

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

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**FIFTH WITNESS STATEMENT OF JOE TAM**

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I, **JOE TAM** of 39/F Sun Hung Kai Centre, 30 Harbour Road, Hong Kong, will say as follows:

1. I refer to my first, second, third and fourth witness statements dated 2 October 2018, 22 October 2018, 30 April 2019 and 17 May 2019 respectively. Unless otherwise stated or the context otherwise requires, any abbreviations shall bear the same meaning as in those statements.
2. I make this fifth statement to provide additional information in relation to the matters raised in the opening address by Counsel for the Commission [**Day 1:47(3)-49(3)**].
3. In providing this statement, any allegations or matters raised in 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.

**Couplers in the SCL 1111 side of the stitch joint interface**


5. I note that it was contended in the witness statements of Leung Chi Wa dated 8 May 2019 and of Ng Man Chun dated 17 May 2019 that Leighton had to expose the couplers fixed at the SCL 1111 end of the stitch joint interface for Wing & Kwong to install the starter bars: this is wrong.
6. According to the Interface Requirements Specification between SCL 1111 and the Project [**BB1/420-432**] (the “**Specification**”), it was the responsibility of Gammon Kaden JV (“**GKJV**”), the main contractor for SCL 1111:

- 6.1. to complete the tunnel structure to **enable** 1112 Contractor (i.e. Leighton) to complete the stitching joint (Interface Item 1.4 under Table Z2.1.1 of the Specification) [BB1/424];
- 6.2. to carry out joint inspection of the waterproofing system, couplers and protection measures to couplers provided at the interface work, and **make good any damage** identified during inspection (Interface Item 1.7 under Table Z2.1.1 of the Specification) [BB1/425].
7. Therefore, my understanding is that GKJV was responsible for exposing any couplers casted in the SCL1111 side of the stitch joint interface if they were covered by the concrete, and to repair/replace any couplers that were damaged, so as to enable Leighton to direct its subcontractors to complete the stitch joint construction.
8. I note from the conversations in two WhatsApp chat groups (numbered **LCAL.NAT.3.21** in the Index) obtained from my mobile phone that:
- 8.1. Henry Lai of Leighton informed Fans Chan (Assistant Section Manager) of GKJV on 9 June 2017 that the area of the stitch joint interface was ready for GKJV to expose the couplers fixed at the SCL 1111 end of the stitch joint interface;
- 8.2. a week later on 16 June 2017, Tang Siu Hang (Inspector of Works) of MTRCL (“**Tang**”) asked Henry Lai (Leighton) to liaise with GKJV to start the work of exposing couplers in the SCL 1111 side of the stitch joint, and Tang (MTRCL) had already informed the MTRCL’s Inspector of Works for SCL 1111 that those work would start and finish by the day after;
- 8.3. on 17 June 2017, Fans Chan (GKJV) informed Henry Lai (Leighton) that the work had already been started;
- 8.4. on 18 June 2017, Fans Chan (GKJV) informed Henry Lai (Leighton) that GKJV could not expose the couplers at the base due to the stitch joint area being flooded with water after the rain;
- 8.5. on 19 June 2017, Fans Chan (GKJV) sent a photo in the WhatsApp chat group showing that the water had been cleared out from the trench and informed Henry Lai (Leighton) that GKJV had resumed the work of exposing the couplers.

**Couplers in the Project side of the stitch joint interface**

9. As regards the BOSA brand couplers in the Project side (i.e. SCL 1112) of the stitch joint interface, Leighton instructed Hills to expose the couplers that were covered by the concrete (section 3.5, Appendix 1, Subcontract with Hills) [CC2/1135]. However, since Hills did not have sufficient labour to meet the progress as required, Leighton utilised its day labour to provide additional resources to do the work.

Dated the 30 day of May 2019.

Signed: ..........

**Joe Tam**