

**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**

**WITNESS STATEMENT OF WONG CHI CHUNG
FOR
MTR CORPORATION LIMITED**

**I, WONG CHI CHUNG, of [REDACTED], [REDACTED], [REDACTED]
[REDACTED], WILL SAY AS FOLLOWS:**

Background

1. I was General Manager – SCL Civil – EWL of the Shatin to Central Link ("SCL") Project and PMO (i.e. Project Management Officer) of the MTR Corporation Limited ("MTRCL").
2. I obtained my Bachelor's degree in Engineering from the University of Hong Kong in December 1989. I have been a member of the Hong Kong Institution of Engineers since August 1994 and a Registered Professional Engineer in Hong Kong with the Engineers Registration Board since June 2012.
3. I joined MTRCL in 1995. During my career with MTRCL, I had been involved in 4 major projects, including the Airport Railway project, the Penny's Bay Line project, the Kowloon Southern Link project, and the SCL Project.
4. In March 2012, I was promoted to Project Manager – Operations Projects at ES Grade of the Projects Division. In November 2014, I was appointed as Project Manager – SCL Civil – EWL 2 of the Projects Division. In July 2015, I was appointed as Acting General Manager – SCL Civil – EWL of the Projects Division. In December 2015, I was promoted to the position of General Manager – SCL Civil – EWL. In March 2018, I was appointed as General Manager – SCL Civil – EWL and PMO.
5. I have been involved in the SCL Project from April 2008 to August 2011 and subsequently from November 2014 to August 2018. Between August 2011 and November 2014, I was the Acting Project Manager – Operations Projects, and subsequently Project Manager – Operations Projects, in which roles I was involved in the works in relation to existing railways. During this period, I was not involved in the SCL Project.

6. I am providing this witness statement in response to various matters raised in a letter^{B1/47-64} dated 27 July 2018 from Messrs Lo & Lo ("Letter"), who I understand are the solicitors acting for the 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 ("Commission of Inquiry"). In this statement, I shall address the matters listed as items 3, 4, 5, 8(a), 11(b), 11(d) and 12(c) of the Letter^{B1/50-59}
7. While I am aware of the matters raised in items 3, 4, 5, 8(a), 11(b), 11(d) and 12(c) of the Letter^{B1/50-59} based on my first-hand observations and personal involvement in the SCL Project from April 2008 to August 2011 and from November 2014 to August 2018 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.

My Role in the SCL Project

8. In late 2014, I became Project Manager – SCL Civil – EWL 2, and I worked under Mr. Aidan Rooney in the SCL Project, although I was not involved in any work in relation to Hung Hom Station. Mr. Rooney was General Manager – SCL Civil – EWL at that time. He was the General Manager responsible for managing the civil engineering works of the entire SCL Project.
9. In or around July 2015, after the contracts in relation to cross-harbour works were awarded, the role of General Manager – SCL Civil – NSL was set up to cater for the additional civil engineering works for the entire SCL Project. Mr. Aidan Rooney took up the role of General Manager – SCL Civil – NSL, and he was responsible for managing the civil engineering works located at and south of Contract 1111. I took up the role of General Manager – SCL Civil – EWL, and was responsible for managing the civil engineering works located north of and excluding Contract 1111. This effectively meant that our responsibilities were split geographically at the northern boundaries of Contract 1111.
10. Accordingly, whilst as the General Manager – SCL Civil – EWL it may appear that I had project management responsibility for the EWL works under Contract 1112, my main responsibility was in respect of the works located north of and excluding Contract 1111 and hence not Contract 1112. Insofar as Contract 1112 is concerned, my responsibility was limited to being the Competent Person ("CP"), which I now turn to.
11. I was^{B10/7129-7151} nominated as the CP for a group of contracts for the SCL Project, namely Contracts 1101, 1102, 1111 and 1112, by Mr. Stephen Chik, the then Head of Project Engineering, on 4 February 2015 under the^{B4/1855-1869} Instrument of Exemption ("IoE") and^{B4/1870-1885} Instrument of Compliance ("IoC"). I have read the IoE and IoC, and I understand that

the role of CP is equivalent to that of the Authorized Person and Registered Structural Engineer under the Buildings Ordinance (Cap. 123).

- B10/7129-7151
12. Specifically for Contract 1112, **between February 2015 and August 2018, I was the CP for Contract 1112** in place of Mr. Aidan Rooney (who was previously appointed as CP in respect of Contract 1112 from September 2013 to February 2015). The construction of the diaphragm walls at Hung Hom Station was carried out during my, as well as Mr. Rooney's, tenure as CP. However, as the construction works were carried out during the period from July 2013 to June 2015, the great majority of the diaphragm walls was constructed when Mr. Rooney was CP.
 13. As the CP for Contract 1112, I was responsible for: (a) making submissions and/or notifications to the Buildings Department ("BD") (examples include submission of plans, certification of completion of works, notification of non-conformity that may lead to imminent danger); and, (b) supervising the construction works in accordance with the Site Supervision Plan ("SSP").
 14. To sum up, although I was General Manager – SCL Civil – EWL, I did not participate in the day-to-day management of Contract 1112. Mr. Aidan Rooney was responsible for that. Other than acting as the CP, I did not have any direct involvement in Contract 1112.

Item 3: With reference to an Organisation Chart of Your Company, describe and explain the roles and responsibilities of each person in Your Company involved in the construction, quality control, supervision, monitoring, inspection of the diaphragm walls and the platform slabs and the steel bars and steel bar structures within the diaphragm walls and the platform slabs. Identify, with names and job description, the relevant persons on the Organisation Chart and indicate whether such persons are still in the employment of Your Company. If such persons have left Your Company, please provide contact details if such information is available.

Item 4: Please provide as an exhibit to the witness statement a list of the managers, supervisors and inspectors (with names and contact details) employed or engaged by Your Company who were involved in the steel fixing works and the construction of the steel structures within the diaphragm walls and platform slabs. Identify the type of work and duties undertaken by such managers, supervisors and inspectors.

Project Management Plan

- B4/1825-2502
15. Under the **Project Management Plan**, as one of the General Managers ("GM") for the SCL Project, my duty was to oversee the design and construction of the relevant part of the SCL Project, managing, supervising and co-ordinating the CPs after their appointment by the Head of Project Engineering, and ensuring, to the extent possible, that the relevant part of the SCL Project was delivered on time, within budget and to the

required construction, safety, quality and environment standards. My site staff and I also supervised site works and would inform relevant parties if any deficiencies were identified. As General Manager – SCL Civil – EWL, I reported to Mr. TM Lee, the then General Manager – SCL and Head of E&M Construction, on project-related matters in respect of contracts for which I was responsible. Having said this, and as previously mentioned, my role insofar as Contract 1112 is concerned was limited to my capacity as the CP. The General Manager responsible for the works in Contract 1112 at all material times was Mr. Aidan Rooney.

16. As I mentioned in paragraph 4 above, from March to August 2018 I took on the additional role of PMO. As PMO, my role was to provide support to existing projects, including but not limited to Contract 1112. This included, among others, programming, land administration, utilities management, environmental engineering, and general project administration.

17. I was responsible for fulfilling the requirements as the CP under the ^{B4/1855-1869}IoE and ^{B4/1870-1885}IoC. I will further elaborate on my role as the CP in the paragraphs immediately below.

Site Supervision Plan / Code of Practice for Site Supervision 2009

18. The responsibilities of the CP for the SCL Project, including Contract 1112, are set out in ^{B4/1859}paragraph 2(b) of the IoE:

"... a competent person ... shall take up the responsibilities and duties of Authorized Person/Registered Structural Engineer, to co-ordinate and supervise each area of the works in accordance with the agreed proposals, to certify the preparation of plans or documents and to certify to the relevant authorities upon completion of works..."

19. ^{B4/1873-1874}Paragraph 2(b) of the IoC contains similar wordings:

"... a competent person ... shall take up the responsibilities and duties of Authorized Person and Registered Structural Engineer defined under the Buildings Ordinance (BO)(Cap 123), to co-ordinate and supervise each area of the works in accordance with the agreed proposals, to certify the preparation of plans or documents and to certify to the relevant authorities upon completion of works..."

20. The responsibilities and duties of the Authorized Person and the Registered Structural Engineer (and hence the responsibilities and duties of the CP for Contract 1112) with regard to site supervision are set out in the ^{B5/2676-2795}Code of Practice for Site Supervision 2009 ("CoP") issued by the BD. The stated purpose of the ^{B5/2676-2795}CoP is to provide guidance to practitioners in the building industry for the preparation of supervision plans, the

execution of their respective supervision duties as well as other site supervision matters. I refer to extracts from **Tables 4.1** and **4.2** of the CoP as follows:

B5/2686-2687 B5/2688-2689

Table 4.1 Responsibilities and Duties under AP's Stream	
	<i>Authorized Person</i>
Responsibilities	<ul style="list-style-type: none"> Assuming overall responsibilities in the appointment of his Representative and TCPs. Ensuring the full implementation of the supervision plan regarding his own stream. Overseeing the full implementation of the supervision plan regarding the RC's stream. Establishing an efficient and effective mechanism for dealing with non-conformities.
Duties	<ul style="list-style-type: none"> Assessing the scale for each type of works relevant to the project. Compiling his own part of the supervision plan. Coordinating and submitting the supervision plan to the BA. Devising checklists of specific tasks for his TCPs. Supervising his Representative and TCPs. Notifying the BA of any non-conformities which pose an imminent danger, or cause a material concern for safety and the RC fails to rectify. Carrying out site inspections as necessary.

Table 4.2 Responsibilities and Duties under RSE's Stream	
	<i>Registered Structural Engineer</i>
Responsibilities	<ul style="list-style-type: none"> Assuming overall responsibilities in the appointment of his Representative and TCPs. Ensuring the full implementation of the supervision plan regarding his own steam. Overseeing the full implementation of the supervision plan regarding the RC's stream. Giving permission to the RC for carrying out temporary works categorised as Case 3 under paragraph 4.7 of this Code.

Duties	<ul style="list-style-type: none"> • Compiling his own part of the supervision plan. • Devising checklists of specific tasks for his TCPs. • Supervising his Representative and TCPs. • Notifying the AP of any non-conformities which pose an imminent danger, or cause a material concern for safety and the RC fails to rectify. • Carrying out site inspections as necessary.
--------	--

21. The SSPs for Contract 1112 relevant to the current matters raised in the Letter by the Commission of Inquiry are the SSPs in relation to the construction of the diaphragm wall, the EWL slab and the NSL slab in Hung Hom Station; which have been submitted to the BD.

22. Under these SSPs, while I was the CP, Mr. Kit Chan was the CP Representative. Mr. Kit Chan as the CP Representative was directly accountable to me, whereas all the personnel mentioned below are accountable to me via Mr. Kit Chan. Mr. Kit Chan's responsibilities and duties included, among others, to be directly accountable to me as the CP for the implementation of the SSP, taking overall responsibility to check on site if the safety measures required under the SSP are implemented, and being accountable to me as CP for the satisfactory execution of the specific tasks by various Technically Competent Persons ("TCPs").

23. The TCPs were appointed to carry out their respective roles and duties as prescribed in B5/2676-2795 the CoP. All of the TCPs, including those under the CP stream, were appointed on the recommendation of Mr. Aidan Rooney as they are also the site personnel responsible to Mr. Rooney for the day-to-day management of Contract 1112, although I reviewed the relevant CVs of the TCPs to ensure they are fit for their appointment. I have also devised checklists for the TCPs in accordance with the requirements of the CoP. B5/2676-2795

24. As CP, I was required to check a number of items under B5/2697-2699 paragraph 5 (Typical Items for Specific Tasks by TCPs) of the CoP. These included the following:

- (a) Register reports of non-conformity and inform relevant parties of non-conformity.
- (b) Check that all lower grade TCPs and RC's TCPs are making inspections no less than the required frequency and carrying out duties in accordance with the Technical Memorandum and the Code of Practice for Site Supervision.
- (c) Check and satisfy that copies of approved plans (or submitted plans for minor works), method statements, precautionary and protective measures proposals and all related drawings are kept on site; and that they are followed, including checking the video record for demolition works, if any.

- (d) Check that the design and supports of formwork, shoring and temporary working platform are adequate to support all intended loads.
- (e) Check that there is no risk of artesian conditions for excavation and lateral support works.
- (f) Check that stability and integrity of nearby buildings and ground are not adversely affected.
- (g) Check that the groundwater table is consistent with design of excavation and lateral support works.

25 In respect of Contract 1112, I would conduct monthly site walks to supervise the works, in the company of Mr. James Ho (who was Senior Construction Engineer ("SConE") and T5) for EWL slab construction during the majority of my tenure as CP) and Mr. Joe Tsang (who was SConE and was responsible for the North Approach Tunnel, the South Approach Tunnel and the stabling sidings). If there were works involving geotechnical aspects (e.g. excavation), geotechnical staff would attend site walks together with me.

26 During the monthly site walks, the respective SConE would explain to me the status and issues of the various works. If there was any non-conformance, rectification would be carried out immediately in my presence, if possible. If immediate rectification was not possible, the respective SConE would send photos via WhatsApp directly to me (but not via a WhatsApp group) after the rectification had been carried out. I would mark an "S" (satisfactory) on the Record of Specific Tasks Performed by TCP under CP Stream ("**TCP Record**") as required under the **CoP** after such rectification had been confirmed. I would not look at the works in minute detail, but would rely on the site inspections conducted by the TCPs under the CP Stream. This includes, among others, Mr. James Ho (SConE; T5) and his team of Construction Engineers ("**ConE**"), including Mr. Derek Ma (ConE I; T3) and Mr. Louis Kwan (ConE II; T3 (Alternative)).

27 In addition to conducting site inspection and completing **my own TCP Records**, I would also check the TCP Records of TCPs under the CP Stream to confirm that they had duly conducted site inspection at the requisite frequency under the **CoP**.

28 There were no Inspector of Works ("**IOW**") colleagues acting as TCPs under the CP Stream. Generally, I would rely on the ConEs to liaise with IOW colleagues with respect to their duties. If there was any issue which could not be resolved, I would expect that the SConE or the ConEs would report it to me. To my best recollection, no major issue of concern was reported to me in relation to the issues which are the subject matter of investigation by the Commission of Inquiry.

B5/TS40451-TS40460
B5/TS40798-TS40807
B5/TS41108-TS41114

B5/2676-2795

B5/TS40451-TS40460; TS40798-TS40807
TS41108-TS41114

B5/2676-2795

Quality Supervision Plan

B5/TS30707-TS30903

29. Under the acceptance letters from the BD, the CP is required to, among others, assign a quality control supervisor to supervise the mechanical splice works involving the use of mechanical couplers works, determine the necessary frequency of inspection by the quality control supervisor, and devise inspection checklists. A Quality Supervision Plan ("QSP") was submitted to the BD prior to the commencement of the mechanical coupler works on 12 August 2013 and signed off by the then CP, Mr. Julian Saunders.

B5/2640-2658

30. When I replaced Mr. Aidan Rooney as CP for Contract 1112 in February 2015, the majority of the construction of the diaphragm walls had been completed or was nearing completion. Consequently, my main role in relation to the QSP was to sign off the relevant inspection-related records which formed part of the Certificate on Completion of Building Works Not Resulting in a New Building or of Street Works (BA-14) submissions to the BD to certify the completion of the diaphragm walls – i.e. the Quality Supervision Reports of Coupler for Diaphragm Wall / Barrettes (Batches 3 to 6) ("QSR"). Mr. Kobe Wong (SIOW II) and Mr. Tommy Leong (AIOW) had by then already been appointed as quality control supervisors under the QSP.

B5/TS14916-TS14954
B5/TS15718.235-
TS15718.267
B5/TS19680-TS19710
B5/TS23782-TS23833

31. The QSRs were compiled and had been checked and signed off by MTRCL staff under Mr. Aidan Rooney and the staff of the main contractor, Leighton Contractors (Asia) Limited ("LCAL") before they were provided to me for review. I conducted a high-level checking exercise and upon being satisfied that they were supported by the relevant documents (i.e. the coupler inspection checklists) and had been checked by other personnel and been marked as satisfactory with no missing forms, I signed off the said QSRs. As mentioned in paragraph 30 above, the majority of the diaphragm walls had been constructed prior to my tenure as CP for Contract 1112 and hence I could not personally inspect the mechanical splice works prior to signing off the QSRs even if I wanted to.

Reports and Meetings

32. As General Manager – SCL Civil – EWL, I was required to prepare reports and attend regular meetings, including the following which are relevant to Contract 1112. Although I was not responsible for Contract 1112, I was involved in the preparation of certain parts of the reports referred to below and I attended these meetings in my capacity as one of the GMs for the SCL Project.
33. On a weekly basis, all Project Managers ("PM") of the SCL Project would prepare "Weekly Summary Reports" containing updates in relation to safety, progress and any other problems or issues arising. Mr. Aidan Rooney would also comment on the "Weekly Summary Reports" before they were submitted to Dr. Philco Wong (Projects Director) and Mr. TM Lee (General Manager – SCL and Head of E&M Construction). I was copied in on the reports relating to Contract 1112 prepared by Mr. Aidan Rooney

in my capacity as General Manager – SCL Civil – EWL as these reports were circulated to all GMs.

34. An internal "Monthly SCL Project Progress Report" would be prepared by various MTRCL personnel on a monthly basis. It would set out updates for each contract under the SCL Project (including Contract 1112) in relation to safety, progress, stakeholder management, environment, quality and any other problems and issues.
35. Sections of the internal "Monthly SCL Project Progress Report" would be drafted by the Construction Manager ("CM") for each contract and subsequently consolidated into a draft report which covered the whole of the SCL Project. The draft report would then be passed onto the respective responsible GMs or PMs (where applicable) for comments on the area for which they were responsible. We would submit our comments to the Coordination Team of MTRCL, and they would then incorporate and consolidate our comments and compile a finalised "Monthly SCL Project Progress Report" for internal use. The finalised "Monthly SCL Project Progress Report" would be submitted to Dr. Philco Wong (Projects Director) and Mr. TM Lee (General Manager – SCL and Head of E&M Construction) for review. This would then be circulated to the attendees of the SCL Project Progress Meeting for discussion.
36. Apart from preparing the reports mentioned in paragraphs 33 to 35 above, I also attended the following meetings which are relevant to Contract 1112:
 - (a) **Monthly Co-ordination Meeting with BD, Railway Development Office ("RDO") and Geotechnical Engineering Office.** I attended these meetings in the capacity of CP. Representatives from the BD would also attend. Updates in relation to the SCL Project, such as general site progress, submissions to be made to the RDO or the BD, and achievement of key performance indicators, would be discussed at the meeting.
 - (b) **Senior Management Communication Meeting (biweekly).** These meetings were chaired by Mr. TM Lee (General Manager – SCL and Head of E&M Construction) and concerned the whole SCL Project. I attended these meetings in my capacity as General Manager – SCL Civil – EWL. These meetings were attended by GMs, PMs, CMs, Design Managers, and various line managers.
 - (c) **SCL Project Progress Meeting (monthly).** GMs and PMs (or CMs deputising for PMs) and personnel from other relevant departments, such as the Project Management Office, Project Engineering Department and Operations Department of MTRCL; representatives of the Highways Department ("HyD"); and their consultant Pypun Engineering Consultants Limited ("Pypun") would attend these meetings to review and discuss the Monthly SCL Project Progress Report.

- (d) **PIMS Steering Group Meetings (irregular).** I attended these meetings in my capacity as General Manager – SCL Civil – EWL, along with GMs of all MTRCL's projects including projects other than the SCL Project. These meetings were originally chaired by Dr. Philco Wong (Projects Director), and subsequently chaired by me. We mainly reviewed and discussed the quality performance and the continuing suitability, adequacy and effectiveness of MTRCL's Project Integrated Management System ("PIMS"), to ensure PIMS was compliant with ISO9001 standards, and whether any changes to PIMS were required for its continuous improvement.
- (e) **SCL Project Supervision Committee Meeting.** I attended these meetings in my capacity as General Manager – SCL Civil – EWL, together with (among others) Dr. Philco Wong (Projects Director), Mr. TM Lee (General Manager – SCL and Head of E&M Construction) and representatives from the HyD and their consultant Pypun, and representatives from the Transport and Housing Bureau. I understand that such meetings are required under the **Entrustment Agreement between Government and MTRCL**. We would report to Government on the overall progress and cost control issues of the SCL Project, covering various contracts (including Contract 1112).
- G7/5595-5714
- (f) **Public Relations Task Group Meeting (monthly).** I attended these meetings in my capacity as General Manager – SCL Civil – EWL. Representatives from the HyD would also attend. We mainly discussed issues relating to communications with local stakeholders, i.e. those who might be affected by the on-going construction works at the sites of different contracts.
- (g) **Commissioning Committee Meeting.** I attended these meetings in my capacity as General Manager – SCL Civil – EWL. The GMs discussed commissioning activities and any issues related to the commissioning of a new railway with representatives from the Operations Division.
- (h) **Projects Director Communications Meeting (biweekly).** These meetings were chaired by Dr. Philco Wong (Projects Director). I attended in my capacity as General Manager – SCL Civil – EWL. Dr. Philco Wong would discuss with the PMs and GMs the CEO's communications to the Projects Director on general corporate matters as well as on matters relating to different projects.
- (i) **Projects Division Leadership Meetings (biweekly).** I attended these meetings (chaired by Dr. Philco Wong (Projects Director)) in my capacity as General Manager – SCL Civil – EWL, together with other GMs. We discussed human resources issues and any important issue from a high-level management perspective.

37. The above reports and meetings were not specific to Contract 1112, but covered the whole of the SCL Project. As such, although matters related to Contract 1112 would be mentioned in the reports and meetings from time to time, my involvement in these reports and meetings was mainly in relation to matters concerning the contracts managed by me in my capacity as General Manager – SCL Civil – EWL and also my role as the CP for the several contracts mentioned above at paragraph 11.

Item 5: Describe and explain the steps, procedures and timeline in the construction and completion of the steel fixing works in the diaphragm walls and platform slabs. With reference to the said steps, procedures and timeline, please describe and explain the respective roles and involvement of the Government, Your Company, Leighton, Fang Sheung, Intrafor and China Technology and elaborate on the interaction and relationship between Your Company and these parties on site and on a day-to-day working basis.

38. Please refer to paragraphs 25 to 31 and 36 above.

Item 8(a): Explain and confirm whether Your Company has any knowledge of the Defective Steel Works (whether undertaken by Leighton and/or its sub-contractors) and if so, identify and describe the relevant events and occasions. Please describe the defects, explain in what ways Requirements, Standards and Practice had been breached and provide particulars of such events and occasions (with reference to plans and drawings, photographs and documents as necessary and appropriate), including but not limited to the dates, time, locations, number of steel bars affected and the equipment used to shorten or cut the steel bars.

39. I did not hear of the alleged Defective Steel Works until MTRCL received an enquiry from Apple Daily on 29 May 2018 asking for details in relation to the allegation of shortened steel bars.
40. Daily or regular supervision and inspection on site are carried out by my IOW and ConE colleagues. I received no report from any of my colleagues working under me in my role as CP regarding any Defective Steel Works.
41. In addition, I have not observed any Defective Steel Works myself during my monthly site walks.
42. I did not receive the ^{B10/7456-7460} email sent by Mr. Kobe Wong to LCAL dated 15 December 2015 regarding the cutting of the threaded end of the steel bars. This email was only forwarded to me for my information in or around late May to early June 2018, after the media reports about the cutting of steel bars had appeared.
43. I am now aware that ^{B10/7528-7531} Mr. Jason Poon sent an email to (among others) LCAL raising the issue of the alleged Defective Steel Works on 6 January 2017. I do not recall receiving

this email at the relevant time, and I was not made aware of it until early June 2018, after the media reports had appeared. In or around January 2017, I heard from Mr. Aidan Rooney that China Technology Corporation Limited ("**China Technology**") was "being unscrupulous", which I believed he was referring to some commercial disputes between China Technology and LCAL. However, at that time, I did not know of the details of the email.

44. I am now aware that subsequent to Mr. Poon's email, Mr. Carl Wu (Coordination Manager) conducted a **quality assurance review of Contract 1112 in January to February 2017**, and furthermore that LCAL prepared its **Review of EWL Slab Rebar Installation and Checking Procedure dated 10 February 2017**. However, I was not made aware of such developments at that time. B7/4516-4520
B7/4147-4515

Item 11(b): Please identify the person or persons responsible for preparing the MTRCL Report.

45. I understand that the B10/7644-7645 **RDO sent a letter dated 31 May 2018 to MTRCL** requesting a report on the alleged Defective Steel Works. That letter was addressed to Dr. Philco Wong (Projects Director) and circulated to me, amongst others.
46. In addition, a Tab G1 [B16/14037] **letter dated 1 June 2018 was subsequently received from the BD** requesting a report on the alleged Defective Steel Works reported in the media. That letter was addressed to me, as I was the CP for Contract 1112.
47. Upon receipt of the second letter, I requested Mr. Aidan Rooney, who was the GM responsible for Contract 1112, to co-ordinate the production of the requested report to the BD. It was later decided that only one report would be prepared and would be submitted to the RDO and the BD at the same time.
48. A draft version of the report was prepared by Mr. Aidan Rooney and Mr. Carl Wu on 4 June 2018. I reviewed the report from a stylistic point of view and found that it was too technical for laypeople to understand, as I anticipated that the final version of this report would be disclosed to the public. Furthermore, I noted that it did not cover the issue of LCAL's liabilities. I therefore suggested the report be amended accordingly.
49. Due to my limited direct involvement in Contract 1112, my input on the final version of the report was mainly in relation to the paragraphs on the application of the IoE to Contract 1112. To my understanding, the substantial drafting of the report was done by colleagues from various different teams within MTRCL, including the Projects Team, the Coordination Team and the Legal Department.

Item 11(d): Confirm whether Your Company has any additional information and materials to supplement the MTRCL Report and if so, please adduce such additional information and materials by way of a supplemental report.

50. I did not know about the change in construction details from couplers to through bars until early July 2018, when Dr. Philco Wong (Projects Director) mentioned to me that Mr. James Ho (SConE) showed him a number of site photos showing a section of the diaphragm wall where no couplers were used in some of the connections between the diaphragm wall and the EWL slab.
51. On or around 5 July 2018, Mr. TM Lee (General Manager – SCL and Head of E&M Construction) received ^{Tab J1 [B16/14046-14047]} a letter from the RDO to MTRCL dated 4 July 2018 requesting MTRCL's confirmation on the structural safety of the EWL slab. This letter was forwarded to me by Mr. TM Lee for my information; however, I was not involved in the drafting of the response to the letter nor the preparation of the drawings to be attached to the response. As such, I did not learn of the extent of the change in construction details until I received a copy of the response letter issued by MTRCL to the RDO dated ^{B1/69-73} 13 July 2018, to which several drawings showing the change were attached.
52. At the material times, I was not informed of the change in construction details in the east diaphragm wall. For day-to-day site supervision and inspection, as CP I relied on the TCPs under me to ensure the works had been carried out properly. I had not received any report from my TCPs regarding the change in construction details referred to in paragraph 50 above, nor was I informed of any such change in construction details by Mr. Andy Leung (Design Manager) or Mr. Kit Chan (Construction Manager).
53. I was aware of and did see the trimming of the east diaphragm wall during my monthly site walks back in 2015 and 2016. I raised queries with the staff on site when I first observed the trimming. I was told that the trimming was to rectify defects at the top of the diaphragm wall from the casting of the concrete. Such trimming was common when the diaphragm wall was constructed using this type of construction methodology (i.e. using tremie concrete) and thus I did not raise further queries.
54. As mentioned in paragraph 13 above, in my role as the CP for Contract 1112, I was responsible for signing off on submissions to the BD. I duly certified the preparation of the BA-14 submissions for the diaphragm wall (Batches 3 to 6). <sup>B5/TS8962-TS15718
B5/TS15718.224-TS15718.2927
B5/TS15841-TS20066
B5/TS20199-TS25224</sup>
55. In making such submissions, I would rely on my colleagues in the Design Management Team (in respect of the as-built drawings of the diaphragm walls submitted to MTRCL by LCAL) and the Construction Management Team (in checking that the works had actually been completed in accordance with the as-built drawings). Although I would review the drawings before signing off on the BA-14 submissions, at the stage of making the BA-14 submissions, I was not personally aware of the change in construction details referred to in paragraph 50 above.

Item 12(c): identify the supervisors and persons in Your Company and Leighton who carried out the inspections.

56. Please refer to paragraphs 26 and 30 above.

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

- (a) 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, including contemporaneous email correspondence, meeting minutes and contractual documents and other records. I understand these materials were retrieved by MTRCL's Legal Department, with the assistance of the MTRCL's external lawyers, Mayer Brown.
- (c) The hard copy documents were: (1) extracted from physical files kept at the Hung Hom site office or the Hung Hom main office of MTRCL; (2) printed from the MTRCL's "Electronic Project Management System" (ePMS); or, (3) printed from other electronic sources in response to the matters specifically raised by the Commission of Inquiry or matters which were discussed in the course of preparing this witness statement.
- (d) I understand that MTRCL's Legal Department and external lawyers have recently established a database using software named *Relativity* which has captured a large amount of data from hard disk drives, including some of those that stored my emails and other electronic documents for the relevant period. I understand that they have commenced the process of identifying specifically relevant documents by use of search terms and date ranges and that this is an ongoing process due to a large volume of data. I have been given some of the documents identified from *Relativity* during the last week or so and commented on these in appropriate sections of this statement.
- (e) I would like to add, therefore, that there may be matters referred to or stated in other documents which have not been recently placed before me. To that extent, I would be happy to comment on any such other materials at a later date if and when identified and placed before the Commission of Inquiry.

Dated 13th September 2018



WONG Chi Chung