

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

**WITNESS STATEMENT OF NGAI KWOK HUNG
FOR
MTR CORPORATION LIMITED**

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

1. I am currently a Senior Construction Engineer of MTR Corporation Limited (“**MTRCL**”) for Contract 1121 of the Shatin to Central Link Project (the “**SCL Project**”). I am duly authorised by MTRCL to make this statement on its behalf.
2. I obtained a Bachelor’s Degree in Building Technology & Management from the Hong Kong Polytechnic University in 1992 and a Master’s Degree in Construction Management from the City University of Hong Kong in 2016. I have over 20 years of experience in the civil engineering and construction industry.
3. I joined MTRCL in around 2010 as a Construction Engineer (“**ConE**”) working on the Express Rail Link Project. I was then promoted to Senior Construction Engineer (“**SConE**”) in 2014. In 2015, I was assigned to Contract 1121 of the SCL Project (which was for the construction of the cross-harbour tunnels). As will be explained below, from around March 2018 to around June 2018, I led an independent quality control team to oversee the remedial works for the stitch joints in NAT under Contract 1112 of the SCL Project.
4. I am providing this witness statement in response to a letter dated 22 March 2019 in relation to the North Approach Tunnel (the “**NAT Letter**”^[BB1/1-22]) from Messrs. Lo & Lo, Solicitors, 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 Shatin to Central Link Project (the “**Commission of Inquiry**”).

5. While I am aware of the matters raised in the NAT 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.

Item 1.23: The 1st and 2nd Stitch Joints Reports seek to explain and summarise the investigations carried out by MTRCL on the cause of the water seepages and the subsequent rectification works on the 3 Stitch Joints:

Item 1.23.1: Please elaborate and supplement the said reports if there are other matters which should be drawn to the Commission’s attention and if there is any further development on the subject, and provide relevant records, documents and photographs in support.

6. In the morning of 22 March 2018, Mr. Aidan Gerald Rooney (“**Mr. Aidan Rooney**”) (General Manager – SCL Civil – NSL of MTRCL) met me at MTRCL’s Hung Hom Site Office. He told me that the remedial works for the 3 stitch joints at NAT under Contract 1112 (the “**SJ Remedial Works**”) had commenced, and he would like to enhance MTRCL’s quality control by deploying an independent quality control team (the “**Independent Quality Control Team**”) and as to which he said that:
 - (a) The Independent Quality Control Team should oversee the SJ Remedial Works with a particular emphasis on workmanship, quality of works and safety. The team should report any matters in relation to such remedial works to Mr. Aidan Rooney on a daily basis.
 - (b) I would lead a team of 4 members. Apart from myself, the other 3 team members were: (1) Mr. Cheung Ying Sum (“**Mr. YS Cheung**”) (Senior Inspector of Works); (2) Mr. Kine Tong Kin On (ConE) (“**Mr. Kine Tong**”); and, (3) Mr. John Leung Ho Chung (ConE) (“**Mr. John Leung**”).

(c) We were “independent” as we were unrelated to Contract 1112 – at that time, Mr. YS Cheung and I were working on Contract 1121, and Mr. Kine Tong and Mr. John Leung were working on Contract 1123.

7. Upon receipt of Mr. Aidan Rooney’s instructions in the morning, Mr. Kine Tong, Mr. John Leung and I immediately met with Mr. Michael Fu Yin Chit (Construction Manager of MTRCL) and Mr. Chan Kit Lam (Principal Engineer of MTRCL), who briefed us on the SJ Remedial Works. In the afternoon, Mr. YS Cheung joined us, and the four of us had a site walk with MTRCL’s construction management team (“MTRCL’s CM Team”) at the 3 stitch joints locations, and MTRCL’s CM Team explained the construction method in relation to the SJ Remedial Works to us.

8. Our task to oversee the SJ Remedial Works had then begun, and in the evening on the same day ^[Item 39 of 3rd List] (22 March 2018 at 7:25pm), I sent to Mr. Aidan Rooney an email together with the first daily report setting out what we observed during the day.

9. From 22 March 2018 until 1 June 2018, the Independent Quality Control Team duly performed the task of supervising the SJ Remedial Works as follows:

(a) Mr. Kine Tong and Mr. John Leung carried out site surveillance at the construction site full time every day. They conducted spot-check of the works carried out by Leighton and its sub-contractor at the 3 stitch joints, and they raised any defects or issues to MTRCL’s CM Team. Moreover, they witnessed as many as they could of the tests and formal inspections that were conducted at the 3 stitch joints. During their inspections, they made a record, and took photos, of any matters which required attention. After that, they prepared a draft daily report setting out such matters and recommendations (if any). Mr. YS Cheung and I also attended the construction site and supervised the SJ Remedial Works at least once or twice per week.

(b) In the evening, Mr. Kine Tong and Mr. John Leung reported to Mr. YS Cheung and me any issues including, but not limited to, workmanship, quality or safety. We also discussed the draft daily report and, when it was finalised, I sent the daily report to Mr. Aidan Rooney for his further action. I understand that Mr.

Aidan Rooney considered our recommendations stated in our daily reports, and he would follow up if he considered appropriate in the light of the actual site condition.

10. From 22 March 2018 until 1 June 2018, I can confirm that the SJ Remedial Works were carried out properly under the supervision of the Independent Quality Control Team. I refer to the ^[Item 40 of 3rd List] 50 reports that we submitted to Mr. Aidan Rooney during this period.

11. 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 one year 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 16th May 2019



NGAI KWOK HUNG