

**Independent Committee in relation to the
Fire at Wang Fuk Court in Tai Po**

WITNESS STATEMENT OF Mr KU SIU PING

I, KU Siu Ping, Senior Maintenance Surveyor of Independent Checking Unit of the Office of the Permanent Secretary for Housing, Lung Cheung Office Block, 138 Lung Cheung Road, Wong Tai Sin, Kowloon, do say as follows:-

1. I am the Senior Maintenance Surveyor of the Independent Checking Unit of the Office of the Permanent Secretary for Housing (“**ICU**”) of the Government of the Hong Kong Special Administrative Region. I have joined the ICU for two years since 4 January 2024 and was promoted to the present rank on 22 March 2018 (before joining the ICU). My main responsibilities include the following:-
 - (a) to lead a team (i.e. Mandatory Building Inspection Scheme Team (“**MBIST**”)) to manage and supervise the implementation of the Mandatory Building Inspection Scheme (“**MBIS**”) and the Mandatory Window Inspection Scheme (“**MWIS**”) for properties under the ICU’s purview;
 - (b) to manage and review the practices, procedures and guidelines for processing the MBIS and the MWIS submissions;
 - (c) to compile building information and provide secretariat support to the target building selection panel;
 - (d) to consider and monitor enforcement actions regarding non-compliance notices;
 - (e) to manage and supervise liaison with relevant teams in the ICU and other stakeholders on matters relating to the

- implementation of the MBIS and the MWIS;
- (f) to liaise and attend meetings with District Council (“**DC**”) members and the general public, and answer enquiries and complaints related to the MBIS and the MWIS;
 - (g) to provide support and guidance to professional as needed;
 - (h) to perform emergency services; and
 - (i) to perform other duties as required.
2. I make this Witness Statement pursuant to the request of the Independent Committee (“**Committee**”) in relation to the fire at Wang Fuk Court in Tai Po as set out in a letter from Messrs. Lo & Lo, Solicitors for the Committee, to Head of ICU (“**Head(ICU)**”) dated 5 January 2026 (“**5 January Letter**”) in which specific questions were raised in paragraphs 1, 2, 3 to 5, 6 to 12, 13 to 16, 17 to 20, 21 to 24, 25 to 28, 29 to 37 and 38 to 41 (“**Questions**”). Save where otherwise appears, the facts deposed hereto are within my personal knowledge or are derived from office files and records and sources to which I have access and which are true to the best of my knowledge, information and belief.
3. In this Witness Statement, I shall address Questions 3 to 37 of the 5 January Letter. Other Questions which are within the ICU’s purview will be addressed in the witness statements of other relevant officers of the ICU to the Committee.
4. I understand that the ICU will produce to the Committee a List of Documents (“**LoD**”), a draft of which I have read, indexing all relevant documents in the ICU’s possession. In this Witness Statement, I shall refer to these documents by their designation in the LoD (for example, [**ICU/A/1**] means Item 1 in Part A of the LoD) without annexing them hereto for the avoidance of duplication.

5. This Witness Statement is divided into the following parts:-
- (1) Part A explains the ICU's roles in the issuance of the Statutory Notices under the MBIS in answer to Questions 3 to 7;
 - (2) Part B explains the ICU's roles in the vetting and approval of Inspection Reports in answer to Questions 8 to 12;
 - (3) Part C explains the ICU's roles in the drawing up of tender and appointment of consultant and Registered Contractor ("**RC**") in answer to Questions 13 to 16;
 - (4) Part D explains the ICU's roles in application for commencement of works in answer to Questions 17 to 20;
 - (5) Part E explains the ICU's roles in supervision of the Wang Fuk Court renovation works ("**WFC Renovation**") in answer to Questions 21 to 28; and
 - (6) Part F explains the ICU's roles in use of building materials in answer to Questions 29 to 37.

Part A – ICU's roles in the issuance of the Statutory Notices under the MBIS (Q.3 to Q.7)

An overview of the ICU's roles in the MBIS

6. The MBIS regime is introduced under the Buildings Ordinance (Cap. 123) ("**BO**") to arrest the long-standing problem of building neglect and to ensure building safety in the long run. The background, key features and other relevant information on the MBIS are set out in the Mandatory Building Inspection Manual

(“MBI Manual”) [ICU/A/5].

[ICU/A/5]

7. In summary, the MBIS applies to private buildings aged 30 years or above except domestic buildings not exceeding three storeys in height. A majority of the prescribed repair carried out under the MBIS should be minor works or exempted building works under section 41 of the BO, so the repair proposal normally does not require the Building Authority (“BA”)’s approval and it is not necessary to obtain the authority’s consent to the commencement of the prescribed inspection or prescribed repair.

8. According to paragraph 2 on page 1 of the Code of Practice for the Mandatory Building Inspection Scheme and Mandatory Window Inspection Scheme 2012 (2023 Edition) (**“Code of Practice for the MBIS and MWIS”**) [ICU/A/9], under the MBIS, **building owners** are required to appoint a **Registered Inspector (“RI”)** to carry out inspection and an **RC** (which may be a Registered General Building Contractor (“RGBC”) or Registered Minor Works Contractor (“RMWC”) depending on the nature of works in question) to carry out any necessary rectification and repair works for their buildings under the supervision of an RI upon receipt of a notice served by the BA under section 30B of the BO. The registers of RIs and RCs are maintained by the Buildings Department (**“BD”**).

[ICU/A/9]

9. BA has no involvement in the appointment of RI and RC. When an RI is appointed for prescribed inspection and/or supervision of prescribed repair of a building, pursuant to Part 3 of Building (Inspection and Repair) Regulation (Cap. 123P) (**“B(I&R)R”**), and the Code of Practice for the MBIS and MWIS [ICU/A/9], he/she should submit to BA a number of specified forms (i.e. **Forms MBI 1, MBI 2, MBI 3, MBI 3a, MBI 4 and/or MBI 5**) and relevant documents. The respective purposes of the forms are

[ICU/A/9]

summarised below; further details in respect of their submission requirement and BA's roles in checking such forms are set out in paragraphs 12 and 14 of the MBI Manual Section 1, Instruction No. 1 [ICU/A/5] respectively:-

[ICU/A/5]

- (a) **Form MBI 1** – the RI to inform BA of his/her own appointment for prescribed inspection and/or prescribed repair of a building;
- (b) **Form MBI 2** – the RI to inform BA that another RI is nominated to temporarily supervise the prescribed repair;
- (c) **Form MBI 3** – the RI to submit to BA the **Inspection Report** upon completion of the prescribed inspection (when the prescribed repair is required);
- (d) **Form MBI 3a** – the RI to submit to BA the **Inspection Report** upon completion of the prescribed inspection (when the prescribed repair is not required);
- (e) **Form MBI 4** – the RI to submit to BA the **Completion Report** upon completion of the prescribed repair; and
- (f) **Form MBI 5** – the RI to inform BA that there is no business connection between the previous RI who carried out the building inspection and the RC.

10. Pursuant to the relevant delegation instruments at [ICU/A/2] and [ICU/A/3], BA has delegated the enforcement power of the MBIS under section 30B of the BO to the ICU. Following the practice of the BD, under the MBIS, the ICU has no involvement in the appointment processes of **RI**s and **RC**s, but would verify the registration status of the appointed **RI**s by checking BD's registers for details such as name, registration number, expiry date of the registration and signature through the Mandatory Inspection Management System (“MIMS”)¹ when **Forms MBI 1 and MBI 2**

[ICU/A/2]

[ICU/A/3]

¹ MIMS is an information system for ICU to record and check the status of the MBI Forms received; there is also an in-built automatic balloting function for audit check.

are submitted. Upon checking, the verified Forms MBI 1 and MBI 2 would be filed for internal reference.

11. The BO does not require the employment of **consultants** for the MBIS. It is the Incorporated Owners' ("**IO**") decision whether to employ any, and if so, the IO should also be responsible for taking the necessary steps for the engagement of consultant. The ICU has no particular role in reviewing or confirming the quality, reliability and integrity of consultants.

ICU's roles in the renovation works of WFC Renovation under the MBIS

12. As explained in paragraph 12 of Mr LAU Fu Kwok's witness statement, Wang Fuk Court is one of the courts subject to the ICU's statutory building control. In the case of Wang Fuk Court, the ICU received a **Form MBI 1** for each of the eight blocks [ICU/B/I/14], and checked the registration status of the **RI** as per usual practice explained in paragraph 10 above. In September 2024, when handling a complaint related to Wang Fuk Court (relevant complaint records at [ICU/C(1)/6] and [ICU/C(2)/(ii)/4]), the ICU became aware that the original RI had passed away, and subsequently asked the RI's company to arrange appointment of a new RI. On 10 October 2024, the ICU received the new **Form MBI 1** [ICU/B/I/28].
13. As the prescribed repair for Wang Fuk Court had yet to complete, no **Form MBI 4** and **MBI 5** were received. **Form MBI 3a** is irrelevant to the Wang Fuk Court case, hence no such form was received.

An overview of the selection of Target Buildings (“TBs”) under the MBIS

14. The ICU regularly selects TBs in Home Ownership Scheme (“HOS”), Tenant Purchase Scheme (“TPS”) and Buy or Rent Option Scheme (“BRO”), Green Form Subsidised Home Ownership Scheme (“GSH”) and Public Rental Housing with divested retail and/or car-parking facilities for implementation of the MBIS in accordance with the Guideline on Mandatory Building/Window Inspection Scheme Selection of Target Buildings (Version: 30 April 2025) (“ICUG(B)17”) [ICU/A/7]. [ICU/A/7] For HOS, TPS, BRO and GSH, a Selection Panel is formed to provide advice to the ICU on the selection of TBs. According to paragraph 5 of ICUG(B)17, the Selection Panel comprises the following:-
- (a) Head(ICU) (chairman), Chief Maintenance Surveyor/ICU and Senior Building Surveyor/Building Control, Senior Maintenance Surveyor/ICU4 (secretary);
 - (b) Senior Maintenance Surveyor/Statutory Compliance and Senior Housing Manager/Kowloon Central, or their representatives from the Estate Management Division of the Housing Department;
 - (c) One representative nominated by the Hong Kong Housing Society; and
 - (d) One DC member from each DC district where there are HOS, TPS, BRO and GSH.

The case of Wang Fuk Court

15. The selection of Wang Fuk Court as one of the TBs under the MBIS regime took place in 2013. A flowchart of the selection process is provided at Appendix E of ICUG(B)17 [ICU/A/7]. [ICU/A/7]

16. The secretary of the Selection Panel (“SSP”), i.e. the then Senior Maintenance Surveyor/ICU3 was responsible for preparing the nomination list of TBs, based on the selection criteria, including building condition, building management and whether the building was located on street with heavy pedestrian or traffic flow, etc. The selection criteria followed the June 2012 version of Appendix A of the MBI Manual Section 2, Instruction No. 1 [ICU/B/I/1]. [ICU/B/I/1] To commence the selection process, SSP first identified all HOS/TPS/BRO/GSH courts aged over 30 years (“eligible buildings”). SSP then prepared building scores for each eligible building and finalised the building nomination list. The ICU nominated five courts with their scores and ranking as follows:-

	Names of Courts	Scores
(i)	Yee Kok Court	56
(ii)	Shun Chi Court	51
(iii)	Yue Tin Court	41
(iv)	Wang Fuk Court	32
(v)	King Tin Court	32

17. After the nomination list was finalised, SSP arranged the Selection Panel meeting for selection of TBs. The Selection Panel meeting was held on 13 December 2013. At the Selection Panel meeting, the ICU reported to the members about the selection criteria, the shortlisting process and list of the nominated buildings (including the eight blocks of Wang Fuk Court). The ICU presented the scores prepared for each of the nominated buildings with the Building Score System which had made reference to BD’s system (please refer to June 2012 version of Appendix C of the MBI Manual Section 2, Instruction No. 1 for details of the Building Score System [ICU/B/I/1]). At the Selection Panel meeting, members did not raise any concern in relation to Wang Fuk Court. [ICU/B/I/1]

18. In light of a suggestion raised at the Selection Panel meeting on verifying the building repairs records of the nominated buildings before finalising the list of TBs, the ICU subsequently approached the IOs of the nominated buildings, including that of Wang Fuk Court (“WFC IO”) by a letter on 3 January 2014 and requested replies by 23 January 2014 (the correspondences between the ICU and WFC IO are at [ICU/B/I/1]). Upon receipt of replies from the IOs, it was noted that some potential courts had been undergoing, or had recently completed, building repair works. Given that Wang Fuk Court had not carried out inspection of prescribed repair works relevant to the MBIS, all its eight blocks were selected as TBs under the MBIS. The final list of TBs was then approved by then-Chief Maintenance Surveyor/ICU on 12 March 2014. [ICU/B/I/1]
19. For details of the records of meetings and deliberations by the Selection Panel during the selection process, please refer to [ICU/B/I/1]. [ICU/B/I/1]
20. After finalising the list of TBs, the ICU sent a pre-notification letter for the MBIS to the WFC IO on 29 April 2014 (a copy of the letter is at [ICU/B/I/2]). The Statutory Notices (“SNs”) for the MBIS was then issued to the WFC IO on 10 June 2016 (a copy of the SNs is at [ICU/B/I/3]). Following the issuance of the SNs by the ICU, given that there was active progress by the WFC IO, the ICU approved and granted extension of time for compliance with the SNs for five times from June 2017 to October 2019 [ICU/B/I/4 to 13]. [ICU/B/I/2]
[ICU/B/I/3]
[ICU/B/I/4 to 13]

Part B – The ICU’s roles in the vetting and approval of Inspection Reports (Q.8 to Q.12)

An overview

21. The responsibility of appropriately carrying out the pre-inspection preparation works rests with the RI. Following BD’s practice, the ICU has no particular role in this regard. Its roles are mainly to check and follow up on the **Inspection Report** prior to the commencement of works and **Completion Report** after the completion of works submitted by the RI. The relevant details are set out in paragraphs 22 to 33 below.
22. According to paragraph 12 of the MBI Manual Section 1, Instruction No. 1 [ICU/A/5], when the prescribed inspection by an RI is completed and if repair is required, the RI shall submit a certificate of building inspection in the specified form (**Form MBI 3**), together with an **Inspection Report** incorporating a repair proposal within 7 days after completion of the prescribed inspection for BA’s record. Subsequently, the RI shall submit a certificate of building repair in a specified form (**Form MBI 4**) together with a **Completion Report** within 14 days after completion of the prescribed repair for BA’s record. In case the prescribed repair is not necessary, **Form MBI 3a** together with an **Inspection Report** should be submitted within 7 days after completion of the prescribed inspection. In the case of Wang Fuk Court, the forms would be submitted for the ICU’s record. [ICU/A/5]
23. The ICU’s roles in the handling of **Forms MBI 3, MBI 3a and MBI 4** are set out in the ICU’s Control Procedures – 7.13 for the Mandatory Building/Window Inspection Procedure (“**COP 7.13**”) (a copy of which is at paragraph 5.6 of [ICU/A/6]) and paragraph 2 of the ICU Guideline – Mandatory Building Instruction Scheme [ICU/A/6]

(MBIS): Preliminary, Fundamental and Audit Check on Submissions (Version: December 2022) (“**ICUG(B)18**”) **[ICU/A/8]**.

[ICU/A/8]

24. In gist, upon receipt of **Forms MBI 3, MBI 3a and MBI 4**, the ICU would check the forms and update the records in its **MIMS**.

25. Pursuant to ICUG(B)18 **[ICU/A/8]**, the ICU conducts **preliminary check, fundamental check and audit check** on **Forms MBI 3, MBI 3a and MBI 4** received by it.

[ICU/A/8]

26. For **preliminary check**, it includes:-

- (a) verification of the registration status of the RI against the record as shown in the RI register maintained by BD;
- (b) check that the inspection / repair works of the building were carried out before the RI’s registration expiry date and that the signature of the RI matches with the record; and
- (c) in case irregularity in the MBI Form is discovered, to prepare a letter inviting the RI for rectification or rejection.

27. After the **preliminary check**, all **Forms MBI 3, MBI 3a and MBI 4** submitted by the RI would be randomly sampled through a balloting exercise. Cases not selected in the balloting exercise would be subject to **fundamental check**, whereas those selected would be subject to **audit check**.

28. For **fundamental check**, it includes:-

- (a) checking whether the relevant reports / proposals have been submitted, duly completed and signed (please refer to paragraph 5(i) of ICUG(B)18 **[ICU/A/8]**);
- (b) for the case of submission for partial completion of building,

[ICU/A/8]

ascertaining with special attention that the submission has contained all the necessary information (e.g. mark-up plan, inspection/repair, etc.) (please refer to paragraph 5(ii) of ICUG(B)18 [ICU/A/8]);

[ICU/A/8]

(c) in case any irregularity is discovered, issuing a letter requiring the RI for rectification or rejection; and

(d) if no irregularity is found in fundamental check:-

(i) for **Form MBI 3**, the ICU would then issue a standard acknowledgement letter to the RI after fundamental checking is conducted if no audit work is pending; and

(ii) for **Forms MBI 3a** and **Forms MBI 4**, the ICU would issue a standard compliance letter to the Building Owners/Owners' Corporation (in the case of Wang Fuk Court, WFC IO) for the submitted form and the supporting document after fundamental checking if no audit work is pending.

29. As for **audit check**, it is conducted by the ICU pursuant to its COP 7.13 [ICU/A/6] and ICUG(B)18 [ICU/A/8], the requirements thereunder are largely modelled on those under the MBI Manual Section 2, Instruction No. 6 titled "Mandatory Building Inspection Scheme – Audit Check" [ICU/A/5]. For each month, 16 cases² are sampled for **audit check** via MIMS. For **Form MBI 3** subject to audit check, a further audit check on **Form MBI 4** should also be carried out upon notification on completion of the prescribed repair by the RI via his/her **Form MBI 4**. In other words, if a **Form MBI 3** is sampled for audit, then the corresponding **Form MBI 4** submitted later would also be audited without the need for separate sampling or balloting.

[ICU/A/6]

and

[ICU/A/8]

[ICU/A/5]

30. **Audit check** consists of **document audit** and **site audit**.

² Or any additional cases as instructed by the head of the MBIST of ICU.

According to paragraph 5.6 (1)(a) of COP 7.13 [ICU/A/6], [ICU/A/6] **document audit** is performed to all balloted cases while **site audit** is performed to one-third of the balloted cases. In other words, of the cases sampled for document audit, one-third would further proceed to site audit whereas the remaining two-thirds would stop at document audit, and this applies to all relevant forms, i.e. **Forms MBI 3, MBI 3a and MBI 4**. The ICU may approach the owner / owner's representative or the RI if necessary, to arrange access for site audit.

31. The factors to be considered during **document audit** (e.g. whether the method adopted for the building inspection is *generally*³ appropriate) and **site audit** (e.g. whether the observed defects and/or condition of certain building elements are generally in agreement with the findings stated in the Inspection Report) are set out in Appendix A of ICUG(B)18 [ICU/A/8], which is an **audit checklist** to be completed during the course of an **audit check**. [ICU/A/8] Parts I to III of the said checklist concern **Forms MBI 3 and MBI 3a** and the **Inspection Report**, whereas Parts IV to VI concern **Form MBI 4** and the **Completion Report** (i.e. if no prescribed repair is found necessary through prescribed inspection, only Parts I to III would be relevant and should be filled out depending on whether the case was selected for both document audit and site audit or only document audit; whereas if prescribed repair *is* found necessary through prescribed inspection, Parts IV to VI would also be relevant and should again be filled out depending on whether the case was selected for both document audit and site audit or only document audit).

³ According to paragraph 9 of the MBI Manual [ICU/A/5], whilst the RI and RC [ICU/A/5] shall comply with the scope and standard of the prescribed inspection and prescribed repair specified in the B(I&R)R, they may adopt various inspection or repair methods as they consider appropriate in complying with the requirements.

32. If any irregularity is identified through an **audit check**, the ICU would follow up pursuant to paragraphs 5.6(3) and (4) of COP 7.13 [ICU/A/6] and paragraphs 15 to 26 to ICUG(B)18 [ICU/A/8]. In gist, for irregularities such as missing or unclear information in the submitted documents, the ICU would send a notification letter or email to the RI for requiring the clarification/rectification as necessary. In case there is no positive response from the RI within one month from issue of the notification letter, the ICU would prepare a warning letter to the RI on the failure to discharge duties of an RI. Records and copies of warning letters, should be saved to the MBIST's shared folder at the time of issue and also sent to BD for close monitoring of the performance of the RI. So far, the ICU has yet to issue any warning letter to any RI. [ICU/A/6] and [ICU/A/8]
33. **Preliminary check** and **fundamental check** on a submission should be completed within three months after the receipt of the submission, while **audit check** should be completed within three months after the case has been sampled for such purpose.

The case of Wang Fuk Court

34. In the case of Wang Fuk Court, a total of eight **Inspection Reports** together with **Forms MBI 3** (i.e. one for each block) were submitted to the ICU (at [ICU/B/II/Block A/2] to [ICU/B/II/Block H/2]). Of these eight submissions, the one for Block E was sampled for a full **audit check** (including **document audit** and **site audit**), while the inspection reports and Forms MBI 3 of the remaining seven blocks were subject to preliminary and fundamental checks. The results of preliminary and fundamental checks of the seven blocks were satisfactory. The ICU conducted the relevant audit check on Block E in accordance with the procedures as mentioned in paragraphs 29 to 33 above. Both the **document audit** and **site audit** results for Block E were [ICU/B/II/Block A/2] to [ICU/B/II/Block H/2]

satisfactory (including that the method statement adopted for the building inspection is generally appropriate) and hence no further action was required.

35. As regards BD's centralised processing system (referred to as "centralised processing scheme" at paragraph 10 of the 5 January Letter)⁴, it is for building plan submissions, and thus is not applicable in the context of the WFC Renovation where no such plans were required to be submitted under the prevailing building regulatory regime.
36. Under the MBIS regime, the RI has the responsibility to ensure that the proposed renovation and repair works comply with all relevant Ordinances, rules and regulations, codes of practice and practice notes. Upon completion of the prescribed repair, the RI will submit the **Completion Report** together with **Form MBI 4** to the ICU for checking. The submissions would be checked in accordance with the procedures set out in paragraphs 26 to 32 above. For **Forms MBI 3** which are not selected for audit check previously, it is still possible for the corresponding **Completion Reports** together with **Forms MBI 4** to be selected for audit check.

Part C – ICU's roles in the drawing up of tender and appointment of consultant and RC (Q.13 to Q.16)

An overview

37. The interplay among BD/ICU, the RI, RC, consultant and IO is

⁴ According to paragraph 1 of BD's Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers No. ADM-2 titled "The Centralised Processing of Building System", the system is to ensure that all interested government departments are consulted and that their comments on private development proposals are collated by BA within time limits allowed for processing building plans.

explained in paragraphs 6 to 11 above. No input / approval from the ICU is required in the preparation and finalisation of the tendering documents for RIs and RCs. As mentioned in paragraph 11 above, the BO does not require the employment of consultants. As such, it is the IO's decision whether to employ any, and if so, which consultant for the works under the MBIS regime. Accordingly, the ICU does not involve in the tender and appointment process of the consultant and RC. It is possible that some of the relevant information is made known to the ICU during the processes of complaints / enquiries handling or its liaison with its counterparts such as the RI and IO, e.g. during the discussions at site meetings in the presence of the consultant, RI and RC, but the ICU has no knowledge on whether the preparation and finalisation of the tendering documents and materials are up to the required standards.

The case of Wang Fuk Court

38. In the case of Wang Fuk Court, the ICU was not involved in the appointment of Will Power Architects Company Limited (“WP”) as consultant and Prestige Construction & Engineering Co., Limited as contractor, and does not possess any information and/or materials on the tendering process. The ICU is also not in the position to comment on whether the consultancy fee of reportedly charged by WP is abnormally low which necessarily depends on a range of factors; nor does it have the relevant statistics.

Part D – ICU’s roles in application for commencement of works (Q.17 to Q.20)

An overview

39. According to paragraph 4 of the MBI Manual Section 2 Instruction

No. 4 titled “Mandatory Building Inspection Scheme Prescribed Building Repair” [ICU/A/5], prescribed repair under the MBIS [ICU/A/5] should follow the prevailing statutory procedures and requirements stipulated under the BO. In particular, if a works item under the prescribed repair is a Minor Works (“MW”) item under the prevailing building control regime, it would be subject to the control of the Minor Works Control System (“MWCS”). The ICU has certain roles in the MWCS regime. For the relevant details, please refer to the statement of Mr YUNG Siu Lun (Senior Maintenance Surveyor/ICU3). As for exempted works under the BO, following BD’s practice, the ICU has no particular role in the application of commencement of such works.

The case of Wang Fuk Court

40. In the case of Wang Fuk Court, based on the RI’s Inspector Report, proposed prescribed works only comprised MW and exempted works. For MW relating to the WFC Renovation, the ICU’s role and involvement are set out in the statement of YUNG Siu Lun. As for prescribed works under the MBIS which are exempted works, as explained in paragraph 39 above, the ICU has no particular role in monitoring the works. The ICU would only be informed of the completion of all prescribed repair works upon receipt of Form MBI 4 (which none had been received before the fire as the works were still going on), and carry out necessary actions in the handling of related complaints or enquiries, which will explained in details in paragraph 44 below.

Part E – ICU’s roles in supervision of the WFC Renovation (Q.21 to Q.28)

An overview

41. According to paragraph 6.1.3 of the Code of Practice for the MBIS and MWIS [ICU/A/9], the RI and RC each has a role to play in safety and quality management during the course of rectification and repair works. The duties of the RI and RC in respect of safety measures and supervision requirements of the RI are further set out in paragraphs 6.2 and 6.4 of the said Code of Practice respectively. In particular, to my understanding, according to paragraphs 6.4.2 and 6.4.5 of the Code of Practice, the RI may set up his own supervision team to provide supervision to the repair of the building elements at different stages of the relevant repair works; and if such a supervision team is formed, the RI should submit supervision proposal to BA (in the case of buildings subject to the ICU’s statutory building control, the ICU) in a standard form at Annex A of Appendix VI to the Code of Practice. [ICU/A/9]
42. In other words, the responsibility of ensuring proper supervision of rectification and repair works rests mainly with the RI. In the case of Wang Fuk Court, for all eight blocks, the RI stated in the Inspection Report that “註冊檢驗人員須按其認為合適的次數及範圍，檢查及監督註冊承建商進行的所有糾正及修葺工程，以確保工程按照規定的標準作出準備、進行受完成。監督等級的規定，可參照〈強制驗樓計劃及強制驗窗計劃作業守則〉內附錄六所載的相關監督要求。” The ICU is not aware that the RI has formed a supervision team to supervise the repair works of Wang Fuk Court as the RI did not submit a supervision proposal.
43. Under the MBIS regime, there is no statutory requirement for the ICU to supervise and conduct regular / ad hoc inspections of works.

44. That said, if the ICU, for example, comes across any enquiry or complaint which casts doubt on whether there has been non-compliance, it would remind the RI to ensure compliance. Depending on case specifics (e.g. nature, scale, implications, etc.), it would also request the RI to demonstrate compliance if necessary. The ICU would suitably make reference to BD's relevant practices, if any, and exercise its judgement in assessing whether compliance has been sufficiently demonstrated. As the ICU does not have delegated powers for prosecution under section 40 of the BO (other than the power to issue a fixed penalty ticket under section 40(1BE) of the BO for failure to comply with a notice served on the person under section 30C(3) or (4) of the BO in relation to prescribed inspection and repair of windows), for suspected cases of non-compliance, the ICU would conduct background investigation and refer potential prosecution cases to BD for follow-up on prosecution as appropriate.
45. In respect of the WFC Renovation, the full list of incoming complaints / enquiries received by the ICU and the relevant records relating to the ICU's follow-up actions on such complaints / enquiries are at [ICU/C(1)/1 to 41] and [ICU/C(2)/(ii)/1 to 42]. [ICU/C(1)/1 to 41] and [ICU/C(2)/(ii)/1 to 42]

Part F – ICU's roles in use of building materials (Q.29 to Q.37)

An overview of the ICU's roles in use of building materials

46. BD revised the Code of Practice for the MBIS and MWIS in May 2023, a copy of which is at [ICU/A/9]. Paragraphs 2.1.3(c) and (d) of the Code of Practice for the MBIS and MWIS [ICU/A/9] and sections 30D(4)(b) and (c) of the BO set out the responsibilities of the RI under the MBIS. The RI must:- [ICU/A/9] [ICU/A/9]

- (a) ensure the repair materials to be used –

- (i) are not defective and comply with the BO; and
 - (ii) have been mixed, prepared, applied, used, erected, constructed, placed or fixed in the manner required for such materials under the BO; and
- (b) ensure the building, for which the RI is appointed to supervise the prescribed repair, is safe or has been rendered safe.
47. Given the RI's responsibility to ensure compliance of the materials with the relevant standards, there is no separate or additional requirement to seek approval from the ICU regarding the choice and use of building materials. Further, in line with BD's practice, the ICU does not verify and certify building materials or carry out sample testing and periodical checks on the building materials used.

The case of Wang Fuk Court

48. In the case of Wang Fuk Court, while the responsibility to ensure the compliance of building materials rests with the RI, in response to complaints / enquiries / emails / referrals received which questioned the fire retardant property and aging of the scaffolding net used for the WFC Renovation [ICU/C(1)/10, 20 and 39], the ICU conducted site inspections on 28 October 2024, 18 November 2024 and 28 October 2025 requesting to conduct on-site quick tests⁵ on scaffolding nets in the presence of the ICU's staff, the details of which are set out below (the ICU's schedule of visits with inspection records is at [ICU/C(2)/(i)/1]):-
- [ICU/C(1)/10, 20 and 39]
- [ICU/C(2)/(i)/1]
- (i) Quick tests on scaffolding nets conducted during the site inspection on 28 October 2024

⁵ There were no standards governing the quick test conducted on scaffolding nets.

- Although the ICU was only copied in an email titled as, “Subject: Re: 轉寄: 勞工處就App70要求誤導宏福苑居民” (a copy of the email is at [ICU/C(1)/10]) – it was sent [ICU/C(1)/10] by a member of the public to the Labour Department (“LD”) on 5 October 2024, the ICU decided to conduct a site inspection in relation of the said email, thus notified the RI on 23 October 2024 to arrange for the inspection. The ICU was informed that the RI was unable to join the inspection, but he had assigned another person (hereafter collectively referred to as “RI’s assigned person”) to join the site inspection for this site inspection. I conducted this site inspection with Ms LAU Ka Man, Maintenance Surveyor/ICU14 and Mr LEE Ka Ho, Assistant Clerk of Works/ICU26. During the inspection, I enquired whether the scaffolding nets were fire retardant. The contractor confirmed so. Subsequently, he provided us with a copy of the test report and the delivery note of the scaffolding nets through WhatsApp (the WhatsApp message from the contractor to the ICU is at [ICU/C(2)/(ii)/9]). Although the ICU does not have [ICU/C(2)/(ii)/9] the responsibility to verify the test report and the delivery note, the ICU conducted a document review on the test report, in which it was indicated that test result of the scaffolding nets was able to meet the requirements stated in BD’s Circular Letter [ICU/A/20]. [ICU/A/20]
- During the inspection on the ground floor, I asked the RI’s assigned person and the contractor if they could conduct a quick test on the scaffolding net. The contractor then cut out a small piece of the scaffolding nets lying on the ground nearby and burnt it with a lighter in the presence of the RI’s assigned person and the ICU’s staff. No special concern on the result of the quick test

was observed.

- We then moved to the roof top where I suggested conducting another quick test on the scaffolding net. The contractor then cut out a piece of scaffolding nets from the roof top and moved to a less windy corner. During the first test, it was noted that the scaffolding net was on fire after being burnt for about 10 seconds. The contractor then proceeded to re-test the same piece of scaffolding net twice to demonstrate that the scaffolding net was fire retardant. The RI's assigned person did not raise any concern with this test.
 - The videos and photos taken on the day of site inspection are at [ICU/D/(A)/1] and [ICU/D/(B)/2]. [ICU/D/(A)/1]
and
[ICU/D/(B)/2]
 - Upon inspection and in response to an earlier enquiry from the BD, the ICU also shared its follow-up actions taken, particularly on the test report and observation of the quick test to the BD [ICU/C(1)/10]. [ICU/C(1)/10]
- (ii) Quick tests on scaffolding nets conducted during the site inspection on 18 November 2024
- Following the site inspection on 28 October 2024 and the memo from LD [ICU/C(1)/20], I conducted this inspection in short notice in the afternoon of 18 November 2024 with Ms LAU Ka Man, Maintenance Surveyor/ICU14 and Mr LEE Ka Ho, Assistant Clerk of Works/ICU26 (the ICU's message to arrange for the inspection is in the ICU's schedule of visits with inspection records [ICU/C(2)/(i)/1]) – this visit was only arranged with the RI's assigned person that morning. In [ICU/C(1)/20]
[ICU/C(2)/(i)/1]

this inspection, we requested the contractor and the RI's assigned person to conduct quick tests. The contractor cut out small pieces of the scaffolding nets at 12 locations and burnt the nets with a lighter, the nets were cut from the following locations:-

- ◆ Block C: Two locations on the ground floor;
- ◆ Block E: Two locations on the ground floor;
- ◆ Block F: Two locations on the ground floor;
- ◆ Block G: Two locations on the ground floor and one location on roof; and
- ◆ Block H: Two locations on the ground floor and one location on roof.

There were no special concerns on the results of the quick tests. The videos and photos taken on the day of site inspection are at [ICU/D/(A)/2] and [ICU/D/(B)/4].

[ICU/D/(A)/2]

and

[ICU/D/(B)/4]

(iii) Quick tests on scaffolding nets conducted during the site inspection on 28 October 2025

- After Typhoon Ragasa approaching Hong Kong in late September 2025, we learnt that some scaffolding nets might have been damaged. Also, in response to an enquiry received on 3 October 2025, titled as “APS250929A98828 有關大埔宏福苑維修工程棚架損毀及圍棚網發老化事宜” (details of the incoming enquiry and the ICU's reply issued are at [ICU/C(1)/39]) and due to the fire at Chinachem Tower in Central on 18 October 2025, the ICU then notified the RI's assigned person on 27 October 2025 to arrange for the site inspection.

[ICU/C(1)/39]

- I conducted this site inspection with Ms LAU Ka Man, Maintenance Surveyor/ICU14 and Mr LEE Ka Ho, Assistant Clerk of Works/ICU26. It was noted that most of the scaffolding nets and scaffolding damaged by Typhoon Ragasa had been replaced or repaired. We also requested the RI's assigned person and the contractor to conduct quick tests by burning both old and new scaffolding nets with a lighter. The nets were taken at the following locations at Wang Fuk Court:-
 - ♦ a new batch, unopened roll of scaffolding nets on the roadside within Wang Fuk Court (i.e. the new nets);
 - ♦ a readily accessible spot of a scaffolding net in use near the ground floor of one block (i.e. the old nets); and
 - ♦ a readily accessible spot of a scaffolding net in use on the roof of another block (i.e. the old nets).

There were no special concerns on the results of the quick tests. The videos and photos taken on the day of site inspection are at [ICU/D/(A)/3] and [ICU/D/(B)/10].

[ICU/D/(A)/3]
and
[ICU/D/(B)/10]

49. Paragraph 4.4.4(d) of the Code of Practice for Bamboo Scaffolding Safety issued by LD (a copy is at [ICU/A/18]) sets out examples of the recognised fire retardancy standards of the scaffolding nets. As explained in paragraph 47 above, the RI has the responsibility to ensure that the scaffolding nets are in compliance with the relevant standards.
50. In addition to Code of Practice for Bamboo Scaffolding Safety [ICU/A/18] issued by LD respectively, scaffolding nets should also comply with the requirements as set out in the two circular letters issued by BD on 21 March 2023 and 21 October 2025

[ICU/A/18]

[ICU/A/18]

(copies of the two letters are at [ICU/A/20] and [ICU/A/21]); the [ICU/A/20] and [ICU/A/21] RI also has the responsibility to ensure compliance with the requirements as set out in the relevant codes of practice and circular letters. The key points in the two circular letters are summarised as follows:-

- (i) Circular letter issued by BD on 21 March 2023 – to set out examples of the recognised fire retardancy standards of the scaffolding nets; and
- (ii) Circular letter issued by BD on 21 October 2025 – to call on all building professionals, including RIs, to take immediate actions to inspect and ascertain that the protective net, screen, tarpaulin and plastic sheeting installed at the façade of buildings with works under their charge, including repair and minor works possess the appropriate fire retardant properties in compliance with the recognised standards to prevent the spread of fire should a fire occur.

51. While the ICU does not have the responsibility to ensure the compliance of the building materials set out in the BO, codes of practice and circular letters as a matter of system inherited from BD, after the fire at Chinachem Tower on 18 October 2025, the ICU took the initiative to send an email to the RIs (who were appointed to courts undergoing repair works under the watch of the MBIST of the ICU, including the RI of Wang Fuk Court) on 23 October 2025 (the email sent by the ICU is at [ICU/C(2)/(ii)/37]), reminding the RIs of the following key [ICU/C(2)/(ii)/37] points:-

- to give clear instruction to all parties including the contractors, site supervision staff and their team members to prioritise fire safety at Wang Fuk Court; and

- to ensure that the scaffolding was in good condition and that the fire-retardant properties of the scaffolding nets fully complied with the requirements of BD circular and the Code of Practice for Bamboo Scaffolding Safety issued by LD, given the scaffolding had been in use for an extended period and some scaffolding nets had been replaced after the typhoon.

In this email, we also attached information regarding fire safety at construction site issued by the Construction Industry Council and a Fire Services Department (“FSD”) circular letter regarding fire protection measures in high rise buildings under construction for information.

52. In addition, following up on BD’s circular letter issued on 21 October 2025 [ICU/A/21], the ICU also sent emails to the same group of RIs on 27 October 2025, reminding them to comply with the requirements set out in the BD’s circular letter (email sent by the MBIST of the ICU is at [ICU/C(2)/(ii)/38]).

Involvement of ICU regarding the replacement of glass panels along the escape routes of Wang Fuk Court’s staircases

53. It is noteworthy that for the original windows installed along the escape route at Wang Fuk Court’s staircases, the upper part of the window was openable. Hence fire rating was inapplicable to such windows.
54. The RI submitted **Form MBI 3** together with the Inspection Reports for all eight blocks of Wang Fuk Court to ICU on 10 December 2019 (copy of the submission received is at [ICU/B/I/15]), in which, amongst others, the RI proposed to alter

the original windows with the upper being openable into fixed windows with fire-rated glass panels through MW, with a view to fulfilling the requirement of Fire Safety Directions as part of the WFC Renovation. It is noteworthy that the proposed works in respect of fixed windows with fire-rated glass panels is not one of the prescribed repair works under the MBIS regime, but an optional works item as shown in the inspection report. According to ICU's understanding, the necessity of replacing the windows with fixed fire-rated glass panels should fall under the purview of Fire Safety (Buildings) Ordinance (Cap. 572), which falls under BD's and FSD's purview. ICU has no delegated authority from BA or the Director of Fire Services for implementation of Cap. 572 in this connection. To ICU's understanding, BD and FSD has not yet issued any Fire Safety Directions under Cap. 572 to Wang Fuk Court; thus, the proposed replacement of "fire-rated glass" was not meant to fulfil any requirements under the MBIS after completion of inspection, nor any issued directions / orders by the Government.

55. For the alteration of windows at the staircases covering 1/F to 31/F across eight blocks of Wang Fuk Court, the Authorised Person, Registered Structural Engineer and the Minor Works Contractor submitted Forms MW01⁶ and Form MW33⁷ to ICU from May to July 2025 (hereafter collectively referred to as "**Minor Works Submissions**"). The Minor Works Submissions were handled by the Minor Works Team of ICU. In this connection, please refer to the statement of Mr YUNG Siu Lun for details relating to the administration and supervision of MW generally and at Wang Fuk Court.

⁶ Notice of Commencement of Class I Minor Works.

⁷ Submission of Supplementary Document of Information of Minor Works.

Involvement of ICU regarding the use of foam boards to cover windows during the WFC Renovation

56. To the best of my knowledge, temporary protection preventing the glass windows from damage during the process of hacking off external finishes is an established industry practice. It is not a requirement under the BO, and is not stipulated in any regulations, rules, codes of practice and standards.
57. As the covering up of windows during renovation works is neither a statutory requirement nor a type of buildings works under the BO, the RI is not required to inform or to seek approval from ICU regarding the use of foam boards for the said purpose.
58. One might wonder if use of foam boards could be seen as a contravention of section 16 of the Building (Construction) Regulation, Cap. 123Q (“**B(C)R**”), which stipulates that:-

“16. Construction methods and procedures

- (1) In carrying out building works or street works—
- (a) appropriate construction methods and procedures must be adopted; and
 - (b) appropriate precautionary measures must be taken.”

59. It must however be stressed that the term “appropriate precautionary measures” is a very broad concept, and there is no specific requirement in respect of the use or standards of foam board as temporary protection in statutory provisions. ICU is also unaware that there is any specific guideline on the use or standards of foam board in other documents (such as BD’s Code of Practice, Practice Notes for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers, Circular Letters, etc.), or any prosecution action taken previously against

the use of foam board in contravention of section 16 of B(C)R. As such, we cannot deduce that the use of foam boards is a contravention of section 16 of B(C)R. It should also be noted that, as ICU does not have the delegated authority to take prosecution action under the BO, we shall defer to BD, as the prosecution authority under the BO, to consider if the use of foam boards is a contravention of section 16 of B(C)R.

60. In general, ICU would consider conducting site inspections to estates undergoing renovation works under the MBIS regime when a complaint / enquiry has been received depending on the circumstances. For the case of Wang Fuk Court, ICU did conduct two site inspections on 25 September 2024 and 28 October 2024 (ICU's schedule of visits with inspection records is set out at [ICU/C(2)/(i)/1]) in response to the complaints / enquiries [ICU/C(2)/(i)/1] regarding the safety of using foam boards to cover up the windows.

(i) The site inspection conducted on 25 September 2024

- I conducted this site inspection with Ms LAU Ka Man, Maintenance Surveyor/ICU14 and Mr CHAN Tsz On, the then Structural Engineer/ICU30 in response to an enquiry received on 17 September 2024, titled as “有關反映大埔宏福苑正進行大維修工程使用發泡膠封窗是否符合安全規定” (details of the incoming enquiry and ICU's reply issues are at [ICU/C(1)/8]) and an enquiry [ICU/C(1)/8] received on 23 September 2024 titled as “APS240918A05809 有關大埔宏福苑大維修使用易燃發泡膠物料事宜” (details of the incoming enquiry and ICU's reply issues are at [ICU/C(1)/9]). We note that [ICU/C(1)/9] the latter enquiry was also referred to FSD and BD by the 1823 hotline.

- During the site inspection, I noted that some materials labelled as “CO2 生態健康地暖板” were stored on ground floor. We believed that they were the kind of foam boards in the enquiry. We also entered into a block and took the lift to one of the upper floors and observed that a foam board was used to cover the window of the lift lobby from outside. Since the façade of buildings with scaffolding was fully covered with scaffolding nets and as ICU’s inspections would only cover common areas generally as the WFC Renovation under the MBIS mainly concerned common areas, I was unable to see the condition of windows of domestic flats. The photos taken on the day of site inspection are at [ICU/D/(B)/1]. [ICU/D/(B)/1]
- Shortly after the site inspection, I verbally consulted Mr Franko TSE, the then-Senior Building Surveyor/Building Control (one of the advisors seconded from BD and had retired) regarding the use of foam boards to cover up the windows, and was given to understand that temporary use of foam boards to cover up the windows was not considered as building works, and that there was no requirement on the fire-retardant properties of the foam boards used. Hence, the said use of foam boards would also not be considered as unauthorised building works.
- As the enquiry was also addressed to FSD, Ms LAU Ka Man, Maintenance Surveyor/ICU14 contacted FSD via emails on 7 October 2024 and 11 November 2024 [ICU/C(1)/9] and phone calls, with a view to [ICU/C(1)/9] understanding their reply to the enquiry. During a phone call with Mr LIU Ching Hin of FSD, ICU was given to understand that FSD had also conducted site inspection

and that foam boards were not “DG”. FSD advised that they would reply to the enquirer via a phone call.

(ii) The site inspection conducted on 28 October 2024

- I conducted this site inspection with Ms LAU Ka Man, Maintenance Surveyor/ICU14 and Mr LEE Ka Ho, Assistant Clerk of Works/ICU26 in response to the enquiries received on 23 September 2024 titled as “APS240918A05809 有關大埔宏福苑大維修使用易燃發泡膠物料事宜” (details of the incoming enquiry and ICU’s reply issues are at [ICU/C(1)/9]) and an enquiry dated 17 October 2024 titled as “投訴大廈進行大維修時的安全和粉塵問題” (details of the incoming enquiry and ICU’s reply issues are at [ICU/C(1)/12]).
- During the site inspection on ground floor, I asked the contractor and the RI’s assigned person about the process of hacking off external finishes. We were given to understand that the contractor’s workers would proceed with the hacking off works three floors at a time, and the foam boards were only used for temporary protection of window glazing during hacking off, and would be removed immediately upon completion of works.
- I then raised the concern that the use of foam boards could pose a fire hazard to residents, despite the lack of requirement on fire-retardant standards for the foam boards. The contractor responded that they would use non-combustible materials for such temporary protection.

- During the inspection, I also pointed out that the foam boards were piled up too close to the buildings and requested them to be moved away from the buildings. The contractor agreed to follow up on this. The photos taken on the day of site inspection are at [ICU/D/(B)/2]. [ICU/D/(B)/2]
- As explained in paragraphs 56 and 57 above, it was ICU's understanding that there was neither requirement under the BO, nor stipulated guidelines in any regulations, rules, codes of practice and standards regarding the use of foam board as temporary protection for windows. In addition, noting that the contractor agreed to follow up and it was the RI's responsibility to ensure the repair materials to be used comply with the provision of the BO, ICU saw no particular reason to follow up further.

Complaints received by ICU on issues relating to the safety and compliance of the WFC Renovation

61. Besides, the inspections conducted in response to the complaints received in relation to the scaffolding nets in paragraph 48 above and the use of foam boards in paragraph 60 above, ICU also conducted site inspections in response to complaints received on issues relating to cracks on external walls and inside a domestic unit, reinforcement of air-conditioning hoods and site safety issue during the hacking-off works. The relevant records of ICU's schedule of visits are at [ICU/C(2)/(i)/1]. [ICU/C(2)/(i)/1]

62. I confirm that the contents of this Witness Statement are true to the best of my knowledge, information and belief.

Dated this 16th day of January 2026.



KU Siu Ping