

IN THE COMMISSION OF INQUIRY INTO THE
DIAPHRAGM WALL AND PLATFORM SLAB CONSTRUCTION WORKS
AT HUNG HOM STATION EXTENSION UNDER THE
SHATIN TO CENTRAL LINK PROJECT

WITNESS STATEMENT OF MR NGAI LAI CHI, THOMAS

I, NGAI Lai Chi, Thomas of [REDACTED]
[REDACTED] say this :-

A. Background

1. I am 60 years of age and was born in Hong Kong. In 1977, I graduated from Secondary 5 and joined the construction profession as a foreman. In middle 2014 I joined the China Technology Corporation Limited (“Chinat”) as a Superintendent and began working at the South Island Line Admiralty Station. It was at that time I knew Mr. Poon Chuk-Hung (“Mr. Poon”) as he was the managing director of Chinat. I was then assigned to Hung Hom Station in October 2015.
2. I am aware that on 10 July 2018 the Chief Executive in Council appointed the Commission of Inquiry investigating the diaphragm wall and platform slab construction works at Hung Hom Station extension under the Shatin to Central Link Project pursuant to s.2 of the Commissions of Inquiry Ordinance (Cap.86). I now give this witness statement for and on behalf of Chinat.

3. I have had the opportunity to read the witness statement of Mr. Poon dated 3rd September 2018 and the supplemental witness statement of Mr. Poon dated 14th September 2018. I agreed that the facts deposed therein are true. I wish to supplement the followings. Unless otherwise stated, I shall adopt the nomenclature and abbreviations used in Mr. Poon's witness statement.

B. Works in Chinat

4. I was assigned by Chinat to work as a Superintendent in the SCL Hung Hom Station Construction Site since October 2015. As the Superintendent of Chinat in the Hung Hom Station Construction Site, I was responsible for supervising the foremen (and their workers) in performing the formwork construction and pouring of the concrete, which were the responsibilities of Chinat in the Hung Hom Station Construction Site.
5. In the Hung Hom Station Construction Site, I saw workers from different organizations. All of them were in different uniforms:-
 - 5.1 Workers of Chinat wore a light-blue T-shirt with a logo in blue with a dragon printed near the left-upper region of the T-shirt. The back of the T-shirt is printed with the name "China Technology Corporation Limited" and the dragon logo. The T-shirt itself is reflective.
 - 5.2 Workers of Leighton wore a T-shirt with the logo and name of Leighton. They also wore safety reflective vests.
 - 5.3 Workers of Fang Sheung did not have any specific type of uniform. They wore safety reflective vests incorporating their company's name.
6. In the Hung Hom Station Construction Site, all workers wore safety

helmets. Workers of MTRC, Leighton, and Chinat wore safety vests with the logo of their company at the front of the helmets. Nonetheless, the helmets of workers of Fang Sheung did not have the logo of Fang Sheung.

7. It is a practice of Chinat to have lunch meetings almost every day in the temporary offices of Chinat in the Hung Hom Station Construction Site (“**Lunch Meeting**”). Those meetings were held between Mr. Poon and workers who were above the rank of foreman. On most occasions, I would also attend the lunch meetings.
8. It is also a practice for me to attend meetings (on behalf of Chinat) in the offices of Leighton every day at or about 1600 to 1700 hours. Representatives of Leighton, including Mr. So Yiu Wa and a representative of Fang Sheung would attend.

C. Witnessing the Cutting of Threaded Rebars

9. On a day in December 2015 at or about 1900 hours, I was at Area C of the Hung Hom Station Construction Site and saw two male workers (I forgot what uniforms they were wearing at that time) using a grinder/cutter to cut the threaded rebar. The threaded rebar on the steel thread were about 7 to 8 cm long and in silver colour. The two male workers cut about 3 to 4 cm of the silver threaded rebar away. I am not acquainted with these two male workers.
10. As Chinat was not responsible for works related to the threaded rebars, I did not pay much attention at the time. I also did not take any photographs. I did mention the matter in the Lunch Meetings and so that Mr Poon can handle and resolve it.
11. This is the only occasion which I witness the cutting of threaded rebars.

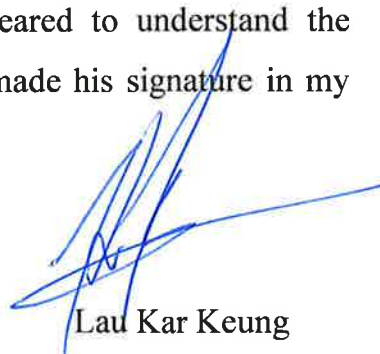
I believe that the facts stated in this witness statement are true. I also enclose herewith copy of my police witness statements taken on 24th July 2018 and 27th July 2018 respectively for the Commission's reference.

Dated this the 27th day of September 2018.



(NGAI Nai Chi, Thomas)

I certify that I, Lau Kar Keung, solicitor of 2nd Floor, Beautiful Group Tower, 74-77 Connaught Road Central, Hong Kong have translated the contents of this document to Mr. Ngai Nai Chi, Thomas who appeared to understand the document and approved its content as accurate and made his signature in my presence.



Lau Kar Keung