

**Commission of Inquiry into the Diaphragm Wall and Platform Slab Construction
Works at the Hung Hom Station Extension under the Shatin to Central Link Project**

SECOND WITNESS STATEMENT OF ANDY IP

I, ANDY IP, of 39/F Sun Hung Kai Centre, 30 Harbour Road, Hong Kong, say as follows:

1. I refer to my first witness statement dated 14 September 2018 (“**First Witness Statement**”). Unless otherwise stated or the context otherwise requires, any abbreviations shall bear the same meaning as in my First Witness Statement.
2. I make this second witness statement in reply to the following statements submitted to the Commission of Inquiry and address any relevant matters raised in these statements:
 - (a) the first witness statement of Mr. POON Chuk-Hung, Jason (“**Jason Poon**”) dated 3 September 2018 (“**Poon Statement**”);
 - (b) the witness statement of Mr. Ian Butt (“**Mr. Butt**”) dated (“**But Statement**”);
 - (c) the witness statement of Mr. Li Run-Chao (“**Mr. Li**”) dated 19 September (“**Li Statement**”);
 - (d) the witness statement of Mr. Chu Ka-Kam (“**Mr. Chu**”) dated 27 September (“**Chu Statement**”); and
 - (e) the witness statement of Mr. Thomas Ngai (“**Mr. Ngai**”) dated 27 September (“**Ngai Statement**”).
3. Any allegations or matters raised in the statements mentioned in paragraph 2 above (or any other statements) which are not addressed in, or are inconsistent with, my witness statements are denied. If I do not address any allegations or matters raised in other witness statements, it should not be construed as an admission on my part.
4. Unless otherwise stated, the facts stated herein are within my personal knowledge and are true. Where the facts and matters stated herein are not within my own knowledge, they are based on the stated sources and are true to the best of my knowledge.

Allegations of cutting of the threaded ends of rebars

5. As set out in my First Witness Statement, I was made aware of two occasions when rebars with the threaded ends cut off were identified and rectified.
6. The first incident was around late 2015 when I was informed by Edward Mok that he and one of MTRCL's inspectors identified defective rebars. Edward Mok confirmed to me at that time that the subcontractors had rectified the defective rebars immediately.
7. The second incident was on 15 December 2015 when Edward Mok and a MTRCL inspector identified five rebars with threaded ends cut off during an inspection. As explained in my First Witness Statement, the defective rebars were rectified immediately in the presence of the MTRCL inspector.
8. Contrary to the allegations made in paragraphs 29 to 42 of the Poon Statement, and other than the two incidents noted in my First Witness Statement, I have not seen or heard of any threaded ends of any rebars being cut off or shortened. I have also not seen or heard of any rebars that were installed or intended to be installed that had the threaded ends cut off or shortened.
9. During the course of the works:
 - (a) I spoke to Jason Poon occasionally and attended meetings at which he was present;
 - (b) I spoke to Mr. Leung of China Tech on a daily basis;
 - (c) I spoke to Mr. But of China Tech occasionally;
 - (d) I spoke to Mr. Ngai of China Tech regularly; and
 - (e) I spoke to Mr. Chu of China Tech occasionally.
10. None of China Tech's witnesses, nor any other person from China Tech, ever said to me that they had observed or knew of the cutting or shortening of the threaded ends of rebars.
11. At paragraph 12 of the Chu Statement, Mr. Chu states that it may be necessary to cut the threaded rebars as they might have been damaged during transport to site. I recall that the rebars were threaded on site at a Bosa yard and then covered with a protective cap. I do not recall seeing any damaged threaded ends of rebars. In any event, if the

threaded end of a rebar was damaged, the subcontractor would have used another rebar instead.

12. Paragraph 41 of the Poon Statement states that:

“On 22 September 2015, I, again, saw staff of Leighton cutting the threaded rebars with hydraulic disc cutter. I (secretly) used my personal Huawei mobile phone to take 7 photographs... There is now produced and shown to me marked exhibit “PCHJ-5”, the 7 photographs which I took on 22 September 2015...”

13. In response to paragraph 41.1 of the Poon Statement, I note that:

- (a) The workers in the first and third photos in Exhibit PCHJ-5 were not Leighton workers. I believe those workers were from Fang Sheung because they are wearing the protective clothing typically worn by Fang Sheung’s workers;
- (b) Whilst the first photo in Exhibit PCHJ-5 appears to show a person holding a portable handheld cutting saw over a steel bar, it does not show the threaded ends of the bar being cut off and does not indicate what the worker was going to do with the rebar; and
- (c) The second photo in Exhibit PCHJ-5 suggests that a person was trimming vertical protruding rebars installed in the diaphragm wall. The marking on the wall behind the workers states “+1.02”, which indicates the concreting level.

14. In response to paragraph 41.2 of the Poon Statement, I note that:

- (a) The quality of the fourth photo in Exhibit PCHJ-5 is very poor. I do not understand why this photo is relevant; and
- (b) The fifth photo in Exhibit PCHJ-5 seems to be a photo taken on the site. I believe that the person on the left in the green vest was Fang Sheung’s foreman, Mr. Joe Cheung, and the two people dressed in blue shirts were the workers of China Technology. I do not understand why this photo is relevant.

15. In relation to paragraph 41.4 of the Poon Statement, I believe that the workers shown in the seventh photo in Exhibit PCHJ-5 were Fang Sheung’s workers.

16. As confirmed in my First Witness Statement, I repeat that:

- (a) I am not aware, and have not heard, of any Leighton staff who gave or would have given any instructions to any person to cut off or shorten the threaded ends of any rebars, or allow such threaded ends to be cut off or shortened, that were installed in or intended to be installed in the slabs and diaphragm walls of the Project;
- (b) I have not seen of the threaded end of any rebars being cut off or shortened; and
- (c) I have also not seen any rebars that were installed or intended to be installed that had the threaded ends cut off or shortened.

Dated the 18th day of October 2018.

Signed: 

Andy Ip