COMMISSION OF INQUIRY INTO THE CONSTRUCTION WORKS AT AND NEAR THE HUNG HOM STATION EXTENSION UNDER THE SHATIN TO CENTRAL LINK PROJECT

SUPPLEMENTAL WITNESS STATEMENT OF FU YIN CHIT
FOR
MTR CORPORATION LIMITED

I, **FU YIN CHIT**, of MTR Corporation Limited, MTR Headquarters Building, Telford Plaza, 33 Wai Yip Street, Kowloon Bay, Hong Kong, **WILL SAY AS FOLLOWS**:

1. I am the Construction Manager-SCL Civil of the Shatin to Central Link Project (the "**SCL Project**") of MTR Corporation Limited ("**MTRCL**"). I am duly authorised by MTRCL to make this supplemental statement on its behalf.

2. I have previously given a witness statement dated 3 May 2019 ("**my first witness statement**") in connection with the matters relating to Issues 1 and 2 raised in a letter dated 22 March 2019 titled "Commission of Inquiry into the Construction Works at and near the Hung Hom Station Extension under the Shatin to Central Link Project (Request for Witness Statements – NAT)" (the "**NAT Letter**") from Messrs. Lo & Lo, who I understand are the solicitors acting for the Commission of Inquiry into the Construction Works at and near the Hung Hom Station Extension under the SCL Project (the "**Commission of Inquiry**").

3. I am providing this witness statement in response to the matters relating to Issue 3 of the NAT Letter, as well as various matters raised in the other two letters also dated 22 March 2019 from Messrs. Lo & Lo for the Commission of Inquiry – namely, "Commission of Inquiry into the Construction Works at and near the Hung Hom Station Extension under the SCL Project (Request for Witness Statements – SAT)" (the "**SAT Letter**"); and "Commission of Inquiry into the Construction Works at and near the Hung Hom Station Extension under the SCL Project (Request for Witness Statements – HHS)" (the "**HHS Letter**").

4. As mentioned in paragraph 2 of my first witness statement, I became the Construction Manager on Contract 1112 on 30 May 2016. Before that, the construction works at the North Approach Tunnel ("**NAT**"), the South Approach Tunnel ("**SAT**") and the Hung Hom Stabling Sidings ("**HHS**") had already begun and they were managed by my predecessor, Mr. Chan Kit Lam ("**Mr. Kit Chan**").

5. While I am aware of the matters raised in the NAT Letter, the SAT Letter and the HHS Letter based on my first-hand observations and personal involvement in the SCL Project, and I confirm that the contents of this statement are true to the best of my knowledge and belief, there are occasions when I can only speak to matters by reference to MTRCL's documents due to the lapse of time, in which case I believe the contents of those documents are true and correct.

SAT Letter's Item 1.1: By way of background, describe and explain generally the construction works at SAT, in particular, the rebar fixing and concreting works and the timeline for the construction and completion thereof.

SAT Letter's Item 1.1.1: Provide a general layout plan and sectional drawings of the SAT.

SAT Letter's Item 1.2: Describe and explain, with reference to the terms of the relevant contract(s), approved plans, drawings, laws and regulations, practice notes, handbooks, guidelines, circulars, industry standards, approved site supervision plan(s) quality supervision plan(s) and quality assurance plan(s), practice, procedures and requirements (the "Requirements, Standards and Practice"):

SAT Letter's Item 1.2.1: the steps and procedures involved in the rebar fixing works and concreting works in the construction of SAT.

SAT Letter's Item 1.2.2: the respective roles and responsibilities of MTRCL and each of the contractors and subcontractors involved in the rebar fixing and concreting works in SAT. Identify the contractors and subcontractors involved.

6. The SAT consists of: (1) the East West Line ("**EWL**") which is an open trough structure resting partly on socketed H-piles and partly on compacted soil; (2) the Launching & Retrieval Tracks ("**L&R Tracks**") (which connect the EWL with the HHS) resting partly on socketed H-piles and partly on compacted soil; and, (3) the

North South Line ("**NSL**") which is a box-section resting on diaphragm walls. For the purpose of illustration, I have prepared a general layout plan and sectional drawings of the SAT which I attach hereto as **Appendix E**. By way of further explanation:

(a) The EWL and the L&R Tracks are located at the same level above-ground (the "**EWL track level**"), and the NSL is located below ground-level (the "**NSL track level**").

(b) At the EWL track level, the SAT structure was divided into Bays 1, 2, 3, 4, 5, 6A and 6B (the EWL track) and Bays 7 and 8 (the L&R tracks). There is a slab above Bay 1 of EWL (referred to as "mid-slab" in "Section 3-3" of Appendix E).

(c) For the NSL, there is a roof slab, a mezzanine slab and a track slab. The track slab was divided into Bay 1 and Bay 2, and the mezzanine slab was divided into Bay 1, Bay 1a and Bay 2. For the roof slab, there was only one bay (i.e. Bay 1). See: "Section 2-2" of Appendix E.

7. For the steps and procedures of the construction works at the SAT under Contract 1112, I shall refer to the following documents submitted by the main contractor under Contract 1112, namely Leighton Contractors (Asia) Limited ("**Leighton**"), to MTRCL:

(a) As regards the construction for the EWL track slab within the SAT, paragraph 5 of the "Construction Method Statement of Permanent Structure of East West Line (EWL) South Approach Tunnel (SAT)" (1112-CSF-LCA-CS-000542) (the "**1112 SAT (EWL) Method Statement**") and the relevant Inspection and Test Plan (1112-CSF-LCA-CS-002819); and

(b) As regards the construction works for the NSL structure in SAT area, paragraph 5 of the "Construction Method Statement SAT Area – NSL Structure Construction" (1112-CSF-LCA-CS-000670) ("**1112 SAT (NSL) Method Statement**") and the relevant Inspection Test Plan (1112-CSF-LCA-CS-003345).

8. As the project manager of the SCL Project, MTRCL was responsible for managing the construction works in the SAT. Leighton was the main contractor under Contract 1112

and was involved in the construction works in the SAT in its capacity as the main contractor under Contract 1112.

9. Leighton appointed the following sub-contractors for the works in the SAT (both NSL and EWL):

Name of sub-contractors	Responsibilities
Fang Sheung Construction Company	Rebar cutting, bending and fixing
China Technology Corporation Limited	Formwork and Concreting

10. The construction period of the SAT was from around November 2015 to around February 2017. In this regard, I led MTRCL's Projects Team to collate the relevant site diaries, photographs and concrete cube test reports in respect of the construction of the SAT, and we have prepared a pour summary for the SAT based on such documents. In addition, further to paragraph 7 of my first witness statement, MTRCL's Projects Team and I have prepared a pour summary for the NAT based on the available site diaries, photographs and concrete test reports. The NAT and SAT pour summaries set out the commencement and completion dates of rebar fixing works and concreting pouring dates derived by my team based on the available records mentioned above, and the corresponding RISC form number or NCR number for each bay. As to the material testing, I understand that MTRCL has disclosed an index of the rebar and coupler test records retrieved from MTRCL's Material Testing System.

SAT Letter's Item 1.2.3: Please also confirm and explain whether testing and approval were required in respect of the use of such rebars and couplers and if so, describe and explain the testing and approval procedures. Please produce the relevant testing and approval records.

SAT Letter's Item 2.21: Confirm whether MTRCL would inspect, check and test the materials (couplers and rebars) against the Requirements, Standards and Practice after such materials were delivered to the site and before they were used for the construction of SAT. Produce evidence of inspection, checking and testing of materials.

NAT Letter's Item 3.21: Confirm whether MTRCL would inspect, check and test the materials (couplers and rebars) against the Requirements, Standards and Practice after

such materials were delivered to the site and before they were used for the construction of NAT. Produce evidence of inspection, checking and testing of materials.

HHS Letter's Item 2.21: Confirm whether MTRCL would inspect, check and test the materials (couplers and rebars) against the Requirements, Standards and Practice after such materials were delivered to the site and before they were used for the construction of HHS. Produce evidence of inspection, checking and testing of materials.

11. I have explained the testing and approval requirements and procedures in respect of the use of rebars and couplers in paragraphs 25 to 27 of my first witness statement. The quality control system for the use of materials (including rebars and couplers) mentioned in paragraphs 25 and 26 of my first witness statement applied to the whole of Contract 1112. Moreover, as explained in paragraph 27 of my first witness statement, MTRCL had to comply with the Railway Development Office's ("**RDO**") specific sampling and testing requirements set out in its acceptance letter dated 5 November 2014, which applied to the NAT. For the SAT and the HHS, MTRCL had to comply with the conditions and requirements set out in the acceptance letters issued by the Buildings Department ("**BD**") in respect of the SAT and the HHS.

SAT Letter's Item 1.3: Describe and explain, with reference to the relevant Requirements, Standards and Practice, the supervision, monitoring, quality control and inspection system in place in respect of the rebar fixing works and concreting works for SAT. Explain and confirm at which stages supervision and inspection was required to be carried out by MTRCL in respect of the rebar fixing works and concreting works in the SAT.

SAT Letter's Item 2.7: With reference to the timeline in the construction and completion of SAT, describe and explain the various stages and checkpoints at which RISC form inspections would have to be conducted and RISC forms would have to be generated by Leighton and provided to MTRCL to counter-sign.

NAT Letter's Item 1.21: Describe and explain, with reference to the relevant Requirements, Standards and Practice, the supervision, monitoring, quality control and inspection system in place in respect of the rebar fixing works and concreting works for the 3 Stitch Joints. Explain and confirm at which stages supervision and inspection was required to be carried out by MTRCL in respect of the rebar fixing works and concreting works in the 3 Stitch Joints.

NAT Letter's Item 2.21: Describe and explain, with reference to the relevant Requirements, Standards and Practice, the supervision, monitoring, quality control and

inspection system in place in respect of the rebar fixing works and concreting works for the Shunt Neck Joint. Explain and confirm at which stages supervision and inspection was required to be carried out by MTRCL in respect of the rebar fixing works and concreting works for the Shunt Neck Joint.

NAT Letter's Item 3.7: Describe and explain the timeline in the construction and completion of NAT and the various stages and checkpoints at which RISC form inspections would have to be conducted and RISC forms would have to be generated by Leighton and provided to MTRCL to counter-sign.

12. In respect of the construction works in the NAT and the SAT, Leighton submitted to MTRCL various Inspection and Test Plans ("**ITPs**"):

    (a) Inspection and Test Plan (ref. no.: 1112-CSF-LCA-CS-003280) (the "**1112 NAT ITP**") which covers the inspection guidelines for the permanent structure of the NSL and the EWL at the NAT;

    (b) Inspection and Test Plan (ref. no.: 1112-CSF-LCA-CS-002819) (the "**1112 SAT (EWL) ITP**") which covers the inspection guidelines for the permanent structure of the EWL at the SAT;

    (c) Inspection Test Plan (ref. no. 1112-CSF-LCA-CS-003345) (the "**1112 SAT (NSL) ITP**") which covers the inspection guidelines for the construction of the NSL structure at the SAT.

13. Each of the said ITPs required that a hold point inspection be conducted after the fixing of reinforcement and another hold point inspection be conducted before concreting works commenced. I understand that Mr. Kit Chan has explained the requirements to conduct site surveillance and formal hold point inspections, the ITPs, and the relevant RISC processes in paragraphs 18, 27-28 and 30-31 of his witness statement dated 16 May 2019. I confirm that the site surveillance and inspection requirements, the ITPs and the RISC processes described in Mr. Kit Chan's witness statement continued to apply to the NAT (including the construction works for the 3 Stitch Joints and the

Shunt Neck Joint), the SAT and the HHS[1] after I took over as Construction Manager on 30 May 2016.

NAT Letter's Item 3.14: Describe and explain, with reference to diagrams and drawings, the deviation "change on use of Type 1 coupler instead of lapped bar at some of the construction joints" (the "deviations"). Identify the locations of the deviations in the layout plan of NAT.

NAT Letter's Item 3.16: Explain when and how such deviations came about and describe MTRCL's role and participation in such deviations. Confirm whether MTRCL was aware of these deviations and approved of them at the time of the construction of NAT.

SAT Letter's Item 2.14: Describe and explain, with reference to diagrams and drawings, the deviation "change on use of Type 1 coupler instead of lapped bar at some of the construction joints" and the deviation "no coupler was used for the standalone SER, TER & CER rooms and associated E&M rooms" discovered at SAT (the "deviations"). Identify the locations of the deviations in the layout plan of SAT.

SAT Letter's Item 2.16: Explain when and how such deviations came about and describe MTRCL's role and participation in such deviations. Confirm whether MTRCL was aware of these deviations and approved of them at the time of the construction of SAT.

HHS Letter's Item 2.14: Describe and explain, with reference to diagrams and drawings, the deviation "change on use of Type 1 coupler instead of lapped bar at some of the construction joints" discovered at HHS Identify the locations of the deviations in the layout plan of HHS.

HHS Letter's Item 2.16: Explain when and how such deviations came about and describe MTRCL's role and participation in such deviations. Confirm whether MTRCL was aware of these deviations and approved of them at the time of the construction of HHS.

14. As far as I can recall, I had not heard of any of the deviations mentioned in the NAT Letter, the SAT Letter and/or the HHS Letter, and I never approved of such deviations at the time of the construction of the NAT, the SAT and the HHS. While I conducted site walks every week, my focus was on safety and progress of the construction work, and I was not aware of any such change.

[1] The relevant ITPs for the HHS are set out in Table 1 of paragraph 16 of Mr. Kit Chan's witness statement

15. I only became aware of the change to the use of couplers instead of lapped bars at certain locations in the NAT in around April 2018, when MTRCL's construction management team ("**CM Team**") began to review the available site records for the purpose of ascertaining the as-built condition of the NAT. The deviations at the HHS and the SAT came to my attention at an even later stage – respectively in around December 2018 (when one of my colleagues, I cannot remember who, informed me that he or she found out that couplers were also used in the HHS) and on 26 January 2019 (when Mr. William Holden of Leighton informed me by an email sent at 1:28 pm that couplers were used in wall W4 of the EWL at the SAT).

16. Mr. Kit Chan has undertaken the task of investigating the said deviation issues at the NAT, the SAT and the HHS, and I understand the investigation is still ongoing. Although there was correspondence between MTRCL and Leighton as regards the deviations at the NAT and the SAT, which I signed and received as MTRCL's Construction Manager / the Engineer's Representative, the investigation in this regard was handled by Mr. Kit Chan, and I will let Mr. Kit Chan speak to the details in his witness statement.

17. More recently, I came to realise that Leighton provided MTRCL with some information which indicates that couplers were also used at the drencher tank and the VRV room at the HHS. In respect of the drencher tank, I refer to the email correspondence between MTRCL and Leighton dated 22 March 2019 and 30 April 2019, and I understand that Mr. Ben Chan Yiu Bun, who was T3 of the Registered Structural Engineer's stream but has now left MTRCL, issued a "Form B" (i.e. a non-conformity and rectification report) to Leighton on 22 March 2019 for this issue. I also understand that the issue at the drencher tank will soon be rectified and it will be re-constructed in accordance with the original design. In respect of the VRV room, I refer to Mr. William Holden's email dated 15 March 2019. A copy of this email was only shown to me recently but this accords with my understanding of the issue. As the investigation and follow-up action in this regard are still ongoing, I will update the Commission of Inquiry when more information is available.

NAT Letter's Item 3.19: Given the deviations identified above ("change on use of Type 1 coupler instead of lapped bar at some of the construction joints" discovered at NAT), the number of rebars and couplers acquired and used would be substantially different from the requirement under the original approved design of HHS. Provide a summary showing (1) the number of rebars and couplers which would have been required in the original design and (2) the number of rebars and couplers actually acquired and used by adopting the deviated designs.

NAT Letter's Item 3.20: Identify the party which placed the order for couplers and rebars for NAT and explain the role of MTRCL in the ordering, checking and testing of couplers and rebars and in ensuring that only the correct materials were used. Given the summary provided under 3.19, explain why MTRCL could not have detected and discovered that the materials ordered were substantially different from the materials intended to be used under the original design.

NAT Letter's Item 3.21: Confirm whether MTRCL would inspect, check and test the materials (couplers and rebars) against Requirements, Standards and Practice after such materials were delivered to the site and before they were used for the construction of NAT. Produce evidence of inspection, checking and testing of materials.

SAT Letter's Item 2.19: Given the deviations identified above ("change on use of Type 1 coupler instead of lapped bar at some of the construction joints" and "no coupler was used for the standalone SER, TER & CER rooms and associated E&M rooms" discovered at SAT), the number of rebars and couplers acquired and used would be substantially different from the requirement under the original approved design of SAT. Provide a summary showing (1) the number of rebars and couplers which would have been required in the original design and (2) the number of rebars and couplers actually acquired and used by adopting the deviated designs.

SAT Letter's Item 2.20: Identify the party which placed the order for couplers and rebars for SAT and explain the role of MTRCL in the ordering, checking and testing of couplers and rebars and in ensuring that only the correct materials were used. Given the summary provided under 2.19, explain why MTRCL could not have detected and discovered that the materials ordered were substantially different from the materials intended to be used under the original design.

SAT Letter's Item 2.21: Confirm whether MTRCL would inspect, check and test the materials (couplers and rebars) against Requirements, Standards and Practice after such materials were delivered to the site and before they were used for the construction of SAT. Produce evidence of inspection, checking and testing of materials.

18. Leighton was the party which placed the order for couplers and rebars for the NAT and the SAT, and I am not aware of any requirements that MTRCL's inspectorate team had

to record or keep track of the number of couplers and/or rebars used for the construction works. I understand that MTRCL has requested Leighton to provide the number of rebars and couplers actually used on site, but Leighton has not yet provided the information.

NAT Letter's Item 3.23: Provide a summary and a set of the NCRs (NAT only) referred to paragraph 3.2 above. Confirm whether other NCRs have been issued in relation to Issue 3 and if so, please identify, explain the reason for the NCRs and the nature of the non-compliance and produce a summary and a set of the relevant NCRs.

NAT Letter's Item 3.24: Explain the status of the NCRs and whether any of the NCRs may be closed out.

NAT Letter's Item 3.25: Describe and explain MTRCL's investigations of Leighton and its contractors on Issue 3. Comment on Leighton and its contractor's role and involvement in causing matters under Issue 3. Produce correspondence exchanged between MTRCL and Leighton/its contractor on this topic.

SAT Letter's Item 2.23: Provide a summary and a set of the NCRs (SAT only) referred to paragraph 2.2 above. Confirm whether other NCRs have been issued in relation to Issue 3 and if so, please identify, explain the reason for the NCRs and the nature of the non-compliance and produce a summary and a set of the relevant NCRs.

SAT Letter's Item 2.24: Explain the status of the NCRs and whether any of the NCRs may be closed out.

SAT Letter's Item 2.25: Describe and explain MTRCL's investigations of Leighton and its contractors on Issue 3. Comment on Leighton and its contractor's role and involvement in causing matters under Issue 3. Produce correspondence exchanged between MTRCL and Leighton/its contractor on this topic.

HHS Letter's Item 2.23: Provide a summary and a set of the NCRs (HHS only) referred to paragraph 2.2 above. Confirm whether other NCRs have been issued in relation to Issue 3 and if so, please identify, explain the reason for the NCRs and the nature of the non-compliance and produce a summary and a set of the relevant NCRs.

HHS Letter's Item 2.24: Explain the status of the NCRs and whether any of the NCRs may be closed out.

HHS Letter's Item 2.25: Describe and explain MTRCL's investigations of Leighton and its contractors on Issue 3. Comment on Leighton and its contractor's role and

involvement in causing matters under Issue 3. Produce correspondence exchanged between MTRCL and Leighton/its contractor on this topic.

19. After the discovery of the defective connection issues at the 3 Stitch Joints and the 1111/1112 Shunt Neck Joint in February and March 2018, my team and I started to investigate why such issues were not discovered earlier. We therefore conducted a search for the relevant RISC forms in the RISC form register. This was when we realised that contrary to the ITPs and Clause G12.4.3 of the General Specification[2], Leighton had failed to submit RISC forms in respect of 69 hold point inspections (for rebar fixing or the pre-pour check) for the construction works at the NAT.

20. As the construction works for the EWL at the SAT were managed by the same Construction Manager of Leighton (namely, Mr. Joe Tam) who was responsible for the NAT, we also conducted a search for RISC forms relating to the EWL at the SAT. We discovered that contrary to the ITPs and Clause G12.4.3 of the General Specification, Leighton had also failed to submit RISC forms in respect of 31 hold point inspections (for rebar fixing or the pre-pour check) for the construction works for the EWL at the SAT.

21. In the circumstances, on 17 April 2018, as the Engineer's Representative I issued on behalf of MTRCL to Leighton 69 NCRs (#097 to #163 and #195 to #196)[3] and 31 NCRs (#164 to #194)[4] for the said non-conformances in relation to NAT and SAT respectively.

22. In June and July 2018, 12 NCRs out of the said 100 NCRs were closed out as Leighton provided evidence to support the fact that it had in fact submitted the relevant RISC forms. The 12 NCRs include: (1) #164, #167, #172, #173, #182 and #188 (closed out on 27 June 2018; (2) #169 and #185 (closed out on 28 June 2018); and, (3) #117, #118, #124 and #192 (closed out on 9 July 2018).

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[2] Clause G12.4.3 of the General Specification provides that "*The Contractor shall give adequate notice in writing to the Engineer of requests for inspection and Approval of any parts of the Works. Where no period of notice is stated in the Contract, such notice shall be not less than 3 Days of normal working time before the work is ready for final inspection. The Engineer will require reasonable time to carry out any inspection which shall be during normal working hours expect as may be otherwise agreed.*"

[3] These NCRs were all dated 16 April 2018.

[4] These NCRs were all dated 16 April 2018.

23. Moreover, Leighton produced evidence to support the fact that a further 11 NCRs were in fact covered by other NCRs – as those 11 NCRs referred to the same hold point inspections as the other 11 NCRs. After discussions with Leighton, MTRCL's CM Team agreed that those 11 NCRs were covered by other NCRs. Hence, those 11 NCRs (#122, #123, #128, #129, #134, #135, #146, #147, #178, #179 and #190) are now covered by #120, #121, #126, #127, #132, #133, #140, #141, #174, #175 and #183 respectively.

24. The search for RISC forms had continued since April 2018, and we found that Leighton failed to submit RISC forms in respect of a further 47 rebar fixing / pre-pour hold point inspections at the NAT and a further 9 rebar fixing / pre-pour hold point inspections at the SAT. Thus, on 10 July 2018, I issued on behalf of MTRCL to Leighton 47 NCRs (#202 to #248)[5] and 9 NCRs (#249 to #257)[6] for such non-conformances in relation to the NAT and the SAT respectively.

25. Further, my team and I had extended the investigations into the HHS, and we also identified that Leighton had failed to submit RISC forms for various rebar fixing / pre-pour hold point inspections at the HHS. Hence, also on 13 March 2019, I issued on behalf of MTRCL to Leighton NCR (#268) dated 7 March 2019 for the missing RISC forms in relation to the HHS. Given the size of HHS and the number of hold point inspections involved, MTRCL's CM Team issued 1 NCR for all the rebar fixing and pre-pour hold points in respect of which no RISC forms were submitted by Leighton. On 15 March 2019, I further issued on behalf of MTRCL to Leighton 4 NCRs (#270 to #273)[7] for similar missing RISC forms in relation to the NSL structure at the SAT.

26. Accordingly, as of this date, the total number of NCRs in relation to missing RISC forms for the NAT, the SAT and the HHS that are still open is 138 (= 100[8] – 12[9] – 11[10] + 56[11] +1[12] + 4[13]).

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[5] These NCRs were all dated 6 July 2018.
[6] These NCRs were all dated 6 July 2018.
[7] These NCRs were all dated 15 March 2019.
[8] See: paragraph 21 above
[9] See: paragraph 22 above
[10] See: paragraph 23 above
[11] See: paragraph 24 above

27. On 19 March 2019, Leighton provided evidence to demonstrate that it had in fact submitted the RISC forms relating to NCRs #249 and 251. The evidence is currently under review.

28. Moreover, NCRs #204 to #217 and #246 to #247 were in relation to the missing RISC forms for the stitch joints works. Following the completion of the rectification works for the stitch joints, these NCRs are expected to be closed out upon receipt of Leighton's close-out submission.

29. Apart from issuing the said NCRs, MTRCL issued 3 letters all dated 25 April 2019 (in respect of each of the NAT, the SAT and the HHS) to Leighton asking for, among other things, information regarding the missing RISC forms; records that demonstrated continuous supervision of works; as-built records and photographs of works; relevant reports produced or investigations undertaken by Leighton; evidence to demonstrate that any irregularities found have been fully rectified; assurance as to the safety and integrity of the works; QA/QC records; RISC forms; a proposal on how to close out the NCRs; a proposal in relation to further non-destructive testing; and, a proposal to otherwise demonstrate and provide confidence in the safety and structural integrity of the works concerned. By the same 3 letters, we also asked Leighton to furnish all requisite but outstanding as-built records (including drawings and test reports) for onward submission to the relevant authorities, i.e. RDO/BD, for certification of completion of works in respect of the NAT, SAT and HHS. As of today, Leighton has not replied to any of the said 3 letters.

30. I confirm that no other NCRs have been issued in relation to Issue 3.

Item 2.24.2: Confirm all defects concerning the Shunt Neck Joint have now been rectified. If rectification works have not been completed, describe the progress and when it is anticipated that such works should be completed.

31. In paragraph 37 of my first witness statement, I mentioned that on 23 April 2019, MTRCL issued its reply to RDO's comments on MTRCL's "Remedial Proposal for

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[12] See: paragraph 25 above
[13] See: paragraph 25 above

Shunt Neck Connection at 1111/1112 Interface for NAT Structure". I wish to add that MTRCL subsequently sent a further letter dated 29 April 2019 to the RDO enclosing a re-submission of the remedial proposal. Remedial works will be carried out once RDO's approval on the remedial proposal is obtained.

32. Finally, I would like to mention the following:

(a) Some of the events in question and which form the subject matter of the Commission of Inquiry took place several years ago and my recollection of every detail is not therefore perfect.

(b) Accordingly, in preparing this witness statement I have reminded myself of the events in question by reference to various hard copy and electronic documents and materials. I understand these materials were retrieved by MTRCL's Legal Department, with the assistance of the MTRCL's external lawyers, Mayer Brown.

Dated 17 May 2019

FU YIN CHIT

COMMISSION OF INQUIRY INTO THE CONSTRUCTION WORKS AT AND NEAR THE HUNG HOM STATION EXTENSION UNDER THE SHATIN TO CENTRAL LINK PROJECT

Corrigendum to the Supplemental Witness Statement of Fu Yin Chit dated 17 May 2019

Page	Paragraph	Content
BB5216	10	Replace "*In this regard, I led MTRCL's Projects Team to collate the relevant site diaries, photographs and concrete cube test reports in respect of the construction of the SAT, and we have prepared a pour summary for the SAT based on such documents. In addition, further to paragraph 7 of my first witness statement, MTRCL's Projects Team and I have prepared a pour summary for the NAT based on the available site diaries, photographs and concrete test reports.*" with "*In this regard, I led MTRCL's Projects Team to collate the relevant site diaries, photographs and concrete cube test reports in respect of the construction of the SAT, and we have prepared a* ***n updated*** *pour summary for the SAT* ***(a copy of which is attached hereto and which highlights in red the amendments to the pour summary for the SAT disclosed to the Commission of Inquiry at [BB13/8816])*** *based on such documents. In addition, further to paragraph 7 of my first witness statement, MTRCL's Projects Team and I have prepared a* ***n updated*** *pour summary for the NAT* ***(a copy of which is attached hereto and which highlights in red the amendments to the pour summary for the NAT disclosed to the Commission of Inquiry at [BB9/6363])*** *based on the available site diaries, photographs and concrete test reports.*"