

1 Tuesday, 6 November 2018

2 (10.00 am)

3 (Proceedings delayed)

4 (10.17 am)

5 MR PENNICOTT: Good morning, sir. Good morning,
6 Prof Hansford.

7 We now move on to the two Fang Sheung witnesses, the
8 first of whom is Mr Pun, so I will hand over to
9 Ms Chong.

10 MS CHONG: Good morning, Chairman and Commissioner.

11 Good morning, Mr Pun. Can you state your full name
12 to the Commission?

13 WITNESS: 潘偉山。

14 MR PUN WAI SHAN (affirmed in Puntì)

15 WITNESS: 我想向主席閣下首先道下歉先，今日因為有交通意外，所以令致咁多位
16 要等，真係唔好意思。

17 CHAIRMAN: That's understandable. These things happen.
18 Thank you for the apology.

19 Examination-in-chief by MS CHONG

20 MS CHONG: You have given one witness statement to this
21 Commission. May I refer you to bundle E, E26 to E29.
22 The English translation is at page E29.1 to E29.4.

23 Please flip through all these pages, and please turn
24 to page E29. Was that signature yours, above the name
25 Pun Wai Shan?

1 A. 正確。

2 Q. You also signed underneath the statement of truth,
3 confirming the contents of the statement to be true; is
4 it correct?

5 A. 係。

6 Q. Do you wish to adopt this witness statement as your
7 evidence here to this Commission?

8 A. 係。

9 MS CHONG: Please stay here for cross-examination.

10 Examination by MR PENNICOTT

11 MR PENNICOTT: Mr Pun, good morning. My name is Pennicott.

12 I represent the Commission, and I've got some questions
13 for you. After I have finished questioning you, there
14 may be some other people who want to ask you some
15 questions as well, and then, when that's finished,
16 Ms Chong can ask you some more questions, and it may be
17 that during the questioning the chairman and the
18 Commissioner will also have some questions for you as
19 well.

20 A. Okay.

21 Q. Mr Pun, you have also provided a statement to the
22 police; is that correct?

23 A. 喺。

24 Q. Indeed, I've got a copy of that statement, and I've
25 actually found it rather more interesting and full of

1 more detail than your witness statement to the
2 Commission. That's not a criticism, but quite a lot of
3 the questions I'm going to be asking you are by
4 reference to your police statement, in addition to your
5 witness statement. Do you understand?

6 A. 明白。

7 Q. As I understand it, Mr Pun, you started your first bar
8 fixing construction company back in 1980; is that
9 correct?

10 A. 呢間泛迅建築公司，啱嘅，啱嘅。

11 Q. It was then known as Ying Fai?

12 A. 之前叫做英輝。

13 Q. I understand that you yourself have got a construction
14 industry trade test certificate in bar fixing; is that
15 right?

16 A. 啱。

17 Q. You got that in 1997?

18 A. 正確。

19 Q. You have recently, I think, set up a new company,
20 a couple of years ago, with Cheung Chiu Fung, who
21 I think we know is Joe Cheung, and your son; is that
22 correct?

23 A. 係，應該係96年，應該係16年，16年，16年中。

24 Q. That's right. I also understand, Mr Pun, that you have
25 a longstanding business relationship with Leighton; is

1 that correct?

2 A. 啱嘅。

3 Q. Stretching back, I think, to 1995?

4 A. 正確應該92年。

5 Q. Okay. I understand that the majority of work that
6 Fang Sheung does is as a sub-contractor to Leighton;
7 would that be fair?

8 A. 啱嘅。

9 Q. And, Mr Pun, if you're able to, in terms of let's say
10 the last five years or so, what percentage of your
11 turnover, of Fang Sheung's turnover, has been derived
12 from work for Leighton?

13 A. 正確應該係百分之八十五左右，過去嘅呢五年。

14 Q. All right. When you have entered into sub-contract
15 arrangements with Leighton over the last five years, has
16 that been as a result of a normal tendering process or
17 by some other means?

18 A. 我哋係經過好嚴謹嘅投標嘅程序嘅。

19 Q. On each occasion?

20 A. 每次都係。

21 Q. Okay. Now, can I just get one point out of the way. If
22 you could be shown, please, E1, page 180.

23 Mr Pun, this is a sub-contract, as you can see
24 there, headed "Rebar fixing with associated works for
25 pile caps"; do you see that?

1 A. 見到。

2 Q. If we can go to the next page, please. Then if you
3 could go on to page -- I can't find the signature page.
4 There we are, at page 208, sorry. This is
5 a sub-contract for the pile caps, and it's obviously to
6 do with the Hung Hom project, but as I understand it,
7 this was an entirely separate contract from the one that
8 you entered into in relation to fixing the rebar for the
9 slabs and associated matters; is that right?

10 An entirely separate contract.

11 A. 係。

12 Q. If we go to 184, we can see that sub-contract was dated
13 23 April 2014; do you see that?

14 A. 見到。

15 Q. I think, as I understand it, Mr Pun, from various
16 records that we've got, some of your staff, your
17 employees, were on the site working for Leighton in 2014
18 and early 2015, and that would have been -- the reason
19 for that would have been because of this contract and
20 not the sub-contract that we're primarily concerned
21 with, that is the rebar to the slabs. Is that correct?

22 A. 喺。

23 CHAIRMAN: Sorry, could you just -- it may not be relevant;
24 I appreciate you're just dissociating pile capping.

25 MR PENNICOTT: I am.

1 CHAIRMAN: I think I know what pile capping is, but what is
2 it? What is pile capping?

3 MR PENNICOTT: I can explain. Perhaps mr Pun may wish to.

4 CHAIRMAN: It's just for my education. It's not evidence as
5 such.

6 MR PENNICOTT: Sure.

7 Mr Pun, can you explain the pile capping work you
8 were doing under that sub-contract?

9 A. 呢份合約裏面所謂「樁帽」，只不過係一個--佢個--可能個名義上嘅啫，其實都係
10 紮鐵合約嚟嘅，我哋都係做紅磡站旁邊啲一啲嘅紮鐵工程。我唔知咁樣啱唔啱，
11 我哋嘅唯一嘅工程就係做...

12 CHAIRMAN: All right --

13 MR PENNICOTT: Is the position this, Mr Pun, that somebody
14 has done the piling, so you've got piles into the
15 ground, and a cap, a concrete cap, goes on the top of --

16 A. 樁帽，嗰啲叫做樁帽，冇錯。

17 Q. Right. And the concrete cap requires rebar to be fixed
18 into it for reinforcement purposes?

19 A. 應該係叫做“pile cap”，pile cap嘅“steel fixer”，唔係--你哋
20 可以解住「樁帽」，喺佢個樁裏面嘅，喺工程上，你可以咁講嘅，係樁上面
21 嗰頂帽，okay，但係我哋叫做pile cap。

22 CHAIRMAN: Thank you very much. I thought that was the
23 case. I just wanted to be sure.

24 MR PENNICOTT: We can put that sub-contract to one side for
25 the moment, or forever, hopefully.

1 Mr Pun, can I ask you this. You tell us that each
2 day you, during the course of -- I am now on to the
3 contract that we're primarily concerned with and we are
4 going to look at some clauses in a moment, but when you
5 started the rebar work for the slabs on the project, you
6 tell us that you went to the temporary site office every
7 day. Is that correct? Subject to periods of leave, no
8 doubt.

9 A. 冇錯，我喺--我都係on site嘅。

10 Q. You also tell us that you inspected the works for
11 progress and quality purposes, again, almost every day;
12 is that correct?

13 A. 我只不過係做行政上嘅嘢，所有嘅工程嘅質素同埋進度都係由我嘅管工去
14 control一切嘅。

15 Q. Did you carry out yourself inspections of the work that
16 your team was doing?

17 A. 有嘅，但係我通常都係喺啲工人收工之後或者係午飯之後，我先至會巡地盤
18 嘅，係我自己一個人去巡嘅。

19 Q. Yes, and I was going to ask you that. Did you do that
20 at a particular time each day, or did it vary from day
21 to day?

22 A. 不同時間。

23 Q. Okay. Let's just get this clear. You say in your
24 police statement:

25 "I would spend some time every day to inspect the

1 work progress at the construction areas, whilst the duty
2 of supervision was mainly delegated to the site
3 foreman ..."

4 Does that encapsulate --

5 A. 冇錯，啱嘅。

6 Q. And that site foreman was Joe Cheung?

7 A. 係。

8 Q. Mr Pun, one of the reasons for those questions was this.

9 Let me ask you this: did you ever do the Leighton
10 induction course?

11 A. 應該就--大堂就有，但係都係過咗期。

12 Q. Right. Because we can't find any record of you having
13 done the induction course, but don't worry about that,
14 Mr Pun.

15 The other rather strange thing is this, that
16 Leighton have given us their sign-in/sign-out record for
17 Fang Sheung for the entire period of your sub-contract
18 works, and we can't find you anywhere in those records,
19 Mr Pun. Can you explain why that is?

20 A. 好抱歉，真係冇簽名嘅，我--點講呢？應該我就係用訪客嘅名字，咁每日去
21 簽，實際上就係每日去簽嗰張紙去入閘嘅啫，呢度係有啲遺憾。

22 Q. It's fine. As long as there's an explanation, Mr Pun,
23 I'm not too concerned.

24 CHAIRMAN: Sorry, visitors sign something separate, do they?

25 MR PENNICOTT: Mr Pun, is that right; do visitors sign

1 something separate so you're not using the palm process,
2 you are using a different process, a visitor process?

3 Is that right?

4 A. 冇錯，冇錯，冇錯，係分開嚟簽嘅，喺個閘，通常我哋日日都係用訪客嗰個
5 程序去入閘嘅，所以喺電腦上係有我嘅出入閘紀錄嘅。

6 Q. All right.

7 Now, Mr Pun, could I ask you, please, just to look
8 at a couple of things in the sub-contract. If you could
9 start, please, at E1/31. This is the front sheet to the
10 sub-contract with which we're concerned. Mr Pun, as you
11 can see, it's for the reinforcement bar cutting, bending
12 and fixing. Do you see that?

13 A. 睇到。

14 Q. If you go to page 59, please, the contract was entered
15 into on 28 August 2015, and we can see it was signed by
16 yourself and witnessed by Mr Cheung.

17 A. 正確。

18 Q. As I understand it, Mr Pun, under this sub-contract, you
19 weren't responsible for any design on the works; that
20 was Leighton's or others' responsibility, is that right?

21 A. 係。

22 Q. Can I ask you, please, to go to page 70. We can see, at
23 item A, the "Sub-Contract Price", and then underneath it
24 says this:

25 "The Sub-Contract Price is re-measurable and based

1 on provisional quantities which will be valued at the
2 rates contained in Appendix 2 and subject to
3 fluctuations as per Clause 6 of the Sub-Contract Scope
4 of Work."

5 So, Mr Pun, this was a re-measurable sub-contract?

6 A. 冇錯。

7 Q. That is, at the end of the day, all the work that
8 Fang Sheung had carried out would be re-measured by
9 yourselves and Leighton, and you would be paid for the
10 work that you'd actually done; is that right, in simple
11 terms?

12 A. 啱嘅。

13 Q. Mr Pun, we see at F, item F on this page, it says,
14 "Final account and payments: 3 months"; do you see that?

15 A. 睇到。

16 Q. Under this sub-contract, Mr Pun, have you settled your
17 final account with Leighton?

18 A. 已經做咗㗎喇，做咗㗎喇，個normal final account。

19 Q. Yes, done already. When you entered into that final
20 account, Mr Pun, were you asked to enter into an
21 agreement called a confidentiality agreement?

22 A. 我暫時到到而家，禮頓都有畀我簽過，因為仲有啲retention喺度，嗰個
23 係normal嘅final account，正正式式嘅暫時仲未到我隻手度。

24 Q. So what, have you got an interim final account; you're
25 still waiting for some retention moneys to be paid -- is

1 that the position?

2 A. 廣義上可以咁講，仲有啲retention未畀。

3 Q. In your various sub-contracts with Leighton, have you
4 ever been asked to enter into a confidentiality
5 agreement?

6 A. 以我做咁多年，final account裏面應該就唔會有，英文我唔係點識，
7 因為我唔識英文嘅，但係佢哋都會解釋畀我聽所謂嘅保密協議，我真係唔
8 覺得會有，喺final account裏面嘅保密協議唔會有。

9 Q. All right. Let me just make sure I've got this clear,
10 Mr Pun. What I'm asking you about is this, that when
11 you settle your final account with Leighton, have they
12 ever asked you to enter into a separate, entirely
13 separate agreement called a confidentiality agreement,
14 in writing?

15 A. 我未簽，未有，我只不過喺會議上嗰個會議紀錄我哋有--我有簽過名，我有
16 簽過名係確認嗰個銀碼嘅啫。

17 Q. Right. If I could take you to the next page, please, to
18 E72. You will see there, Mr Pun, this is part of the
19 sub-contract which deals with the scope of your work; do
20 you see that?

21 A. 見到。

22 Q. At 3 we have the fixing sequence; do you see that?

23 A. 睇到。

24 Q. Could we just look at that briefly, Mr Pun. The first
25 item, first bullet point, is:

1 "Prepare bending schedules and submit to the
2 Contractor allowing sufficient time for recording."

3 The bending schedules are documents that you,
4 Fang Sheung, prepare; is that correct?

5 A. 佢呢句可能指嗰個係嗰啲bar嘅，我哋要order嗰啲bar，我哋一定要預先
6 畀禮頓有個預算，即係我哋嘅責任包括呢樣嘢。

7 Q. Yes. What I'm troubled by at the moment, Mr Pun, is in
8 order to prepare the bending schedules, what are you
9 given by Leighton?

10 A. 紮鐵嘅時間表，我哋只不過按照禮頓嘅programme去編排出嚟。

11 Q. I understand, Mr Pun, there may be a translation issue
12 between "schedules" and "timetable". I'm talking about
13 bar bending schedules, not a timetable, a schedule, bar
14 bending schedule.

15 A. 哦，個bending schedule?

16 Q. Yes, that's right.

17 A. 個bending schedule係我負責嘅。

18 Q. What were you given by Leighton in order to be able to
19 prepare those bending schedules?

20 A. 佢哋會畀啲現場嘅施工圖則畀我哋，我哋係根據嗰個施工圖則去按照嗰個
21 標準去做一份bending schedule畀禮頓，呢個係我哋嘅責任嚟嘅。

22 Q. You would prepare those schedules yourself, Mr Pun, as
23 I understand it; is that right?

24 A. 冇錯，因為都係正正係第二日去量度嗰個我嘅合約嘅數目嗰個根據嚟嘅，
25 合約嘅數量嗰個根據，因為我哋係以每噸咁樣計嚟收錢嘅，所以一定係

1 跟個bending schedule，我做咗畀佢哋之後，佢哋會check我哋究竟
2 有冇做多或者做少，佢check到之後，佢先至會畀錢我哋。

3 Q. Right. Then going back to the second bullet point,
4 having prepared the bending schedules, given them to
5 Leighton, you would then receive the reinforcement from
6 the contractor's supplier, store on site in the
7 designated areas and arrange samples for testing. We
8 will come back to that testing point in a moment. But
9 you would receive the reinforcement from Leighton's
10 supplier?

11 A. 應該係講鐵支，你頭先講嘅係正確嘅，就係所有嘅程序就係正確嘅。

12 Q. And Leighton's supplier in this case was BOSA; is that
13 right?

14 A. Coupler嘅供應商係人和科技，冇錯，BOSA，啱嘅。

15 Q. And also the threaded rebar supply, by BOSA as well?

16 A. 鋼筋唔係由--鋼筋嘅螺絲頭--鋼筋嗰個料係由禮頓提供嘅。

17 Q. Right. Were you not aware that it was from BOSA, that
18 BOSA had done the threading?

19 A. 冇錯，人和係負責供應絞牙同埋嗰個螺絲帽，但係嗰條鐵係禮頓供應嘅，
20 嗰個鋼筋係禮頓供應嘅。

21 Q. In our discussions, Mr Pun, going forward, can we
22 distinguish between the threaded rebar on the one hand
23 and let's call it the general rebar on the other?

24 A. 知道。

25 Q. So the couplers and the threaded rebar were provided by

1 BOSA?

2 A. 冇錯。

3 Q. Did you ever receive, were you ever given, any
4 information by BOSA or from BOSA? Did you ever see the
5 BOSA guidelines for rebar fixing, and coupler fixing in
6 particular?

7 A. 呢度日常嘅實際嘅情況係我嘅管工係control，同人和order同埋收貨係由
8 我管工去做嘅。

9 Q. Mr Pun, bear with me. BOSA produce various documents
10 describing their rebar, describing their couplers, and
11 giving guidelines and instructions as to how they are
12 supposed to be installed, that is the threaded rebar and
13 the couplers. Have you ever seen any of that material,
14 you personally, any of that documentary material?

15 A. 有嘅，有嘅。

16 Q. Did you see it in the context of this project? Were you
17 given it in the context of this project, or were you
18 aware of it before?

19 A. 正確嘅，因為我哋間公司係定咗呢個係supplier嚟嘅，所以佢畀我哋嘅料
20 同埋佢點樣能夠為之正確去扭入嗰個螺絲頭裏面，我哋一定要知道嘅，係通
21 過人和，人和嘅資訊，係喺地盤，因為佢嘅廠都係喺個地盤度，我哋--總言
22 之我哋一定要知道。

23 Q. Right. So is the answer to my question that you were
24 given some information by BOSA, written information by
25 BOSA?

1 A. 係嘅。

2 Q. Presumably, you would have given that to Mr Cheung,
3 would you, that information from BOSA?

4 A. 啱嘅。

5 Q. I'll ask Mr Cheung whether he gave it to the workers,
6 but anyway, we've got past one step.

7 Can I just ask you about the last bullet point in
8 this fixing sequence, Mr Pun, the last bullet point,
9 where it says, "Install and tighten reinforcement
10 couplers"; do you see that?

11 A. 見到，見到。

12 Q. As I understand it, Mr Pun, so far as Fang Sheung were
13 concerned, they had to install and tighten couplers for
14 the purposes of the transverse connections. Do you
15 agree?

16 A. 呢個係我哋合約嘅一部分，我同意。

17 Q. If we could look at a photo, please, at bundle E5,
18 page 1355.

19 First of all, Mr Pun, it would be right for me just
20 to point out this. Our understanding is -- these
21 photographs, this is one of the photographs that's
22 attached to Mr Cheung's witness statement, and I'll be
23 asking him about some of these photographs a bit later.
24 So I understand, but correct me if I am wrong, that the
25 Chinese characters written on the page are Mr Cheung's

1 writing. Are you able to confirm that or not?

2 A. 係嘅。

3 Q. Can I just point out that the English translation has
4 been done by the Commission's solicitors, just in case
5 anybody was wondering.

6 If we could then blow the photograph up, please, on
7 the left-hand side. Thank you very much.

8 Mr Pun, do we see in that photograph examples of the
9 couplers that you installed at the transverse
10 connections?

11 A. 見到。

12 Q. And those are the ones with the red cap or red tape on
13 that we can see in the lower half of the photograph?

14 A. 呢個係石屎嘅CJ，預留番去另外冇鐵啲倉啲個CJ嘅位嚟嘅，啲啲螺絲帽--
15 係螺絲帽嚟嘅，係預留嘅。

16 Q. Yes. What we're doing here, Mr Pun, as I understand it,
17 is we are looking at bay C1-1, and in the foreground is
18 C1-2; do you follow?

19 A. 喺。

20 COMMISSIONER HANSFORD: Sorry, Mr Pennicott, when we say
21 "CJ", do we mean construction joint?

22 MR PENNICOTT: That was my understanding, sir, but --

23 A. 係嘅。

24 Q. So what would happen is the C1-1 bay would be concreted
25 and, once it had been concreted, you would do the rebar

1 in C1-2 and you would connect that rebar to the couplers
2 that we can see, is that right, once they had been
3 exposed?

4 A. 冇錯。

5 Q. Could I then ask you to be shown a document at C6/4659.

6 Somebody is getting the document for Mr Pun,
7 although it is up on the screen now.

8 Mr Pun, this is a document that Leighton have given
9 to the Commission. You can see that it's headed,
10 "Amendment to the Sub-contract"; do you see that?

11 A. 見到。

12 Q. And it says:

13 "Further to Sub-Contract No. ... reinforcement bar
14 cutting, bending and fixing for Hung Hom Station and
15 associated structures."

16 Then do you see the works underlined at paragraph 2?
17 It says, "Delay recovery measures '(DRM)-overtime'."

18 Do you see that?

19 A. 見到。

20 Q. If we go to the next page, please. This was
21 an agreement apparently that you signed, despite perhaps
22 the typographical error of your name, on 30 April 2016.
23 Mr Plummer also signed it. Do you see that?

24 A. 見到。

25 Q. So do you confirm that you did enter into this amendment

1 to the sub-contract on that date? That is your
2 signature, I think, isn't it, Mr Pun?

3 A. 係。

4 Q. It was in relation to delay recovery measures. Can you
5 tell us a little bit about this agreement; why was this
6 amendment to the agreement entered into?

7 A. 呢個協議係連住下面呢度，即係話佢叫我哋要加班，所以佢額外去同我哋定咗
8 我哋加班嘅工程--嘅人工係幾多，佢連埋後面呢頁係一齊，應該呢面係...

9 Q. The next page, please. Right.

10 So the agreement was really for working overtime but
11 at increased rates from the original sub-contract; is
12 that right?

13 A. 呢個合約--呢個協議就係我加班嘅工時去計算嗰個金錢嘅，即係每一個工人
14 加班每一個鐘頭係幾多錢。

15 Q. Right. In your original sub-contract, you had certain
16 rates, and these rates in this amended -- amendment to
17 the sub-contract were slightly different, and at higher
18 rates, I think?

19 A. 冇錯，因為嗰個進度係慢咗，所以要加班加點去趕嗰個進度，所以公司係畀--
20 係同我哋協商咗，有額外嘅補償，呢啲就係加班時候嘅人工錢。

21 Q. Okay. Understood. This was in April 2016. Is that
22 when the amendment took effect from, just going forward
23 from that date?

24 A. 冇錯。

25 Q. Okay. We can put that document away.

1 Mr Pun, I would like to speak to you a few minutes
2 about the connection of the rebar, threaded rebar, to
3 the couplers in the D-wall, diaphragm wall. Okay?

4 A. Okay.

5 Q. We know that the couplers in the diaphragm wall were
6 covered in concrete, and they had to be exposed.

7 A. 啱嘅。

8 Q. In paragraph 3 of your -- in your police statement, in
9 the English translation it's E1595.2 and the Chinese
10 1586. What you describe here is this, Mr Pun, just
11 under halfway down the paragraph so far as the English
12 is concerned you say, "When the concrete solidified".
13 Can you find that, in paragraph 3?

14 "When the concrete solidified, the couplers would be
15 concealed in the diaphragm walls. Then Leighton's
16 workers would use a large water jet blaster to dig
17 a mortise of 250 millimetres deep on the east diaphragm
18 wall to expose the couplers from the wall, and those
19 couplers were around 150 millimetres apart from each
20 other both horizontally and vertically."

21 Pausing there, did you see this operation yourself
22 going on, Mr Pun?

23 A. 啱嘅，呢個係正確嘅。

24 Q. Right.

25 A. 因為我哋禮頓係用嗰啲水炮去打嗰啲--嗰個key位出嚟，嗰個shear key位

1 係將圖則係--圖則裏面一定要佢打出嚟嘅。

2 Q. Can you just explain to us, when you say "dig
3 a mortise", precisely what do you mean? Do you mean
4 around each individual coupler, or along a line of
5 couplers, or what is it that you're describing there?

6 A. 我哋每一個連續牆嘅panel，每一個panel裏面都要--喺3米石屎個個層板
7 之中，張則係要入咗去250係呢個shear key嚟嘅，呢個shear key係連--
8 個個連續牆嘅表面向住3米石屎塊裏面嘅鋼筋都要深到係完全睇得到，所以
9 如果用一般嘅風炮去打，係個時間好長嘅，佢係用啲好大型、好大型嘅機係
10 佢打個陣時係圍住晒，完全唔畀人人去嘅，因為係好危險，好大型嘅機嚟嘅，
11 因為佢個個力量係好大，即係叫做係--你哋可以叫做--細啲嘅叫做啲洗--
12 啲水槍，用水嚟去洗佢嘅。

13 CHAIRMAN: Sorry, and who would use that, Leightons or you?

14 A. 禮頓。

15 MR PENNICOTT: Insofar as the exposure of the couplers on
16 the diaphragm wall are concerned, apart from the water
17 jet blaster that you've described, did you ever see
18 Leighton using any other method to expose the couplers?

19 A. 你講東牆或者西牆？東牆或者西牆？

20 Q. Sorry, I'm confining my question to the east at the
21 moment, Mr Pun.

22 A. Okay.

23 Q. That's a very fair point. Yes, the east.

24 A. 東牆嘅牆企身個面向住3米石屎，EW track個面用大型嘅水機去洗，東牆

1 嘅牆頭正2.84下面嗰五百石屎用人手去打。東牆嘅cantilever slab，
2 行去cantilever slab嗰面嗰1米石屎都係用人手去打。

3 CHAIRMAN: Sorry, it says here, "At positive 2.84".

4 A. 係EW track嘅track嚟。

5 MR PENNICOTT: Yes. I think we're just having difficulty
6 understanding what you mean. "At positive 2.84, the
7 concrete down below, we used -- it was done manually."
8 What was done manually? The exposure?

9 A. 我哋正2.84，個東牆個D-wall頂--個D-wall嘅頂部係用人手去打，因為
10 有圖則顯示咗，你一定要打走嗰啲有--其中有啲你要打走啲石屎，你露晒
11 啲coupler出嚟，你先至可以進行下一個工序嘅，係D-wall裏面嘅石屎，
12 係連續牆頂嘅石屎。

13 Q. Sorry, let's rewind, Mr Pun. We've got a diaphragm wall
14 panel.

15 A. Mmm.

16 Q. And we're talking about the EWL slab and we're talking
17 about the east diaphragm wall.

18 A. Mmm.

19 Q. We know there is a row of couplers towards the top in
20 the diaphragm wall and a row of couplers towards the
21 bottom. Are you with me so far?

22 A. 我明。

23 Q. Let's just focus on the couplers at the bottom to start
24 with, this is in the EWL slab. Is it those couplers
25 that are water jet blasted, to expose them -- sorry,

1 that part of the wall is jet blasted to expose the
2 couplers?

3 A. 冇錯，係，bottom，bottom bar，嗰啲bottom bar，B1同埋B3嘅底，
4 B1同埋B3嘅底鐵係用水炮打出嚟嘅。

5 Q. Right. Now we go to the top couplers, the couplers at
6 the top. Were they water jet blasted or not?

7 A. 大型水炮機只能夠係打正面，係去打到的正面，即係正面出嚟，我諗喇，
8 但係個頂部嗰啲石屎，嗰個米二嘅wall裏面嘅石屎，嗰大型水炮機係打
9 唔到，應該係用人手去兩邊用炮打。

10 CHAIRMAN: Sorry, it had to be done manually with a ...?

11 A. 用風炮打，用我哋所謂嘅人手嘅大風炮嚟打。

12 MR PENNICOTT: Mr Pun, are you talking about what we now
13 know, so far as the east diaphragm wall is concerned, as
14 the revised detail --

15 A. 嘅頂層。

16 Q. -- ie the reduction in height of the east diaphragm wall
17 by maybe half a metre or so? Is that what you're
18 talking about?

19 A. 係。

20 Q. Okay, because we know that eventually that's what was
21 done, but there were areas, we understand, where the
22 coupler detail was retained on the east diaphragm wall.
23 Are you aware of that?

24 A. 未曾係咁做之前，應該係張生，有兩倉係張生佢自己去親手做，我仲未入
25 地盤嗰陣時，嗰個--唔係咁做嘅嗰兩倉呢，我實際上有喺度control。

1 Q. All right. We can go and ask Mr Cheung about that.

2 So, jet blasting for the lower couplers. We'll come
3 back to that with Mr Cheung.

4 Because, going back to your police statement which
5 I was reading from earlier, Mr Pun, if you pick up where
6 we left off, you say:

7 "On the other hand, at the west diaphragm wall" --
8 so we've now switched to the west diaphragm wall --
9 "workers would in accordance with the drawings remove
10 about 1.2 metres thick of the concrete wall from the top
11 with jackhammers to expose the vertical couplers, which
12 were 150 millimetres apart from each other horizontally
13 and vertically."

14 Do you see that?

15 A. 睇到。

16 Q. I think what you were -- that's what you say happened at
17 the West Wall, and I think what you were telling the
18 Commission was that, in effect, over large areas of the
19 East Wall, that's also what happened, in broad terms?

20 A. 呢度話西牆，西牆一定要鑿出嚟，我哋要做條capping beam嘅嘢去將成條
21 連續牆tie住佢，將佢連貫性咁樣tie死咗佢，因為呢個米二，西牆個米二係
22 有嘅。最早嘅design應該就係冇嘅，我哋落標嗰陣時嘅design就係冇嘅。

23 Q. It didn't have that on the East Wall?

24 A. 西牆嗰面冇呢個--最早嗰陣時唔係咁嘅design，但係實際上做出嚟已經係改
25 咗則，已經係一路睇嗰個圖則裏面，西牆係完全係跟得到嘅，改則嗰個進度，

1 跟住做，所以西牆就變到要有一條完完整整嘅capping beam係成條連續牆--
2 係好完美咁樣去tie住成條連續牆嘅。

3 Q. So, from your perspective, the design, the detail was
4 changed both on the West Wall and the East Wall?

5 A. 東牆嘅設計同原底都係差唔多，我哋--我都有啲詫異，但係西牆嘅設計係完全
6 變晒，同以前嘅design係--最開頭我哋攞番--標番嚟嘅design係完全唔一
7 樣嘅，實際上係穩固咗好多、好多、好多，成個嗰個design係穩固咗好多。

8 Q. All right. Mr Pun, you tell us in your statement, or
9 your police statement, about type A and type B threaded
10 rebar.

11 A. 係。

12 Q. You say type A has about 11 threads and type B has about
13 21 threads.

14 A. 大概係咁喇。

15 Q. Yes. So far as the general rebar is concerned, that is
16 the non-threaded rebar, I think you tell us that there
17 are two circumstances in which you would cut the general
18 rebar. So I'm not talking about threaded rebar, I'm
19 just talking about the general rebar. And the two
20 circumstances are these. The first one is when you were
21 required by MTRC or Leighton to cut the piece of rebar
22 for the purpose of testing; is that right?

23 A. 冇螺絲頭嗰啲？

24 Q. Yes.

25 A. 我哋會剪嘅。

1 Q. You describe this process in paragraph 4 of your police
2 statement. It's E6/1595.3. You say in paragraph 4,
3 about four or five lines down:

4 "The rebars would be delivered to the site in
5 batches. First, the MTRC site supervisor would draw a
6 designated number of rebars from the batch in proportion
7 to the total number of rebars in that batch, so that
8 they would be delivered to the laboratory for testing
9 their weight, tensile strength and shear force. Fang
10 Sheung's workers would follow the instruction of the
11 MTRC site supervisor and cut out 1 metre of each
12 selected rebar with a portable electric shear and then
13 Leighton's workers would deliver them to the laboratory
14 for testing. For every rebar which was delivered for
15 testing, MTRC's engineers would sign on each of them as
16 marking. For those rebars which were not selected for
17 testing, they would be sprayed in white paint so that
18 all our workers would be reminded not to use them. For
19 those rebars which were selected and delivered to the
20 laboratory for testing, they would be sprayed in yellow
21 paint for identification. When the rebars passed the
22 testing and could be used, they would be sprayed in
23 green paint for identification."

24 Can I just ask you this, Mr Pun, about that passage.
25 You refer to a portable electric shear. Can you
26 describe the piece of equipment that was used to do that

1 cutting for the testing?

2 A. 呢個測試如果係剪呢啲鋼筋嗰陣時，測試--拎去測試嘅，係唔可以用我哋啲
3 紮鐵機去剪嘅，因為我哋紮鐵機係逼嘅，一逼佢就會有個扁--稍為變咗少少
4 形，所以一定要用手提電鋸去cut佢，先至--化驗所先至接受，我哋有把電
5 鋸就係手提、紅色㗎喇，有條鋸片仔，充電嘅。

6 Q. It says "red in shape"; is it red in colour?

7 A. 應該係，我哋用嗰兩把就係紅色嘅。

8 Q. Is it this machine here or something similar?

9 (Indicating).

10 A. 係，係，㗎，㗎，㗎嘅，㗎嘅，係。

11 Q. So that is the machine you would use for cutting the
12 general rebar for the purposes of obtaining a short
13 section of rebar to be sent off for testing?

14 A. 呢個機係要嚟剪化驗嘅鋼筋係用嘅，...

15 Q. Yes.

16 A. ...因為佢剪嘅時間係好長。

17 Q. Yes, understood.

18 CHAIRMAN: How much would you cut off the bars?

19 A. 佢一定要合規格嘅，1米長度，係正正1米，唔可以多，又唔可以少。

20 MR PENNICOTT: So that's the testing, and then the other
21 circumstance in which you may cut the general rebar --
22 I'm not talking about threaded rebar, Mr Pun, don't
23 worry; the general rebar -- you refer to in your police
24 statement at 1595.9, in answer to Q15.

25 The question that you were asked was, "What machines

1 and tools were used in bar fixing?"

2 If you go to the third bullet point, you say:

3 "Electric shear: it is a type of portable electric
4 shear. For cutting unexpectedly long or longer threads,
5 but this did not happen much. Maybe one rebar in
6 a while but it was absolutely in line with construction
7 rules."

8 Now, I'm a bit concerned about that, Mr Pun, because
9 I thought that your evidence was about cutting the
10 general rebar but this answer tends to suggest that you
11 used the electric shear for cutting unexpectedly long or
12 longer threads. Have the police recorded this
13 correctly?

14 A. 我嘅可能喺警察裏面係嗰個紀錄--呢個紀錄係有誤差嘅，我哋只不過話--
15 我當時只不過話係用嚟切割現場長咗出嚟嘅鐵支，係有一、兩條長咗出嚟嘅
16 鐵支，係擺唔落嘅鐵支，並唔係話螺絲紋牙。

17 Q. No. And so you're saying, as I understand it, that
18 there could be circumstances in which rebar, general
19 rebar, would be provided by Leightons, and in order to
20 make it fit, in order to make it accord with your
21 schedules, your drawings, that we'll be looking at in
22 a moment, it might have been necessary to cut that
23 rebar; is that correct?

24 A. 應該係。

25 Q. Going back to the rebar and the screwing in of the

1 threaded rebar into the diaphragm walls, I understand
2 that what would happen, first of all, is that once the
3 couplers have been exposed, and before you attempted to
4 screw any rebar into the couplers, the Fang Sheung
5 workers would carry out a visual inspection of the
6 couplers; is that right?

7 A. 呢個應該係Joe佢喺現場嘅目測，即係話我個管工。

8 Q. Okay. And, Mr Pun, are you aware of incidents where
9 damaged couplers were discovered, or couplers were
10 discovered with concrete residue inside them?

11 A. 我都知嘅，呢啲係工程上好正常嘅事情嚟嘅，會時不時會發生，因為個
12 D-wall落去，係冇人保障到佢百分之一百冇石屎入去嘅。打shear key
13 嗰陣時又冇人保證嗰個coupler係無損咁去輪到我哋去做嘢嘅，因為呢個
14 正正係工程嘅難處嚟。

15 Q. Just focus on concrete residue for a moment. How would
16 that be cleaned out, got rid of?

17 A. 如果有時間嘅話，我諗，我唔知道禮頓點做，係會搵人去用人手去揭開個蓋
18 去清潔，但係冇時間嘅話，好簡單，將佢換晒佢。

19 Q. All right. You said "Leighton workers". This was
20 something that you were not responsible for, but you
21 understood Leighton to be responsible for; is that
22 correct?

23 A. 呢個係--唔係我哋負責嘅一個項目嚟嘅，我哋係負責扭落去嘅啫。

24 Q. All right.

25 Now, with regard to damaged couplers, Mr Pun --

1 again, were you aware of damaged couplers?

2 A. 都唔係我哋負責，更加，總言之個螺絲帽裏面嘅有任何損毀或者係個螺絲
3 帽有任何問題令到嗰支鐵扭唔到落去都唔係我哋嘅錯，又唔係我哋嘅責任。

4 Q. Are you able to describe for us the type, the nature of
5 the damage that was caused to the couplers?

6 A. 「損毀」嘅意思，個螺絲帽變咗形或者裏面嘅螺紋係崩爛咗就為之損毀，
7 如果係有石屎漿喺裏面，咁就我唔知當唔當損壞，總言之就係有石屎漿喺
8 裏面都係唔可以扭入去嘅。

9 Q. I understand the point about the concrete residue,
10 concrete debris, Mr Pun. You have said the words
11 "formation of couplers". What do you mean by that? Do
12 you mean -- it might have said "deformation", but I'm
13 not sure. "Formation of couplers"?

14 CHAIRMAN: I've got "deformation" here, which I understand
15 to mean deformed or bashed.

16 MR PENNICOTT: Yes.

17 So when you say deformed couplers, Mr Pun, what do
18 you mean by "deformed"? In what way were they deformed?

19 A. 即係同原來嘅形狀係有少少改變咗，因為人為嘅因素或者係第二個工序嘅
20 因素令佢經常會有嘅，嗰支炮打落去，“boom boom boom”，佢就會有
21 少少變咗形，就扭唔入㗎喇。

22 MR PENNICOTT: When you say "slightly skewed", do you mean
23 misaligned, either vertically or horizontally?*

24 A. 唔係，我純粹講個螺絲帽嘅形狀真係有少少稍為啲啲咁多變都扭唔到入去嘅，
25 並唔係嗰個方向排列有問題。

1 Q. Right. To your understanding, Mr Pun, if these types of
2 problems arose -- and I know we can discuss this with
3 Mr Cheung later -- what would --

4 A. 啱嘅。

5 Q. What were your instructions to Mr Cheung; if you found
6 damaged/deformed couplers with concrete debris in, what
7 was the procedure by which that was put right?

8 A. 呢度係唔到我哋--我只能夠我同張先生講呢啲唔係我哋嘅責任，一定要搵
9 禮頓去解決，因為唔係我哋嘅合約裏面嘅事嚟嘅，我哋淨係負責扭入去嘅啫。

10 Q. And so, in short then, Mr Pun, does it go like this,
11 that if a troublesome coupler is encountered, you would
12 expect Fang Sheung, Mr Cheung or somebody else, to
13 inform Leighton, you would invite them to put right the
14 damage or clear the debris out of the coupler, and then
15 once that had been done you would return to do your bar
16 fixing and the threading into the couplers; is that
17 right, the screwing into the couplers?

18 A. 可以咁講。

19 Q. Mr Pun, when each layer of rebar had been completed,
20 what would happen?

21 A. 每一層嘅鐵紮咗，咪跟住會紮第二層鐵，一浸浸紮上去，我理解你講嘅可能
22 係呢個意思--問我嘅呢個意思。

23 Q. Would each layer be inspected by anybody before you went
24 on to the next layer?

25 A. 我而家明白，我哋每紮--我哋--當我哋開工紮鐵嗰陣時或者係我哋進行--

1 個地盤任何進行工作，禮頓有駐場嘅工程師同埋管工，地鐵都有，佢哋係
2 恆常性咁去監察住我哋去做嘢嘅，包括我哋紮每一層嘅鐵，佢都會有睇嘅。

3 Q. Was it your understanding, Mr Pun, that you were not
4 permitted to start the next layer until the previous
5 layer had been inspected by Leighton and/or MTRC?

6 A. 正確嘅，因為呢塊3米slab太過--數量太過重--多過頭，所以你一翻手，
7 有機會畀你翻手嘅，我哋只能夠係逐--紮一層、驗一層，紮一層、驗一層，
8 一路咁做上去。

9 Q. Did you personally, Mr Pun, witness that inspection
10 process taking place?

11 A. 其實我係好少佢哋工作時間落地盤嘅，我有呢個--唔係呢個好多時睇得到
12 佢，因為我選擇係佢哋飯後或者係收工咗之後，我先至去巡地盤，點解呢？
13 因為我可以睇到佢哋嘅進度係點樣嘅，一切嘢都係由張生去control嘅。

14 Q. Right. I'll ask him about that. That's fine, if you
15 didn't see it yourself.

16 CHAIRMAN: I'm just wondering, is this --

17 MR PENNICOTT: Sorry.

18 CHAIRMAN: Not at all. It's your choice as to when you
19 would like to have a break.

20 MR PENNICOTT: Can I just deal with this one more topic.

21 Mr Pun, I don't know whether you've had
22 an opportunity of looking at any of the witness
23 statements that have been given to the Commission by the
24 various parties that are here. Have you had that
25 opportunity or not?

1 A. 冇。

2 Q. Okay.

3 A. 我都唔想知，我唔想知。

4 CHAIRMAN: Many would say "a sensible man".

5 MR PENNICOTT: Indeed they would. Unfortunately, that's not
6 the case for me, Mr Pun.

7 Anyway, there are two particular witness statements.

8 There's one from a gentleman called Mr Kobe Wong from

9 MTRC. Have you heard of Mr Wong? Do you know him?

10 A. 係，有。

11 Q. There's also another one from Mr Edward Mok, a engineer

12 from Leighton. Have you heard of him and do you know

13 him?

14 A. 有。

15 Q. In their two witness statements, Mr Pun, they describe

16 a number of incidents, three to five incidents, where,

17 during the course of their inspections of Fang Sheung's

18 rebar work, they noticed connections that had not been

19 properly formed, either because the rebar was not fixed

20 into the coupler or the thread of the rebar had been

21 cut. Were any of those -- and that's what they're going

22 to tell the Commission when they come to give evidence

23 next week or sometime.

24 Were any of those incidents that we talk about --

25 were they ever drawn to your attention, Mr Pun?

1 A. 我就冇收過，除咗一次嘅警告信之後，我就從來冇收過公司對我哋投訴我哋
2 冇做呢樣嘢或者係有做啲違--唔啱--唔規則嘅嘢，我從來都冇收過，除到
3 一張嘅信。至於佢話係咪有人唔合格，即係話冇--完全冇好靚去安裝啲
4 coupler，睇到有啲工人咁樣，我都唔--我都實際上我唔知道，張生可能
5 會清楚好多。

6 Q. He may do, but I just want to take you up on your
7 warning letter, if I may, just to see if we can ask you
8 this.

9 Could you be shown, please, bundle C12, page 8134.
10 Mr Pun, this is what's known as a non-conformance
11 report. We can see that -- sorry, go to the top, I'm
12 sorry -- it's a Leighton document, and it is sent to
13 you, that is it is sent to Fang Sheung. Do you see
14 that?

15 A. 睇到。

16 Q. It is for the attention of "Joe Cheng" -- I think it
17 must be "Cheung" rather than "Cheng" -- do you see that?

18 A. 係，張生。

19 Q. And it's non-conformance report no. 157. I think we can
20 at the bottom it's dated -- it has a date of 18 December
21 2015; do you see that?

22 A. 睇到。

23 Q. Was this document ever brought to your attention,
24 Mr Pun?

25 A. 事後佢畀我哋嗰陣時，我先知道，因為呢次事件係即時喺地鐵同埋禮頓嘅

1 監管下去--馬上去糾正晒所有錯誤嘅，係即時。

2 Q. Yes. That I understand to be the position, Mr Pun. But
3 when did you first see this document then? You said you
4 saw it afterwards. When did you first see this?

5 A. 當我見呢份文件係6月13號，今年嘅，喺地鐵嘅...

6 Q. 13 June?

7 A. 係，但係呢份文件係...

8 Q. When you were being interviewed by MTRC?

9 A. 但係呢份文件係我哋--一早畀咗我哋嘅，但係我覺得已經即時搞掂咗，係好
10 少嘅嘢嚟，所以我有刻意去注意呢樣嘢，我只係發生咗呢件事之後，公司有
11 投訴之後，我話畀Joe知，叫啲伙記唔好再有第二次去剪啲--去唔合格咁去
12 安裝啲coupler，我哋係有即時話畀Joe知，但係我實際見呢份文件，我真
13 係6月13號我先見得到。

14 Q. Let me just try to unpick that slightly, Mr Pun. You
15 didn't actually see this document back in 2015; is that
16 right or not?

17 A. 2015年，冇，但係禮頓喺我哋嘅email度係有畀我哋嘅。

18 Q. You said you were shown this document on 13 June this
19 year, 2018, at your interview with MTRC; is that
20 correct?

21 A. 冇錯，我第一次知道--唔係，我先至係見到呢份文件。

22 Q. The first time you saw that document; okay.

23 Going back to 2015, when this incident happened, did
24 Mr Cheung speak to you about this particular incident?
25 Did he draw it to your attention, even if you didn't

1 actually see the document?

2 A. 我哋知道嘅，因為當時係馬上搞掂。

3 Q. So Mr Cheung did draw it to your attention at the time,
4 is that right, back in 2015?

5 A. 有嘅。

6 Q. Good. We're getting there. I think you have already
7 anticipated and given an answer to my next question:
8 what, if anything, did you do about it? What
9 instructions did you give to Mr Cheung when he told but
10 this?

11 A. 我話畀佢聽呢啲係任何情況都唔可以咁樣做嘅，我要--會要佢訓示啲工人係
12 以後都唔會再發生呢啲嘢，呢件事之後，有呢份文件之後，我哋亦都有再收
13 過任何嘢。

14 CHAIRMAN: Sorry. All right. I just can't see on the
15 document what needs to be done. I've got, "Please
16 review the evidence and investigate the root cause of
17 the problem ..."

18 MR PENNICOTT: Yes, sir. One needs to look at the other
19 documents, the photographs attached, and so forth, to
20 pick it all up.

21 CHAIRMAN: I see. Yes.

22 COMMISSIONER HANSFORD: Sorry, just following on from
23 that -- Mr Pun just said, "I told him this should not be
24 done." I don't know what should not be done.

25 MR PENNICOTT: Let's look at the photographs. Go we go

1 down, please. Go back to that other page and blow that
2 up, please. "Details of defective work". Before we
3 look at the photographs, Mr Pun:

4 "Threaded rebars at 3 metre thickness EWL slab at
5 area C3 bay C3-2/C3-3 was found 5 number of threaded
6 steel bar heads ... bottom layer which are wire cut and
7 hadn't screwed into couplers face to bay
8 C3-1/C3-4/eastern D-wall. (Please refer E1 to E4)",
9 which I think were the photographs attached.

10 So, Mr Pun, as I understand it, your evidence is
11 that you never saw this document back in 2015. Does it
12 follow, therefore, that until earlier this year you had
13 never seen the photographs that were attached to it, in
14 the following pages?

15 Let's look at the next page. That's it.

16 A. 啱，我係未睇過嘅。

17 MR PENNICOTT: Sir, perhaps that would be a convenient
18 point.

19 CHAIRMAN: Yes. Thank you. 15 minutes. Thank you.

20 (11.46 am)

21 (A short adjournment)

22 (12.06 pm)

23 MR PENNICOTT: Sir, apologies for the slight delay; entirely
24 my fault.

25 Can we move on, Mr Pun. Can I ask you, please, to
26 look at your police statement, in the English at 1595.8

1 in C6. I'm interested at the moment, Mr Pun, in
2 question and answer 11, Q11 and A11. Do you have that?

3 A. (Nodded head).

4 Q. The question was:

5 "When you were inspecting Hung Hom Station, have you
6 ever seen or heard anyone using machinery to cut short
7 the threaded rebars in order to pretend that the rebars
8 have been screwed into the couplers?"

9 And your answer is recorded as this:

10 "Regarding cutting short the threaded rebars in
11 order to pretend that the rebars have been screwed into
12 the couplers, I only came to know from watching the news
13 that it was suggested that someone had cut the rebars.
14 The situation is actually very illogical, as it would
15 take at least 2.5 minutes to use a portable electric
16 shear to cut the threaded section of a rebar, while each
17 coupler costs only a hundred odd dollars which would be
18 covered by Leighton, and replacing each coupler takes
19 less than a minute. So nobody would choose a more
20 troublesome method to solve the problem."

21 Then the piece I am more interested in, Mr Pun,
22 comes up:

23 "In reality, sometimes there were not enough rebars
24 with type A threads, and there was a chance that workers
25 would replace them with rebars of type B threads, so
26 that even when the rebars were completely screwed into

1 the couplers, part of the threads would still remain
2 exposed. This situation was very rare and might happen
3 to one odd rebar occasionally, but it would not affect
4 the structure and load-bearing strength at all. It is
5 also possible that the workers were afraid that
6 Leighton's and MTRC's engineers would misunderstand that
7 the rebars were not completely screwed into the
8 couplers, and hence they would cut short the type B
9 threads, change it into type A threads, then screw them
10 into the couplers."

11 Now, a number of questions on that arise, Mr Pun.
12 First of all, is it your evidence that you personally
13 are aware that cutting a type B threaded rebar, to
14 convert it into a type A, ie a shorter threaded rebar,
15 did in fact take place on this site?

16 A. 我想像嘅啫，唔代表一定有發生。

17 Q. That was my question, Mr Pun. Did it happen -- to your
18 knowledge, did it happen or did it not happen?

19 A. 我有親眼睇見過有咁嘅事情發生。

20 Q. Had anybody spoken to you, if you hadn't seen it
21 personally, had anybody spoken to you about this type of
22 thing happening, that is shortening the type B to
23 convert it to a type A?

24 A. 亦都冇人同我講過有咁嘅事情發生喺個地盤裏面。

25 Q. Are you sure Mr Cheung didn't mention it to you, Mr Pun?

1 A. 應該就有喇。

2 Q. Did he or did he not mention it to you?

3 A. 冇。

4 CHAIRMAN: Could I -- sorry to cut in.

5 MR PENNICOTT: Of course, sir.

6 CHAIRMAN: You had spoken earlier about the practice of
7 referring to Leightons when you came across couplers
8 that were in some way damaged, and the work of repair
9 needed to be done by Leightons; is that correct?

10 A. 冇錯。

11 CHAIRMAN: From your experience, are you able to say how
12 long it would take Leightons to repair or make good the
13 damage? Was this done once a day in the evenings, for
14 example? Was it done immediately, each time a single
15 report was made? Was it left for a couple of days?
16 What sort of process was used?

17 A. 時間係唔允許幾日後，通常收到我哋嘅管工嘅報告嗰個螺絲帽有損壞嘅話，
18 禮頓會即時搵人去跟進嘅。

19 CHAIRMAN: All right. So would you expect, then, in the
20 ordinary course of events, that reports of damage would
21 be attended to that same working day?

22 A. 應該係，絕大部分都係。

23 CHAIRMAN: The next question I have is -- you reported to
24 Leightons. Presumably, if you were working with
25 Leightons as their sub-contractors, they had designated

1 people who would attend to this "making good" work; is
2 that right?

3 A. 其實呢個動作應該係由禮頓做嘅，因為螺絲帽有問題唔係我哋泛迅嘅呢個
4 責任嚟嘅，因為我哋都係冇辦法去修正嗰個螺絲帽，留番出嚟嗰個螺絲帽，
5 我哋係冇計嘅。

6 CHAIRMAN: But did, to your knowledge, Leightons have their
7 own special people who dealt with this type of problem?

8 A. 實際個地盤情況，我唔係咁清楚，現場嘅情況，我唔係咁清楚，所以我
9 唔可以亂咁噏。

10 CHAIRMAN: All right. Good. Thank you.

11 COMMISSIONER HANSFORD: Sorry, I have a question here.

12 Mr Pun, you talk about there was a chance that
13 workers -- "sometimes there were not enough rebars with
14 type A threads".

15 If you ran out of a particular type of rebar, how
16 long would it take to get replacements?

17 A. 要視乎，通常都會等一日到第二日先至有，因為嗰個交通--嗰個運輸過程係
18 好繁忙，下面全部都係好多人用緊嗰條道路，而我哋開料嗰個場喺個--挨住
19 海邊嗰面，所以要運入嚟會有啲時間，運鐵入去。

20 COMMISSIONER HANSFORD: So days? Are we talking about days
21 or --

22 A. 唔會，唔會幾日，係幾個鐘頭後或者係半天後。

23 COMMISSIONER HANSFORD: Thank you.

24 MR PENNICOTT: Mr Pun, can we go back to the passage I read
25 out, answer A11.

1 What I don't understand at the moment, Mr Pun, is
2 how this concept, this idea, of cutting type B threads
3 to essentially convert them into type A threads ever
4 came to be in this police statement. I mean, you didn't
5 witness, you say, that type of operation. You say you
6 weren't told about it by Mr Pun. So why did you mention
7 it at all to the police? What was the purpose of
8 mentioning this?

9 A. 因為當時警方問到「有人講你係會--你哋個地盤有cut螺絲頭咁嘅情況」，
10 佢問我咩嘢情況下會去做呢啲嘢。

11 Q. So you were just asked to think about the possible
12 circumstances in which this may happen; is that what
13 you're saying?

14 A. 冇錯。

15 Q. So you hadn't witnessed it yourself, you hadn't been
16 told about it, you were asked to think about the
17 circumstances in which it might occur, and this is what
18 you came up with? Is that it, broadly?

19 A. 冇錯。

20 CHAIRMAN: And, sorry, on top of that -- my apologies --
21 would it be correct to say that what perhaps some may
22 say would be the more obvious instances, such as finding
23 a damaged coupler and thinking that it would be quicker
24 just to cut the rebar short rather than fixing the whole
25 coupler -- from your perspective, you simply reported

1 damaged couplers to Leightons, and it was their job to
2 deal with it, so that was never a problem for you?

3 A. 如果話剪鋼筋仲快過換個螺絲帽嘅，呢啲人係冇知識嘅，佢唔係喺我哋工程界
4 裏面做工程嘅，係人都知道嗰個螺絲帽如果係損壞咗，最快嘅途徑就係換咗個
5 螺絲帽出嚟，我哋跟住就係攞--扭番入去，扭個鋼筋入去，係好簡單嘅事嚟。

6 CHAIRMAN: I appreciate that. I suppose my question was
7 when you were asked to contemplate the possible
8 circumstances in which rebars might be cut, you didn't
9 consider avoiding having to replace damaged couplers,
10 for example, because this was not something that
11 bothered your firm; you simply reported damaged couplers
12 to Leightons and let them deal with it?

13 A. 冇錯，我哋公司嘅原則，任何情況都唔會剪嗰條鋼筋--嗰條螺絲帽嘅鋼筋嘅。

14 CHAIRMAN: But I think there will be some evidence --
15 indeed, it's already been admitted -- that there were
16 reports occasionally of incorrect installation of
17 threaded rebars or cutting of threaded rebars that were
18 found, I think on three occasions --

19 MR PENNICOTT: Three or five.

20 CHAIRMAN: Three or five occasions. What would be the
21 reasons for that, do you think?

22 A. 呢啲--呢幾次可能係個工人嘅手工嗰個--工人嘅呢個--嗰個手作問題，因為
23 我哋始終都係用人手...

24 CHAIRMAN: All right. Yes. Shoddy, quick or negligent
25 workmanship?

1 A. 係。

2 CHAIRMAN: Thank you.

3 MR PENNICOTT: Mr Pun, I'm going to press you a little bit
4 further on this. If you go back to your police
5 statement, the bits that we've been looking at, you say
6 you were essentially trying to assist the police with
7 their enquiries and indicating the circumstances in
8 which the type B thread might be cut so that it
9 converted to a type A. You've given your answer to one
10 of my questions earlier.

11 But you then go on to say this in your statement:

12 "This situation was very rare and might happen to
13 one odd rebar occasionally, but it would not affect the
14 structure and load-bearing strength at all."

15 Doesn't that suggest, Mr Pun, that you did in fact
16 have some knowledge of this happening on this site?

17 "This situation was very rare", you say.

18 A. 唔係嘅，呢個所謂「偶然一支、半支」講係個手工嘅問題嘅啫，唔會話去
19 知道佢cut嗰支coupler。

20 Q. My understanding, Mr Pun, is that the NCR,
21 non-conformance report, 157 that we looked at earlier,
22 which I appreciate you say you never saw at the time,
23 was in fact an example of a type A thread being cut, not
24 a type B. Do you understand that? So it was a type A
25 thread that was picked up on that inspection, not
26 a situation where a B was cut to convert it into an A,

1 but an actual cutting of a type A thread. Were you
2 aware of that?

3 A. 我唔係幾明白。

4 Q. Let me try again. You've given, in your police
5 statement, a possible scenario of a type B thread,
6 that's the longer thread, being cut to convert it into
7 a type A thread, the shorter one, because there may be
8 a shortage of type A threaded rebar.

9 But the NCR157 isn't an example of that. It's
10 an example of the type A thread, the shorter thread,
11 being cut. So that explanation doesn't really work with
12 regard to that particular incident, Mr Pun. Do you
13 follow?

14 A. 我嘗試咁解釋，呢個我哋--我收到呢份報告，我知道呢個報告嘅已經係--
15 睇到相已經係6月13號㗎喇，而呢份報告嘅嗰件事發生係15年嘅，當時已經
16 係即時搞掂咗，實際情況下面發生咗咩嘢事，喺呢一份報告講呢個地區，我
17 係唔知道嘅。

18 Q. All right. Perhaps we can come back to that with
19 Mr Cheung in due course.

20 CHAIRMAN: Yes. But wouldn't you have been told, as the
21 boss, if there's an NCR, what the problem was and shown
22 the photographs so that you could deal with it?

23 A. 嗰個解決問題係即時喺地鐵同埋禮頓嘅監督下，係即刻解決晒㗎喇，我覺得--
24 呢件事我事後先至張生話畀我聽，我先知道嘅。

25 CHAIRMAN: All right. But what's your understanding as to

1 what that incident was about? Why had you received the
2 NCR?

3 A. 我嘅理解就係我哋嘅工人嘅手工同埋嗰個coupler--用人手做嗰個coupler
4 可能係做得唔係咁好，做得唔靚，所以地鐵係唔收貨嘅，要求我哋重新再做
5 過嘅。

6 CHAIRMAN: All right. We can come to what the subject
7 matter of that NCR was.

8 MR PENNICOTT: Yes. I'm going to deal with it with
9 Mr Cheung. He was the recipient of it and I have
10 a feeling he might know more about it than Mr Pun.

11 CHAIRMAN: Can I just put one thing to you. Could there be
12 occasions when you had a problem with one or more
13 couplers and you're under pressure to get the work done,
14 and Leightons -- nobody is available immediately to come
15 and deal with that coupler problem, and so your own
16 workers just take a short-cut and maybe cut a thread to
17 make it look as if it's been threaded correctly? In
18 other words, from pressure of work.

19 A. 唔會嘅，係絕對唔會，好肯定咁答覆你，係絕對唔會有啲咁嘅事情發生嘅。

20 CHAIRMAN: Why would you be so confident?

21 A. 因為發生咗呢件事之後，我哋同張生已經係訓示啲工人，所有嘅工人唔可以
22 用任何嘅藉口去cut嗰支螺絲頭，如果係佢哋再有畀人投訴，我哋話作出嗰個
23 處分嘅，甚至係將佢哋個工人係開除。

24 CHAIRMAN: Good. Thank you.

25 MR PENNICOTT: Mr Pun, just to wrap this point up, can I ask

1 you two questions. Firstly, to your knowledge, did you
2 ever receive instructions from Leighton to cut off or
3 shorten any threaded rebar?

4 A. 冇。

5 Q. Secondly, to your knowledge, were any of Leighton's
6 workmen involved in the installation of the
7 reinforcement in the platform slabs or the track slabs?

8 A. 安裝螺絲頭應該係我哋嘅責任嚟嘅，佢哋安裝咩嘢呀？我想問下律師，安裝
9 咩嘢？

10 Q. I'm talking about the installation of the rebar. Let's
11 focus on the EWL slab first.

12 A. 唔係禮頓嘅工作嚟嘅，應該係由我哋去負責安裝所有嘅鋼筋呀嗰啲盛。

13 Q. Okay. So is the answer to my question that Leighton's
14 workmen were not involved in the installation of the
15 rebars in the EWL slab?

16 A. 啱嘅。

17 CHAIRMAN: I just want to clarify this. I think
18 I understand you. Take a typical day. You've got three
19 couplers in a row of couplers that are, in one way or
20 another, damaged or contaminated with cement residue.
21 You go to Leightons. Leightons say, "We will now deal
22 with that." When they have dealt with it, do they then
23 attach the threaded rebars themselves, or do they say to
24 you, "We've now fixed these things. It's up to you now
25 to take them back again and insert the threaded rebars"?

1 In other words, who did the threading after Leightons
2 had fixed problems?

3 A. 我哋嘅，係我哋嘅責任嚟嘅。

4 CHAIRMAN: All right.

5 MR PENNICOTT: Thank you. Now, a hopefully short point,
6 that I go to with a degree of trepidation, Mr Pun. The
7 topic is uniforms.

8 Can I ask you, please, to go to your police
9 statement again, at E6/1595.9 in the English version,
10 but it's the Q12 and A12 that I'm interested in. The
11 question was:

12 "Were Fang Sheung's workers (long-term and
13 temporary) required to wear uniform at the ... site?"

14 You see the question? Your answer was:

15 "We wore uniforms supplied by Leighton. I could not
16 recall the colour of the uniform but we supplied our own
17 safety helmets to workers."

18 Mr Pun, that answer you gave, "We wore uniforms
19 supplied by Leighton", is that accurate and true?

20 A. 禮頓提供畀我哋嘅制服係一次，而且係好早以前會有提供過一次嘅，因為
21 我哋上咗安全堂之後，佢會提供一次嘅制服畀我哋，以後唔會。我所講嘅
22 「着」係講初期嘅，以後冇得着㗎喇，因為啲衫舊晒，係冇繼續提供啲
23 制服畀我哋。

24 Q. When you say "initially", can you put any sort of time
25 on that period?

1 A. 我哋係應該就係嗰張細嘅合約，最先簽嗰個合約，先至會有制服提供畀佢哋，
2 叫我哋--以我所知，後來地盤太多工人，佢可能買衫都買唔切。

3 Q. All right. You started these works, broadly speaking,
4 in about May 2015. So, at that time, are you saying you
5 would have been supplied by Leighton with uniforms?

6 A. 應該--詳細情況張生先至清楚，但係嗰陣時我覺得我啲伙記都係隨便着喇喇，
7 冇，因為我哋係14年已經入咗嚟。

8 Q. Okay, on the other sub-contract. I understand.

9 Could you please be shown a photograph at D1/228.

10 Mr Pun, is this a photograph you have seen before?

11 A. 第一次喺傳媒嗰陣時見過。

12 Q. Sorry, in the newspaper? "Media" -- I wasn't quite
13 sure.

14 A. 喺報紙度。

15 Q. Okay. First of all, can you tell whether that's one of
16 your workers or a Leighton worker? Fang Sheung or
17 Leighton, or can't tell?

18 A. 應該講唔到，睇唔到喇喇，睇唔到。

19 Q. Well, they appear to be using a machine that doesn't
20 look very different from that one we were looking at
21 earlier. Do you agree?

22 A. 正確，正確，啱嘅。

23 Q. So wouldn't the likely inference be, Mr Pun, that this
24 was a Fang Sheung worker using a Fang Sheung piece of
25 equipment?

1 A. 呢啲咁嘅機器好多人都會有，係好普通嘅機器嚟嘅，好多個判頭都會有嘅，
2 總言之，地盤嘅工程公司，包括禮頓、我哋、第二啲判頭，有機--都有機會
3 用到呢啲咁常見嘅手提工具。

4 Q. For what purpose would Leighton be using it? They're
5 not doing rebar fixing. You told us that that was your
6 responsibility; Leighton weren't involved in it. So why
7 would Leighton be using your -- sorry, a cutting machine
8 similar to yours? Why would they have one?

9 A. 我話佢禮頓都會有啫，我有話禮頓喺度用緊，呢個人我哋係唔--我係根本認
10 唔到呢個係邊度邊間公司嘅員工嚟嘅。

11 CHAIRMAN: Could it be one of yours?

12 A. 如果要咁講，都會有可能，如果要咁講，但係呢個工人應該唔係我哋嘅員工。

13 CHAIRMAN: All right. But a rebar appears to be in the
14 process of being cut; would you accept that?

15 A. 同意，我睇件衫--佢個工人，我補充一下，佢太乾淨，我哋啲工人係好污糟、
16 好邋邋，嗰啲--因為我哋係周身鐵鏽，着一日都好污糟邋邋，長袖衫好似更加
17 唔會有，好少有，因為裏面係環境--個溫度好熱。

18 MR PENNICOTT: All right. Can I ask you to be shown the
19 photograph at D1/230, so two pages on.

20 Do you see on the left-hand side of this photograph,
21 Mr Pun -- we can only see about half --

22 A. 見到。

23 Q. -- of the gentleman -- do you know whether that's
24 Joe Cheung? Can you tell?

1 A. 應該係。

2 Q. "Should be"? Is it?

3 A. 係。

4 Q. Good. Could you go to 232, please. We can see there,
5 in this photograph, Mr Pun, a couple of workers who
6 appear to be installing rebar. Can you tell whether
7 those are Fang Sheung workers or somebody else's
8 workers?

9 A. 唔肯定，唔肯定，應該唔係我哋嘅工人。

10 CHAIRMAN: You say "it shouldn't be"?

11 MR PENNICOTT: I think "should be".

12 COMMISSIONER HANSFORD: It says "shouldn't" on the
13 transcript.

14 CHAIRMAN: I think "should not".

15 A. 應該唔係。

16 CHAIRMAN: Perhaps I could clear: It should be your workers
17 or should not?

18 A. 應該唔係，應該唔係。

19 CHAIRMAN: Why would you say that?

20 A. 我哋嘅工人一嚟好少着長袖衫，二嚟啲螢光衣、啲盛係唔會有咁乾淨嘅，可以
21 睇得到。

22 CHAIRMAN: But these people appear to be at least holding
23 a rebar; would you agree?

24 A. 我同意。

25 CHAIRMAN: Would you be able to say why workers other than

1 Fang Sheung workers would be doing what they appear to
2 be doing, namely bending over and holding a long rebar
3 in that particular area, why they would be there doing
4 that sort of work?

5 A. 我都唔理解。

6 CHAIRMAN: Because your evidence, I think, is that only
7 Fang Sheung workers do the fixing. That's your area of
8 responsibility; right?

9 A. 啱嘅。

10 CHAIRMAN: And if other workers were going to come on site,
11 the ones you would expect to see would be Leighton
12 workers coming to fix damaged couplers, a different type
13 of work?

14 A. 損壞螺絲帽，佢換或者佢損壞，去處理螺絲帽，應該就由禮頓做，我哋絕對
15 唔會做。Coupler啲啲。

16 CHAIRMAN: All right. So this doesn't look like they are
17 fixing a damaged coupler, or maybe they are removing
18 a threaded bar from -- a partially damaged coupler or
19 something similar, I don't know. But you account for
20 this?

21 A. 純張照片解釋，佢都係喺度扭緊螺絲帽或者褪出嚟，安裝或者係卸出嚟都
22 會有機會。

23 CHAIRMAN: Okay.

24 MR PENNICOTT: All right.

25 Let me try another photograph. 227, please. Do you

1 have that, Mr Pun?

2 A. 見到。

3 Q. It's a little bit more difficult, Mr Pun, to work out
4 precisely what's going on in this photograph, but again,
5 so far as the two workers are concerned, are they
6 Fang Sheung workers or somebody else's workers, do you
7 think?

8 A. 呢張相，唔係--應該唔係我哋泛迅嘅工人，因為戴頂帽都唔同。

9 Q. Okay. All right.

10 CHAIRMAN: What hats did your workers wear? What colour?

11 A. 黃色，黃色，但係黃...

12 CHAIRMAN: Even if they had different positions of
13 seniority?

14 A. 唔係，所有工人，個地盤嘅所有工人多--絕對大部分唔係我哋間公司都係
15 戴黃帽嘅，呢啲戴紅色帽，有啲特長嘅技能嘅，應該就係有啲特長嘅技能，
16 譬如戴藍色，佢係有吊運牌，紅色可能會係啲交通乜乜物物呀啲，佢哋
17 係有個識別，一般工人係戴黃色嘅。

18 MR PENNICOTT: Sir, I'm going to move on to another entirely
19 new topic, unless you've got any more questions about
20 those photographs.

21 CHAIRMAN: No. Thank you very much.

22 MR PENNICOTT: Mr Pun, in your witness statement to the
23 Commission, you tell us in paragraph 2 -- that's at
24 E1/29.1 in the English -- that you were provided by
25 Leighton with information and drawings which you studied

1 and then turned into simplified drawings which you gave
2 to Mr Cheung, from which he would then organise the
3 carrying out of the rebar fixing. I'm trying to
4 summarise, Mr Pun. Do you agree with that summary?

5 A. 啱嘅。

6 Q. You have provided to us a large quantity of drawings in
7 appendix 2 to your witness statement. I would like,
8 please, to ask you some questions about those drawings.

9 Could I ask you to be shown E1/282. You have here,
10 Mr Pun -- this is the front sheet to appendix 2, and you
11 say -- it's captioned, "Drawings and information
12 provided by Leighton to Fang Sheung"; do you see that?

13 A. 見到。

14 Q. If we just literally turn over to the next page, 283,
15 can I just ask you to confirm that this, by way of
16 example, is a drawing that would have been and was
17 provided to you by Leighton, and this is not one of your
18 simplified drawings? This is the information provided
19 to you by Leighton; is that right?

20 A. 冇錯。

21 Q. With regard to the simplified drawings that you prepared
22 and gave to Mr Cheung for the purposes of him organising
23 the work, do any of those simplified drawings still
24 exist?

25 A. 喺後面嗰啲，我提供喺後面嗰啲。

1 Q. Okay. So some of them, in this run of documents that
2 we've got --

3 A. 係喇。

4 Q. -- that one through to E5, some of them are the
5 documents that Leighton provided and some of them are
6 the simplified drawings; is that right?

7 A. 逢嘅有手寫呢啲圖則，唔係禮頓提供畀我哋。我要講得清楚，...

8 Q. Yes.

9 A. ...呢張圖禮頓提供係啲最新嘅施工原裝嘅圖則畀我哋，但係喺整個施工
10 過程中，啲啲工人係唔識睇呢啲圖則嘅，因為太複雜，我就將佢每一層嘅
11 鋼筋都將佢分拆出嚟，所謂分拆出嚟，我哋擺D1個陣時就係一張紙，包括
12 佢嘅位置、支數、宗數，擺D2個陣時又另外一張紙，啲工人就可以按照啲
13 個施工，咁呢張圖則係完全喺禮頓提供畀我哋啲啲原裝嘅圖則裏面係搵得
14 到嘅，同埋我最緊要呢個時--最緊要呢張圖則係要嚟簡化咗佢，畀啲工人
15 去擺鐵嘅啫，即係施工嘅啫。

16 Q. All right. Let me see if I can pursue that answer with
17 you a bit further.

18 If you go to the next page, 284 -- this is just by
19 way of example, Mr Pun; I don't think it's a drawing
20 that we're primarily concerned with, but it's just
21 an example. I just want to try to understand what
22 you're saying. We have a drawing here. We understand
23 this to relate in fact to the NSL, not the EWL. Do you
24 agree with that?

25 A. 係EW track。

1 Q. I think it's NSL, Mr Pun, but I don't want to fall out
2 over that with you.

3 A. EW track, 因為呢張圖則我哋印落去嗰陣時, 呢張圖則正確下面嗰張圖則
4 係冇我手寫字嗰張圖則係NSL track, 即係話係下面嗰層嘅, 但係個形狀
5 同上面係差唔多, 只不過個厚度係唔同嘅啫, 所以我哋--我就將到呢張則
6 去--因為個手工問題, 係將呢張則放咗落去我自己手寫呢度。張framing
7 係NSL track, 但係我哋反出嚟嘅樣, 個鐵係EW track。

8 Q. The reason I suggest to you that this is an NSL drawing,
9 Mr Pun, is that if you look at the level, it's minus
10 7.580 on the drawing. It's not plus 2.82 or 2.84. It's
11 minus 7.580. That's why I'm suggesting to you that it's
12 the NSL. Do you understand?

13 A. 我明你意思, 但係實際上呢張圖唔係用錯圖, 唔係盛, 因為呢張圖--呢個係
14 framing圖嚟嘅, 我係用環保嘅, 呢個係負7.58嘅framing, 但係我哋做--
15 我哋而家開緊料, 呢個就係呢個EW track嘅C3-3。

16 Q. All right. As I say, this is just an example -- I don't
17 want to spend too much time on it -- but, first of all,
18 the red markings that we can see on this drawing, are
19 they yours or Leighton's?

20 A. 我寫嘅。

21 Q. Right. And the blue figures that we can see at the top
22 and the various calculations and so forth that are being
23 done -- are the blue writings at the top yours or
24 Leighton's?

25 A. 我寫嘅。

1 Q. Right. So this is the work that you were doing on
2 a daily basis -- you were getting drawings from Leighton
3 and you were preparing this sort of document to give to
4 Mr Cheung; is that right?

5 A. 啱嘅。

6 Q. Okay. Before we move on and as we approach lunchtime,
7 can I just give you and everybody else a document,
8 another handout. (Handed).

9 Mr Pun, let me just explain what this is. If you
10 listen carefully, hopefully you will agree with my
11 explanation at the end. I live in hope.

12 Mr Pun, this is not a criticism of you, but you've
13 provided us with a very large quantity of drawings, for
14 which we are grateful, but unfortunately, as we've been
15 going through them, there's no index to them and --
16 again it's not a criticism -- we're just trying to --
17 we've tried to make sense of what you've given to us.
18 So what we've done is we've been through particularly
19 files, as we know them, E1, E2 and E3, and we have
20 sought to identify the slab to which the drawing
21 relates. And I understand your last answer about
22 qualifying that first drawing that we went to, that it
23 might apply to the NSL and the EWL. I understand that
24 point, so don't worry.

25 We have then tried to identify the bay to which the
26 drawing relates, and then -- the most important thing

1 from my point of view -- we've tried to identify the
2 type of rebar that the drawing deals with.

3 Are you with it so far, Mr Pun?

4 A. 明白。

5 Q. The easy point is that "B" stands for bottom and "T"
6 stands for top. Do you understand?

7 A. 冇錯。

8 Q. I'm focusing on the top, so the T rebar; okay? And, as
9 I understand it, the way it works is this, that the T
10 odd numbers -- that's T1, T3 and T5 -- are the rebar
11 that goes across east to west, or west to east, from one
12 diaphragm wall to the other, in that direction. Do you
13 agree with that?

14 A. 啱嘅，完全正確。

15 Q. Right. And the even number Ts -- T2, T4 and T6, and
16 I think there might be a T8 somewhere -- they're the
17 ones that go longitudinally north to south?

18 A. 啱，正確。

19 Q. So, as I say, primarily I'm concerned with the T1 and T3
20 rebar drawings.

21 We've also, not for you, Mr Pun, particularly, but
22 we've also given a bundle reference to where we find the
23 various drawings, and insofar as the drawings bear
24 a date and we've spotted it, we've put the dates down as
25 well.

1 Mr Pun, after lunch I'm going to take you through
2 a small -- I emphasise small, maybe six or seven
3 drawings, just so we can get the hang of how this works.

4 So perhaps that might be a convenient moment, sir.

5 CHAIRMAN: Yes.

6 MR PENNICOTT: Lunch, Mr Pun.

7 CHAIRMAN: Mr Pun, you are still giving your evidence, so
8 you are not allowed to discuss your evidence with
9 anybody else at this time, even your own lawyers. Once
10 you've finished your evidence and it's all done, you can
11 go and chat to whoever you wish about it, but at the
12 moment, in the middle of your evidence, you shouldn't
13 place yourself in a position whereby you may be
14 influenced in any way by what other parties say to you
15 about that evidence. Do you understand me?

16 WITNESS: 我完全明白。

17 CHAIRMAN: Thank you very much.

18 An hour and 15 minutes. Thank you.

19 (1.02 pm)

20 (The luncheon adjournment)

21 (2.18 pm)

22 MR PENNICOTT: Good afternoon, sir. Good afternoon,
23 Professor.

24 Good afternoon, Mr Pun.

25 Mr Pun, as I mentioned before we had a break for
26 lunch, I just want to look at a few drawings with you.

1 I hope I can take it relatively quickly because once
2 we've worked out how these drawings are compiled, it
3 becomes, relatively speaking, not too difficult.

4 Could we first of all look at some drawings which
5 concern area C3-1.

6 Sir, it may or may not be helpful to have this crib
7 sheet alongside.

8 Can we go to page 358, please. This, Mr Pun, is the
9 first document, first drawing, concerning C3-1. Do you
10 see that?

11 A. 睇到。

12 Q. Right. As I say, that deals with B5 and B7, so I'm not
13 interested in that for present purposes.

14 359 deals with B2 and B4, so we can pass on.

15 360 deals with B1 and B3, so we can pass on.

16 Then 361 deals with B6 and B8; we move on.

17 Could I ask you, please, to go to 365. As
18 I understand it, Mr Pun, this is the drawing that deals,
19 in area C3-1, with T1 and T3 which I am primarily
20 interested in.

21 A. 喺。

22 Q. As you explained earlier, as I understand it, the red
23 markings are yours and the blue markings are also yours?

24 A. 喺。

25 Q. If we look at -- put it lengthways, my understanding is
26 that if you go to the bottom of the page, that is the

1 east diaphragm wall, the second bar in, as it were, and
2 the bar furthest down the page is the OTE wall; do you
3 agree?

4 A. 排氣嗰個AR duct嗰幅hangar wall係咪咁理解? 排氣嗰捧牆?

5 Q. Yes, it is what I mean.

6 A. 排氣個duct位就係有方格位嗰度, 嗰捧牆就係呢捧(indicating)。

7 Q. Mr Pun -- the witness was pointing to this box here;
8 right?

9 A. Mmm.

10 Q. Mr Pun, what I would like you to focus on -- please can
11 I just point to it -- is these two lines here, just here
12 (indicating). Okay?

13 A. Okay.

14 Q. As I understand it, the thicker of the two bars is the
15 diaphragm wall, and the outer of the bars is the OTE or
16 the exhaust, overhead track exhaust slab -- wall, sorry.
17 Yes?

18 A. 呢個就係cantilever slab, 喺嗰個連續牆嘅後面(indicating)。

19 Q. Yes.

20 A. 係呢個位(indicating)。

21 Q. Right, okay. But the diaphragm wall is the thicker of
22 the two bars -- the east diaphragm wall is the thicker
23 of the two bars that you can see there?

24 A. 係, 係, 呢度(indicating), 呢度係連續牆。

25 Q. Right. What we can see in your red markings, Mr Pun, is

1 some red lines that go, as it were, across the diaphragm
2 wall, and an L shape with a "400" next to it going into
3 the OTE, do you see that, into the outside wall?

4 A. 啱。

5 Q. And we can see that the figures that you write there are
6 "45" and then "6250" and "45" and "4200"; do you see
7 that?

8 A. 睇到。

9 Q. As I understand it, Mr Pun -- correct me if I'm wrong --
10 that is showing through-bars, effectively, ie not
11 connections to couplers, but the bars going through the
12 diaphragm wall to the wall on the outside. Do you
13 agree?

14 A. 正確。

15 Q. And in terms of calculating the number of bars that have
16 got to be through-bars, my understanding is although
17 it's shown diagrammatically as just this very small
18 area, about half an inch or a centimetre or so, in fact
19 those bars are going to be installed through the
20 diaphragm wall, across the length of what we can see
21 here. Is that right?

22 A. 啱嘅。

23 Q. And one can calculate that by doing this calculation.
24 If you see your blue writing, and we pick up the
25 calculation, bottom right, where you have the "400"

1 L-shaped, and then you have the 4250 and the 6250, the
2 45, you multiply that by 2, because you've got T1 and
3 T3; is that right?

4 A. 啱，總共一百八十支鐵，T1、T3。

5 Q. Right. But you've got 90 bars T1, 90 bars T3?

6 A. 冇錯，一支長，一支短，係以我...

7 Q. That's right. Then the calculation is you multiply 90
8 by 150 millimetres, which is the spacing, centre to
9 centre, and that gives you 13.6 metres? Trust me, I've
10 done the calculation.

11 A. 啱嘅。

12 Q. And if one adds up the distance between gridline 40 and
13 the dotted line coming down, and gridline 42 and the
14 dotted line coming down, that approximates to
15 13.6 metres, and that is how one knows that the
16 through-bars are across the width or the length of the
17 diaphragm wall; is that correct?

18 A. 啱。

19 Q. Good. That's a relief.

20 Could I ask you, please, to go to another drawing,
21 376. This time, we're looking at area C2-6; do you see
22 that, Mr Pun?

23 A. 睇到。

24 Q. Again, one can see, hopefully highlighted in yellow --
25 certainly mine is -- a similar annotation that we saw on

1 the previous drawing. This time it's 50 T40s at 4300
2 and 50 T40s at 6300; do you see that? It's the same
3 point here.

4 A. 睇到。

5 Q. One does the same calculation as one did on the previous
6 one, this time it's 100 and that's 15 metres, and one
7 can pick up this time the figure of 15.106 at the top,
8 so one knows that the length or distance is accurate.

9 Now, in relation to that one, Mr Pun, can I show
10 you, please, a photograph at D1/607. And perhaps -- in
11 fact, 609, sorry.

12 Mr Pun, I understand this to be a photograph of
13 area C2-6 that we were just looking at on the drawing.
14 Are you able to confirm or not that that is the case?

15 A. 唔可以準確確認，我真係唔可以準確確認。

16 Q. All right. Just looking at 609, the photograph, is that
17 showing effectively what's on the drawing, irrespective
18 of whether it's the right area or not; is it showing the
19 through-bars going to the far wall?

20 A. 係。

21 Q. Thank you very much. You can put the photograph away.
22 Thank you.

23 Could you please be given bundle E2, page 383,
24 towards the front.

25 Mr Pun, we are in a different area now. We're in
26 C2-4; do you see that?

1 A. 睇到。

2 Q. Again, looking at the T1 and T3 bars, we've got
3 a similar annotation on the drawing that we've seen on
4 the previous two drawings. This time, it's 61 T40s at
5 4400 and 6400; do you see that?

6 A. 見到。

7 Q. This time, I just want to ask you a slightly different
8 question. If you look on this drawing, one sees, to the
9 left of the annotation that we've just looked at, and
10 above where it says "T1" and "T3", a series of bars
11 going across the page. If you look at me where I'm
12 pointing, Mr Pun, it would be helpful. These bars here
13 (indicating).

14 Sorry, for anybody else, it's these three here
15 (indicating).

16 Now, that's showing, as I understand it, Mr Pun,
17 more rebar in that area, or marked on the plan, and as
18 I understand it those would be the bars that would be
19 lapping with the other bars, with the through-bars; is
20 that right?

21 A. 正確。

22 MR PENNICOTT: Sorry, sir, you had a question?

23 COMMISSIONER HANSFORD: I was just trying to see which bars
24 you were referring to.

25 MR PENNICOTT: Sorry, sir. There's three lots here, one
26 over here.

1 COMMISSIONER HANSFORD: The ones marked "13" and "14"?

2 MR PENNICOTT: Yes, and there's one over here, "21".

3 COMMISSIONER HANSFORD: Yes, I've got it.

4 MR PENNICOTT: I think the point is you have the
5 through-bars but you also have another series of lapping
6 bars which are marked on here as well.

7 COMMISSIONER HANSFORD: Yes.

8 MR PENNICOTT: All right.

9 Sir, I could go through a whole series of these, but
10 I think we've now got the hang of it, how it works, and
11 how the through-bars are shown on these drawings.

12 But what I would like to do with you, Mr Pun, is
13 look with you at a couple more which, on my analysis,
14 are not quite as straightforward. Could you now be
15 given E3, please. Let's look at one which has the same
16 result as the previous ones but presented in a slightly
17 different way. Could we look at page 521 in bundle E3.
18 We are now in area C1-5, Mr Pun; do you see that?

19 A. 見到。

20 Q. This time, similar to the previous drawings that we
21 looked at, we see the lines or the bars going through
22 the diaphragm wall, and we see the reference to 52 T40s
23 at 4800 and 53 T40s at 4800. Do you see those?

24 A. 見到。

25 Q. Above that, you see a reference to 4800 and 6800; do you
26 see that?

1 A. Yes.

2 Q. And then down the bottom of the page you see reference
3 to 8 T40s at 4200 and 8 T40s at 6200; do you see that?

4 A. 見到。

5 Q. Then your calculation at the top of the page, under T40,
6 "400", what one has to do this time to work out the
7 number of bars is to actually add all of them together.
8 So it's the 52, the 53, the 8 and the 8, do you see
9 that, to give you the total number of bars?

10 A. 係呀。

11 Q. All right. So this time it's showing --

12 A. 係呀。

13 Q. -- in rather more detail, but it's the same principle?

14 A. 正確。

15 Q. All right. Could we please go to 534.

16 Mr Pun, on this one -- is yours highlighted in
17 yellow in various places?

18 A. 冇錯，因為呢組鐵有個lapping，應該係按照我哋嘅則王裏面係
19 提醒啲工人呢個lapping係要用兩米六八咁長嘅。

20 Q. Okay. What we can see, on this drawing, which we didn't
21 see on the previous ones, is we've actually got the
22 numbers of the panels, the diaphragm wall panels; do you
23 see that? EH40, 42, 43, 44, 45, going across the bottom
24 of the page. Do you see that?

25 A. 見到。

1 Q. The width of the bay -- sorry, we should have said we
2 are in area B1 -- the width of the bay you can take from
3 the top of the drawing, at 14.590, I think that is; do
4 you see that at the top, Mr Pun, up here?

5 A. 睇見。

6 Q. We can see, therefore, that that's about 14.6 metres --
7 14.59 metres -- across?

8 A. 冇錯，係。

9 Q. If you go down to the usual calculation that we've
10 looked at before, this time you've got 32 T40s at 7300,
11 and 32 T40s at 4650; do you see that?

12 A. 係。

13 Q. If one therefore assumes that there are 64, as you've
14 done in your calculation, T1 and T3 bars -- do you see
15 the calculation you've done up there, "64", two times
16 32?

17 A. 係。

18 Q. If you multiply that by 150, you get 9.6 metres. Now,
19 there are no other through-bars shown on this drawing,
20 so far as I can see. So is that telling you, Mr Pun,
21 that something like the order of 5 metres was not
22 through-bars in this area?

23 A. 冇錯，係下面呢度，有couplers嗰度嗰啲補埋就係夠數，因為呢個係好特別，
24 呢個panel佢冇打，佢冇打到喺度。

25 Q. Right. Are you pointing, Mr Pun, to EH44, or just above

1 EH44?

2 A. EH40上高個部分。

3 Q. I'm sorry?

4 A. EH40，呢度(indicating)。

5 Q. I'm so sorry. So EH40, to your way of thinking, is the
6 one that's got the couplers, and the remainder have the
7 through-bars?

8 A. 係。

9 Q. Okay. Right. I'm just going to pursue that a little
10 bit more with you, Mr Pun, just to make sure I've
11 understood it, because there is a bit of an issue about
12 this area between the parties.

13 Do you see just above "EH43" and "EH44" the rebar
14 appears to be running up to but not beyond the edge of
15 the D-wall; do you see that?

16 A. 個度唔需要穿過頂，個度係去到我哋嘅EW track嘅外皮係西線嘅外皮係喺
17 個度嚟，係佢個度stop咗喇喇已經，係唔需要穿過去，個面係冇嘢嘅。

18 Q. Is that because this is more lapping bars? Because
19 you've just told us that you've got through-bars in 42,
20 43 and 44, so the rebar running up to 43 and 44 but not
21 beyond the wall, is that more lapping bars?

22 A. 係咪指呢度？係咪指呢面(Indicating)？

23 Q. I'm focusing on the eastern diaphragm wall. The lines
24 I'm talking about, Mr Pun, are these here (indicating),
25 that run up to "43" and "44".

1 A. 哦，sorry，嗰度係WH42、43、44，呢面係EW43、44、45，而家係EH43、
2 44、45。

3 Q. Yes.

4 A. 嗰度有--都係有連續嘅鋼筋穿過去嗰個cantilever slab嗰度。

5 Q. Yes. And these, the rebar shown here and highlighted
6 yellow is more lapping bars, as I understand it, as you
7 explained on the previous drawing, or one of the
8 previous drawings?

9 A. 長啲lap口，嗰個lapping係long，長啲。

10 Q. Okay. Then I think, possibly lastly on this, can I ask
11 you, please, to go to 542.

12 Mr Pun, I'm focusing on the eastern diaphragm wall,
13 the EH44, 45, 46, 47 and 48; do you see that?

14 A. 明白，睇到。

15 Q. Am I right in thinking that this drawing shows
16 through-bars at EH45, 47 and 48?

17 A. 45、47、48，正確。

18 Q. What's the situation at 46, please?

19 A. 嗰個係box out咗嚟嘅，係有啲特別原因box out咗佢嘅，即係話嗰個CJ--
20 嗰個石屎CJ喺嗰度。

21 INTERPRETER: "Connection joint", I believe.

22 MR PENNICOTT: All right.

23 COMMISSIONER HANSFORD: Can I just understand that? So in
24 EH46, there's bars of 3.8 metres and 1.9 metres.
25 There's ten of each shown going to couplers instead; is

1 that right?

2 A. 冇錯，正確。

3 COMMISSIONER HANSFORD: I understand. Okay. Thank you.

4 MR PENNICOTT: Okay. Right. Thank you, Mr Pun.

5 Just one last question, if I may, before somebody
6 else takes over. On our index that we gave you earlier,
7 if you look at the top, at the heading, it says, "Index
8 of Fang Sheung's drawings (area C1-1, C1-2 and B3 top
9 steel are missing)".

10 Now, Mr Pun, I understand that we have asked you to
11 see if you can find the drawings that relate to those
12 three areas, but you've been unable to find them; is
13 that correct?

14 A. 做呢倉--呢三倉嗰個時候，我仲未嚟地盤，係由張生佢去control呢三倉
15 嘅嘢，佢哋係冇留底，因為呢啲係我哋嘅嗰啲手寫嘅嘢，可能就係遺失咗。

16 Q. Yes, and we did work out that these were the first three
17 areas to be done, so far as we could tell, so they are
18 the early ones; is that right?

19 A. 係呀。

20 MR PENNICOTT: Sir, thank you very much. I have nothing
21 else for Mr Pun.

22 CHAIRMAN: Yes. Thank you very much.

23 MR PENNICOTT: Sir, I think the parties have agreed which
24 order they wish to go in, but I'm not sure.

25 CHAIRMAN: I'm happy to go with the agreed order. Thank

1 you.

2 Cross-examination by MR SO

3 MR SO: Good morning, Mr Pun. I represent China Technology,
4 and I have some questions for you.

5 A. 係。

6 Q. Just two things before I actually start my questions.
7 First, we are in the process of interpretation, so
8 I hope you can, when you are answering questions, be
9 short and let the interpreter to interpret your answers
10 for all of us.

11 A. 我儘量嘗試。

12 Q. Thank you very much. The other thing is, I realised
13 this morning, when you were giving an answer, when you
14 were questioned by my learned friend Mr Pennicott --
15 maybe I will bring you to the transcript this morning.
16 It's [draft] page 16, line 14. You were being asked
17 about who actually supplied threads and couplers, and at
18 that time your answer was, "my company had designated
19 this" -- sorry, I understood it from the context it's
20 BOSA --

21 COMMISSIONER HANSFORD: Sorry, it's not on my screen yet.

22 MR SO: I do apologise, sir.

23 COMMISSIONER HANSFORD: This is the transcript from this
24 morning?

25 MR SO: This morning.

26 MR WILKEN: Sir, yes. I'm afraid you don't get a hard copy

1 on the system. You have to scroll all the way back.

2 COMMISSIONER HANSFORD: I can remember this.

3 MR SO: I apologise, sir.

4 COMMISSIONER HANSFORD: Thank you.

5 MR SO: Mr Pun, back to my question. Your answer this
6 morning was:

7 "... my company had designated this [meaning BOSA]
8 as the supplier."

9 And in Chinese you said "公司", "公司指派咗". I just want
10 to clarify, when you said "公司" -- "company" -- do you mean
11 Fang Sheung or do you mean Leighton?

12 A. The materials were supplied by Leighton. Definitely,
13 when it comes to materials, that means Leighton.

14 Q. Thank you very much. This is the point I want you to
15 pay attention. When you are referring to "company",
16 I hope you can specify whether you mean Fang Sheung or
17 do you mean Leighton. I hope you can clarify this and
18 be specific when you are answering my questions
19 regarding these points.

20 A. Correct.

21 Q. As far as I understand, you gave only one witness
22 statement.

23 CHAIRMAN: To the Commission.

24 MR SO: To the Commission.

25 Is that correct?

26 A. 係。

1 Q. That's on 27 August 2018?

2 A. 正確。

3 Q. Then you gave a police witness statement on 3 September
4 2018?

5 A. 正確。

6 Q. Just so we don't misunderstand, it is only one police
7 witness statement?

8 A. 係呀。

9 Q. I also understood that you attended the MTRC for
10 an interview on 13 June 2018, at 1 pm in the afternoon,
11 at the Hung Hom Station site office?

12 A. 係呀。

13 Q. In all the three occasions, meaning giving witness
14 statement to this Commission, giving police witness
15 statement and having the interview with MTR, you were
16 all advised by solicitors; right?

17 A. 喺警方嗰面，冇，現場冇。

18 Q. I don't quite understand. What do you mean by "not
19 on site"? What do you mean, "not on site"?

20 A. 喺警方現場畀口供，係冇律師在場嘅。

21 Q. Did you, through your solicitor, pass any materials to
22 the police?

23 A. 有嘅。

24 Q. Thank you. And no doubt you will also be advised by
25 your solicitors and counsel you have to tell the truth

1 in this Commission when you are giving evidence?

2 A. 當然喇。

3 Q. You will also recall that this morning, when you were
4 taking the affirmation, you also have to tell the whole
5 truth?

6 A. 喎。

7 Q. Just to get the chronological sequence right -- so you
8 first go to the MTR for the interview; right? And then
9 followed by giving witness statement to this Commission,
10 and then lastly going to the police, giving a witness
11 statement?

12 A. 大致係咁樣。

13 Q. Can you recall or can you not recall? I can assist you
14 with documents.

15 A. 唔記得嗰日個日子嘅啫，嗰個獨立調查委員會嗰份口--嗰份供詞同埋同差人
16 嗰份供詞嘅前後。

17 Q. Fair enough, Mr Pun. May I take you to E29. E29 states
18 that your witness statement was given on 27 August 2018.

19 A. 係。

20 Q. May I bring you to E1585. The English translation is
21 1595.1. The statement to police was made on
22 3 September.

23 A. 喎嘅。

24 Q. So the witness statement to this Commission comes first,
25 then the police statement; correct?

1 A. 啱嘅。

2 Q. So, in the three occasions -- in the MTR interview and
3 the witness statement to this Commission and the witness
4 statement to the police -- did you all tell the truth?

5 A. 係。

6 Q. So all of them are truth and the whole truth?

7 A. 正確。

8 Q. Just so that we understand the operation of your
9 company -- Fang Sheung is responsible for rebar fixing
10 in this sub-contract, we know, in SCL 1112.

11 A. 係。

12 Q. You also told the MTR Commission that you did not
13 further sub-contract to any other parties the rebar
14 fixing works?

15 A. 啱。

16 Q. So it is just Fang Sheung, one party, responsible for
17 rebar fixing under the contract SCL 1112?

18 A. 啱嘅。

19 Q. We would like to know the working conditions of rebar
20 fixers. Can you tell us at what time they usually start
21 working?

22 A. 我哋係8點到到12點，1點鐘食飯，五點半收工，中間4點鐘係飲茶，三點半至
23 4點係飲茶。

24 Q. In other words, if after 5 o'clock -- or 5.30, rather --
25 it would be what we call overtime work?

1 A. 冇錯。

2 Q. Can I bring you to E28, which is your witness statement
3 to this Commission. Can I bring you to paragraph 7.
4 For the English translation, it would be E29.3. Perhaps
5 I will focus on the English version. The English
6 version reads this, in the middle of it:

7 "Meanwhile, under normal circumstances (that is the
8 coupler screw cups fixed to the cement unit are normal
9 and not damaged), it will only take the workman of
10 Fang Sheung around 20 to 30 seconds to completely twist
11 the steel bar screws onto the screw cups."

12 Do you read that, Mr Pun?

13 A. 睇，睇到。

14 Q. Just to clarify, the time estimate of 20 to 30 seconds
15 was based on the situation where the threaded ends of
16 the rebar align properly with the couplers?

17 A. 呢個係平均數值，係平均嘅數值，即係normal咁樣，每一條鐵，有啲鐵係
18 難扭少少，會長啲，有啲鐵係容易扭嘅，或者時間會短啲。

19 Q. So, in other words, if it is not aligned that properly,
20 it might take sometimes longer?

21 A. 花多幾秒鐘。

22 Q. And it would definitely also take more time if the
23 threaded ends of the rebars were damaged?

24 A. 正確。

25 Q. It would also definitely take more time if the threading

1 inside the couplers were damaged?

2 A. 唔會，係扭唔入嘅。

3 Q. So would it be possible to screw into the coupler if
4 some residue of the concrete is inside the coupler? It
5 would take longer time or it would be utterly impossible
6 to screw it in?

7 CHAIRMAN: I suppose it depends how much. If it's a few
8 powdery bits, that wouldn't get in the way, but a larger
9 blockage may well require remedial measures.

10 MR SO: Yes. I will move to another question.

11 So it will also be, according to your evidence,
12 definitely impossible to screw in if the coupler was
13 deformed?

14 A. 變咗形嘅螺絲頭係扭唔到入去嘅。

15 Q. Mr Pun, if in the situation where you encounter that the
16 threaded ends simply could not be screwed in, can you
17 briefly tell us and tell the Commission what are the
18 procedures that you will take to inform Leighton? You
19 have mentioned briefly this morning. I want to go into
20 greater details.

21 A. 呢個步驟，或者我哋通知禮頓，係--唔係我哋通知嘅，係我嘅管工去通知。

22 Q. So your foreman would inform which personnel in
23 Leighton; do you know?

24 A. 咁我唔知，你要問佢。

25 MR WILKEN: Sir, I know this is not my witness, but taking

1 up the cudgel, it would be useful if the witness were to
2 be allowed to complete his answer, not least for the
3 transcript and those of us who aren't following
4 bilingually.

5 COMMISSIONER HANSFORD: That's very helpful.

6 MR SO: I do apologise, sir. I will wait for the
7 interpretation. Thank you.

8 CHAIRMAN: Who would your foreman contact in Leightons in
9 order to have remedial work done?

10 A. 正常係禮頓嘅駐場嘅管工或者係工程師，話畀佢聽係發生--有啲咁嘅事發生㗎。

11 MR SO: I see. Would your foreman report -- your foreman
12 being Mr Cheung Chiu Fung, Joe Cheung -- matters that he
13 encountered on site to you?

14 A. 通常係好大問題，解決唔到返嚟嘅，就會話畀我哋聽，我哋一齊去想辦法解決
15 嘅，但係呢啲直情係直接由佢去話畀禮頓知就得㗎喇。

16 Q. Do you know that Mr Cheung said, in those situations,
17 they would simply cut the threaded ends of the rebar?

18 MR PENNICOTT: I don't understand the question, I'm afraid.

19 A. 我聽唔到張生有啲咁嘅嘢講過。

20 MR SO: I see. I want to let you hear something. You have
21 undertaken an interview with MTR at 1 o'clock
22 on 13 June; do you recall?

23 A. 係。

24 Q. Do you know at 2 o'clock Mr Cheung also participated in
25 this interview?

1 A. 係。

2 Q. I want to play some excerpts of that interview that
3 Mr Cheung told the MTR staff.

4 CHAIRMAN: Sorry, is this audio or --

5 MR SO: It is audio, sir. I understand that it is in
6 Chinese, but I think I can first play it, a short
7 excerpt, it's not long, and if I may, I would read it
8 out in Chinese, so that it could be interpreted into
9 English.

10 CHAIRMAN: Certainly. How do we play it? I am the least
11 technological person in this room --

12 MR PENNICOTT: No, you are not; you are the second.

13 CHAIRMAN: -- and I am seeking assistance.

14 MR SO: May the witness be played Mr Cheung's audio
15 recording from 26 minutes 55 seconds onwards.

16 MR WILKEN: I see Prof Hansford is looking puzzled at me.
17 I think where you get this from is MTR have provided
18 a series of MP3 files, which are in B5.

19 COMMISSIONER HANSFORD: I think I always look like this, so
20 I'm not sure I was looking puzzled.

21 MR WILKEN: Maybe I'm reflecting my own puzzlement when
22 I tried to find this earlier, but there is a series of
23 MP3 files and I assume someone is going to channel those
24 through the system, or are we expected to play them on
25 our own machines?

26 MR PENNICOTT: I think the Secretariat is working on it.

1 (Audio recording played)

2 MR SO: 26 minutes 55 seconds.

3 (Audio recording played)

4 MR SO: Perhaps we can do it this way: I can first say what
5 I heard and the Secretariat can play it -- or we can do
6 it the other way around.

7 CHAIRMAN: I think we need to play it so that everybody gets
8 an opportunity to hear the original.

9 MR SO: Of course, sure.

10 MR PENNICOTT: And I would like the interpreters to
11 interpret it, if they are able to.

12 CHAIRMAN: Yes, please.

13 MR SHIEH: Can I just assist. Because there are parts of
14 the audio recording which have actually been transcribed
15 and we can see in written form in Chinese and English.
16 So I'm just wondering whether or not my learned friend
17 wishes to show to the Commission those parts which have
18 actually been transcribed, because if he wants to show
19 those parts which have been transcribed, then rather
20 than play one bit out of context right in the middle for
21 dramatic effect, it may be, if my learned friend wants
22 to show a passage, then simply the transcribed passage
23 in its entirety be shown to this witness, rather than
24 just play somewhere halfway through an exchange.

25 If of course he wants to play a part which has not
26 been transcribed, then it is of course another matter.

1 CHAIRMAN: Are you aware --

2 MR SO: I am aware part of it has been transcribed, but as
3 rightly pointed out by my learned friend Mr Shieh, there
4 are some other parts which are not transcribed and those
5 parts are also involved in my course of
6 cross-examination.

7 So it would be required and necessary for that part
8 to be played, and I think this would be a better way to
9 proceed because at the end of the day, if that part of
10 the transcript was not complete, it would be more
11 appropriate if we go through and first hear the audio
12 and then I can just read out what I heard and it could
13 be interpreted. Of course I would stand to be
14 corrected.

15 CHAIRMAN: All right. I'm happy -- this is your
16 cross-examination. If you wish to proceed that way and
17 it doesn't appear to me at this moment in time to be
18 unfair, then I'm happy to go --

19 MR SO: I'm most grateful, sir.

20 Mr Pun, may you please listen to the audio. It will
21 start playing from 26 minutes 55 seconds onwards.

22 (Audio recording played)

23 I just wanted you to hear this excerpt. Allow me
24 just to repeat that so that it could be translated to
25 the Commission and other expatriate speakers. That's
26 what I heard; I stand to be corrected.

1 MR SHIEH: It's actually in bundle B5/3082.23, the Chinese
2 transcribed version. The entire part has been
3 transcribed. The Chinese part is B5/3082.23 down to the
4 next page, 3082.24.

5 CHAIRMAN: Thank you.

6 MR SHIEH: The English is 3082.32.

7 MR SO: I'm grateful for my learned friend's assistance.

8 So, Mr Pun, do you actually know about these
9 situations?

10 A. 你指咩嘢情况?

11 Q. Do you actually know situations where Leighton,
12 according to what Mr Cheung said --

13 CHAIRMAN: Sorry, I do apologise. You all heard it in
14 Cantonese. I didn't -- well, I did, but I didn't
15 understand any of it -- and I haven't had a chance to
16 see what's written.

17 MR SO: Of course.

18 CHAIRMAN: We suddenly seem to have gone to a portion of it
19 without identifying the portion.

20 MR SO: Of course. Perhaps I will just sit down for a while
21 so that the Commission can have the opportunity to read
22 this.

23 CHAIRMAN: Where do we start from?

24 COMMISSIONER HANSFORD: It would be helpful if it could be
25 read to us.

26 MR SO: On the screen it's 26:57-28:39.

1 MR PENNICOTT: I hesitate to intervene, but is Mr So
2 suggesting that there is anything wrong with the
3 transcription that we've got in English here? Is there
4 some problem? We've heard the audio. I'm just trying
5 to work out what the purpose was of listening to that.
6 Now we're being taken to the transcript, in English.
7 I thought the point was going to be there's something
8 wrong with the transcript in English and therefore
9 that's why we were listening to the audio tape, but I'm
10 not sure what the position is.

11 MR SO: My point was just to allow the witness to have an
12 opportunity to listen to that part. In particular that
13 witness is listening to the audio recording of
14 Mr Cheung, which I understand he was not involved in the
15 meeting with Mr Cheung with the MTR Commission. So it
16 would only be fair for the witness to hear what
17 Mr Cheung said, unless he could actually respond to what
18 Mr Cheung was saying to the MTR.

19 CHAIRMAN: Thank you. And the bit that you wish to refer to
20 now in English translation is ...?

21 MR SO: It's now in 26:57. I actually played from 26:55
22 onwards but that doesn't really matter, that two
23 seconds?

24 CHAIRMAN: 26:57. So that would be "Question"?

25 MR SO: Yes, starting from question. It's a question and
26 answering process, by which questions presumably being

1 asked by MTR officers and answers being Mr Cheung.

2 CHAIRMAN: All right. And how many boxes do we go down?

3 MR SO: I think it is that box, just that box.

4 CHAIRMAN: Just that one question?

5 MR SO: No, it's on the other page.

6 CHAIRMAN: It goes over. Thank you.

7 MR SHIEH: It goes over to 3082.33, at the top part of the
8 box, all the way down to "responsibility to cut them
9 without any basis".

10 CHAIRMAN: All right.

11 MR SO: Yes, it's that part I am referring to.

12 MR SHIEH: The box in Chinese.

13 CHAIRMAN: Shall I read it? If it's now been dealt with in
14 audio and there's an audience outside, some of whom
15 won't speak Cantonese, it might help. So the question:

16 "At the site, apart from the case what you have said
17 earlier when Leighton asked you to cut the threaded
18 rebars because couplers were damaged, when would there
19 arise a need for your workers to cut the threaded ends?

20 Answer: To cut the threaded ends ... if it was
21 needed ... unless somebody told them they were allowed
22 to cut it. They would not cut [it recklessly].

23 Question: Under what circumstances would it be
24 needed? Other than not being able to screw in the
25 rebars ...

26 Answer: If they had rectification measures, they

1 might ask us to do it.

2 Question: ... but other than being asked by
3 Leighton, would there be any other circumstances during
4 your work that required you to cut the threaded ends?

5 Answer: During our own work process ... no need to
6 do so.

7 Question: No need to do so?

8 Answer: No need, it is because if we discovered
9 that it was not possible to be done, we would inform the
10 company, to tell them either to find a way to replace
11 the couplers or whatever. We would not cut them on our
12 own without any basis. After you told us that you would
13 have rectification measures, or that these threaded ends
14 did not matter much, and if you asked us to do so, we
15 would do it.

16 Question: Sometimes they would say that these would
17 not have significant effect and just do it?

18 Answer: 'We would have rectification measures.
19 Just do it!'

20 Question: Okay.

21 Answer: 'Can't just leave the couplers there,
22 right? If you leave the couplers like that, people
23 would think that you have not fully screwed the rebars
24 in. So whatever you do, you have to put it right, fill
25 the hole, we will have rectification measure'. This
26 happened before, so we would rest assured to follow the

1 orders. We wouldn't dare to bear the responsibility to
2 cut them without any basis."

3 MR SO: That's the part. I'm most grateful for
4 Mr Commissioner's assistance by reading that out.

5 Mr Pun, my question was: did you ever hear Mr Cheung
6 telling you that Leighton would ask them to cut it?

7 A. 冇。

8 Q. So this was your first time knowing this?

9 A. 喺呢個錄音裏面，大家都係假設性嘅問題嚟嘅啫，我諗佢哋兩個對話之中
10 都係--即係話唔--冇人真真正正知道個地盤係有咁嘅現象發生，佢哋係--
11 我諗佢個錄音裏面佢哋都係假設性嘅問題嚟嘅。

12 Q. Mr Pun, help me. Where is the hypothetical question?

13 A. 當地鐵嘅調查人員問到我哋時，你聽到個錄音喇，係咪呀？佢有引導，
14 即係「假設」，「如果係」、「或者係」，咁你點答呢？

15 Q. Mr Pun, just make it clear. In the passage you just
16 heard, did you hear MTR people ask Mr Cheung to guess?

17 CHAIRMAN: No --

18 A. 嗰段--嗰個全段...

19 CHAIRMAN: The witness, with respect, doesn't have the
20 Chinese in front of him. Does he now? It's somewhat
21 difficult. I think it would be easier if it came from
22 yourself, in terms of which you went to a specific
23 question or something which you could say was not
24 hypothetical --

25 MR SO: Sure. Of course.

1 CHAIRMAN: -- and see what an answer may be, and then put it
2 to him in context, to try to elucidate an answer.

3 MR SO: Of course.

4 Do you have the Chinese transcript in front of you?

5 A. 有。

6 Q. I just want to go through the first question in the box.

7 I think it's not yet on the screen. May I have the
8 page just now, the same part, from 26:58, the Chinese
9 version.

10 A. “A” 等於邊個？“Q” 等於邊個？我喺度睇緊。

11 Q. Perhaps I can just read you what the Chinese says, so
12 you can read it on your page. The first question:

13 "喺現場除咗頭先話禮頓之外，你哋同事仲有咩情況要
14 cut呢啲螺絲頭？"

15 This is the question, right?

16 A. 首先，呢份口供係張生嘅，其實呢份口供如果你要按住呢個口供去答，應該由
17 張生本人去答，如果我代佢答，如果你哋各位都認為可以嘅，我就嘗試用我嘅
18 口語去解釋呢份口供，但係唔代表係張生嘅，因為呢份口供係張生嘅，你要明
19 白。

20 Q. I understand. I am not asking you to explain --

21 CHAIRMAN: Sorry, we are getting crosstalk.

22 Perhaps it may assist -- it certainly may assist
23 me -- just to take me to the fountain head of this,
24 because what we have is, "At the site, apart from the
25 case what you have said earlier" -- it would be better,

1 I think, to start from what was said earlier, then one
2 can see right at the source is this hypothetical or is
3 it actual.

4 MR SO: Sure, but I think that part was not transcribed, in
5 that situation. It is in 10:58 but that part was not
6 transcribed.

7 CHAIRMAN: Well, that seems to me to be quite important,
8 because --

9 MR SO: That's one of the reasons why, sir, I just started
10 at the very beginning and said I would have to play the
11 audio recording, because not every bit of the audio was
12 actually transcribed. So it would be necessary for me
13 to re-adapt as to what I have heard.

14 CHAIRMAN: You see, if what this question in box 26:57 said
15 was, "Would you sometimes be asked to remove the
16 couplers for Leighton so they could do work?", that's
17 understandable. But as I see it, it's your case at the
18 moment that what this question refers to is a situation
19 where Leighton asked this gentleman, Mr Cheung, to
20 actually cut threaded rebars, in order to somehow or
21 other get on with remedial work.

22 MR SO: Yes.

23 CHAIRMAN: If necessary, I'd really prefer to take a 10 or
24 15-minute adjournment, find that spot, have
25 a translation agreed, because if it amounts to nothing
26 then so be it. If, however, it's a case where he is

1 saying clearly and unequivocally, "Yes, I have been
2 asked in the past by the Leighton remedy-makers to cut
3 threaded rebars in order to fix things", then that's
4 quite important because (a) it shows there's a cutting
5 of threaded rebars, a cutting of the threads, but (b) it
6 might explain why they were cut in an entirely
7 legitimate and proper, everyday working situation, or
8 the opposite.

9 MR SO: I understand, sir. If I may, I would humbly request
10 that we adjourn shortly so we can get -- I have that
11 part with minutes and seconds on my hand, but I will see
12 if we can agree a transcription.

13 CHAIRMAN: We can then get that translated, can we? It's
14 now 3.30.

15 MR WILKEN: Sir, if I may assist, it may already be there.
16 I'm looking at 3082.29. Mr So is quite correct, 10:58
17 isn't there, but 11:00 is, and one sees immediately
18 above that, the second box and then the third box
19 following. One sees there at 5:30-5:49:

20 "Have you ever found that ..."

21 And then you take it through, through to 11:00 and
22 then read down.

23 MR SO: It is that part in three dots that, in my respectful
24 submission, would be relevant, so that's why I have said
25 it was not transcribed.

26 MR WILKEN: Very well. If that's his position, we shall no

1 doubt see.

2 CHAIRMAN: All right. We'll adjourn, and then,

3 Mr Pennicott, if you could let us know as soon as

4 a translation is available.

5 MR PENNICOTT: Yes, sir.

6 CHAIRMAN: Thank you very much.

7 (3.29 pm)

8 (A short adjournment)

9 (3.55 pm)

10 MR PENNICOTT: Sir, thank you for that. Can I try to

11 explain what's about to happen as best I can?

12 CHAIRMAN: Yes. Thank you.

13 MR PENNICOTT: Sir, before the break, I was slightly

14 handicapped because I didn't have my own copy of this

15 document in front of me, and I've now got it, so I feel

16 perhaps a bit more useful.

17 At B5, page 3082.29, in the English version of the

18 transcript of Mr Cheung's interview with the MTR, you

19 will see, at 11:00-15:44 a question in the English

20 version.

21 CHAIRMAN: Yes, "Under what circumstances ..."

22 MR PENNICOTT: Yes, that's right. Then there's a dot, dot,

23 dot.

24 COMMISSIONER HANSFORD: Yes.

25 MR PENNICOTT: If you then go back, please, to the Chinese

26 version at 3082.18 -- and I think it's up on the screen

1 now.

2 CHAIRMAN: Yes.

3 MR PENNICOTT: -- you will see that -- I am told -- the
4 question is the first two lines of the Chinese
5 characters that you can see at that page, at that time.
6 However, the answer, where it says "A" --

7 CHAIRMAN: Yes.

8 MR PENNICOTT: -- and the next bit, where it says "Q", those
9 are the dot, dot, dots, and they have not been
10 transcribed into English or translated into English.

11 So, as I understand it, for the purposes of this
12 afternoon, if Mr Cheuk, for example, reads out the
13 missing answer and question from point 18, we get the
14 interpreters to give us the English translation, we will
15 have that. I understand for the purposes of this
16 afternoon that will satisfy Mr So. There may be another
17 passage that he wants to listen to and have translated,
18 but we can do that overnight. I think that's going to
19 be a bit more complicated. But I understand, for the
20 purposes of this afternoon, if we can just get that bit
21 sorted out, we can move on.

22 CHAIRMAN: Thank you.

23 MR SO: I'm most grateful for the time you have given to us.

24 MR CHEUK: I will now perform the most difficult task in
25 this Commission, and I read:

26 "A. 如果係真係扭唔到呀，個杯係爛呀，破損呀，咁係--咪會鑿

1 咗一個COUPLER囉，總之就...

2 Q. 咁點算?"

3 I think that's all.

4 MR SO: Mr Pun, the question is this: have you ever heard
5 from Mr Cheung reporting to you that there is such
6 a need to hack off the threaded section of the rebar?

7 MR SHIEH: That's not --

8 MR WILKEN: That's wasn't the translation, sir. That is not
9 a fair question.

10 MR SO: I'll rephrase it then.

11 Have you heard of hacking off the coupler then?

12 A. 鑿咗個coupler，即係話換過，鑿咗之後先至可以換個coupler出嚟嘅，呢個
13 意思佢係解呢樣嘢。

14 Q. I will just bring you to the question exactly one line
15 above. The question was asked:

16 "咁有咩嘢需...情況之下需要係要鋸咗個螺絲頭㗎"

17 COMMISSIONER HANSFORD: Sorry, I read in the transcript
18 "hack out". Isn't "hack out" different to sawing off?
19 I understand hacking out as sort of maybe using
20 a pneumatic tool or something and making a hole and
21 taking it out. Sawing off is a different process.

22 MR SO: The position of us is that it is concerning the
23 threaded section, but of course I appreciate that other
24 parties have other --

25 COMMISSIONER HANSFORD: Sorry, I'm just trying to understand

1 the transcript.

2 MR SHIEH: Being a Chinese speaker and reader, if I can just
3 ask the Commission to look at 3082.18, the Chinese part.

4 CHAIRMAN: Yes.

5 MR SHIEH: That part which is said to have not been
6 translated or transcribed in English, which is 11:00,
7 that box. If the Commission simply reads the "A", after
8 the first two lines of "Q", the word "coupler" stares
9 out at any reader.

10 CHAIRMAN: Yes.

11 MR SHIEH: So that answer was about hacking out coupler.

12 COMMISSIONER HANSFORD: Hacking out, not sawing off?

13 MR SHIEH: Hacking out coupler.

14 COMMISSIONER HANSFORD: I understand the coupler bit. I'm
15 trying to just get my mind around whether we are talking
16 about hacking something out or sawing it off, because in
17 my mind they are quite different.

18 MR SO: Maybe let me say this. In the question it was
19 talking about sawing off the threaded end, and in the
20 answer, I agree with my learned friend it is hacking out
21 of the coupler in Chinese.

22 COMMISSIONER HANSFORD: Thank you.

23 MR SO: I think I have put it quite fairly. That's the
24 position in Chinese at least.

25 CHAIRMAN: But then the answer is not anything to do with
26 the threaded section of a reinforced bar. It's hacking

1 out a coupler.

2 MR SO: Yes.

3 CHAIRMAN: And that's very different, isn't it? Because you
4 can understand why you want to hack out a coupler -- if
5 you've got a mangled, deformed, damaged coupler, you
6 might just say, "Let's just hack it out", especially if
7 you are doing certain work that you don't want to stop,
8 and we don't want to interfere with it, "Just hack it
9 out and we'll come along later and we'll put in a new
10 one." I'm not suggesting that's what the evidence says.
11 I'm saying you can see the consequence is very
12 different.

13 MR SO: I will just say the question and the answer simply
14 are referring to different subjects. All I can say is
15 this. On two different matters.

16 CHAIRMAN: All right. So we have some equivocation there.

17 MR SO: Yes.

18 CHAIRMAN: Then is that equivocation clarified later?

19 MR SO: I would say it was not.

20 CHAIRMAN: Okay.

21 MR SO: Of course I will continue with my questioning and
22 see if Mr Pun can help us in any way in these.

23 Mr Pun, just outside of this transcript, I just want
24 you to tell me whether Mr Cheung had told you anything
25 in the course of the work. The first thing: have you
26 heard of Mr Cheung told you that Leighton would instruct

1 Fang Sheung to saw off the threaded end of the rebars?

2 Have you heard of this, ever heard of this?

3 A. 我好肯定話畀你聽係冇，唔會有人去落order去cut個coupler嘅。

4 Q. Do you mean coupler or the threaded end?

5 A. 螺絲頭，你講嘅扭紋嘅螺絲嗰條螺絲鐵？

6 Q. Just forgive me, Mr Pun. Is it in your profession

7 "coupler" and "threaded end of the rebar" are commonly

8 used interchangeably?

9 A. 螺絲頭我哋叫“coupler”，我哋又係叫「螺絲頭」，嗰條螺絲鐵，我哋
10 就係叫呢個嗰條「螺絲鐵」，係咁簡單，就唔係話--“coupler”意思係
11 指嗰個頭。

12 Q. When you answered my last question, you said in Chinese

13 "cut個coupler", so what are you referring to? What do

14 you mean? Do you mean the coupler or the threaded end?

15 A. 我重新再講一次，喺個地盤裏面，冇人會落order去cut嗰支螺絲頭鐵，
16 呢個係犯法嘅。

17 Q. So strictly not possible in any circumstances whatsoever

18 cutting the threaded end of a rebar?

19 A. 唔單只我哋，禮頓公司或者我哋公司，我諗全香港嘅業界都唔會有人落order
20 去cut嗰支coupler嗰支鐵嘅。

21 Q. I'm confused again.

22 CHAIRMAN: Sorry, I think what is being said there is that

23 nobody in Hong Kong who is involved in this side of the

24 profession will ever give an instruction to cut the

25 threaded end of a rebar.

1 MR SO: Sir, maybe if I --

2 CHAIRMAN: All right, let me put that --

3 A. 呢個係恥辱嚟嘅，呢個係恥辱嚟嘅，係我哋建造界嘅恥辱，冇人
4 會去做呢樣嘢嘅，係除咗而家有人講出嚟嘅啫，佢講嘅啫。

5 MR SO: Sir, may I discuss a short matter with the
6 Commission in the absence of the witness?

7 CHAIRMAN: Yes, of course.

8 If you could just explain -- you just have to step
9 outside for a moment or two. Thank you.

10 (In the absence of the witness)

11 Yes?

12 MR SO: The matter I'm trying to channel through is in the
13 course of my cross-examination, there seems to be
14 an interchangeable term where the coupler --

15 MR WILKEN: Sir, we do need to be careful. This is being
16 relayed outside.

17 MR PENNICOTT: There's a witness room he is in.

18 MR SO: The matter is when I have asked twice, quite
19 shortly, he quite clearly said in Chinese "to cut the
20 coupler of the steel" instead of threaded section of the
21 rebar. So that's the problem that I have to clarify
22 with him.

23 MR SHIEH: The subtlety of the Chinese language is that he
24 also used the article "一支", "a piece of". We can
25 replay the tape. This time, I am pretty convinced as

1 to what I have heard. He used the article of "一支",
2 "a stick of".

3 CHAIRMAN: Yes.

4 MR SHIEH: Therefore, in our submission, he could only be
5 referring to the threaded part and not the female part.

6 CHAIRMAN: Yes.

7 MR SO: The concern I have is not the article that my
8 learned friend Mr Shieh is referring to. I'm referring
9 to the noun that he is actually using. He is using
10 "coupler" instead of the threaded end of the rebar.
11 That's quite different things that we are talking about.
12 And in particular when my learned friend is very adamant
13 in saying that -- what Mr Cheung is trying to say in the
14 transcript, that the coupler is the thing that is being
15 hacked off instead of the threaded end section of the
16 rebar, then there would be an importance as to how the
17 people in the profession actually refer to --

18 CHAIRMAN: Okay. I have one difficulty with this at the
19 moment, and that is that we are asking him to comment on
20 what somebody else has answered in another interview.
21 So that's the first difficulty. I'm prepared to sort of
22 test the water, so to speak, but I think the water has
23 been tested, and from what I understand, this gentleman
24 feels -- "strongly" would be a tepid word -- that no
25 cutting of the thread of a reinforced bar is permitted
26 in the industry, and in fact to suggest that it is is

1 an insult to honest rebar fixers. That seems to be my
2 understanding.

3 Now, if you want to ask him directly, and then at
4 a later stage let's go to Mr Joe Cheung and see what he
5 has to say, that I think is perhaps the best way.

6 MR SO: Sure.

7 CHAIRMAN: Otherwise we go around and around in circles,
8 leaving myself and Prof Hansford at a grave disadvantage
9 because we start to deal about issues of syntax and
10 subtle meanings, oblique and otherwise, in the Cantonese
11 language, and we are bewildered viewers of that. Okay?

12 MR SO: I do apologise for leaving you in that situation.

13 CHAIRMAN: Not at all. I permitted you, to see where you
14 could go, and I think we are bogging ourselves down with
15 it now, to no advantage.

16 So if you want to ask him some direct questions now,
17 then obviously that's fine.

18 MR SO: I will.

19 CHAIRMAN: If you wish to ask him about the difference --
20 I think's he's already answered -- between a coupler and
21 the threaded end of a rebar, you can do so again, but
22 I think he's already answered.

23 MR SO: I understand. I will move on.

24 CHAIRMAN: Thank you.

25 (In the presence of the witness)

26 MR SO: Sorry, Mr Pun, for keeping you waiting.

1 Just before you left this room, you told this
2 Commission that it was an insult for the profession to
3 cut the threaded ends of the rebars. Do you remember
4 that?

5 A. 我意思係造假咁去剪嗰條鋼筋，係對業界一個侮辱嚟。

6 Q. I don't quite understand. What do you mean by "false
7 pretences"?

8 CHAIRMAN: I think I understand that. What he's saying is
9 that there may be legitimate reasons for cutting
10 a rebar, but absent legitimate reasons --

11 MR SO: I will say --

12 CHAIRMAN: -- and I think he's listed two of them earlier,
13 or somebody has -- it would be an insult.

14 MR SO: So, Mr Pun, are you suggesting that in circumstances
15 it would be legitimate to cut the threaded ends of the
16 rebars -- I recall that you answered Mr Pennicott's
17 question this morning that you -- yes, Mr Pun?

18 A. 我唔係話某啲情況，百分之九十九點五都唔可以剪條鋼筋，但係問題上，
19 有啲工人嘅手工或者係--我哋始終都係人去建造嗰個成條--成個地鐵，嗰
20 啲手工，啲工人嘅手工或者係做得唔好，會有，有啲咁嘅情況發生，但係
21 我喺呢度強調，呢度係少之又少，少之又少，係冇人睇到佢哋--睇到多--
22 好多次或者好似報章咁講係咁樣cut法，係冇人睇到，我唔知邊個睇到。

23 Q. Can I bring you to your police witness statement. That
24 would be in E1585 in Chinese, and 1595.1 in English.

25 Can I bring you to question and answer 15.

1 This morning, my learned friend Mr Pennicott brought
2 you to this; do you remember that?

3 A. 有。

4 Q. I recall that your answer was that the police has made
5 a mistake here?

6 A. 我要指出，用電鋸嗰行，警察係--個個--呢度呢個字眼佢係用錯咗嘅，係
7 一種手提電鋸，用嚟切割畀預期長或者較長嘅螺絲紋牙，即係鋼鐵，我話畀
8 警察知，我哋呢把電鋸係拎去現場，我哋係要嚟剷嗰啲擲住磚仔嗰啲，我哋
9 叫做俗稱「擲鐵」，係好似手指尾咁幼嘅鐵，唔係話話畀佢聽剷嗰條螺絲牙，
10 因為嗰條螺絲牙好似個拳頭咁大個，我哋點會成日用把電鋸去剷嗰啲鐵呢？
11 我哋而家用嗰條嘢--因為我哋嗰啲擺B鐵嗰陣時，佢因為成組鐵係有百幾、
12 二百噸咁重，我哋一定要擺條師傅鐵擲住嗰啲大鐵，嗰條師傅鐵，我哋係要
13 嗰把鋸嚟，嗰條師傅鐵係16鐵，好似隻手指咁大，我哋係要嚟cut到佢唔同
14 長度去用spacer bar擲住嗰條師傅鐵去擺鐵，並唔係話剷螺絲頭牙。

15 Q. So your answer is basically that threaded end would not
16 be cut?

17 A. 當然喇。

18 Q. Did you have a chance of reading this police witness
19 statement before you signed it?

20 A. 佢畀過兩次我改添，我都改--我都叫佢改咗，但係改一次改唔啱，改兩
21 次，又改唔啱之後，唔排除會漏咗呢啲咁嘅字眼，係完全唔出奇。

22 Q. If you go to the last line of this page of the witness
23 statement, you would definitely realise that you can
24 make any changes, amendments or supplement to the police

1 witness statement you have given to the police; correct?

2 A. 喺。

3 Q. But this is your only police witness statement.

4 A. 佢係咁樣寫，我都簽咗名，我唔知喺唔喺。

5 Q. Do you agree with what is said there, correct?

6 A. 佢話畀我...

7 CHAIRMAN: Sorry, could we point out again --

8 MR SO: Answer 11, sir. Sorry, answer 15; I do apologise.

9 It is where there is a bullet point where it writes:

10 "Electric shear: it is a type of portable electric
11 shear. For cutting unexpectedly long or longer threads,
12 but this did not happen much. Maybe one rebar in
13 a while but it was absolutely in line with construction
14 rules."

15 This is the part.

16 CHAIRMAN: Thank you.

17 MR SO: You were adamant that this is not the practice in
18 the profession. How come you would miss this point when
19 you were signing the police witness statement?

20 A. 呢樣嘢絕對唔出奇，因為喺個警察裏面，佢哋譯出嚟嘅本或者佢哋畀我哋嘅
21 本，我哋係經幾次修改，係有遺漏係絕對唔出奇嘅。

22 Q. Sorry, what translation?

23 A. 即係佢哋--我哋畀口供，係佢寫出嚟嘅，佢寫出嚟，啲口供係，唔係我哋寫
24 落去嘅。

25 Q. Then why didn't you give a supplemental police witness

1 statement to clarify this point?

2 A. 老實講，我都--事後我都有認真睇過呢份口供，我可以講話從來--係到而家
3 要用，我先至睇嘅啫，我覺得我有去做過任何非法上嘅嘢，我落咗口供喺度，
4 我有再去溫習過佢畀我...

5 Q. Mr Pun, I've got to suggest to you there was exactly
6 cutting of the threaded end of the rebars.

7 A. 你可以咁講嗰把電鋸嘅作用係要--都有機會要嚟剪嗰個螺絲頭，剪任何鐵支
8 都可以用，我話--我喺個口供裏面，喺個警察嘅口供裏面係指明呢把電鋸
9 經常用嚟係剪嗰啲師傅鐵，你可以話呢把電鋸係咪同樣可以剪得啲大嘅鋼筋。

10 Q. Mr Pun, can I just trouble you to go to question 11 and
11 answer 11 this time. It is in page 1593 in the Chinese
12 and 1595.9 in the English.

13 Mr Pun, I want you to focus on the sentence -- in
14 Chinese, it starts with:

15 "但係紮鐵嘅實際情況..."

16 I am going to read the English part. In the
17 English, that statement, it states:

18 "In reality, sometimes there were not enough rebars
19 with type A threads, and there was a chance that workers
20 would replace them with rebars of type B threads, so
21 that even when the rebars were completely screwed into
22 the couplers, part of the threads would still remain
23 exposed."

24 Mr Pun, can you tell this Commission, were there any
25 type B threads ever cut in the course of this SCL1112?

1 A. 我話畀你聽係--我哋呢個問題嚟講，我哋都係講有咁嘅可能，個B牙螺絲頭
2 喺沙中線裏面有冇剪過，我有親眼睇見過，但係我諗都會有一條至兩條，
3 唔會多，我諗咋，我有親眼見過啲伙記去剪個個B牙螺絲頭。

4 Q. So have you heard of Mr Cheung telling you that
5 B threads were being cut for type A couplers?

6 A. 冇。

7 Q. So where comes your guess of one to two?

8 A. 呢啲正如我頭先所講，呢啲可能係工人嘅手工問題，有機會，我哋諗，大家
9 都係推測，有機會唔夠鐵，A嘅時候唔夠鐵，有機會啲工人會用B牙代替，而
10 個B牙扭入去之後，會凸番一半牙出嚟，可能--如果咁嘅情況下，佢哋會剪
11 咗啲一半去。

12 Q. So what do you say, Mr Pun? Is it acceptable to cut
13 B threads and turn it to A threads; that's acceptable in
14 the industry? Is that your evidence?

15 A. 我有咁講過，至於可唔可以接受應該由工程師去判斷。

16 Q. Is it not an insult now this time? Is it an insult of
17 the profession of cutting the B threads?

18 A. 我同你講，正話我都話，我會--有可能啫，我都有親眼睇見過有伙記去剪
19 過啲B牙螺絲頭。

20 Q. So this time, in question 11 and answer 11, you are
21 imagining again?

22 A. 而家...

23 CHAIRMAN: I think, in fairness, that's what he was
24 imagining before, wasn't it? It's the same --

1 MR SO: It was question 15, I would say. This time, it's
2 question 11.

3 CHAIRMAN: All right.

4 MR SO: Mr Pun, so question 11 is again yet another time you
5 were imagining what happened in the construction site?

6 A. 唔係有一次我會想像，係當時喺差人面前，佢哋問我嗰個問題「有乜可能」--
7 「有咩嘢機會會剪鐵？」我係咁答。

8 Q. Just read question 11. It reads:

9 "When you were inspecting Hung Hom Station, have you
10 ever seen or heard anyone using machinery to cut short
11 the threaded rebars ...?", et cetera.

12 You agree the police were asking you what you
13 actually see and actually heard, isn't it?

14 A. 警方，而家佢問我嘅問題都係「你有冇見到？」「你有冇見到？」唔係話
15 警方問我係見到，你問我--佢係問我有冇見到。

16 Q. Mr Pun, I suggest to you that the answer would then be
17 simple: "No, I have not seen. No, I have not heard."
18 That's it, is it not, Mr Pun?

19 A. 我嘅答案都係喺新聞裏面睇到、聽到有人去剪鐵，okay? 第一個。

20 Q. Is there a second part?

21 A. 即係答落去嗰陣時，係我話畀佢聽我都係喺新聞先知道嘅啫。

22 Q. All right, Mr Pun. You have answered my learned friend
23 Mr Pennicott this morning that you would have a schedule
24 provided to Leighton, and you would ask them to supply
25 you with the rebars; correct?

1 A. 我哋係有個--即係話係有個時間表提供鋼筋，由禮頓提供鋼筋畀我哋，係
2 我今朝講過嘅。

3 Q. There was also -- I think in Chinese you said "供料清單",
4 that you would provide to Leighton; correct?

5 A. 時間表呀？你指邊樣？

6 Q. I mean the 供料清單, the schedule you would provide to
7 Leighton; correct?

8 A. 嗰個，我講係bending schedule。

9 Q. Right, the bending schedule. As far as I understand --
10 correct me if I'm wrong -- so Leighton will be
11 responsible for supplying you with the threads, for you
12 to do the rebar fixing?

13 A. 正確。

14 Q. I'm not sure whether this part is transcribed, but as
15 far as I understand, if you can confirm with me then we
16 can save all the exercise, but do you recall that you
17 told the MTRC type B threads are more expensive than
18 type A threads?

19 A. 其實我應該冇講過呢句說話，喺港鐵，因為個價錢我哋係唔知道，我只不過
20 話我扭B牙嘅螺絲牙係貴過係扭A牙嘅螺絲牙。

21 Q. So type B is more expensive than type A, you just said?

22 CHAIRMAN: Sorry, that got a bit confused. It would be more
23 expensive to screw in ...?

24 A. 你要問禮頓，我講我哋嘅人工，每一支鐵嘅人工，我扭B款落去，係貴過扭

1 A款嘅。

2 MR SO: I see. I do apologise. I do apologise.

3 COMMISSIONER HANSFORD: Sorry, was your question, "Is the
4 type B bar more expensive to supply than type A bars"?

5 MR SO: Yes. I think the answer of the witness was he did
6 not know the price of the threads, and therefore the
7 salary is more expensive for doing the thread, type B,
8 according to what I heard from --

9 COMMISSIONER HANSFORD: The labour costs, yes. Thank you.

10 A. 正確。

11 MR SO: Would there be a situation where, when you use
12 type B threads to put into type A couplers, then you
13 would need to cut off part of the type B threads; would
14 there be such situation?

15 A. 正常係有嘅。

16 Q. So you would let those type B threads exposed?

17 A. 佢係用B款嘅牙嘅地方，應該係用B款牙嘅地方就係--佢就係露咗一半出嚟，
18 係一排咁都露晒出嚟嘅。

19 CHAIRMAN: Would that make any difference, structurally, in
20 terms of strength?

21 A. 法官大人，我覺得--我自己覺得冇問題嘅，我自己呀下，但係實際上對個
22 安全結構有冇影響呢，應該由啲結構工程師或者禮頓又好，解釋，或者你哋
23 搵啲工程師，搵教授解釋下。

24 MR SO: Sir, these are my questions. Thank you.

25 CHAIRMAN: Thank you.

1 Questioning by THE COMMISSIONERS

2 CHAIRMAN: Could I just ask you, just briefly -- BOSA

3 supplied the couplers and the reinforced bars; correct?

4 A. 係嘅。

5 CHAIRMAN: And they had their workshop very close by,

6 on site; is that right?

7 A. 係。

8 CHAIRMAN: Okay. If there was any need to fix threading on

9 a rebar or cut threading on a rebar, what would you do?

10 Would you go back to BOSA and say, "Please do it for

11 us", or, if there was a real and legitimate need, would

12 you do it yourself?

13 A. 唔會嘅，因為我哋個地盤而家係兩款螺紋，一係就A，一係就B，冇第二款嘅，

14 係唔會拎去嗰個人和嗰個工廠裏面去絞啲特別螺絲頭返出嚟，冇人會做呢樣

15 嘢，係個紀錄裏面都唔會有。因為佢哋嗰部機或者佢哋嘅廠嗰度出產都係B

16 或者A，A、B，B、A，冇喇。

17 COMMISSIONER HANSFORD: Can I ask, Mr Pun: did BOSA

18 sometimes deliver bars that were wrong, bars that were

19 perhaps type B when they should have been type A? Did

20 that ever happen?

21 A. 正常就係有可能會咁，但係通常啲貨，佢送咗去我哋嘅yard度，由我哋再車

22 番入去裏面，車番入嚟嗰個施工嘅現場，或者係直接係我哋喺個人和嗰個廠度

23 直接車去施工嘅現場，人和係--以我所知，係唔會送貨。

24 COMMISSIONER HANSFORD: Let me rephrase my question: did you

25 ever collect type B bars by mistake when they should

1 have been type A bars?

2 A. 會有嘅，但係可以唔用，或者可以唔用，可以換番出嚟嘅，換過第二啲，
3 但係會有咁嘅事情發生，始終都係個地盤嚟。

4 CHAIRMAN: Right. Can I ask you, you spoke very strongly
5 about the industry practice of not cutting the threading
6 on these reinforced bars. Indeed, you said that it was
7 an insult to suggest that it would be done in the
8 ordinary course of work by professional workers.

9 A. 其實唔好話剪鋼筋，就講造假，冇--喺香港地嘅建築界係冇人會所謂泛稱
10 「造假」，唔會造假，我哋嘅鋼筋，亦都唔會有系統造假去剪個鋼筋，第
11 一，唔會有嘅。

12 CHAIRMAN: I appreciate that, so that -- are you saying,
13 then, that when you take strong objection, it's not
14 because of the particular fact of cutting a rebar thread
15 as being in some way unique; it's because it's an insult
16 to suggest that Hong Kong workers, professionally
17 qualified, would be cutting corners and doing anything
18 that was artificial and/or dangerous?

19 A. 應該係，絕對係，建造界嘅工人，我諗唔會因為自己一己私欲或者係自己
20 所謂偷工減料去進行造假嘅，唔會有，絕大部分嘅工人都唔會，同埋啲老
21 闆都唔會指示啲工人咁做嘅。

22 CHAIRMAN: Can I ask you this: have you, in your
23 inspections, ever discovered that rebars had been
24 connected with shortened threads, or indeed simply put
25 at the mouth of the coupler so as to look as if it's

1 been threaded in when it hasn't?

2 A. 我哋個程序就係做每一條鐵，地鐵同埋我哋間--禮頓公司都會有人恆常咁
3 監察住我哋啲工人去進行嗰個工程，甚至隔冇幾耐佢哋係叫我哋扭番出嚟
4 畀佢再睇下嘅，我相信咁嚴謹嘅監察裏面，冇人會去造得到假。我睇見嘅，
5 我去巡地盤睇見嘅係全部都係紮好晒嘅。

6 CHAIRMAN: So it would be a real surprise, indeed a shock
7 for you, if you came across shortened -- or threads that
8 had been shortened in order to fake a connection?

9 A. 冇錯，如果畀我發現咗，我哋會即時去呢個訓示我哋啲工人，要求佢唔好再
10 第二次，呢個係如果係我哋有所發現嘅話，實際上，冇。除咗嗰次之後，就
11 冇嚟喇。

12 CHAIRMAN: Can I ask you this. You've spoken about cutters
13 and others have spoken about other types of machinery
14 which they call grinders. In your line of work, is it
15 common to see them being used at the workplace?

16 A. 呢啲機器係經常性有嘅，手提工具係我哋業界嘅其中一種工具嚟，因為我哋
17 啲鐵有時喺個yard裏面出嚟嘅時候，會有啲地方係預唔到，譬如個石屎CJ
18 突然如果有啲咁多凸咗出嚟，係短、長，嗰條鐵擺唔到落去嘅話，我哋會用
19 嗰個手提工具去輔助，去呢個剪嗰條鐵嘅，因為我哋嘅--即--我哋所有嘅
20 鐵裏面都係剪出嚟，所有嘅建築，所有嘅建築，香港所有嘅建築，全世界嘅
21 建築都係剪出嚟嘅鐵，係由12米鐵去裁剪到唔同程度嘅樣同埋呢個尺寸，
22 去符合嗰張圖則，先至可以做得到出嚟。

23 CHAIRMAN: Yes. I'm talking about the use of a cutting
24 machine or grinding machine at the work-face, right

1 specified that Leighton would supply all materials for
2 the whole construction project, including rebars and
3 couplers."

4 Pausing here, Mr Pun -- we know that you have
5 referred us to the bar bending schedule; okay? The bar
6 bending schedule, maybe we can take a look at E1/284.

7 By the way, Mr Pun, I am acting for the government,
8 just in case there is any mistake.

9 If we can take a look at E284, at the top of the
10 diagram we can see numerous figures, like "T40", and
11 then there is a number there, et cetera, et cetera.

12 These are all the specifications and also the number
13 required for the materials to be delivered, is that
14 right, according to Leighton's instructions?

15 A. 冇錯，呢度係其中--呢一倉嘅其中嘅兩浸鐵。

16 Q. Then if we can go back to your police statement, again
17 paragraph 4:

18 "The rebars would be delivered to the site in
19 batches."

20 For avoidance of any doubt or confusion, the rebars
21 you are talking about here are the rebars in general, ie
22 the non-coupler rebars; right?

23 A. 冇錯。

24 Q. Then you say:

25 "First, the MTRC site supervisor would draw
26 a designated number of rebars from the batch in

1 proportion to the total number of rebars in that batch,
2 so that they would be delivered to the laboratory for
3 testing their weight, tensile strength and shear force."

4 Pausing here, may I ask you who was responsible for
5 taking the rebars for testing?

6 A. 由地鐵嘅工程師，佢哋應該係嗰啲叫做品質管理。

7 Q. So the testing would be done before the materials are
8 delivered to the site for installation; am I correct?

9 A. 應該係，絕對都係咁樣，因為呢批鐵係應該係預早二十幾日前已經到咗地盤。

10 Q. Then you say:

11 "Fang Sheung's workers would follow the instruction
12 of" --

13 MR SHIEH: Slow down.

14 MR KHAW: Yes.

15 "Fang Sheung's workers would follow the instruction
16 of the MTRC site supervisor and cut out 1 metre of each
17 selected rebar with a portable electric shear ..."

18 A. 正確。

19 Q. Pause here again. There, you are referring to this
20 procedure where Fang Sheung workers would cut out
21 a particular part of the rebar with an electrical shear
22 for testing; right?

23 A. 應該係用手提電鋸去剪地鐵佢哋指定嗰個部分。

24 Q. Again, for the avoidance of doubt, this electrical shear
25 that you are talking about here is the one we saw;

1 right?

2 A. 冇錯。

3 Q. Thank you. And this cutting procedure would be done
4 before the materials were delivered to the site for
5 installation; is that correct?

6 A. 正確。

7 Q. So the use of this electrical saw for the purpose of
8 testing a particular part of the rebar done by
9 Fang Sheung workers was not done on the site but was
10 done elsewhere?

11 A. 喺我哋個bending yard嗰度做。

12 Q. Thank you. Then you go on to say:

13 "For those rebars which were not selected for
14 testing, they would be sprayed in white ... for
15 identification."

16 A. 啱嘅。

17 Q. Then maybe we can skip two lines, where you say:

18 "Besides, BOSA was responsible for supplying the
19 couplers and preparing the rebars in the right amounts
20 and lengths for connection to the couplers of the
21 diaphragm walls."

22 Do you see that?

23 A. 我解釋下呢度，BOSA本身係冇鋼筋嘅，佢嘅鋼筋都係由我哋通過嗰個
24 bending schedule要嘅數量，由我哋送去，將驗好嘅鋼筋送到去BOSA
25 廠裏面，等佢去造應該造嘅螺絲頭。

1 Q. Apparently BOSA would have been given instructions
2 beforehand regarding the specifications/requirements in
3 relation to the couplers, including the rebars, which
4 would be needed for the site; correct?

5 A. 佢哋要做到我哋啱我畀佢order嘅尺寸，所謂嘅「尺寸」只不過係嗰條鐵
6 嘅長度嘅啫。

7 Q. Thank you. Then you mention BOSA would make two types
8 of threads, type A and type B; we all know about that.
9 Then finally you say:

10 "As for rebars used in other bar fixing works ..."

11 Now, here you are talking about non-coupler rebars,
12 I suppose, the final sentence?

13 A. 啱。

14 Q. "... we ourselves would be responsible for cutting them
15 into suitable lengths according to the drawings with bar
16 cutting machines."

17 Do you see that?

18 A. 啱。

19 Q. I want to clarify this with you. The bar cutting
20 machine you are talking about here is not this red
21 machine; right?

22 A. 哦，唔係，唔係。

23 Q. If I can just show you, if we can take a look at
24 F34/19759 -- here, yes. Can you confirm whether that is
25 the sort of bar cutting machine that you refer to at the

1 end of your paragraph 4 in your police statement?

2 A. 其中嘅一種。

3 Q. So this kind of bar cutting machine that you refer to in
4 paragraph 4 -- first of all, let me just try to clarify
5 this with you -- this is a machine that your company,
6 Fang Sheung, used at the bar bending yard; is that
7 right?

8 A. 啱嘅。

9 Q. Now, this kind of machine would not appear on site where
10 the installation -- where the bar fixing work was done;
11 right?

12 A. 會有嘅，安裝鋼筋，即係我哋紮鐵嘅現場會有呢啲機，會有呢啲機嘅。

13 COMMISSIONER HANSFORD: Sorry, Mr Khaw, before we move on
14 from this photograph, can I just be clear: this is a bar
15 bending machine; is it a bar bending and bar cutting
16 machine, or are they two separate machines?

17 MR KHAW: Maybe I should clarify with him.

18 COMMISSIONER HANSFORD: Thank you.

19 A. 呢部係嗰個屈洛仔嘅洛仔機，呢部機係唔剪得鐵嘅，專門要嚟屈嗰啲stirrup，
20 嗰啲links，我哋呢部機唔會搬入去嗰個施工現場裏面嘅，因為呢部機唔剪得
21 鐵。

22 COMMISSIONER HANSFORD: Sorry, so the answer is incomplete.

23 So what we have been shown here is a bar bending
24 machine. Was there also, in the bending yard, a bar
25 cutting machine? I'm not clear about that yet.

1 MR KHAW: Mr Pun, we just saw from this photograph what you
2 described as a bar bending machine, which only appears
3 at the bar bending yard, not on site where the
4 installation was carried out. Is that right?

5 A. 呢款機係紮鐵機嘅一款，呢款機唔會喺個施工現場出現嘅。

6 Q. What you just told us was that there would be another
7 kind of machine which is for bar cutting, and that
8 machine would appear in both the bar bending yard and
9 also on site where the installation was carried out;
10 am I correct?

11 A. 冇錯。

12 Q. Can you briefly describe what that bar cutting machine
13 looks like?

14 A. 同呢部都係大同小異，只不過佢有個刀躉，有個刀躉呀，有個刀躉凸咗出嚟，
15 係可以逼斷條鋼筋嘅。

16 Q. Thank you. So the size and the shape are more or less
17 the same for the two kinds of machine?

18 A. 外形差唔多，畀佢稍稍大啲。

19 MR KHAW: I am moving to another topic, Mr Chairman.

20 I don't know whether it would be --

21 CHAIRMAN: Yes, if that suits you.

22 We are finishing for the evening, returning tomorrow
23 morning at 10 am. The words that I said to you at
24 lunchtime about not discussing your evidence until
25 you've finished all of your testimony, they still apply.

1 Okay?

2 WITNESS: 完全明白。

3 CHAIRMAN: Thank you.

4 (5.00 pm)

5 (The hearing adjourned until 10.00 am the following day)

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