工程師 submit，我哋只不過係知道咗呢隻焊料係啱，合乎咗嘅，佢再燒上去，安裝咗唔同嘅嘢，我就唔清楚。

問：一步一步嚟，一步步嚟，你知道咗用邊隻，係咪？

答：（沒有可聽到的回答）

問：你知道有一個牌子係批准咗嘅？

答：係。

問：咁即係話--常理啫，就只係可以用呢一隻啫，就唔可以用第二隻嘅，如果唔係，唔使審批喇，啱唔啱？

答：我唔係做 submission，我只不過係即係有去--即係你買樣樣嘢，我哋都係有去睇啲啲 catalogue 係咪齊唔齊啲啲嘢嘅啫。

問：齊唔齊啲嘢，okay，我再問，既然你知道要用呢一種牌子或者呢個批准咗嘅物料嘅，你作為持牌水喉匠，你又知道呢個法例有抵觸啫，如果你唔用呢隻，抵觸法例啲啫，你簽文件就係要保證唔抵觸法例啫。

答：佢初初佢--我就唔知點講，因為佢睇啲個--去做 submission 啲啲嘢係全部 okay 嘅，但係你日後再變咗咩嘢雜質--當咗啲咩嘢牌子，我係管唔到。

問：林先生，你今朝有睇過個綠色啲卷嘢，許大律師有畀過你睇啲嘛？你今朝話未見過呢卷嘢啲啫，你今朝話從來未見過咁嘅牌子啲啫？

答：唔係，我見到啲時佢係做 submission 畀建築搵去畀房署嘅啫。

問：即係 submission 建築嘅時候，你就見過綠色呢卷嘢嘅？

答：有見過呢隻。

B

B

C

問：有見過呢隻？

C

D

答：但係係咪呢種--係咪呢隻牌子，我就唔敢講清楚係咪呢隻，因為我唔記得起個名。

D

E

問：Okay，好喇，我都係嗰個問題，你喺建築地盤嗰度，許大律師問過你，你見到工人燒焊㗎嘛，雖然係一個月之內你四、五個--一個禮拜去四、五次，你都見到佢哋燒焊㗎嘛？

E

F

F

G

答：（沒有可聽到的回答）

G

H

問：你又知道你嘅責任係要符合法例規則嘅，你又知道有個牌子係批咗嘅，你有冇話「我就係顧問㗎嘅，我就要睇下你符唔符合規例嘅。」你有冇去 check 下佢哋燒嗰啲--用嗰啲焊料係咩嘢焊料？

H

I

I

J

答：因為我都講過，何標記都講咗，佢所有嘅焊條㗎嘢咩剪碎好晒㗎喇，冇晒啲包裝，乜都冇嘅。

J

K

問：但係你係何標記嘅人㗎嘅嗎，如果你要問佢哋用咩嘢材料、乜嘢包裝，你問到㗎嗎，你唔係問唔到，啱唔啱？

K

L

答：呢啲我相信我就係即係見過一次。

L

M

問：你咩嘢話？

M

N

答：係見過一次嘅啫。

N

O

問：見過一次？

O

P

答：係。

P

Q

問：係咩嘢時候、咩嘢地方見過？

Q

R

答：個地盤開波嗰時。

R

S

問：地盤開波嘅時候？

S

T

答：係。

T

U

問：開波嘅時候幾時呀？地盤開工嗰陣時就...

U

V

答：嘩，咁...

V

B

B

C

問：...即係裝水喉嘅時候？

C

D

答：吓？

D

E

問：地盤開工，我想知係咩嘢時段開工呢？你所謂嘅開工係咩嘢時段呢？

E

F

答：起碼嗰座樓要起到二十層高。

F

G

王先生：主席，我仲有半個鐘嘅，你介唔介意我聽朝繼續？

G

H

主席：你聽朝繼續喇。

H

I

許偉強先生：主席、委員，有一樣嘢可能要同兩位匯報下嘅，就係因為我
I 哋上個禮拜結束嘅時候，我哋係處理緊梁先生嘅證供嘅，所以就今日
J 我哋處理咗林先生嘅證供，可能聽日佢都需要啲時間，但係因為我哋
K 收到啲消息，就係雋景周先生佢星期三就不能出席，所以我哋就安排
L 咗佢就聽日嚟嘅。

I

K

主席：佢淨係星期三唔得咩，抑或...

K

L

許偉強先生：佢就淨係講咗星期三唔得，我哋初時喺度預計緊個時間表嘅
M 時候，就諗住如果聽日可以完到林先生嘅口供，就即係開始周先生嘅
N 口供嘅，所以我就諗緊就打算就聽日林先生完咗之後，就開始周先生
O 嘅口供，完全先至到星期三可能...

L

M

M

N

主席：都得嘅。

N

O

許偉強先生：...先至繼續番梁先生嘅口供。

O

P

主席：都可以嘅。

P

Q

楊先生：主席，唔好意思，因為我星期四同星期五我有啲公職要做，所以
R 變咗問題就係--對唔住，我有兩個證人仲要完埋嘅，所以我原先係諗
S 住星期二同星期三可以原埋佢哋。

Q

R

R

S

主席：你咪搵另外嗰個，讀嘢之嘛，你都係，讀完嘢之後都係一、兩條問
T 題嘅啫，有啲咩嘢咁高難度呢，係咪呀？我哋聽朝早四點--對唔住，
U 10 點鐘再繼續。

S

T

T

U

U

V

V

B

B

C

2016年1月18日

C

D

下午4時32分聆訊押後

D

E

E

F

F

G

G

H

H

I

I

J

J

K

K

L

L

M

M

N

N

O

O

P

P

Q

Q

R

R

S

S

T

T

U

U

V

V

C Monday, 18 January 2016 C

(10.42 am)

D (Transcript of simultaneous interpretation D

E except where otherwise specified) E

F CHAIRMAN: Take the oath first, please.

F MR LAM TAK SUM (sworn) F

G CHAIRMAN: Mr Khaw. G

H Examination-in-chief by MR KHAW H

I MR KHAW: Mr Lam, I am counsel for the Commission. You are
I unrepresented here. I

J I would like to refer you to some of the documents J
K and the evidence that you have given to the Commission, K
L and I will be reading out the documents, and I will put L
M it to you whether you would like to adopt the documents M
N as evidence of the Commission. N

O Q1, page 10. On the bottom corner, there is a page O
P number, page 10. It is dated 28 October 2015, to P
Q Lo & Lo Solicitors firm. This is in fact the response Q
R to the Lo & Lo letter dated 16 October 2015. There are R
S 19 paragraphs. There is your signature there. S

Q A. Yes. Q

R Q. This is the first response that you made to us. R

S The second document is on page 24. This is dated S
T 10 December 2015. You have found it? T

T A. Yes. T

Q. This is dated 10 December 2015, and this is the response made to the Secretariat of the Commission.

A. Yes.

Q. This is another response to the questions, as part of your evidence. Can you see it?

A. Yes.

Q. There are two pages, 24 and 25. There is your signature there on page 25?

A. Yes.

Q. I am going to read out these two documents. Q1,

page 10, 28 October 2015 to Lo & Lo Solicitors firm:

"My response to the 19 questions to the letter dated 16 October 2015.

1) In relation to the two projects, I am a staff member of Ho Biu Kee, I am the licensed plumber and this is the capacity I worked in.

2) Between 2013 and 2014, I have been admitted to hospital a number of times and I had my left leg amputated at Tuen Mun Hospital in 2014, and I now have mobility impairment and I am on no-pay leave. I am a licensed plumber. Please refer to three pages of my CV. Please refer to the attached English letter dated 11 July 2015 (2 pages). Number 6 reads the same."

Please refer to page 15, that is the English letter you referred to.

A
B
C
D
E
F
G
H
I
J
K
L
M
N
O
P
Q
R
S
T
U
V

A
B
C
D
E
F
G
H
I
J
K
L
M
N
O
P
Q
R
S
T
U
V

Do you see it?

A. Yes.

Q. This is the English letter you referred to, dated 11 July 2015. On page 16, it bears your signature; can you see it?

A. Yes.

Q. Let's go back to page 10, paragraph 7.

"I am a licensed plumber. My CV, in my capacity under the employment of Ho Biu Kee (please refer to the attachment). I started has an apprentice."

There is an English CV and also a Chinese one. For the English one it is page 12, all the way to 13, and for the Chinese one, page 14.

"8) Please refer to the attached English letter, 11 July 2015."

We have already seen that.

"9) When I sat for the examination of the licensed plumber, there was no requirement or examination on heavy metal and I have never taken any courses in relation to heavy metal.

10) When I sat for the examination of the licensed plumber, there was no examination requirement for heavy metal and nor have I attended any heavy metal courses.

In relation to the water examination report sent to the Water Supplies Department, please refer to the

two-page attachment."

I think you will find that at pages 22 and 23.

"In relation to the report, there is no requirement for examination of heavy metal."

Can you see it?

A. Yes.

Q. That is the water examination report you have attached?

A. Yes.

Q. Let's go back to page 10, paragraph 11:

"Ho Biu Kee was responsible exclusively -- there is a dedicated department in Ho Biu Kee to prepare the material report which is submitted to the main contractor, and then submitted to the Housing Department for approval. When the main subcontractor received the approval letter from the HD -- well, it says, 'Been received, please refer to the English letter.'

12) Please refer to the English letter dated 11 July 2015.

13) It is the responsibility of the contract department and purchase department.

14) A reply dated 8 October 2015. Please refer to the attachment, two pages."

I think it's -- you are also referring to page 17, that is the record of interview dated 8 October; can you see that?

A. Yes.

Q. Paragraph 15:

"The contract department and purchase department of Ho Biu Kee was responsible for that. Please refer to the attachment dated 3 August 2015."

That is referring to pages 19 and 20, two letters addressed to the Water Supplies Department. Can you see them?

A. Yes.

Q. Paragraph 16:

"Please refer to the attachment dated 3 August 2015 (which is one page) and also the English letter dated 11 July 2015 (2 pages).

17) The site foreman of Ho Biu Kee was responsible for that, which is to inform the contractor, and then the work is handed over to the Housing Department for examination and acceptance. The water sample report was prepared by Ho Biu Kee and water examination report has been submitted to the WSD.

18) The plumbing workers have the relevant licences.

19) In the examination of plumbers, there is no examination requirement of heavy metals and there has been no courses on heavy metals, and there should not be solder strip used in the soldering connection because there is heavy metal. Plumbers don't know about heavy

metal problems and therefore, there is a loophole."

Let's refer to the next document, dated 10 December 2015, addressed to the Secretariat of COI from Lam Tak Sum.

"In relation to Kai Ching Estate and Kwai Luen Estate, excess lead in water, I am willing to be a witness.

Part 1.

1) Material is arranged by the purchase department and the boss of Ho Biu Kee, for the purchase of material and delivery to site.

2) I am only an employed licensed plumber of Ho Biu Kee.

3) In relation to material containing lead, I cannot tell whether the material contains heavy metal with inspection of my naked eye. I can only rely on the integrity of my company, because I have no power to conduct tests on the material.

4) When the material is sent to the site, the construction company will check them and then it will be checked by the Housing Department.

Part 2.

1) When there has been a notification of revision of material, but it is a long time ago, I cannot recall that, and if there are problems, the HD cannot sign for

WWO46 part IV, which is a certification of completion for licensed plumbers to submit to the WSD. When WWO46 part IV was submitted, the main contractor has a responsibility to follow up on whether the material report is in order. The main contractor would make arrangements for the HD to sign, to signify the certification.

2) When WSD received the report, that is part IV of WWO46, they would make arrangements to conduct inspection and examination and acceptance, and at that time the licensed person did not receive any report of points being deducted, WWO1008, and the WSD has also issued WWO46 part V, 1005 water supplies certificate. The architect and the LP also received part V of WWO46 issued by the WSD.

3) At the beginning of the work, the original parts I and II of WWO46 has not been revised, and has been approved by the HD. If at a later stage there has been some deviation of plans or material, the HD engineer will talk to the WSD. In this case, then application can be waived.

Part 3.

1) WWO46 parts I and II, the architect and the HD have already signed them and given them to the LP and then it is submitted to the WSD and it's approved by the

WSD, and part III of WWO46 has been signed.

2) In relation to why the construction company Ho Biu Kee did not follow the schedule of parts I and II of WWO46 in the purchase of material.

3) The sanitary appliances and taps were the responsibility of the construction company. In relation to valves and the taps, it was the responsibility of Ho Biu Kee. It has not been done in relation to the purchase and installation of the schedule of material parts I and II of WWO46.

4) I may as well be honest. If you submit the document, it will take two months. The site supervisor said if there has been any revision, you only needed to talk to the department, then you could get a waiver and save yourself from having to make applications, and it will save time, and it's a fact -- let's say, for example, revision of the plans can be waived with the application.

6) I have never received any notification unless the supplier is no longer in business or there was a strike and there is no supply. It is only in this case that the list of material can be revised.

7) During the investigation of the Commission, there is -- before there was a finding, already a letter was sent by the WSD to cancel the registration of licensed

plumber, but the responsibility may not be on me.

8) In relation to prefabrication of materials, Hong Kong LPs can only conduct work in Hong Kong, and the Licensing Authority has never mentioned that licensed plumbers can work outside Hong Kong. I have been involved in projects on the mainland and Macau for over ten years and I cannot sign for anything. So it is unfair that all the responsibilities have been heaped on me.

9) There are eight documents that have been revised afterwards, including WWO46, and the water examination report has also been added, I mean, in relation to heavy metal, and I really cannot be held accountable for that.

I am suffering from disability and I have to go to hospital for treatment, and this has caused me great mental pressure. I am partly responsible, yes.

Q. So you have been given these two documents and you understand the documents?

A. Yes.

Q. Apart from these two documents, do you want to add anything or revise anything in the two documents?

A. This morning, I received an updated statement and I have already had it sent to you, and it is a clearly dated there what I did and what problems there were.

Q. In relation to the supplementary information, I believe

that all of us here have received the updated version.

In relation to the updated statement, I will refer you to it later. Perhaps I might ask you to clarify what you want to say.

First of all, can I ask you some personal particulars. I know that in 2009, you joined Ho Bui Kee, and that's what I can see on your CV.

Let's turn to your CV, page 12. You refer to, actually, page 14, starting from 2009 -- it's in Chinese. It states your CV from 2004, and on this document it says that from 2009 until now you worked in Ho Bui Kee. In relation to your CV in English, it says that prior to 2009, you have worked in a number of large corporations, including Swire, Gammon, et cetera.

Let me put this to you. You said in 1976 you joined the trade. In your reply you said that you started off being an apprentice. I would like to find out more about this, about your background. What is your educational attainment?

A. I've got it here in my CV. A secondary level education.

Q. Form 5?

A. Yes.

Q. After form 5, you started off being involved in plumbing work?

A. Yes, I was an apprentice.

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 40	
C	Q. After form 5, you moved on to become an apprentice. Did you study any courses on plumbing?	C
D	A. Yes, some simple plumbing theory courses.	D
E	Q. Where did you study?	E
	A. I attended some talks, not any formal courses.	
F	Q. Not formal courses?	F
G	A. Not formal courses.	G
H	Q. In terms of skills, have you sat for any examination for skilled workers?	H
I	A. I have a gas licence.	I
J	Q. Gas licence, that's the gas installer licence?	J
	A. Yes. I've also got this MIOP of the Institute of Plumbing UK.	
K	Q. This Institute of Plumbing UK, that's on page 12, "Member of the Institute of Plumbing UK", that's the one, isn't it?	K
L	Q. This Institute of Plumbing UK, that's on page 12, "Member of the Institute of Plumbing UK", that's the one, isn't it?	L
M	Q. This Institute of Plumbing UK, that's on page 12, "Member of the Institute of Plumbing UK", that's the one, isn't it?	M
N	A. Yes.	N
O	Q. With that licence, what sort of qualification do you need?	O
P	A. We need to have two qualified plumbers signing on the form and then my CV had to be submitted to the UK for approval.	P
Q	Q. You mean qualified professional people?	Q
R	A. They are professionals to do with plumbing.	R
S	Q. If they vouch for your application, then you could make	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 40 B

C an application? C

D A. Yes. D

E Q. You didn't have to sit for an examination? E

F A. They would check my CV. I had the plumbing licence, F
I've got a gas licence, for about ten years, and
G I passed, and I am also an RP. G

H Q. RP, registered person? H

I A. A qualified person, basically. I

J Q. So they look at your CV and also your work experience? J

K A. Yes. K

L Q. Institute of Plumbing HK Council, what sort of L
qualification do you need for that?
M A. BSco and I spent a long time working for different M
companies, and I was promoted to be BS co-ordinator --
N BSco, I mean. I supervised the sites and I took N
O delivery of materials. O

P Q. In this Institute of Plumbing Hong Kong Council here in P
your CV, the last column, under "Qualifications" -- now,
Q this Institute of Plumbing Hong Kong Council, are you Q
R a member of this institute or not? R

S A. Yes, that kind of role. S

T Q. A member of the institute, 2002, starting from that T
U year? U

V CHAIRMAN: Are you a member or what? V

MR KHAW: Are you a member?

A. Yes, a member.

Q. I understand that it was in 1982 that you got the licensed plumber licence. When you got this qualification, what sort of eligibility did you require?

A. We had to sit for an exam. We had to draw a diagram. We had to be interviewed by the senior officials. We were asked many minute, detailed questions about the procedures, the specific work procedures. We had to be tested. So these would be the subjects for tests, if you want to be a licensed plumber.

Q. Would there be any written test?

A. Yes, there was drawing of diagram.

Q. That's included in the written test?

A. Yes.

Q. Before you had the written test, drawing diagrams, did you have to study any notes or any course materials?

A. Yes, there were reference materials for you.

Q. Before you applied, you had the reference materials?

A. Yes.

Q. So there were documents made available to you about the scope of the tests?

A. They didn't say that. We were told that we had to draw diagrams in the written test. We were given some materials for reference, and what we will be tested on, the legislation, and so on.

Q. The WWR, Waterworks Regulations, if I may refer you to that. G1. Mr Lam, please refer to page 283. This is the Waterworks Regulations. There are qualifications regarding application for plumber's licence. Please refer to section 33 on page 283. It says: application for plumber's licence, a person who holds a craft certificate in plumbing and pipe-fitting issued by the Vocational Training Council after 1987, or holds an equivalent qualification, and who holds a Certificate in Plumbing Services (Hong Kong) issued by the VTC or an equivalent qualification may apply for a plumber's licence. Do you see that?

A. Yes.

Q. This is what the regulations say. At that time, was there any requirement when applying for becoming a licensed plumber, any need for the VTC certificate?

A. No, nothing like that 30 years ago.

Q. A couple of days ago, I dug up the old version of the Waterworks Regulations. Please have a look at the older version. Bundle A3, item 46. An older version. Page 2519, regulation 33. I am the version in English. Perhaps you might wish to have a look. "Application for plumber's licence."

CHAIRMAN: Hold on a second. Let Mr Lam find the page.

MR KHAW: You are not there yet?

CHAIRMAN: Hang on a second. He's not there yet. You can find the page.

MR KHAW: Regulation 33, page 2519. Further back, at the bottom of that -- yes, that's it. Section 33(1)(a) and (b): a person who holds a certificate from a particular organisation. 33(2): anybody who has knowledge of plumbing can make the application.

Mr Lam, when you applied to become a licensed plumber, you didn't have the certificate in (1), did you?

A. No.

Q. So your application was made on the basis of (2), to show that you had knowledge about plumbing work when you made the application?

A. Yes.

Q. So, when you made the application to become a licensed plumber, did you have to have any knowledge about connection of pipes?

A. Under the Waterworks Ordinance at the time, we didn't have to connect the pipes in this way.

Q. When you made the application -- now, let me say, first of all, when you made the application to become a licensed plumber, the fresh water plumbing materials, what were they made of?

A. There were two types. One was the GI pipe. The other

one was copper pipe. We had mechanical compression to joint the pipes.

Q. So at the time when you made the application to become an LP, the connecting method was mechanical compression?

A. Yes.

Q. And you haven't had any exposure to soldering or welding?

A. There was copper alloy used.

Q. So you had exposure to soldering copper joints. Did you learn anything about it?

A. I worked as an apprentice at the time.

Q. You worked on that before?

A. Yes, I did.

Q. It was the 1980s and you started to be exposed to jointing the copper pipes?

A. Yes. I have been in the trade for more than 40 years.

CHAIRMAN: You became an LP in 1982. When you were an apprentice, that was in the 1970s?

A. Yes.

MR KHAW: In the 1970s, you were learning about the jointing of copper pipes. What materials were used to joint the pipes?

A. We had the silver brazing, copper alloy.

Q. What materials were used?

A. We used bronze to -- melt the bronze to join up the

C pipes.

C

Q. What about tin, tin materials; were they used?

D A. We hadn't come to that stage yet.

D

E Q. I understand that you obtained the grade I plumbing
licence. I know that there is grade I and grade II.

E

F Let's refer to grade I and grade II, further

F

G information. It's G1, page 286.

G

A. Yes.

H Q. It says:

H

I "Grade I -- For the construction, installation,
J maintenance, alteration, repair or removal of a fire
service or inside service of any type."

I

J

K Can you see that?

K

L A. Yes.

L

Q. Grade II, there are two parts.

M "(i) For the maintenance and repair of a fire
N service or inside service; and

M

N

O (ii) for the installation, maintenance, repair or
removal of water appliances."

O

P Is my understanding correct?

P

A. Yes.

Q. For grade I --

Q

R A. Grade I is a licence A, grade II is a licence B, and
S licence B is only for maintenance.

R

S

Q. So, for grade I, it's superior?

T

T

U

U

V

V

A. Yes.

Q. Let me follow up. You told us just now that in 1982, you applied to the WSD for a licence. You had to submit some drawings and you needed to know about the work process.

A. Right.

Q. At the time of the application for a licence, did you have to show the WSD that you know about jointing of water pipes?

A. No, no need.

Q. In relation to your CV, at the start, when you talked about your professional, you said that you are a building services engineer.

Let me ask you: around roughly when, when you became building services engineer?

A. That's right.

Q. When?

A. It's stated in the CV. If you are talking about the work, the job -- I have to find the date. 1970s is when I started.

Q. Let me ask you -- we have heard evidence from the main contractors and the Housing Department, they have their own BSE. According to them, the main responsibility of BSE is just as water supply, electricity and gas. What qualifications do you need to become a BSE?

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 40	
C	A. For an engineer, you have to get a licence, and your	C
D	boss in the company is satisfied that you are capable to	D
E	deal with general building services matters.	E
F	Q. The licence you refer to is the one issued by the WSD?	F
G	A. That also includes the MIOP from the Institute of	G
H	Plumbing UK.	H
I	Q. That's the one you obtained in 2002?	I
J	A. Yes.	J
K	Q. So it was only after 2002 that you could claim yourself	K
L	to be a BSE?	L
M	A. Yes.	M
N	Q. In relation to your plumber licence, this licence, you	N
O	have had it for over 30 years. Do you have to renew	O
P	your licence?	P
Q	A. No, no need to do it every year.	Q
R	Q. So how often do you have to renew your licence?	R
S	A. We have to renew our licence.	S
T	Q. That's what I mean.	T
U	A. Once a year, at the end of December, once a year.	U
V	Q. In the renewal, is it just routine work? Do you have	V
	to --	
	A. We only have to pay a fee.	
	Q. They wouldn't ask you how many projects you have done?	
	A. No.	
	Q. So once you have obtained a licence in the course of	

30 years, you only have to pay a fee every year for your licence to be renewed?

A. Right.

Q. After 1982 you obtained the licence as a licensed plumber and you said you had worked in a number of companies, including some big ones. In Jardine Engineering and Gammon, were you their employee?

A. Yes.

Q. So there is an employment contract?

A. Right.

Q. Let me give you an example. When you were working in Gammon, you stated a number of projects. When you were working in Gammon, you were their employee. If, in relation to other companies and water installation, would you apply to the WSD for a water certificate?

A. No.

Q. So you only deal with this particular company?

A. Yes, that's right. I worked for them.

Q. You were working for Gammon. You had to sign for a water certificate?

A. We were only asked to do that if there are some particular issues.

Q. That is, if there is a need for submission of water certificate for Gammon, and if it needs the signature of an LP, you would be asked to sign?

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

B Commission of Inquiry into Excess Lead Found in Drinking Water Day 40 B

C A. No, not really my signature. It's a procedure, and if C
D there are some inadequacies in other LPs, then they may D
E need assistance. E

F Q. So, when you were working at Gammon, there were other F
G LPs and you signed by them? G

H A. Yes. H

I Q. For the in-house LPs of Gammon, they were responsible I
J for signing papers. What's the difference in J
K qualification between them and you? K

L A. Not anything different. They have the qualification to L
M do the work, but sometimes there may be some M
N discrepancies with the date and the progress of work, N
O they will be reminded. O

P Q. So, for the certificate, they are signed by them, you P
Q could also sign them? Q

R A. No, no, because once it is signed by them, I couldn't R
S sign. S

T Q. Then normally it's signed by them, but if they first T
U went to you, you could sign? U

V A. Well, the project is not under the scope of my contract. V

Q. So, when you were working for Gammon, they would set out Q
R the projects that you would be working for; right? R

S A. Yes. S

T Q. Was there an employment contract? T

U A. Yes, there was one. U

V

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

B Commission of Inquiry into Excess Lead Found in Drinking Water Day 40 **B**

C Q. You were paid monthly? **C**

D A. Yes. **D**

E Q. What about in Ho Bui Kee? You joined them in 2009, and in your statement you said that you similarly were an employee of Ho Bui Kee? **E**

F A. Yes. Well, I was employed because there was no licensed person and they asked me to sign documents in that capacity. **F**

G Q. Let me clarify. Your relationship with Ho Bui Kee is one of employer and employee? **G**

H A. Right. **H**

I Q. You are paid monthly? **I**

J A. Yes. **J**

K Q. If there are more projects for a particular month, will you receive more in pay? **K**

L A. Well, there were some issues and I could not accept that, that's why I resigned. **L**

M Q. Let's not get to that yet. **M**

N When you were working in Ho Bui Kee, you said that you were paid monthly. So I want to know, apart from that, would it be the case that if there are more projects than usual for a particular month, would you receive more pay? **N**

O A. No. **O**

P Q. So it would be the same pay? **P**

Q

R

S

T

U

V

A. Yes.

CHAIRMAN: Has there been any change to the way you are
paid?

A. I did not catch it.

CHAIRMAN: The way you are paid, has it ever been changed?
Since the time you joined Ho Biu Kee until you left, at
the beginning it was paid monthly. Is it the case that
it's changed to piece rate, for example?

A. I resigned but I have signed for documents related to
certain projects, so it's project by project.

CHAIRMAN: So you resigned in 2014; is that right?

A. Sorry, let me look for it.

MR KHAW: In your updated information, there is a letter
dated 1 July 2010. It's a letter to Ho Biu Kee. It's
in the year 2010. Let's refer to that. It's a letter
of resignation. Is it in front of you now?

A. Yes.

Q. It's a very short one. Here, you said that you are
resigning from your position as WSD superintendent with
effect from 1 August 2010. By "WSD superintendent",
were you referring to your work as a licensed plumber?

A. Yes, that's only the post title.

Q. What's your post title then?

A. They said I am a WSD superintendent.

Q. So that's your job title inside Ho Biu Kee.

You tendered your letter of resignation. What was your reason for the resignation?

A. There is an attachment setting out a number of problems, and I could not continue because I have breached certain rules.

Q. Let's refer to the list or the schedule. It says the Tin Shui Wai Area 104 and Tuen Mun Police Quarters.

A. Yes.

Q. Can you explain to us, in relation to these two projects, what was the situation?

A. Well, as a licensed plumber, a form was submitted to the architect for approval by the HD in relation to the material. Then I could make a submission to the WSD.

Q. You are referring to part I.

A. Once a part III had been issued, work could start.

There was a problem. I did not know the reason, but the material was changed, and the licensed person would be penalised by the WSD.

CHAIRMAN: Sorry, hang on there. (A) is Tin Shui Wai Area 104, a public housing project.

A. This, yes, it's a public housing project.

CHAIRMAN: And you had to submit material form to the HA.

And (B) is Junior Police Officers' Married Quarters, of the ASD.

A. Yes.

MR KHAW: So what about the change in material?

A. Well, the HD approved certain brands of material used at the site, and it's only then that I can make a submission to the WSD. The WSD signed for part (d) and nothing can be changed unless and until there was no supply of material.

The architect has to sign for confirmation to the licensed person before material could be changed.

MR KHAW: You talked about Tuen Mun Police Officers' Married Quarters. I see a document. That is Ho & Partners Architects.

A. Yes.

Q. It's dated 16 December 2009 from the architect to the WSD. It's a two-page document, and it says here that the architect submitted an updated material list, and the list was different from those submitted in parts I and II of form 46.

So the architect talked to the WSD about the change. To you, what is irregular?

A. WWO46 parts I and II, the materials used there were different, and there were many that were not in the application, so I had to apply with the architect, because the licensed plumber is not supposed to change materials indiscriminately, unless with the approval of the architect.

Q. So the architect submitted this updated material list.

(Chinese spoken).

A. Yes. If the WSD has given the clearance, they would file it.

Q. What is your concern? The architect has already talked or communicated with the WSD, and there was a discrepancy in terms of materials used. So you submitted the document and you were held responsible for the materials, and you didn't know that the materials were changed?

A. The architects are very co-operative. We would check the documents. There have been some changes, and I said I couldn't submit it because points would be deducted, and the completion time will be adversely affected.

Q. Have you raised these concerns with Ho Biu Kee?

A. Yes, I have complained many times.

Q. Did you recommend what should be done?

A. We talked to the company, and nobody approved the change. As licensed plumber, I couldn't file an application for completion. We had to find the engineer. We had to have the architect's notification for the licensed plumber.

Q. From your perspective, if an architect has already informed the Water Supplies Department.

A. The architect has already signed it, it would then be

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

B Commission of Inquiry into Excess Lead Found in Drinking Water Day 40 B

C submitted to the WSD. If there are additional C

D materials, the Water Supplies Department wouldn't D

E object. E

F Q. Now, the architect has already taken this step. What F

G more should be done? G

H A. I can submit part IV to be countersigned by the H

I architect. That would be the end of my work. I

J Q. You talked with Ho Biu Kee about your concerns. What J

K did they say in response? K

L A. If I say this, then there are problems. I talked with L

M them and they didn't listen to me. I said it's okay to M

N change things but you have to inform me, because the N

O architect wouldn't know what it would buy and I don't O

P know what's been put in. P

Q Q. So basically your concern is the prime reason why you Q

R resigned? R

S A. Yes, basically. S

T Q. After you resigned, that's in July 2010, you still T

U worked for Ho Biu Kee? U

V A. I complained and I emailed them. Of the eight V

construction sites, there were problems, and they were

not isolated cases. It's not a question of they

couldn't procure the materials. As a licensed plumber,

I had to sign the document. I don't think I would be

able to cope.

Q. Let's pause a little bit here. You said that for the construction projects, they changed the materials. This act of changing materials, who initiated it? Was it the main contractor or was it Ho Biu Kee that changed the materials?

A. The main contractor was involved, because the mixers, the sanitary appliances were purchased by the contractors. The licensed plumber filled in a form, and Ho Biu Kee purchased different materials, and we would be in trouble as a licensed plumber.

Q. In July 2010, you tendered your resignation. Ho Biu Kee accepted your resignation, and you left, didn't you?

A. Yes, I left for a long time.

Q. But you carried on helping Ho Biu Kee in your capacity as a licensed plumber?

A. I think I have to explain clearly here. Before I resigned, I already signed some documents for some of the projects, and I told Ho Biu Kee that they had to find a licensed plumber to take over the work. I signed the documents, and they undertook to find a replacement licensed plumber to take over from me, to find alternative person.

The documents that I signed, the projects would last for a couple of years, and there were still works outstanding.

Q. Let's turn to the Kai Ching project. As licensed plumber, you had to submit WWO46 part II to the Water Supplies Department. It was after you tendered your resignation in July 2010?

A. They have already made arrangement, they have already got the forms arranged, pending the approval by the architect and the Water Supplies Department. But I have said I am not going to sign on the documents anymore.

Q. Let's pause a little bit here. Let's clarify the dates. Kai Ching Estate. WWO46. Let's refer to C7.1, page 4751.

Mr Lam, please have a look at this. This is in relation to Kai Ching Estate, and that's WWO46 application.

A. Yes.

Q. As you can see, "Licensed plumber", that's your signature, isn't it?

A. Yes.

Q. 28 March 2011. That's when this was signed. That's after you have resigned from Ho Biu Kee?

A. Right.

Q. After you left Ho Biu Kee, you still helped Ho Biu Kee sign the document. What was the mode of co-operation between you?

A. I didn't get paid for that. It's just that it was done

on a piecemeal basis. I resigned and I got paid for what I did.

Q. All right. Let's pause here. You were no longer in the employ of Ho Biu Kee and you got paid on a piecemeal basis and you worked as a freelancer, basically, helping out Ho Biu Kee; is that right?

A. Yes.

Q. You talked about the piecemeal --

CHAIRMAN: Well, perhaps you might like to tell us -- were you an employee of Ho Biu Kee or were you a contractor of Ho Biu Kee? What capacity were you in? You mentioned the piece rate, and basically you had your own business and you had to have the business registration, and you have to file a tax return. What capacity were you in?

A. I was an employee of Ho Biu Kee when the project was going on. With business registration, they just passed the payment to me.

CHAIRMAN: After July 2010, you were still an employee of Ho Biu Kee, and your resignation was not for real.

A. It was for real. I didn't get paid for that.

CHAIRMAN: The pay was made on a piece-by-piece basis.

A. Yes.

CHAIRMAN: But it doesn't mean that you were not an employee of Ho Biu Kee.

A. I'm not sure about the technical details, the legal matters.

CHAIRMAN: Your understanding is that -- after July 2010, did you resign?

A. I tendered my resignation letter.

CHAIRMAN: I know you had a resignation letter but it doesn't mean to say that you actually resigned. Let's say I worked for the Labour Tribunal and many times the restaurant workers failed to pay them the long-service payment and then they ended the contract every 18 months, and then you go back for another 18 months.

A. Let me clarify here. There was an agreement that I dealt with an outstanding work, I got paid for one month.

CHAIRMAN: Say again?

A. I got paid for a month's salary for completing the outstanding work.

CHAIRMAN: So, in 2010 -- what month?

A. July.

CHAIRMAN: In July 2010, or after that, your understanding is that you got paid on a piece-by-piece basis and you were no longer an employee of Ho Biu Kee?

A. Well, no, I got paid for one month.

CHAIRMAN: How do you mean by one month's pay?

A. I got paid for one month to complete the outstanding

C work regarding submission, or declaration of completion. C

D COMMISSIONER LAI: So, after July 2010, you were not paid on D

E a monthly basis, but you gave the undertaking that for E

F Kai Ching Estate project, you would complete your F

G declaration and then you get paid for a month? G

H CHAIRMAN: Would you be prepared to tell us how much? H

I A. \$40,000. I

J CHAIRMAN: So post-July 2010, for \$40,000, you signed the J
K rest of the documents for Kai Ching Estate. Let me get K
L this clear. I beg your pardon. L

M If you carried on working for Ho Biu Kee, you got M
N paid \$40,000 every month? N

O A. No, I filed a declaration and got paid 40,000. O

P CHAIRMAN: No, you got paid on a monthly basis. P

Q A. Monthly pay was \$30,000-odd. Q

R CHAIRMAN: For however many projects. R

S A. I had to work every month. S

T CHAIRMAN: But after that, you didn't have to work, you T
U didn't have to turn up for work. By the time the work U
V was completed, you signed the form IV, you got paid V
\$40,000. What about forms I and II, where everything
was included? For every project, you would sign
parts I, II and IV -- is it I, II and IV for the
licensed plumber?

A. Parts I and II.

C CHAIRMAN: And IV. IV also comes under you. So for
\$40,000, you signed I, II and IV. C

D A. Yes. D

E COMMISSIONER LAI: Anything else you needed to do? Just put
your signature? E

F A. Not the management. F

G COMMISSIONER LAI: So you didn't have much to do? G

H A. Once work has been completed, I would go down to the
site, I would submit the forms, get the water meters and
I make the application for the entire block, all the -- I
J filing the completion work. J

K COMMISSIONER LAI: So you are only responsible for
documentary work? K

L A. Right. L

M COMMISSIONER LAI: So the actual work, you will not be
involved? M

N A. I don't have the responsibility to do those work
anymore. N

O MR KHAW: You said that before you resigned in 2010, you had
to go to work. You had to go to the office to work? O

Q A. Yes, both office and site. Q

R Q. After you have resigned, you don't have to go to work,
and you said that you were only responsible for signing
S a number of documents. So the nature of your work has
T changed? T

A. Yes, it's completely changed.

Q. Before you resigned, you worked for Ho Biu Kee. When there was a project going on, you were responsible for signing documents, and on top of that you were responsible for management of projects?

A. Well, the work I did, they procure material and they employ workers and it's managed by their own staff, by their own staff.

Q. So, in relation to site management, prior to your resignation and afterwards, has there been any difference?

A. Let me put it this way. There isn't much difference, but the most important thing is the material have to be procured according to parts I and II of the WSD.

Q. So before and after your resignation your main duty was to sign for parts I and II?

A. Yes.

Q. It's just that the frequency of your having to actually go to work has greatly reduced after your resignation?

A. Yes, you can put it this way.

Q. So, before your resignation, you signed parts I and II for Ho Biu Kee. If at that time there are other companies that wanted to get a licensed plumber to sign for water certificates for other projects, would you do that?

A. If they are just people I have worked with or friends,
they were only few and far between, but it happened.

For people who I knew very well, I would teach them.

Q. So you would not actually sign the documents?

A. I would remind them, and if they are mostly in relation
to street pipes.

CHAIRMAN: You had to sign?

A. Because there was only one.

MR KHAW: What about the pay when you signed for other
people?

A. Well, they are my friends. Maybe a meal. They asked me
to do them a favour. So there was no specific amount,
no.

Q. You resigned in 2010, and afterwards you said Ho Biu Kee
gave you about \$40,000 to wrap up the work. In relation
to the water certificates, you had to sign for them, and
you were given \$40,000 to wrap up the work. After 2010,
your work relationship with Ho Biu Kee, the nature of it
has changed. Have you, in relation to other companies
and some plumbing works, signed in the capacity of
a licensed plumber, and if you did so, what happened
after 2010?

A. Not really helped them per se. There are people who
were not familiar with the process, and they wanted to
have someone to guide them. That's only in relation to

street plumbing work, outside service.

Q. Did you charge them?

A. No. Well, they treat me to a meal and they ask me to help them.

Q. After 2010, after you have resigned and stopped working for Ho Biu Kee and you have completed all the work for them, you said they gave you altogether \$40,000?

A. Well, this is how it happened. I emphasised that they did not follow the schedule and it wasn't in order, and I couldn't accept that.

Q. In 2010, you resigned from Ho Biu Kee, and you finished the outstanding work for them, you signed the outstanding documents, and they said that if you wrap up the work, that you would be paid \$40,000.

A. Yes.

Q. It's a piece rate but for Kai Ching, you would be given \$40,000. Apart from Kai Ching, in relation to Ho Biu Kee, have you done any other projects for Ho Biu Kee on a piece rate? How many?

A. Two to three.

Q. Apart from Kai Ching, there are two to three.

A. Including.

Q. Including Kai Ching, two to three?

A. Yes.

CHAIRMAN: So from July 2010 to July 2015, there were only

two to three projects that you worked for Ho Biu Kee?

A. Right, because over a period of three years I have been admitted to hospital for operations, so I wasn't able to work for them, and I have notified them.

CHAIRMAN: Three projects?

A. Well, they were outstanding work and they have yet to find another licensed plumber. So three projects, some outstanding work, between 2010 and 2015. Three projects.

Please continue.

MR KHAW: Apart from the three projects, in relation to Ho Biu Kee, there are no other companies that have approached you, to ask you to do similar work?

A. No.

Q. Including Kai Ching, we're talking about \$40,000, including other work, and for the other two projects, how was the pay calculated?

A. It's the same. I have signed the documents for submission, they had yet to find another licensed plumber. Once they were able to do that, I didn't need to sign for them, because it happened before that they found a replacement and I was no longer needed.

Q. So for Kai Ching you did the work, you charged them \$40,000, and there are another one or two projects. How did you charge them?

A. It's the same, \$40,000.

Q. So roughly \$40,000?

A. Right.

Q. Let's refer to C7.1, page 4751. It's the same page. We can see that you signed it. In relation to this application, it's "Fresh water, flush water supply".

Can you see that at the top? It's above 2. Can you see "WSD approval letter reference 73566 ...", and so on?

A. Yes.

Q. It says here clearly it's in relation to fresh water supply and flush water supply, and you signed it.

There is another document, also related to Kai Ching. Page 5208.

Page 5208 is another WWO46 in relation to Kai Ching at Kai Tak. If you refer to part I, at the bottom, it's about the scope of the plumbing work, fresh/flush, FS, that is fire services, up-feed pump and fresh water booster pump inside pump room. This document is signed by a different licensed plumber, one surnamed Chan, Chan Tat Lo, by the looks of it. Do you know him?

A. No.

Q. At that time, in relation to the same project, how do you conduct with the division of labour, who to sign for what?

A. That is very clear, because in relation to HD projects,

mechanical, it's in relation to a fire services company.

I am responsible for underground and the actual building.

Q. So for fire services or pump room, it's under the responsibility of a different LP?

A. Yes.

Q. Let's clarify. Page 4772. Let's look at this one.

I know that for the different parts in a project, water certificate applications would have to be made. We see this one is also in relation to Kai Ching.

Please refer to the bottom of part I, "WSD approval letter reference"; do you see that? It says that coverage of the work, "fire service water supply", so it's in relation to the fire services water supply. But it's signed by you, Lam Tak Sum.

So I would like to clarify, this is in relation to fire services water supply, but you just said that there is a clear division of labour. For fire services and pump room, it's by a different person, and you are responsible for the water supply system in the actual block.

A. Well, I said that underground approval, because it's about connection to the outside service, the water supply system; it's under the responsibility of me, licensed plumber.

Q. So although this is in relation to fire service water supply, since it's related to the outside service, it's you who signed?

A. Right.

Q. You have been a licensed plumber for many years. So, in relation to fittings, materials, of plumbing system having to comply with UK standard under the Waterworks Regulations, you are aware of them?

A. Yes.

Q. So about soldering material and the requirement of lead-free, you have been very clear about that; right?

A. It's as stated in the laws related to water supplies. However, when it comes to which brand was procured and used at the site, we could not know.

Q. That will be for later.

Since when did you first realise that there is a requirement of lead-free material and soldering material of plumbing system?

A. When we sat for the examination, we knew that metal containing lead is not allowed.

Q. So you say that you knew about it in 1982 when you sat the examination for the licence?

A. Yes, that year we were aware of the requirement of lead-free solder material.

Q. So you said that in general, heavy metal should not be

contained in plumbing material?

A. That's stated in the law.

Q. But you knew about it when you sat for the examination?

A. But it wasn't mentioned.

Q. But just now you said that when you sat for the examination for the licence, you were aware that there is the requirement for lead-free or heavy metal.

Did you know about it when you sat for the examination or are you saying that you heard about it from someone before the examination, or how did you find out?

A. Yes, I learned from the guidelines of the Water Supplies Department.

Q. So you are saying that when you sat for the licence exam, you were given the guidelines and they were mentioned in these guidelines?

A. No, we just took reference from the WSD guidelines.

Q. So, from the guidelines, you got to know that no heavy metals should exist in plumbing system?

CHAIRMAN: Hang on, Mr Khaw. Let's not say "heavy metal", because heavy metal covers a broad range of things. Copper can also be a heavy metal. Silver can be a heavy metal. Please refrain from using "heavy metal".

MR KHAW: Were you aware that leaded materials should not be used in the plumbing system? How did you learn about

it?

A. They were in the guidelines. They purchased the materials, and if the materials were up to standard then we take them as it is.

Q. But as regards lead-free materials, you learned about the these from the WSD information?

A. Yes.

Q. What about lead-free soldering materials, in particular the soldering materials that have to be lead-free; when did you become aware of that?

A. I don't quite remember when I learned about it. I knew that lead should not be used. I knew about it when I sat for the licence exam.

Q. So, when you sat for the licence exam, according to the WSD information, you knew that leaded materials should not be used. There were many different types of materials. For soldering materials, they should be lead-free, and you were aware of that; you have always been aware of that?

A. Many of the soldering materials contain lead.

Q. What did you say? You said a lot of soldering materials contain lead?

A. Yes.

Q. A lot of soldering materials contain lead -- how did you become aware of that?

A. After the incident, we asked about this in the materials suppliers and we learned that a lot of materials contained lead.

Q. You talked about after the lead in water incident. I am specifically talking about before July 2015, before the lead in water incident. You have been a licensed plumber for so long. You said soldering materials, a lot of them contain lead. Did you become aware of that before or after the incident?

A. About three months ago.

Q. Three months ago?

CHAIRMAN: You mean three months before the lead in water incident?

A. No, after the incident.

MR KHAW: So that's three months after, from now, three months ago.

A. Yes.

Q. Before the lead in water incident, that's July 2015, in terms of soldering materials for jointing the fresh water pipes, did you have any understanding of the materials?

A. That's not within my remit. It was the company's procurement department that purchased the materials.

Q. Let's not talk about the procurement department, but as far as you are concerned, you have been in the plumbing

business for so many years, the fact that for fresh water plumbing system, certain -- what about the properties of materials of -- the properties of the soldering materials; do you have any awareness of this?

A. Well, what materials would be used for submission, I don't know.

CHAIRMAN: That's not the question, Mr Lam. The question was, before the lead in water incident -- let's make it specific -- before the incident, when did you first become aware that soldering materials had to be lead-free?

A. They ordered the materials.

CHAIRMAN: I am not talking about the materials ordered. In 1993, we understand that the Buildings Department had the specifications that solder materials had to be lead-free. That was in 1993, from the Buildings Department. Did you know that in 1993?

A. I didn't go into that kind of detail.

CHAIRMAN: Did you know or did you not know about it, in 1993?

A. I didn't see any documents.

CHAIRMAN: Say again?

A. I didn't see any documents.

CHAIRMAN: Over the years, since 1982, when did you become aware that soldering materials had to be lead-free?

A. I know the company should not purchase leaded materials.

CHAIRMAN: Well, that's another matter altogether, what the company bought, but when did you first become aware of the soldering materials having to be lead-free? Whether the company got it right, whether they got it wrong, whether they bought something else is another matter altogether.

A. After the 1990s.

CHAIRMAN: What year?

A. 1995 or 1996 or thereabouts.

CHAIRMAN: Let me tell you that in 1993, the Buildings Department already had the specifications.

A. I know where you are coming from, but at that time I wouldn't look at the documents in detail.

MR KHAW: Have you ever seen this kind of soldering materials, in green colour, this one? (Indicating).

FRY.

A. I was working in the mainland. I didn't use that kind of materials.

Q. You became a licensed plumber in 1982. Last year, 2015, July, or before July 2015, when the incident occurred, had you ever seen this kind of material?

A. No, never. I have never seen this. When I was an apprentice, we used tin solder strips, but they were up to standard.

Q. All right. Let's take a step at a time. You mentioned being an apprentice and you used the soldering materials in the form of solder strips.

A. We also had solder wire.

Q. At that time, how did you make a distinction between what is called solder strip or solder wire?

A. Some are in the form of a reel. Solder strip, it is triangular in shape, you burn it up and you touched it to the joint.

Q. Let me show you the strip (indicating). Is this what you are talking about, the solder strips?

A. I don't know about this.

Q. You mentioned being an apprentice. It was about this long, triangular in shape?

A. Not this type.

Q. You talk about the triangular strip. Was it bent in a triangular shape or what?

A. No, it was like a toothbrush.

Q. Like a toothbrush?

A. Slightly longer. It's triangular in shape.

Q. All right.

You mentioned that when you were an apprentice, you knew that the materials were up to standard, but did anyone tell you how a material is up to standard?

A. That I'm not sure.

Q. So your thought was that that material was up to standard; you didn't find out what exactly the material was?

A. Right.

Q. (Chinese spoken) --

CHAIRMAN: Sorry. I still haven't got the answer. When did you become aware of that?

MR KHAW: The first time you knew about the lead-free soldering materials, when was that?

A. 1980s, when I was in apprenticeship.

Q. You heard of that?

A. In older days, we didn't use solder strips much in residential buildings, unless you worked at hotels and hospitals. Hardly ever would we use the solder strips, not once in ten years. At that time, we used the DI pipes.

CHAIRMAN: That's why I asked you: when did you become aware of that?

A. At a very late stage, because we didn't work at hospitals and hotels, the large projects.

MR KHAW: According to your evidence, it was in the 1990s that you knew about the lead-free solder materials. Was it in the 1990s or was it in the 1980s?

A. I think it was in the 1990s, but we never used these kind of materials. We heard of that but we never used

C these kind of materials.

C

D Q. Since you have become a licensed plumber to the present
time, have you ever tried jointing the copper pipes?

D

E A. No.

E

F Q. You have seen the workers do it?

G A. We used mechanical compression. We didn't use the
blowtorch.

F

G

H Q. Well, mechanical compression at that time, but in the
past decade or so you must have seen welding, you must
I have seen soldering, to join up the pipes?

H

I

J A. In the old days, in the fittings, they have a trough.

J

K Q. Say again, please.

L A. My understanding is that according to material
standards, the fittings, inside the fittings there is a
trough and there is a tin strip built in. So the solder
M materials would be built in. We didn't have to buy
N them.

K

L

M

N

O Q. Right. So over the years, when you made your rounds on
the construction site, have you ever seen any workers
P using the solder strip that I showed you, in the
Q soldering process? Have you ever seen that happen?

O

P

Q

R A. We didn't look at the process. What we attach
importance to would be the water test, in order to get
S the certificate.

R

S

T Q. So the water test, hydraulic test, there would be

T

U

U

V

V

testing for leakage?

A. Yes.

Q. So your focus of attention would be the leakage?

A. Yes.

Q. My question for you is over the years, so many years now, when you inspected the construction sites to check the progress, have you seen workers soldering with the solder strips that I showed you a moment ago? Have you ever seen that happen?

A. Usually, the masters we worked for, they used triangular ones; they used solder wire.

Q. Solder wire, were they similar to these?

(Demonstrating).

A. Something like that.

Q. But you said you have never seen those in a coil, in green?

A. I wouldn't be able to see that. It's just that it's a piece.

Q. In relation to the brand, FRY (indicating), have you seen this before or did you notice that?

A. I did not see anything like that.

CHAIRMAN: What did you say? You have not seen that?

A. When the material was delivered to the site, it was submitted for inspection at the site. We did not see the material.

CHAIRMAN: Let me ask you -- I am looking at your CV at the moment. In Gammon, the work you did there, page 12, you said you were responsible for E&M services installation of the project, and there are a number of projects that you were involved in when you were involved in Gammon: San Miguel, in Beijing, Coca-Cola, Carlsberg, et cetera. It says that you were responsible to supervise the fire services installation. These are for human consumption. So what about the soldering material?

A. As I said, it was a silver solder and copper solder or brazing.

CHAIRMAN: Have you seen people actually working on the soldering?

A. For this, yes, I did.

MR KHAW: In these projects, you saw others doing the soldering. Did you see people use solder wire?

A. I don't think so, because the material wasn't used on the mainland.

Q. So, in relation to Kai Ching Estate, you are responsible for submitting water certificate, and in your witness statement you said from time to time you inspected the sites. So, in relation to Kai Ching, did you see workers working on soldering of copper pipes of fresh water supply system?

A. I could not see the process of soldering.

Q. When you were at the site you have never seen workers working on soldering?

A. When I conducted inspections, it was when the work has been completed, and it was in relation to getting the report.

Q. Let's refer to a record of interview with the WSD. It talks about the frequency you went to the site. C19.7, page 14794. This is a record of interview with the WSD, in relation to your licence. It's an investigation into whether you have breached any rules and regulations. It's a record of interview. It is dated 13 July 2015, page 14791.

It's a record of the interview. Page 14794, paragraph 16 -- let's look at this. Paragraph 16:

"The department enquired of Mr Lam as to the number of times when he conducted site visits. Mr Lam indicated that most frequent period, that would be four or five times a week when he went to the site, and for the lowest number of times, about once every three weeks."

So that's the average. You said sometimes there would be four or five visits a week in relation to Kai Ching. When you went there four or five times a week, how many weeks had you done that?

A. Let me say this. For licensed plumbers, not only do we

have to go to the block, we had to go to the WSD and explain to the officers about when we would have to go to get water meters from the WSD and we had to make arrangements with staff to take delivery, to file return, to prepare reports to the WSD. So licensed plumbers did not just go to the blocks to just walk around.

As you can see (indicating a document), we worked with the WSD about the connection to water supply and the location of it. We had to be very clear. We worked with the water supplies connection section of the WSD. So it's not just in relation to the blocks themselves.

There is the main, the underground service of each block, and also the rooftop tank's connection to each unit on each floor.

CHAIRMAN: But the question has not been answered. How frequently or how many times has he been there four or five times a week?

A. Well, I have said it here. I have a list of the work of a licensed plumber, so I have to refer to that table. It clearly sets out the information, because when a project commences, there will be openings reserved, and then afterwards there will be about 10 months when no work would be conducted, and when I went there I only conducted inspection of the openings.

MR KHAW: In relation to Kai Ching Estate, during the interview, you said that the most frequent occasions would be four to five visits a week. So, in relation to that, how many weeks have you done that?

A. About two times a week.

Q. No. You said the most highest frequency is four to five times a week.

A. That will be the times when there's connection with the outside service.

Q. So four to five visits a week. How long would it last?

A. Well, Saturdays, government departments would not work. For the masters, they would have to be there every day, in relation to connection to the mains.

Q. Well, Saturday is not a work day. You said the highest frequency would be four to five times a week. What I want to know is that four to five visits a week, how many times has it happened? Say, for example, just a week or let's say four to five weeks.

A. About one month.

Q. What was the work being conducted during that time, would you say?

A. Check the plans, the drawings, the connection to the outside service, to check the works of the workers, to make sure that they comply with the law.

CHAIRMAN: So you are talking about the connection?

MR KHAW: So four to five visits a week, it lasted for about a month. When you inspected the site, did you see workers working on installation and jointing of pipes?

A. I did but not a lot. I could only see the lower floors, shops, E&O rooms.

CHAIRMAN: Connection to the outside service, it would be close to the last stage; right?

A. No. It's very complicated. We have to liaise with the Highways Department, the WSD, and to make arrangements for the time when it's done. We had to make frequent contact with the WSD, taking delivery of meters, when the inspection would be done.

CHAIRMAN: So when are you talking about?

A. It's actually -- you see the date when it's signed.

CHAIRMAN: Don't tell me about the form. Since 1982, it's been over 30 years, so when would the connection to the mains take place?

A. About a month and a half before submission of part IV.

CHAIRMAN: So it's close to the end?

A. Yes.

MR KHAW: Are you saying that when you frequently visited the site, you did not pay special attention to soldering work of copper pipes?

A. Well, it's the stage of connection to the outside service. So we won't really be paying attention to

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 40	
C	soldering of pipes.	C
D	Q. So, in relation to Kai Ching Estate, have you seen workers working on jointing of fresh water supply system?	D
E	A. Yes. But not a lot, because there are a lot of work, there's DI system, PVC pipes, drainage, tanks.	E
F	Q. You said you have seen it, that is workers working at the site, the soldering of water supply system. Did you see what solder material was used?	F
G	A. It's just in pieces, round.	G
H	Q. You mean like this? (Indicating).	H
I	A. Yes.	I
J	Q. But in your statement you said you had never seen reels in green.	J
K	A. No, because they are all in loose package.	K
L	Q. You mean in little sections or segments?	L
M	A. Right.	M
N	Q. You are a licensed plumber, so I would like to ask you about your scope of responsibility. If you refer to the current Ordinance. G1. The English version is at page 229 of G1. Page 229, that is section 15. It says here:	N
O	" (1) Subject to subsection (2), no fire service or inside service shall be constructed, installed, maintained, altered, repaired or removed by a person	O
P		P
Q		Q
R		R
S		S
T		T
U		U
V		V

C other than a licensed plumber or a public officer
authorised by the Water Authority."

D That means you are allowed under the law to do that. D

E "(2) Alterations or repairs to a fire service or
F inside service which are, in the opinion of the Water
Authority, of a minor nature, or the rewashing of
G a tap, may be carried out by a person other than
H a licensed plumber or a public officer authorised by the
Water Authority."

I Then contravention would result in this or that. It
J says, by the look of it, that other than minor works --
that is, in the opinion of the Authority, work that is
K of a minor nature -- work would have to be conducted by
L a licensed plumber.

M Please just look at subsection (1) first.

N Let me refer you to another document before I ask
you questions. C3, page 2422. It's a circular issued
O both you Water Supplies Department.

P This is what it says here:

Q "(Partially in English) There have been instance
where licensed plumbers withdraw from the plumbing work
R of a project and ask other person to take over the work
without notifying the Water Authority."

S So the licensed plumber will get someone else to do
the work without notifying the Water Authority.

It went on to say:

"(In English) I like to remind you that you should not hand over the plumbing work for which you have signed Waterworks Form 'G' to any other person so as to deem to refer transfer the responsibility for supervising the work unless the person to take over is himself a licensed plumber and has obtained the approval of the Water Authority ..."

So, basically, what it says is the project or the work that is supposed to be undertaken by you should not be handed over to another person, unless this person is also a licensed plumber.

Paragraph 3:

"(In English) So long as you remain to be the licensed plumber of a particular job for which you have signed Waterworks Form 'G', you may employ workers who are not necessarily licensed plumbers to assist you in carrying out the work."

(Chinese spoken).

"(In English) But under no circumstances should you use your licence to enable non-licensed persons to undertake plumbing work without involving yourself in the supervision of the work."

I showed you these two documents because under the law, the licensed plumber is required to undertake the

relevant work, with the exception of work that is of a minor nature, and you don't have to do it yourself; you can hire someone to undertake the work, but you have to supervise the work yourself.

From the very beginning, once you qualified as a licensed plumber, did you actually go down to the site to undertake the work yourself?

A. We go down to the site. Sometimes, the workers are not really working hard enough, and we will show them.

Q. As a licensed plumber yourself, do you think you have to undertake the work yourself, or do you think that, as a licensed plumber, you play a supervising role?

A. Yes, we are instructing. We give instruction.

Q. Let me put this to you. When you have to submit WWO46 forms, do you know that the main contractor has to submit the materials to the HD for approval?

A. Yes, that's a must.

Q. Every time you submitted WWO46 forms, the annex to this form -- let's have a look at the one to do with Kai Ching Estate. Bundle C7.1, page 4751. That's the application that you signed, part I of WWO46.

A. That's part I, yes.

Q. Part II, you don't have to sign. Part II is on page 4752. What you have to sign on would be just part I.

C When you signed part I, you have a list attached to
it regarding the materials and fittings to be used.

C

D That you are familiar with.

D

E My question is, every time you submitted this
F appendix containing all the plumbing materials and
F fittings -- you have the brands, the suppliers, and
G let's have a look at page 4753; and all the serial
G numbers, the suppliers, the standards of compliance and
H all the reference numbers there -- this kind of
H information, on what basis did you come up with the
I information?
I information?

E

F

G

H

I

J

J A. First of all, Ho Biu Kee got awarded the project, and
K the contract department would have the specifications,
K and they would work out the kind of materials that would
L be used for the site.

K

L

M Q. You said that they would talk with the main contractor?
M

M

N A. Yes, they talked with the engineers.
N

N

O Q. The engineers from Ho Biu Kee would talk with the main
O contractor?
O

O

P A. Yes.
P

P

Q Q. For the Kai Ching Estate project, the project engineer,
Q who do you think he is?
Q

Q

R A. There are two. One is Kevin.
R

R

S Q. Kevin Kwong?
S

S

T A. Yes, Kevin Kwong. The other one is -- let me see --
T

T

U

U

V

V

Andy Chan.

Q. Andy Chan? Andy Chan is employed by Ho Biu Kee?

A. Yes. He is from the quotation department.

Q. You know that they were responsible for dealing with the main contractor regarding the specifications. My question then is, for this annex, was it prepared by you, or who prepared it?

A. This list was made available to me.

Q. Once you have received this list, do you have to check whether the information is accurate?

A. Yes, they have to have the reference number, the BS whatever. I have to check, to make sure that the materials are in keeping with what are in my form.

Q. You said you would check. What do you check the content of this form against?

A. I have to ask the company, the procurement department, and they have to make available the certificate of these materials for me to check.

Q. All right, you do the checking, and it's only when everything is in order that you sign form 46 part I?

A. I would like to supplement here. I check everything, every item has to be in order, and then I fill out all the sections to be filled by an LP.

Q. That's page 4751. All the materials, all the information, was filled in by you?

A. Then I would submit this to the company and the main contractor, for onward submission to the Housing Department, and the owner and the architect of the HD, and then they signed part I and part II, and then I get the form and make an application of part III with the WSD.

Q. When you sign part I, page 4751, the licensed plumber and the AP have to sign them?

A. Yes, the owner also. They all have to sign.

Q. The owner has to sign on part II?

Let's deal with part I, to start with. For part I, in general, would the LP sign first or would the architect sign first?

A. I would sign it first.

Q. You showed this to the AP for signature. Would you be there when he signed?

A. No, I wasn't there.

Q. You handed over to the main contractor for onward submission, and it would be for the main contractor to submit this to the HD. Once this has been signed, this would be returned to you, and you would make submission to the HD?

A. Right.

Q. Let's have a look at this form. You filled in the information; let's have a look at the information you

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

B Commission of Inquiry into Excess Lead Found in Drinking Water Day 40 B

C filled in. C

D Part I refers to the project at Kai Tak, and the D

E coverage is fresh water supply and flush water supply; E

F do you see that? Then you refer to the meters, the F

G water meters, the size of the water meters. This is all G

H there, and all the dimensions, all these were filled in H

I by you? I

J A. Yes, yes. J

K Q. Number 2, "(In English) Purpose of submission": K

L "(In English) hereby notify that the plumbing works L

M detailed above will be commenced on [such and such M

N a date]. N

O We certify that the pipes and fittings O

P installed/intended to be installed, including those as P

Q listed on the attached annex to this form and those not Q

R listed, are as prescribed by the Waterworks R

S Regulations." S

T Here you certify, first of all, that all the T

U materials included in the annex have to measure up to U

V the WSD requirements. Not only that, you mention those V

not listed also have to comply with the requirements.

This is what you said here:

"(In English) ... including those as listed on the

attached annex ..."

And those not listed on the attached annex have to

be in order; you make a statement there.

A. If I may add, those not listed still have to be in black and white, because -- I mentioned this to the Water Supplies Department.

Q. Let me clarify one point. Those listed in the annex do not include everything.

Let's look at the notes in the preparation of the form. B15.1, page 37627. That's a note, when filling in the form, some explanatory notes.

If you refer to point 7, it says:

"(In English) All pipes used/intended to be used are required to be reported in the annex."

That means that the pipes to be used would have to be listed. It says:

"(In English) For fittings, only draw-off taps, stop valves, gate valves, ball valves and combination fittings need to be reported."

Can you see that?

A. Yes.

Q. Then he says there is a directory that can be found on the website. It says, by the looks of it, that in relation to certain material and fittings, there is a need to be reported.

Let me first ask you -- so, in relation to the materials and fittings, some have to be reported; do you

know that?

A. It's very clear, BS something, and it's the metal content.

Q. No. Let's leave the BS requirement aside.

So, in relation to the part I annex, there is a list of material, under note 7, and it says only certain materials or fittings will have to be reported in the annex. Did you know that?

A. Yes.

Q. 7.1 -- in 7.1 -- well, you signed the form, so you declare certain things, and it's more than the fittings in the annex. 2 says, "All types and fittings, including those set out in the annex".

Even when they are not on the list, you have to make sure that they conform to the WS regulations. Do you agree you have the responsibility to ensure that the materials used, apart from those set out in the annex, just materials that will be used but not annexed, have to comply with the WS regulations? Do you agree that once you have signed this document, it's your responsibility to ensure that?

A. Let me say this. When the WSD made approvals, there would be a certificate and we would only deal with those.

Q. So what you mean is that you could only ensure that the

materials set out in the annex comply with the WSD regulations, and that's what you think?

A. Yes.

Q. You submitted the annex, and you knew that the annex is not an exhaustive list of all materials used in the plumbing work. For other materials that were to be used, would you know what types? Say, for example, solder material that did not appear here, would you know that they would be used?

A. Let me say this. There is a situation when it did not have to be reported. For some filler material, it did not need certification, and only fittings that be relate to stoppage of water supply will have to be certified.

Q. You talk about filler materials and there is no certification from the WSD. That's why there are no particular specific specifications.

Please answer my question first. I asked you, when you submitted part I, there is the annex, then you knew that the materials set out therein would be used.

My first question: for those materials that did not appear in the annex, say for example solder material, in the process of the work, would you receive information about specifications or brands, for example, that would be used?

A. Well, that is for my company to communicate with the HD.

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

B Commission of Inquiry into Day 40 **B**
Excess Lead Found in Drinking Water

C Q. So you would not know, but did you know? **C**

D A. I knew that a report had to be made to the HD. **D**

E Q. If say a particular brand is to be used in relation to **E**
solder material, were you told, "Mr Lam, there is **E**
material, for example, including solder material, **F**
certain specifications or brands will have to be used", **F**
but that is not included in the annex? **G**

G A. No. **G**

H Q. Would you ask? **H**

I A. Well, it's not even reported in the annex, so there's no **I**
point in me asking. **J**

J Q. We are aware that the WSD conducted an investigation in **J**
relation to your licence. If there is a list of **K**
material set out in the annex, sometimes, during the **L**
process of the work, there might be revisions, and you **L**
have come across that? **M**

M A. Yes. **M**

N Q. So, in relation to revision of fittings or material in **N**
the annex, did you have the responsibility to inform **O**
anyone? **O**

P A. Well, when that happened, it would be for the main **P**
contractor to liaise with my company. **Q**

Q Q. Could you say that again? **Q**

R A. It would be for the main contractor to reflect to my **R**
company, and then advice would be sought from the **S**
T **T**
U **U**
V **V**

architect, and the licensed person will ask the WSD whether an application would be needed.

CHAIRMAN: So you mean it's nothing to do with you?

A. It's not that. We had to ask whether an application had to be made, and we have to ask the WSD.

MR KHAW: So whom did you ask?

A. The AI of the WSD, whether declaration had to be made.

Q. Let me talk about this area. Just one question. If you refer to Q1, page 17, paragraph 4. This is a record of interview with the WSD dated 8 October 2015.

In paragraph 4, it says:

"Mr Lam said that in relation to the revision of plumbing fittings used in Kwai Shing and Kai Ching, as the responsible plumber of the project, he once mentioned to the resident BSE that a declaration had been made to the WSD. However, the site BSE of the project indicated to him that there was no need to make a revision or submit parts I and II of form 46, and as long as it's been communicated with the WSD and the HS, as a result Mr Lam did not submit the relevant form in relation to the revision to the department."

Did you see that?

A. Yes.

Q. He says that you once raised the need to submit an application for revision to the WSD with the site

BSE.

Let me first ask you the question. You can find the relevant part. So you talk about a site BSE. You were talking about the BSE of the main contractor or one of which party?

A. I did not know about the title, because at the time during the connection to the outside service, I said to a officer that there are some irregularities that had to be sorted out first, and I was told, if we had to do that, then there would be a day of completion.

Q. You talk about "an officer", so from whom?

A. From the main contractor and from the HD as well.

Q. So from the main contractor?

A. Yes. Well, I only met with the one from the main contractor for an hour or two, and then that person left.

Q. You mention that there is one from the HD and one from the main contractor, an officer. And you asked whether there was a need to be clear with the WSD. You mention an officer. Was it the one from the main contractor or the HD?

A. We were all together.

MR KHAW: Perhaps I will follow up after lunch.

CHAIRMAN: We will resume at 2.30. Thank you.

(12.59 pm)

(The luncheon adjournment)

(2.31 pm)

MR KHAW: Mr Lam, before lunch, you were talking about
a record of interview with the WSD.

Please refer to Q1, page 17. In paragraph 4, you
were saying that in relation to plumbing fittings, the
revision of the list and how it was done; do you recall?

A. Yes.

Q. You said here -- this paragraph sets out what you said
in the record of interview. You said that as the
plumber of the project, you once said to the site BSE
that application has to be made to the WSD for the
revision of the material list. However, the said BSE
said there is no need, as long as it was communicated to
the department.

You said to us before lunch that you were told by
an officer, and the officer included those from the main
contractor and the WSD?

A. There was also someone from my company, and that person
knew about it.

Q. You mean there was a site staff of Ho Biu Kee who knew
about it? Who was it? Was it Mr Leung?

A. I think Mr Leung was there too, but it was so long ago
that I cannot recall.

Q. It doesn't matter. We will take it step by step.

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

B Commission of Inquiry into Excess Lead Found in Drinking Water Day 40 B

C First, you talked about an officer. In the record C

D of interview, it is very clear that it is a site BSE. D

E During the interview with the WSD, did you specifically E

F mention BSE? F

G A. No, this was added by the WSD. I did not say this. G

H Q. You said to the WSD that it was an officer? H

I A. I said when I was at the site I informed them and they I

J said this and that. I didn't know why they used this J

K term. But I said "an officer". K

L Q. So I want to ask, well, are you really talking about L

M a BSE; "yes" or "no"? M

N A. I did not say that. N

O Q. You did not know about the post title? O

P A. I knew who they represented. From the HD and also from P

Q the main contractor. Q

R Q. But as to the post title, you did not know? R

S A. I did not know. S

T Q. Prior to the Kai Ching project, say in WWO46, on that T

U form, there is a list of material attached, and in U

V relation to other projects that you have been V

responsible for, if there was such an annex and there

was no subsequent revision, has it happened?

A. Yes.

Q. Prior to Kai Ching, if that happened, that is

WWO46 annex has been submitted and there was revision to

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

B Commission of Inquiry into Excess Lead Found in Drinking Water Day 40 B

C the material, who was responsible for submitting to the C
WSD the updated annex or list?

D A. Let me put it this way. For us and general plumbers, D
there is no need to make a declaration.

E Q. No? E

F A. Well, after the inspection, an officer would say that F
it's nothing major. He only had to initial on the form

G to confirm that these were installed. G

H Q. I am talking about projects before Kai Ching. H

I A. Right. I

J Q. You said that if an officer said that there was J
revision, as long as there's an initial, that would do.

K On which form? K

L A. The list of form 46. L

M Q. You mean done by hand? M

N A. Yes, and then signed. Well, you can only do it when you N
are asked to do by an officer or Ah Sir.

O Q. So, in relation to this particular step, you have done O
it before?

P A. Yes, many times. P

Q Q. So, if there was a revision, you yourself would Q
communicate with an officer of the WSD and that would be

R initialled? R

S A. Of course, there would be someone from my company who S
would be present, because we are talking about if there

T

U

V

is a change of the BS, if the officer thought that it's nothing major, it would not affect the completion, then an initial would do.

Q. The initial would be a confirmation of the revision, and this step had to be done with your liaising with the WSD?

A. Right.

Q. So, about the Kai Ching project, you said that there were officers from the WSD and the main contractor telling you that there was no need to change anything. The relevant people of the WSD and the HD would communicate with one another and that would do; that's what you were told by the officer, right?

A. Well, I brought a document with me, and in the past it was waived, as long as there was communication between the departments. Say, for example, revision on the drawings or something small which has already been approved before.

Q. Let's not talk about the waiver in the past. In relation to Kai Ching Estate and the matter you talked about in the record of interview, there was an officer who told you there is no need to take the initiative to ask for revision; wait for the WSD and the HD to talk amongst themselves and that would do.

First of all, did you hear it at the site?

A. Yes, at the site.

Q. Did you say those officers said that to you?

A. Well, there were many reasons and something brief was said to me, that there would be published an intake -- well, government may want to speed up, because if an application had to be done, there may be problems, so we just don't talk to the WSD. That would do.

Q. Only one person said that to you or more than one?

A. One.

Q. Who was it? Someone from the Housing Department?

A. From the main contractor because they were asked and they replied.

CHAIRMAN: The construction worker, the main contractor, you mean China State?

A. China State and the foreman.

CHAIRMAN: What?

A. Foreman of my company.

CHAIRMAN: Okay, foreman of your company and China State Construction, and China State Construction said there is no need to change anything?

A. Well, no. It was said that an officer would be consulted and there is no need to resubmit anything.

CHAIRMAN: So China State Construction asked the officer, the officers from the HD. So there was China State Construction, the HD and your company?

A. No, it's not said in the meeting but at the site. It was very noisy and everything was so rushed.

MR KHAW: An employee of Ho Biu Kee, Mr Leung, when that was said, was he present?

A. When I asked them, I think most of them have already left. I don't know where to find them.

Q. So you asked Ho Biu Kee staff members?

A. Even if I did, they said that they couldn't really remember.

CHAIRMAN: Sorry, when was Kai Ching completed? 2014?

A. 2013.

CHAIRMAN: So 2013 or 2014.

Please continue.

MR KHAW: You asked Ho Biu Kee. Who?

A. Workers, foremen and someone else. I said, "You have to give me a form because a submission has to be made."

Q. Just now you said that prior to the Kai Ching project, if there were revisions of the annex, you would liaise with the WSD?

A. Right.

Q. On the occasion when you heard officers, including people from the main contractor said that to you, were you surprised?

A. Because it's different from the past practice. From past practice -- I just say it as it was. There were

many formalities. Say the document I gave you, a form had to be prepared for licence, to submit it, and it was opined that the catalogue, certificate and the form had to be resubmitted, it would take another two months, and it would be submitted to the WSD, and the WSD would say, "Well, there is a change and it would take a long time."

Q. So you relied on what you were told by the officers; however, you did not approach the WSD in relation to the revision of the annex of the form?

A. No, I did not.

Q. Let me show you a circular of the WSD and let's hear what you say. C3, page 2305. On this page, it's from the WSD, 27 February 2004, to all APs.

It says that in relation to WWO46, at the time of submission, what the changes were in the submission, if any.

(a) says there is no this electronic document management system, so the submission of WWO46 was to be improved.

Do you remember receiving this circular?

A. Yes, I remember this central computer system.

Q. And (a) says that only one copy is needed instead of document in triplicate.

Let's go to (g), the last part of this page. It says that where there is minor alteration initiated by

the LP, that is you, the LP can mail a copy of the previous WWO46 with your signature and date on each entry of the alterations. It says:

"(In English) This needs to be done before staff of the Water Authority conducts inspection."

That means the alteration had to be done before the Water Supplies Department conducts the inspection.

There are a few things I would like to ask. It says that when the LP raises some changes, minor alterations -- well, first of all, in your experience, these material changes, did you, the LP, ever initiate such?

A. I had no opportunity. I could not change on my own initiative as an LP.

Q. Well, for example, in Kai Ching, prior to Kai Ching Estate, the scenarios I mentioned, sometimes you can amend the WWO46. Usually who initiates such an amendment?

A. Well, first of all, my company, when there is any amendment, first of all we need to tell the Buildings Department and the Buildings Department will have to notify the HA or the owner, and then they will have to notify them of the amendments.

Q. So, in other words, amendments to materials, usually the main contractor will raise these issues. So I would

like to ask you, the main contractor, when they raise any amendments, you personally don't need to do anything? Your understanding is that they will handle it?

A. Because they have made amendments, and if submission is needed, I need to give them the new, updated material catalogue, and the owner needs to sign all over again.

Q. Do you mean that even if the amendment was not raised by the LP, let's say it was initiated by the main contractor, and you will need to follow up?

A. That is the normal procedure, but sometimes there are exemptions. Some private jobs, the architect might say that we have an urgent inspection. There are exemptions.

Q. So exemptions you refer to, what do you mean?

A. Exemptions means that if we need to submit the procedure, we have to run a procedure again, we have to make arrangements. And the architect is responsible, they will arrange for phone calls and meetings.

Q. So you mean, for exempted cases, if the architect is notified, they notify the Water Authority, then it's all handled?

A. Yes.

Q. What about when there are no exemptions? When do you -- listen carefully. Assume the main contractor says that

certain materials during the construction need to be changed. It is different from the initial form. So, under these circumstances, the contractor made an amendment, and you as an LP, do you need to do follow-up work?

A. They will tell me that if the architect, after communication, there is no problem.

Q. So communication is one matter, but you personally, under these circumstances, do you need to sign any documents or do you need to notify the Water Authority regarding the change of material?

A. Well, it depends on what the officer says after inspection of the site.

Q. Wait a second. Are you referring to the Water Authority inspector or officer?

A. No, this here refers to the staff of the Water Authority before they inspect the site. Well, some circumstances, we cannot prepare the document in time, the time is up, and after communication with their supervisor or superior, the officer will also consult us and ask if we have added that material, and if yes, we will have to sign.

Q. So after explanation on the site, after communication there has been some amendments and confirmation, you will sign your name?

A. Yes.

Q. This morning, you told us that when you resigned in 2010, you were dissatisfied that the materials, after they were submitted, it was changed and you were not notified?

A. Yes.

Q. Now you're saying if there were no exemptions, you would be aware?

A. Well, the situation was I have signed so many cases and eight cases had ran into problems and so I was under a lot of pressure, so I said I quit.

Q. When you say problems occurred, what do you mean?

A. I signed off eight projects, and procurement would procure whatever they wanted, and the material I was working with, I said that was not what the architect approved, and they purchased all kinds of different things.

Q. So, in 2010, your feeling at that time was that some things were done without your consent or your knowledge, but you were responsible; you couldn't handle that pressure and you resigned?

A. Yes, that's what I mean.

Q. So you felt that was quite serious, serious enough for you to quit?

A. I had given them email, I met with them, I told them

verbally that, "If you are going to continue this way,
I will quit."

Q. So I want to ask you, when you resigned in 2010 -- we
have just heard this for the first time today -- in your
document, if you refer to your first response to the
Housing Authority -- Q1, page 10.

A. Thank you.

Q. In this response, you have never mentioned your
resignation. In paragraph 2, you were still saying that
in Ho Biu Kee, your post was retained but your salary
was withheld, in sentence 1. Can you see that?

A. Yes.

Q. In the following statement on page 24, paragraph 2 says,
"I am only an employed licensed plumber of Ho Biu Kee."

So it seems that in the preparation of these two
documents, you were saying you were still under the
employment of Ho Biu Kee. Your post was retained by
your salary was withheld. It never mentions that you
had resigned in 2010.

I would like to clarify with you today. In these
two documents, why did you not mention your resignation
in 2010?

A. Well, because at the time I had not prepared all the
documents. I could not draft that.

CHAIRMAN: You mean you don't know whether you resigned?

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

B Commission of Inquiry into Excess Lead Found in Drinking Water Day 40 B

C A. I know. I had not prepared the reasons for why I resigned. C

D CHAIRMAN: So do you mean you submitted your resignation D

E letter but you were told not to resign? E

F A. I definitely said so. F

G CHAIRMAN: So in fact did you resign? G

H A. I had not received a salary. H

I CHAIRMAN: Or did you have a different salary arrangement? I

J A. I had resigned. I have nothing. I have no MPF and I'm J

K not employed, and I had also been hospitalised. K

L MR KHAW: So your monthly salary had stopped, so your work L

M arrangements had changed? You had received a piece rate M

N arrangement. So you felt you had resigned? N

O A. I told them that they needed to find a replacement LP to O

P follow up my work. P

Q Q. You said, after your resignation, you were worried. You Q

R had submitted an annexure form and it had been amended R

S and you are not notified, and you said problems S

T occurred. T

U A. So when the building was inspected, I would have U

V received demerits. V

Q. So when a building is inspected and they find that the R

R materials were not the submitted materials and you R

S didn't follow up, you would receive demerits; is that S

T what you mean? T

U

V

A. Yes.

Q. So the demerit system, if I go over that with you, in document C3, page 2440. This dates back to 1984. Two years after you received your licensed plumber licence, there was this letter issued regarding point penalty system for defects in plumbing works carried out by licensed plumbers; do you see that?

A. Yes.

Q. Do you recall receiving such a letter?

A. I had received these.

Q. So the demerit system, is that the point penalty system you are referring to? Well, it says here -- it illustrates how the licences should be renewed and how would your licence be revoked and under what conditions it would be revoked.

So I would like to ask you, why do you feel that when you submitted the annex to form 46, the materials listed there -- and the AP had notified the Water Authority that those materials were amended -- so under these circumstances, do you feel that the Water Authority would still give you a demerit?

A. Well, they were notified and it was under the exemption rule. In 2442, it tells you how many points you will be deducted.

Q. My question was, even if the AP had notified the Water

Authority that materials need to be amended -- for example, in the police quarters -- the AP had notified the Water Authority and said certain things were amended. So, under these circumstances, you feel that if it's different from WWO form 46, you would get a demerit?

A. No, I wouldn't get a demerit. The architect had already written the document and confirmed that.

Q. So what was your concern? If the architect had notified them, you wouldn't get a demerit.

A. No. Sometimes architects won't tell you. They say, "If you change materials, it's your problem; why should I sign off?"

Q. The documents you displayed this morning had been -- some architects had notified the Water Authority that materials were changed and that wouldn't run into a problem because they already had notified the Water Authority. So you are saying when problems occurred and why you had to resign. It was a big problem. Is the case where the architect did not notify the Water Authority and made amendments?

A. Yes, that's correct.

Q. I would like to direct you to a question raised this morning. C7.1, page 4751. We talked about this this morning. When you fill in this application form, in 2,

I asked you this morning, you had to make a declaration,
and it's "Purpose of submission" -- can you see that?

It's in the middle. You said that you had to certify
that the pipes and fittings, where they are reported in
the annex, have to comply with the Waterworks
Regulations. Do you understand this paragraph, which is
in English?

A. Yes.

Q. It says:

"(In English) We certify that the pipes and fittings
installed/intended to be installed, including those as
listed on the attached annex to this form ..."

That is the fittings and the materials that are on
the annex of the form.

"(In English)... and those not listed ..."

You agree and accept that they will have to follow
the Waterworks Regulations?

A. Yes.

Q. This morning, you said that you yourself thought that --
well, you are only responsible for the fittings on the
annex, and for those that are not on the annex, you did
not have the responsibility to ensure that they followed
the Waterworks Regulations. That's your view?

A. Incorrect. It was mentioned in a meeting with the WSD,
and it said that for the BS responsibilities, there is

no certification. I asked whether there were any other ways and I said no.

Q. So you asked about materials, whether they are covered by certification, whether they are under your responsibility. But it's different from what it says here.

A. Sorry, I misunderstood it. Well, for those that I have signed and if they are covered by a certificate and they are missing on the annex -- well, however, for those that are not covered by a certification, then the WSD would be of the view that they don't have BS so we don't have to concern ourselves with that.

Q. How did you know to distinguish them by just coverage of the certificate?

A. I asked whether there will be certificate covering the material.

Q. You asked the company?

A. Yes.

Q. If that is your stance, that is you are only responsible for those that were covered by a certification, that is they had to be certified by the WSD before they are included by this declaration, otherwise they were not included?

A. Let me add, there are things that are not included. If it is not materially related to stoppage of water, then

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

B Commission of Inquiry into Excess Lead Found in Drinking Water Day 40 B

C the WSD would not certify it. So soldering material, C

D say for example, strainer, filters, it's nothing to do D

E with stopping the water, so it would not be certified. E

F Q. Not filler metal then? F

G A. Of course not. G

H Q. What about pipes? H

I A. No, not pipes. I

J CHAIRMAN: Pipes are not? J

K A. No. K

L MR KHAW: Do you remember the first time, regardless of L

M whether it is Kai Ching or not, when you signed WWO46, M

N when was it? N

O A. I have been involved in over 100 sites and it was over O

P 30 years ago. P

Q Q. You have been signing this form for many years and there Q

R is always this declaration, and it seems that it reads R

S differently from what you said, because the declaration S

T said your responsibility covers all materials and T

U fittings, not just on the annex. U

V A. I do understand your question. I have said to the V

WSD -- well, this form has been signed, and the WSD

officer said that the form was very old and they are

working on a new form.

Q. Let's leave the new form aside, but the old forms that

you have been signing were like this, and at that time

you made a declaration that you were responsible for all fittings and materials, that they conform with the Waterworks Regulations, nothing to do with whether they are covered by a certification or not. Do you understand?

A. Yes.

Q. The declaration is more extensive than what you told us, that is the distinction whether it is covered by a cert. That is what you think?

A. Yes.

Q. You have been filling in this form for over 30 years, and this form says that all materials will have to conform with Waterworks Regulations. Notwithstanding the fact that you have been signing so many of these forms, it did not occur to you whether it is important to see what other materials were used?

A. Well, sometimes, when there were problems with material, we asked the AI of the WSD or engineers. They all said, "Don't concern yourself that; just report those are covered by BS certification."

Q. So, according to you, if it is not certified by the WSD, you wouldn't even ask what material would be used?

A. Well, if there is no certification, what could you ask?

Q. Just concern yourself with those that are covered by BS. Filler material includes solder material. Have you ever

asked Ho Biu Kee or the main contractor what materials would be used? Did you ask?

A. Usually, as a licensed plumber, there is no need to ask about filler metals.

Q. This morning, the chairman and I asked you about the tendering of your resignation letter in 2010 and after that how many projects you were involved in in signing the water certificate. You said about two or three, including Kai Ching.

A. Yes, two to three. Once -- when I was admitted to hospital, I could not do any more.

Q. Let's refer to F2, page 1340. It's in relation to projects of China State Construction. These projects are not affected estates.

Let's refer to this table. Please refer to item 10, Mei Tung Estate; can you see that? It says the licensed plumber is Lam Tak Sum, yourself. Do you remember this project?

A. Yes.

Q. Is it one that you were involved in after you had submitted your resignation letter?

A. I can't find the form.

Q. Let's look at some others. 12, Un Chau Estate Phase 5, 2012. Do you recall this project?

A. Yes, I do.

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 40	
C	Q. You do?	C
	A. Yes.	
D	Q. From the information in this table, it's after you	D
E	tendered your resignation letter.	E
F	A. Just the signing of forms, because there was no change	F
	of licensed person yet.	
G	Q. That was before the change of licensed person, but	G
H	according to you, it's after you have tendered your	H
I	letter of resignation and it's done according to the	I
	practice you have outlined.	
J	Item 13, Yau Tong Community Hall; do you recall?	J
	A. 13 is Yau Tong, yes.	
K	Q. 2012, also after you have sent your letter of	K
L	resignation?	L
M	A. But it's a different address, as I know it, because it's	M
	Yau Tong Domain.	
N	Q. Anyway, in relation to the Yau Tong Community Hall,	N
O	there was a construction project, and in 2012 it was	O
	done according to the piece-rate arrangement.	
P	15, Ching Long Shopping Mall. Can you see it?	P
Q	A. 15, yes.	Q
	Q. It's also done by that piece-rate approach; right?	
R	A. Well, that was before they could find another licensed	R
S	person. I had to wrap things up for them.	S
T	Q. It's the same, it's 2012, after you resigned and it's	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 40 B

C one of those projects. C

D 16 is the same, Shui Chuen O Estate Phase 1. D

E A. Yes. E

F Q. Do you recall? F

G A. Yes. G

H Q. So, from this table it's more than two or three. H

I A. No. Well, it's not two to three, it's more than that. I

J I have submitted my letter. I said "I would resign. J

K You have to find another licensed person to take over." K

L For Phases 3 and 4, there was a change of licensed L

M person. Unfortunately, that licensed person resigned. M

N So the change failed a few more times -- N

O Q. And then it came back to you. So in the end you were O

P responsible? P

Q A. Well, the undertaking was that before a change of Q

R licensed person, if everything was in order then I would R

S help you. S

T Q. The number of projects I have told you about -- they are T

U after 2010 by piece rate. Is it the case that for each U

V project you are given 40,000? V

A. 40,000, every project. It doesn't really matter, whether it's 6, 8, 10, it was 40,000.

Q. We are talking about four to five projects. They are all included in the 40,000.

A. One project, \$40,000.

Q. For each project, 40,000.

H1, page 121. This is a table provided by Shui On, regarding unaffected estates. It's a summary.

Let's take a look here. We see the right-hand column says "Licensed plumbers". So, Mr Lam, let's take item number 5, Lam Tin Estate; do you see that? This is a Shui On project. It says you are a licensed plumber; you recall that?

A. Yes.

Q. Moving further on, item 7, Kwai Luen Estate Phase 1, 2011. Your name is also there, licensed plumber. Item 8, Yau Lai Estate; you are the licensed plumber. And item 9, Yau Lai Shopping Centre, you are the licensed plumber as well. Shin Ming Estate, item 10.

A. Yes.

Q. Mr Lam, that is you. Then Shek Kip Mei Estate Phase 5, then Lung Yat Estate. It's also you, Mr Lam.

So all these projects after 2010, where you're a licensed plumber, so, according to you, were you paid on a piece-rate arrangement?

A. With Ho Biu Kee, yes.

Q. So for each project, you receive \$40,000?

A. Some were 20,000 and some were 40,000. A small park -- a smaller project you get 20,000 and 40,000 for a larger project.

Q. So that was the arrangement. So we see quite a lot, almost 10 projects, if you include Kai Ching and Kwai Luen, that's more than 10. We are referring to the period between 2010 and 2013.

A. They did not end when I tendered resignation.

Q. But we were saying this morning, from 2010 to 2015, you said you were only responsible for two or three, but now it seems that there are significantly more.

A. Some were papers submitted but I would not follow up on new projects. These were submitted before the period.

Q. Just now we talked about your main areas of work. First of all, it's to submit the WWO form. That's one of your main jobs. So if we look at the documents, the communication with the Water Authority, you also need to read the water meters; that's also an important part of your work.

Regarding the construction site, I would like to ask -- you said you had about one-month time. Every week you would go visit four or five times, four or five days. First of all, I would like to ask, monitoring plumbing works, is that part of your job? That is supervising the workers, is that part of your work?

A. Well, supervising work does not sum up my job.

Q. So technicians work -- this is not your work?

A. No. Some special scenarios occur and they cannot

resolve, then we have to go take a look.

Q. Well, the law has a description of your work, it has some specifications, and there have been some circulars issued?

A. Yes.

Q. It seems that whether you comply with the law or the circulars, you have some responsibilities. You have the responsibility to monitor on site, at the construction site, the plumbing works. You have to supervise that. Do you agree?

A. Well, I have work flow of a licensed plumber. I had written it down but I did not submit to you, because during the works, some ten months or a year after the works had started we started building the sample rooms, the sample units. So we only have some four to five months' time to do our work.

Q. So those four or five months, there are plumbers who are actively installing the pipes?

A. Yes.

Q. So, in those four or five months, if you go over to the site, I'm asking your responsibility. Does that include inspecting whether the works were done adequately, whether the workmanship was up to standard? Is that part of your work?

A. That's our job of inspecting the schematics, whether the

work was done according to schematics and whether they have breached the law and whether there were any errors in installation, as laid out by the Water Authority.

Q. Okay. Actually, my question is very simple. In general, when you go and inspect the site, when you supervise, your responsibility does not include looking at the workers and whether the work was done up to standard, up to specification. Is that your responsibility?

A. Yes.

Q. If that's the case, in Q1, you have a letter to the Water Authority I would like to clarify with you.

Page 19 of Q1. Page 19 is 3 August 2015. They were investigating the incident. Here, it says:

"I, Lam Tak Sum, licensed plumber, were only responsible for submitting forms and I was employed by Ho Biu Kee and my role was a worker."

First of all, is that inaccurate? If you are just a worker, that's not accurate, because just now you said you need to undertake a supervisory role.

A. Well, put it this way. When we did this I was a worker. I'm not the boss. I had only signed the paperwork related to the Water Authority.

Q. I understand. You are not the boss. But if you say you are only the worker, that's not exactly accurate. You

are the licensed plumber. You had your legal responsibility.

A. You are correct. When we go to the site meetings, we -- our work is only related to the licensed plumber. I am just going there -- doing my job.

Q. So you are saying you are no different from a regular worker?

A. I still have to go back to the office to do paperwork. I am not working there full-time.

Q. Well, whether you are working full-time or not is not the issue. The issue is you had signed a form, WWO46, and you are the only authorised person to fill out that form. Nobody else can do that.

If that is the case, you are qualified to fill out the form, then I asked you just now, you need to undertake certain responsibilities. You had agreed that in general, you need to supervise the works?

A. Yes.

Q. So you are not just a worker then. You need to supervise the workers.

A. But within the company, I am just a worker. I am not an engineer.

CHAIRMAN: You might be a worker, but workers have different classifications. Even a contractor is a worker. The contractor has to manage his workers.

A. Well, I had explained that just now. I am a worker who signs papers.

CHAIRMAN: So you are saying your work is only to sign papers? So theoretically you are just a technical consultant? Okay.

MR KHAW: Page 19, the 3 August 2015 letter, it's just the last five or six months, and you say you are employed by Ho Biu Kee. It doesn't say you have resigned, and you don't mention a change in your relationship.

A. That might have been a lapse. In fact, I had resigned.

Q. Okay. Let me ask -- refer to 14810. That's another letter you wrote to the Water Authority. That's a little bit earlier, in July. When the incident received coverage -- it's an English letter, 14810 -- it's C19.7, page 14810.

This letter, dated 11 July 2015 -- I would like to ask you, did you draft this letter or did someone assist you?

A. I had my colleagues type it up.

Q. Which colleagues? Ho Biu Kee?

A. My old colleagues, not Ho Biu Kee.

Q. So your ex-colleagues. So you spoke and they typed it out -- I will show you. I think you could read some of it.

Let's go through the first paragraph. Here you say

that Hong Kong licensed plumbers are only responsible for plumbing works in Hong Kong. I think you are referring to the prefabricated units. It says:

"(In English) For all the plumbing works being installed inside the prefabricated concrete which the production are carried out in mainland China ..."

So prefab units relating to pipes, and so on, if the production is carried out in the mainland, then you are saying "as Hong Kong licensed plumbers will not be responsible", that's what you say here, and you gave example. You have a Hong Kong licence and you cannot drive on the mainland with a Hong Kong licence.

The next paragraph, it's a more general case. My understanding is that it is not just about prefab units; it's a general case.

"(In English) Any irregularities to the Hong Kong waterworks standard requirements for plumbing installation in the building of the housing estates which may be found will not be our responsibility."

So it seems to say that if there are any discrepancies with Hong Kong waterworks standards, it's not your responsibility. So I would like to clarify with you, are you still referring to fabricated materials or in general terms?

A. Well, I was involved in some mainland projects under

Gammon. For Hong Kong people we cannot use our licence to do anything, and on the mainland, it's through a company, we could not break any laws on the mainland.

Q. Perhaps you were not clear about my question. The first paragraph says, in relation to prefabricated work, that you were not licensed to do anything outside Hong Kong.

The second paragraph says that inside the estate, for works conducted, if the plumbing works is a deviation of waterworks standards, it will not be your responsibility. You are talking about prefabricated works or in general?

A. If it's outside of our responsibility, then it is not our responsibility.

Q. So you are talking about in the territory and outside the territory. So if it is in the territory for works conducted in Hong Kong, not involving anything outside, everything is done in Hong Kong, then you as licensed plumber will have to be responsible.

A. Well, there are two different degrees of involvement or responsibility. The first, if it's hidden, then it's for the HD to accept.

Q. What do you mean?

A. Those that are inlaid, inside walls or underground.

Q. Then what?

A. Then it's for the HD to take delivery. The WSD would

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

B Commission of Inquiry into Excess Lead Found in Drinking Water Day 40 B

C not be involved. C

D Q. So for this kind of work, USDLP, did you have the D
responsibility of supervision?

E A. I could not sign anything. E

F Q. You could not sign anything. That's one thing. F

G A. The WSD said clearly that for hidden ones, it's G
undertaken by the architect, who would sign.

H Q. From where did you read it? H

I A. That's the practice for decades in Hong Kong. I

J Q. But from where did you read it? J

K A. There's an English letter and it talks about some K
exemptions of the WSD.

L Q. Can you find the letter? L

M A. Yes. M

N These two. (Handed). N

O MR KHAW: Perhaps we can have a break for ten minutes so O
I can go through this? It's from the updated
information. There is a memo, and I think there are two
sets of similar ones.

P CHAIRMAN: Perhaps we will have a break of ten minutes P
first.

Q (3.34 pm) Q

R (A short adjournment) R

S (3.50 pm) S

T MR KHAW: Mr Lam, let's return to the two documents we T

U

V

referred to before the break.

The first document, you had submitted some supplemental documents. In your amended documents, there's a memorandum from 1989. Let's refer to that first. This is a Water Authority -- issued by regional administration. It says here -- well, first of all, did you receive this?

A. No, I had not received this.

Q. Then how do you get this document?

A. They cannot conduct inspection work, and I was informed whether I needed to make any notification.

Q. So, back in 1989, you received that document, or did you receive it recently?

A. I received this three weeks after the incident.

Q. Are you referring to the period in question? It says, "Installation of fire service", so fire installations and water supply installations. It says:

"(In English) It has been an existing Waterworks requirement that all underground pipework must be inspected by staff of this department ..."

So the existing requirement is that all underground pipework has to be inspected by Waterworks Department.

"(In English) ... before it was backfilled or covered up ..."

So that is before the works have been restored.

C And the last sentence says: C

D "(In English) This requirement extends to all projects including those administered by government department." D

E So government departments also need to comply with this rule. E

F The implication is in paragraph 2. It says: F

G "(In English) ... this requirement of inspection is H H
I I
J J
K K
L L
M M
N N
O O
P P
Q Q
R R
S S
T T
U U
V V

H H
I I
J J
K K
L L
M M
N N
O O
P P
Q Q
R R
S S
T T
U U
V V

P So you understood that at face value? P

Q A. Yes. Q

R Q. The document does not say that the licensed plumber's R
S S
T T
U U
V V

T A. It is not mentioned there. It's an internal memorandum. T

U U

V V

V V

Q. So it makes no reference to licensed plumbers, it makes no reference to your work or it doesn't make any amendment?

A. We had consulted the Waterworks Department and they said the previous exemption was not permitted anymore. It just says that the government works do not need the waterworks inspection.

Q. Let's look at the second document, last September 2015. This is another document you mentioned earlier. It is also issued by the Water Supplies Department to the Housing Department. Let's take a look at the contents. Here, it refers to Waterworks Regulations 6(3). It refers to fire services and inside services. It needs to be inspected and approved by the Water Authority before they can be used or covered up. Therefore, there are some interim inspection of underground pipeworks and concealed pipeworks.

"(In English) However, it has been our practice, as mentioned in our memo WWO ...", the 89 memorandum, where government projects are exempted, so they do not require this interim inspection. So government projects does not need that interim inspection.

In paragraph 2 -- now, you have to bear in mind that this was after the excess lead in water incident was revealed. It says:

"(In English) Upon recent review, we find that whilst the Waterworks Ordinance does not bind the government, it binds the Housing Authority, which is a statutory body established under the Housing Ordinance. Accordingly, when the Housing Department applies to the Water Authority for water supply ... the concerned plumbing works should be inspected and approved in the same manner as those from other applicants governed by the Waterworks Ordinance and Waterworks Regulations."

The last sentence says:

"(In English) Please therefore note that with immediate effect, the requirement of interim inspection of underground and concealed pipeworks before covering up applies to projects of the Housing Department when the Housing Department is acting in the capacity of an executive arm of the Housing Authority."

So the exemptions from now on do not include Housing Authority projects. Housing Authority projects will state from now on they need to undergo interim inspections.

So we don't know whether the internal bureaucracy has straightened themselves out. It just says the Housing Authority won't have these exemptions anymore. That's what it says.

So this document does not specifically make any amendments to licensed plumbers. Do you agree?

A. I don't fully understand what they mean. I just know that there are no more exemptions.

Q. We've gone through these two documents. Now let's visit another subject: prefabricated units. Prefab units, we know they were only used in the Kai Ching project; is that right? The Kai Ching Estate used prefab units?

A. I know in this case but not other cases.

Q. Let me ask you, when you were responsible for Kai Ching, how did you know that there were prefabricated parts manufactured on the mainland? How did you know?

A. Well, the HD had to submit a document to notify the WSD. It's something for them to do but not for me to do.

Q. At the very beginning, when you knew that Kai Ching project would use prefabricated parts, who told you?

A. No one told me. I just knew that if that was the way to do, then the HD had to inform the WSD.

Q. Who said that to you?

A. Well, site workers said that there were some parts made on the mainland coming to Hong Kong, and I said that that wouldn't do; I would not get involved.

Q. I understand. But at the site of Kai Ching, some workers told you about prefabricated material, and that's how you knew. At that time, did you know that

such prefabricated parts were manufactured on the
mainland?

A. I had no idea.

Q. You did not know the entire time?

A. When I knew, I informed the main contractor, telling
them that they had to make an application to the WSD and
talk to the HD.

Q. Later, you learned that they were manufactured outside
Hong Kong, and you said that the HD had to make
an application to the WSD to inform them that the parts
were manufactured on the mainland. So you asked the HD
to inform the WSD that the parts were manufactured on
the mainland, and you thought, "It's nothing to do with
me"?

A. I have already explained that. It's outside my scope of
responsibility.

Q. Did you know at that time which company did they use to
manufacture the prefabricated parts? Did Ho Biu Kee or
the main contractor tell you?

A. No.

Q. You did not know where the factory was?

A. No. I only knew that there were something like that.

I only knew that there were prefabricated parts being
sent to the block.

Q. The main contractor or Ho Biu Kee went to the mainland

A
B
C
D
E
F
G
H
I
J
K
L
M
N
O
P
Q
R
S
T
U
V

A
B
C
D
E
F
G
H
I
J
K
L
M
N
O
P
Q
R
S
T
U
V

to liaise with the mainland factory; did you know that?

A. I did not know because I did not know where they were.

I didn't know anything about that.

Q. You weren't told?

A. I wasn't told.

Q. Did you ask where were these prefabricated parts made?

A. I did not know whether a third party was involved in signing anything. Was it a mainland supervising company or what? I had no right to ask. It's outside my responsibility.

Q. We know that these parts were manufactured on the mainland, and wherever they are made they would be sent to Hong Kong and used, and that includes prefabricated plumbing works, and you said, "That is nothing to do with me, if they were manufactured on the mainland." But these parts would be used in Hong Kong. You are a Hong Kong LP. Did you think you had any responsibility to supervise works related to that?

A. They are prefabricated parts and everything has been installed. I could not see any pipes.

Q. You could not see any pipes? Did you ask what pipes were used?

CHAIRMAN: I don't understand. Why did you say you couldn't see any pipes?

A. Because everything has been installed.

CHAIRMAN: But for HD projects, the pipes were exposed, it's just that they are attached to concrete.

A. No, they are inlaid, inside the cement or the concrete.

CHAIRMAN: Is that your understanding?

A. Yes.

CHAIRMAN: Is it because there is a discrepancy between your understanding and mine? Have you actually seen it?

We know that for some areas in Kai Ching, plumbing works have been installed on the mainland. However, for some other parts, they were installed in Hong Kong. So it wouldn't be different.

A. For some, yes, it's installed on the mainland, but for some others, it's installed in Hong Kong.

CHAIRMAN: If that is the case, all of them would be exposed. It's just that for some of them, they were installed on the mainland, but still they were exposed pipes and they were delivered to Hong Kong and put up; do you understand? So who's right, you or me?

A. There are two. Both.

CHAIRMAN: Both? You mean the concealed ones as well, inside concrete?

A. Well, before the works were set out, it was installed in Hong Kong.

CHAIRMAN: But do you actually know what happened, Mr Lam? My understanding is that for WSD, the requirement was

simple. All the pipes had to be exposed. I mean the
Housing Department.

A. But if they are not installed in Hong Kong, then it's
outside my responsibility.

CHAIRMAN: I understand that would be outside your
supervision, but what I meant was, for some floors, the
parts were made in Hong Kong, and some others on the
mainland, but there was no reason for the two to be
different. I mean the appearance.

A. But there were both. I don't know. If they were made
on the mainland, then it's not under my charge.

CHAIRMAN: You mean charge as in fees?

A. But there was no one working on the mainland.

CHAIRMAN: So you could not charge them, money-wise?

A. We could not get any fees from them.

CHAIRMAN: That's why it is not your responsibility.

A. Okay.

CHAIRMAN: But the question is, Mr Lam, in the end, you had
to sign for part IV of WWO46.

A. We have already informed the HD that they had to tell
the WSD that the parts came from the mainland, but it is
not for me to do.

CHAIRMAN: Then you simply refused to sign?

A. But they could not be separated.

CHAIRMAN: What do you mean?

A. Usually, it's for the HD to inform the WSD.

CHAIRMAN: I don't understand. What do you mean, you can't split them up? Is it the case that it's been signed so you have to sign? What do you mean?

A. It's outside my responsibility, so I should not be held responsible.

CHAIRMAN: That's why you should not sign part IV, but part IV relates to the entire site. For one single block, maybe one-third came from the mainland and two-thirds is your responsibility. So you think, "Since I'm responsible for two-thirds, I had to sign"? Is that what you meant by not being able to split it up?

A. That means there will be ambiguities in the application.

CHAIRMAN: And you just left it like that?

A. Well, that's a different matter. Perhaps the HD has already sorted it out with the WSD. It's not for me to tell them that I did not do anything.

CHAIRMAN: So you signed your name and that's it, and left it at that?

A. There's nothing I could do.

MR KHAW: One follow-up question. Before the break, I asked you about 2010, the reason for your resignation, and you explained that at that time there were a lot of projects, and the material form has been attached, and subsequently there were changes, and in your evidence

you said that if these revisions had been communicated to the WSD by the architect, then it would be all right, and if there were changes and if the WSD was not informed, and you thought that since you have filed the annex in the original form, so you were responsible for subsequent changes as well; right?

A. Well, it is not for the licensed person to change the material without any good reason. I had to make an application with the HD, and there would be submission of material for the consent of the architect before we could make any application for specifications. I have already given you the document.

The architect, the HD, the main contractor and the LP had to go to see the AI, saying that there are changes and that had to be done, and then the officer would consider the matter and decide whether a resubmission would be accepted.

Q. That means you had to talk to the WSD?

A. Yes.

Q. And your concern at that time was, if the AP did not talk directly with the WSD, then you would be responsible?

A. Yes. Because we could not do any resubmission.

Q. You said in your statement the procurement of material had nothing to do with you; it's done by Ho Biu Kee.

And I asked you today, in relation to the annex, that is in form 46, the parts, the materials -- you told us today that if there is no certification from the WSD, then you would not be responsible, because you would only be responsible for those covered by certification, not the WSD.

So in the submission of 46, you did not think that you had done anything wrong?

A. In the submission of parts I and II of form 46, the senior officer of the WSD would tell me, say for example, that there is missing information, and an order would be sent to me, for me to change the information on the form.

Q. In relation to Kwai Luen and Kai Ching, the form submitted were in order?

A. Not really. They had been reverted to me from time to time.

Q. So there were lots of questions asked in relation to your form. Were they about materials used in the annex?

A. Right.

Q. And you explained to them?

A. Yes. We were asked, that is the licensed person -- say for example, in relation to this one (indicating), they said they did not understand, and we were asked to send something in black and white for the HD. We learned

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

B Commission of Inquiry into Excess Lead Found in Drinking Water Day 40 **B**

C about the requirements. We changed what's needed and sorted out all the problems. **C**

D Q. About submission of samples for the HD for approval, you **D**

E were aware of this process? **E**

F A. It's not done by me. **F**

F Q. But you were aware of it? **F**

G A. Yes. **G**

H Q. So, material approval, the HD made an approval, informed **H**

H the contractor, who would inform Ho Biu Kee? **H**

I A. Yes. **I**

J Q. You in Ho Biu Kee, would you know what these approved **J**

K samples were? Would there be a list of the approved **K**

K material? **K**

L A. The HD would not give that to us. **L**

L Q. Right, but would you be given one by Ho Biu Kee? **L**

M A. No. **M**

N Q. You are aware that for every project, there is the **N**

O sample room? **O**

O A. That is the alignment of pipes, right. **O**

P Q. In relation to Kai Ching and Kwai Luen, in the setting **P**

Q up of the sample room, were you there to supervise it? **Q**

R A. After everything is in order, the main contractor **R**

R checked the locations or positions with us, and then the **R**

S HD would be informed about the sample room. **S**

S Q. What location? **S**

T **T**

U **U**

V **V**

C CHAIRMAN: No, we are not talking about the sample room.

C

Are you talking about the workshop or the sample room?

D A. Yes.

D

E MR KHAW: You mean about the workshop and the sample room.

E

What locations are you talking about?

F A. The alignment.

F

G Q. So you wouldn't specify after what room was completed?

G

H A. (Chinese spoken).

H

I Q. After the wooden room was completed, did you inspect the
room and see whether it conformed?

I

J A. Yes, I would see whether there was any breach of the
law.

J

K Q. Forget the opinion part. Did you go to the site?

K

L A. Yes.

L

M Q. Did you go see whether it was in compliance?

M

N A. It's not done on the site. The Housing Department finds
another venue.

N

O Q. And you would go visit?

O

A. I would go take a look.

P Q. What about the sample room?

P

A. We are not required to inspect.

Q Q. You also did not inspect that? You would only look at
the schematics?

Q

R

S A. We would have to see how many storeys needed to be
installed, whether the specifications were met.

S

T

T

U

U

V

V

Q. I would like to direct you to the second witness statement. Q1, page 25. The last paragraph, you mentioned your health, you need to visit the hospital every week, and the excess lead in water incident created a lot of stress. You say that you have partial responsibility. Can you tell us where does your responsibility lie there?

A. It's very general. The responsibility -- when the incident broke out, a lot of people pointed their fingers at me, but there are a lot of people with responsibility, not me alone. I think the regulatory regime also has a responsibility. But it's hard to apportion blame. I don't know how to explain.

Q. You said a lot of people might have a responsibility. The regulatory regime has a responsibility. So in our summary we will try to identify that.

Here you are referring to yourself. You say you have partial responsibility. You said you have partial responsibility. I want to clarify. I don't want to be unfair to you. What is this partial responsibility? So what responsibility are we talking about? So, through your evidence today, we would like you to elaborate. You say you have partial responsibility.

A. Well, I wasn't working full-time, so the works mistakes, I'm not fully responsible. I'm not shirking my

responsibility. There might have been some omissions.

Q. What omissions are you referring to?

A. There were six blocks, thousands of units, there are tens of thousands of valves. I cannot inspect every one. So I would just do some random sampling. I could not inspect each and every component.

Q. So what about workers? During the works, what material they used, including soldering material -- do you think you have the responsibility to inspect that as well?

A. This issue, of course there is a responsibility.

MR KHAW: I have no other questions.

CHAIRMAN: Does anybody wish to raise any questions at this point?

Cross-examination by DR WONG

DR WONG: Mr Lam, I represent the Water Supplies Department.

I have some questions.

First of all, I would like to refer to your CV. Q1, page 12.

A. Yes.

Q. It's in English.

A. I can read part of it.

Q. In "Key data", you say you are "(In English) Experienced in plumbing and drainage field", and you are familiar with the Hong Kong government, Hong Kong drainage department and Hong Kong Water Supplies Department

requirements.

So you say you are familiar with water supply requirements, you are experienced; that's what you state?

A. Yes.

Q. This morning, we had asked you, you are aware that soldering material needs to be lead-free, and I would like to refer you to C19.7, page 14794.

I would like to direct you to paragraph 14. The Authority had asked Mr Lam whether he was familiar or whether he was aware that the Water Supplies Department prohibited the use of leaded solder in soldering.

A. Yes.

Q. So you are aware of that, and you said that --

A. (Chinese spoken).

Q. -- in your inspections there was any breach of the law?

A. When workers -- whether they comply with the waterworks requirements, for example in soldering material.

Q. Not soldering material.

A. (Chinese spoken).

Q. One requirement, you say -- you said you are experienced, you are familiar with soldering material, you are aware that they have a lead-free requirement.

A. There is that requirement.

Q. So, as a licensed plumber, you have to -- when you

inspect plumbing works, you should be aware that you have to use lead-free soldering material?

A. I have to clarify. When the material is at the site, it's in pieces. All I know is it's soldering material.

Q. I need to clarify that with you. In your previous page, page 12, the third line:

"Mr Lam says that soldering material is procured by the procurement department of the company, so he therefore thinks that it is not appropriate to make inspection of soldering material, and he is also not aware of the origin of this soldering material."

Well, you don't need to inspect yourself. You can just ask. Since you know that the law has a lead-free requirement, and you know that your responsibility is to ensure that the law is complied with -- allow me to finish my question -- so when there's soldering material sent to the construction site, you don't need to do any tests. You can ask Ho Biu Kee, you can ask your boss, "Is this lead-free, because I need to comply with the law because you employed me to enforce the law"?

A. First of all, when they submit the material, the material list, the packaging, it's okay. That's all I know.

Q. Let's take it step by step. My question was, as a licensed plumber, did you ask Ho Biu Kee, the company,

C "This is important, we need to use lead-free solder.

C

The material you sent for my workers isn't lead-free"?

D Did you ask that question?

D

E A. First of all, I have trust in the company. When the
F material arrived, the brand name, it says lead-free, the
box, the packaging says lead-free.

E

F

G Q. So you are saying you have seen the delivered goods that
H says lead-free?

G

H

A. When they submit, you can see "lead-free".

I Q. But this morning, when you answered Mr Khaw, you said

I

J you had not remembered correctly and I think you said
K you had never seen this material; it was cut in pieces?

J

K

A. I think you have misunderstood.

L Q. What was your response?

L

M A. In the material submission list, that was the first time
N we had definitely seen the material. They submit to the
Housing Department for approval. We have seen that for
the first time then.

M

N

O Q. So, in other words, Ho Biu Kee, when they submit

O

P a material sample to the Housing Authority or the main
Q contractor, you have seen that?

P

Q

A. Yes, I have seen that.

R Q. Do you know what that is?

R

S A. I cannot remember.

S

T Q. You have seen it but you cannot remember?

T

U

U

V

V

- A. I cannot remember everything. You are asking me to remember all these brand names? I know that the material is qualified when it arrives, but when it's installed, why it contains lead, I don't know.
- Q. Let's take this step by step. When Ho Biu Kee submits material to the Housing Authority or the main contractor, you know which brand name they submitted? Just now you said you knew and you have seen it.
- A. I don't know what the brand name is. I cannot recall the brand name.
- Q. So, if you wanted to know, you could also ask Ho Biu Kee at the time; right? You could ask, because they submitted the material.
- A. That was submitted by the company staff. All we knew was this material was appropriate. But when they installed something different, why that occurred, I don't know.
- Q. Well, you know that there is a permitted brand, so we can only use that brand name and cannot use something else, otherwise we wouldn't need the approval process.
- A. Well, I didn't do the submission. When you purchase anything, you just take a look at the catalogue and whether you have a complete list of material.
- Q. So when you use the approved brand, as a licensed plumber, you are aware that if you don't use this brand,

it's a breach of the law, and when you sign, you are signing off that there's no breach of the law?

A. I don't know. It was okay when they submitted the material. But subsequently, what other brand names were used, I have no idea.

Q. Mr Lam, you have seen that green roll that Mr Khaw showed you this morning. When they submitted the sample to the Housing Department, you have seen the green roll?

A. Yes, I have seen this green roll when they submitted.

I'm not sure whether it's that brand though, because I don't recall the brand name.

Q. At the construction site -- just now Mr Khaw asked you, you have seen the workers soldering even though you only go there four or five times a week, but you see people soldering, and you knew that your responsibility was to ensure compliance, and you were aware that there was an approved brand. So did you think, "I am the consultant and I have to make sure that everything is compliant, so I have to find out what type of soldering material is used"?

A. As I said, they were procured by Ho Biu Kee and the material was cut into segments and there is no packaging.

Q. But you work for Ho Biu Kee. If you meant to, you could ask for the brand?

A. I have only seen it once.

Q. What?

A. I have only seen it once.

Q. When and where?

A. At the beginning, at the site.

Q. At the beginning. When? You mean when plumbing works started? When you talk about when work started?

A. When the blocks rise up to about 20 storeys high at least.

DR WONG: I still have about half an hour. Shall I continue tomorrow?

CHAIRMAN: Yes, please do.

MR KHAW: There is something I have to report to you. Last week, towards the end, we were dealing with Mr Leung, and today we deal with Mr Lam and he will continue tomorrow, but we were informed that Mr Chow of Prosperity will not be able to attend on Wednesday. So we have made arrangements.

CHAIRMAN: So only Wednesday.

MR KHAW: He said he would not be available on Wednesday, but when we were making arrangements we thought if we could not start with Mr Ng, we could start with Mr Chow. So perhaps tomorrow, after Mr Lam, we will start with Mr Chow, and then on Wednesday we will continue with Mr Leung.

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

B Commission of Inquiry into Excess Lead Found in Drinking Water Day 40 B

C MR YEUNG: Sorry, Thursday and Friday I have some duties as C
D a public officer to do, and I still have two workers and D
E I thought I could do it on Tuesday and Wednesday. E

F CHAIRMAN: But you are only reading the statements, so you F
G could ask someone else to do it. What's so difficult G
H about it? It's at most followed by two or three H
I questions. I
J Tomorrow we will continue at 10 o'clock. Thank you. J
K (4.32 pm) K
L (The hearing adjourned until 10.00 am the following day) L
M
N
O
P
Q
R
S
T
U
V

INDEX

C

C

PAGE

D

D

MR LAM TAK SUM (sworn)1

E

E

Examination-in-chief by MR KHAW1

F

F

Cross-examination by DR WONG115

G

G

H

H

I

I

J

J

K

K

L

L

M

M

N

N

O

O

P

P

Q

Q

R

R

S

S

T

T

U

U

V

V