

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

WITNESS STATEMENT OF LAM Sau-ching

I, LAM Sau-ching, the Divisional Occupational Safety Officer (Legal Services Division) of Labour Department, 13/F., Harbour Building, 38 Pier Road, Central, Hong Kong, do say as follows:-

1. I am a Divisional Occupational Safety Officer of the Labour Department (“**LD**”) of the Government of the Hong Kong Special Administrative Region. I have joined the LD for 27 years since 1998 and was promoted to the present rank on 17 April 2024. I served in the post of Divisional Occupational Safety Officer (Minor Renovation and Maintenance Works-2 Office) in the period between March 2023 and December 2025, before recently being posted to Divisional Occupational Safety Officer (Legal Services Division) on 25 December 2025. My main responsibilities in my aforesaid former post include supervising and managing a team of three Occupational Safety Officers (“**OSO**”) to conduct workplace inspections and to investigate occupational accidents in enforcing the Occupational Safety and Health Ordinance (Cap. 509), the Factories and Industrial Undertakings Ordinance (Cap. 59) and their subsidiary legislation.
2. I make this Witness Statement pursuant to the request of the Independent Committee (“**Committee**”) in relation to the fire at Wang Fuk Court (“**WFC**”) in Tai Po as set out in a letter from Messrs. Lo & Lo, Solicitors for the Committee, to the Commissioner for Labour dated 27 December 2025 (“**27 December Letter**”) in which specific questions were raised in paragraphs 1 to 3, and 7 to 18 (“**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. Save as otherwise specified, this Witness Statement adopts the same abbreviations and nomenclature as in the 27 December Letter.

3. In this Witness Statement, I shall address **Questions 10, 11.1 to 11.4, 13 and 14** of the 27 December Letter. Other Questions which are within LD's purview will be addressed in the witness statements of other relevant officers of LD to the Committee.
4. I understand that LD will produce to the Committee a List of Documents ("**LoD**"), a draft of which I have read, indexing all relevant documents in LD's possession. In this Witness Statement, I shall refer to these documents by their designation in the LoD (for example, [**LD/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** provides the requested information relating to the site inspections conducted by LD at WFC between July 2024 and November 2025, in answer to **Question 10**;
 - (2) **Part B** addresses LD's reply dated 4 October 2024 ("**Reply**") to the complaints made by the Complainant¹ by emails of 6 and 16 September 2024, in answer to **Questions 11.1 to 11.3**;
 - (3) **Part C** identifies, with reference to the LoD, the correspondence exchanged between the Complainant and

¹ As defined in paragraph 11 of the 27 December Letter.

LD, in answer to **Question 11.4**;

- (4) **Part D** addresses the issue of the prevalence of smoking specifically in the renovation site at WFC, in answer to **Question 13**; and
- (5) **Part E** describes the steps taken by LD to address the Smoking Issue at WFC, in answer to **Question 14**.

Part A – Site inspections conducted by LD at WFC between July 2024 and November 2025

A1. Summary and timeline of inspections (in answer to Question 10.1)

- 6. WFC is a residential estate with 8 building blocks, where renovation works under the Mandatory Building Inspection Scheme and the Mandatory Window Inspection Scheme were in progress from July 2024 to the day of the outbreak of the fire (i.e. 26 November 2025).
- 7. A summary and timeline setting out all **16** occupational safety and health (“**OSH**”) inspections of the renovation works at WFC by LD between July 2024 and 20 November 2025 is at **[LD/B/1]**. I shall give a brief account of each of these inspections below.

[LD/B/1]

1st Inspection (22 July 2024) – initial inspection and complaint investigation

- 8. On 22 July 2024, the site at WFC was visited upon the receipt of six complaints via email and the OSH Complaint Platform (**[LD/B/2-7]**). Among these complaints, one complaint (**[LD/B/6]**) concerned smoking during construction work on site, whereas the rest of the complaints mainly concerned unsafe lifting operation of

[LD/B/2-7]

[LD/B/6]

scaffolding material and improper use of fall arresting equipment by workers during the scaffolding work. Upon receipt of the complaint ([LD/B/6]), LD also referred the smoking issue to the Fire Services Department (“FSD”) but FSD replied to LD that the smoking matter was not under the jurisdiction of FSD ([LD/B/6]).

[LD/B/6]

9. A site inspection was carried out by OSO I KWAN Yeuk-chuen (“SO-I KWAN”) for initial inspection and complaint investigation. As reported by SO-I KWAN, erection of scaffold was in progress at the site during the inspection. An electronic copy of the test report and delivery notes of protective screen (also called “scaffolding net”) ([LD/C/7&8]), among other site related documents ([LD/C/1-6&9]), were obtained from Prestige Construction & Engineering Company Limited (“PC&E”), the principal contractor, after the inspection. For further details on the test report and delivery notes, please refer to paragraphs 81 and 82.

[LD/C/7&8]

[LD/C/1-6&9]

10. Regarding the complaint about smoking, SO-I KWAN reported that no worker was found smoking on the site during the inspection. No cigarette stub was found at the complaint location. No flammable substances and materials were found on the site. Fire extinguishers were provided. Flammable substances and materials were not necessary to be used for the erection of scaffolds, which was the only work being carried out on the site during the inspection.

11. Regarding other complaints, it was found that no lifting work was being carried out, and lifting areas were properly fenced off. The riggers’ certificates were checked and found valid. Besides, all scaffolders were using fall arresting equipment properly.

12. In view of the above, SO-I KWAN recommended that the complaints be deemed “not justified”.

13. The observations and recommendations of SO-I KWAN were recorded in the Inspection Worksheet at [LD/B/8] and the minute (M-1) at [LD/B/9]. I endorsed his recommendations at M-1 ([LD/B/9]). A Construction Site Inspection Report (“CSIR”^{2, 3}) ([LD/B/9A]) was issued to PC&E, setting out reminders (i) that smoking or the use of naked lights is prohibited in a site where flammable liquid which involve danger from fire is used; and (ii) of other relevant safety requirements about lifting operation and work-at-height. Interim replies ([LD/B/95-99]) and substantial replies ([LD/B/100-104]) were issued in respect of the above complaints except the complaint at [LD/B/6], which was replied verbally on 31 July 2024.

[LD/B/8&9]

[LD/B/9&9A]

[LD/B/95-99]

[LD/B/100-104]

[LD/B/6]

2nd Inspection (8 August 2024) – normal inspection and complaint investigation

14. On 8 August 2024, a site inspection was carried out by SO-I KWAN regarding two complaint cases that were separately received via email ([LD/B/10 & 11]), concerning:-; (i) a bamboo member being too close to a window panel of a flat at WFC⁴; and (ii) a worker smoking on a scaffold. As reported by SO-I KWAN, the site was primarily engaged in the erection of scaffolds at the time of the inspection.

[LD/B/10&11]

² CSIRs are used to convey safety and health requirements to contractors. When irregularities are spotted at construction sites, a requirement under Part I or Part II would be entered at the relevant column with “✓”. For a contravention warranting the consideration of prosecution, e.g. when a contravention was discovered and worker was found engaged in the work that reach the relevant threshold of proof, a requirement under Part I would be “ticked” with and subsequent prosecution to follow. However, when a contravention was discovered but no worker was found working nearby, a requirement under Part II would be “ticked” to warn the contractor to rectify such situation.

³ In addition to the above, CSIRs also serve as a means to convey relevant safety matters by way of reminders to the contractors with reference to relevant regulations or safety measures copied from guidance notes or CoP under the headings of “Remarks” or “Advisory item(s)” and without “✓” in either Part I or Part II.

⁴ The complaint, which was not related to OSH, was addressed to the Incorporated Owners and Property Management Company of WFC for their actions and copying to LD for information.

15. Regarding the complaint about smoking, SO-I KWAN reported that no worker was found smoking on the inspected areas, except at the designated smoking area set up by PC&E at the open ground between Wang Chi House and Wang Shing House. Other findings were similar to those in paragraph 10.
16. During the inspection, SO-I KWAN was informed by PC&E that in-house rules for prohibition of smoking on the site were established by PC&E. The worker would be fined by PC&E if he/she was found smoking on the site for the first time. If the worker was found smoking on the site again, he/she would not be allowed to work on the site anymore [LD/B/13]. [LD/B/13]
17. In view of the above, SO-I KWAN recommended that the complaint be deemed “could not be justified”.
18. The observations and recommendations of SO-I KWAN were recorded in an Inspection Worksheet ([LD/B/12]) and a minute (M-2) ([LD/B/13]). I endorsed his recommendation. A CSIR ([LD/B/12A]) was issued to PC&E, setting out reminders (i) that smoking or the use of naked lights is prohibited in a site where flammable liquid which involves danger from fire is used; and (ii) of other relevant safety requirements for lifting operation and housekeeping. An interim reply ([LD/B/105]) and a substantial reply ([LD/B/110]) were issued in respect of [LD/B/11] and no reply was made to [LD/B/10] which was not related to OSH (refer to footnote 4). [LD/B/12, 13 & 12A] [LD/B/105&110] [LD/B/10&11]

3rd Inspection (27 August 2024) – normal inspection and complaint investigation

19. On 27 August 2024, a site inspection was carried out by SO-I KWAN regarding seven complaint cases. One of the complaints

- received by LD via email ([LD/B/16]) concerned workers' smoking and poor housekeeping at the site. The other complaints ([LD/B/14-15; 17-20]), received via email, the OSH Complaint Platform, and 1823, concerned:- (i) improper use of fall arresting system; (ii) unsafe lifting operation; and (iii) no valid inspection report of scaffold (CSSR Form 5) displayed . As reported by SO-I KWAN, the site was mainly engaged in erection of scaffold at the time of the inspection. [LD/B/16]
[LD/B/14-15; 17-20]
20. Regarding the complaint about smoking, the findings were similar to those stated in paragraphs 10 and 15.
21. Regarding the other complaints, it was found that most of the workers were using fall arresting equipment, but it could not be confirmed for two of the workers due to their working positions. Trained slingers and signalers for lifting operation were found on site, and lifting zones were defined.
22. In view of the above, SO-I KWAN recommended that the complaints be deemed "could not be justified".
23. The observations and recommendations of SO-I KWAN were recorded in an Inspection Worksheet ([LD/B/21]) and a minute (M-3) ([LD/B/22]). I endorsed his recommendation. A CSIR ([LD/B/21A]) was issued to PC&E, setting out reminders (i) that smoking or the use of naked lights is prohibited in a site where flammable liquid which involve danger from fire is used; and (ii) of other relevant safety requirements about fencing off of lifting zones, proper use of safety harnesses, report of scaffold and housekeeping. Interim replies ([LD/B/106-109]) and substantial replies ([LD/B/110-112]) were issued in respect of the above complaints except the complaints at [LD/B/14&15] for which no reply was required. [LD/B/21-22&21A]
[LD/B/106-109]
[LD/B/110-112]

4th Inspection (24 September 2024) – normal inspection and complaint investigation

24. On 24 September 2024, a site inspection was carried out by SO-I KWAN regarding four complaint cases received via 1823 and the OSH Complaint Platform ([LD/B/30-32 & 36], concerning:- (i) [LD/B/30-32&36] the improper use of fall arresting equipment by workers during scaffolding work; (ii) workers not wearing safety helmets; and (iii) no valid inspection reports of scaffold (CSSR Form 5) displayed at Wang Chi House and Wang Shing House. As reported by SO-I KWAN, the site was not in operation during the visit due to rain. Nevertheless, some irregularities on the scaffold (i.e. uncovered openings on scaffold for access and egress) were spotted by SO-I KWAN.
25. Regarding the complaints, no worker was found working on the scaffold and the site was not in operation at the time of visit. No falling hazards could be observed from the video provided by the complainant. On SO-I KWAN's request, relevant certificates of lifting appliances, lifting gear, risk assessment for erection of bamboo scaffolds and inspection reports of scaffold (CSSR Form 5) were provided by PC&E via email ([LD/C/10-14]). [LD/C/10-14]
26. In view of the above, SO-I KWAN recommended that the complaints regarding (i) the improper use of fall arresting equipment by workers while working on the scaffold⁵; (ii) workers not wearing safety helmets; and (iii) no valid inspection report of

⁵ This aspect of the complaint was deemed "could not be justified" based on the finding that no worker was found during the inspection. Besides, photographs from complainant showed that workers were working on scaffold with closely spaced bamboo poles and the use of fall-arresting equipment might not be necessary. A further visit on 21 October 2024 was made focusing on the issue of improper use of fall arresting equipment – see below.

scaffold be deemed “could not be justified”. Though some irregularities mentioned in paragraph 24 were spotted, no worker was found working nearby. Therefore, it was recommended that PC&E be warned by sending a CSIR.

27. The observations and recommendations of SO-I KWAN were recorded in Inspection Worksheets ([LD/B/33&34]) and a minute (M-4) ([LD/B/35]). I endorsed his recommendation. A CSIR ([LD/B/36A]) was issued to PC&E, giving the relevant warning on access and egress openings on scaffold, and reminders about the proper use of fall arresting equipment by workers and ensuring workers’ wearing of safety helmets during work. Interim replies ([LD/B/120-121]) and substantial replies ([LD/B/122-124]) were issued in respect of the above complaints except the complaint ([LD/B/32]) was replied verbally on 3 October 2024.
- [LD/B/33-35&36A]
- [LD/B/120-121&122-124]
- [LD/B/32]

5th Inspection (21 October 2024) – normal inspection and complaint investigation

28. In view of the number of complaints received during the past few months, a step-up inspection under the steer of Senior Divisional Occupational Safety Officer was conducted at the site on 21 October 2024.
29. The step-up inspection was conducted by a team of officers, including SO-I KWAN and OSO II CHENG Kam-ho (“**SO-II CHENG**”), led by me. Observation was made before entering the site. Prosecutable offences were detected regarding unsafe work-at-height activities as follows. SO-I KWAN noted that a worker was found working on the top of a grab-mounted lorry and was liable to fall from the edge of the lorry top outside Wang Shing House. SO-II CHENG noted that scaffolders were found not attaching their fall arrestors to independent lifelines during the

erection of a scaffold and were liable to fall from the scaffold at Wang Kin House. In view that contravention of regulation 38B(1) of the Construction Sites (Safety) Regulations, Cap. 59I, (“CSSR”) were detected in both of the aforesaid instances, two improvement notices (“INs”) dated 24 October 2024 ([LD/B/46A]) were issued to PC&E and one IN dated 24 October 2024 ([LD/B/46B]) was issued to the bamboo scaffolding sub-contractor, namely “Gain Profit Shed Industry Limited” (“GPSI”), to require them to rectify the hazardous conditions within 14 days after issue of the INs regarding the unsafe work-at-height activities in question.

[LD/B/46A&
46B]]

30. Five complaint cases were also handled during the inspection.

31. Three of these complaint cases handled by SO-I KWAN were received via the OSH Complaint Platform, OSH complaint hotline and 1823 (respectively at [LD/B/40, 41 & 42]), concerning: (i) cracks in bamboo members; (ii) smoking issue; and (iii) improper use of fall arresting equipment by workers during erection of scaffold.

[LD/B/40-42]

32. The other two complaint cases handled by SO-II CHENG were received via 1823. One of these complaints ([LD/B/43]) concerned unsafe storage of material on scaffold ([LD/B/43]), and the other ([LD/B/44]) concerned: (i) smoking; (ii) use of foamboard; (iii) dust problem; and (iv) scaffolding safety issue. For the latter complaint (i.e. [LD/B/44]), 1823 initially referred it to the Buildings Department (“BD”) and then the Independent Checking Unit of the Housing Bureau (“ICU”). Later, 1823 acted on ICU’s request to refer the scaffolding safety issue, i.e. defective bamboo members, to LD for our parallel action. Thus, the complaints regarding smoking; use of formboard and dust problem were handled by ICU.

[LD/B/43&44]

33. Regarding the smoking issue (related to **[LD/B/41&42]**), findings were similar to those stated in paragraphs 10 and 15. Besides, SO-I KWAN was told by PC&E that a worker had been banned from working on the site for violating the in-house rule of smoking **[LD/B/46]**. [LD/B/41&42]
[LD/B/46]
34. In view of the above, SO-I KWAN recommended that the complaints against smoking issue (relating to **[LD/B/41&42]**) be deemed “could not be justified”. [LD/B/41&42]
35. Regarding the improper use of fall arresting equipment (relating to **[LD/B/42]**), the scaffolders were found not attaching their safety harnesses to independent lifelines. SO-I KWAN and SO-II CHENG recommended that the complaint be deemed “justified”. [LD/B/42]
36. Regarding the other complaint items (relating to **[LD/B/40,43 &44]**), SO-I KWAN and SO-II CHENG reported that no permanent crack and defect was found at the bamboo members. Lifting zones were fenced off and bamboo members were temporarily and securely stored on the catch-fan of the scaffold. SO-I KWAN and SO-II CHENG recommended that the complaints against cracks and defects in bamboo members and unsafe storage of material be deemed “could not be justified”. [LD/B/40,43&44]
37. The observations and recommendations of SO-I KWAN were recorded in an Inspection Worksheet (**[LD/B/45]**) and minutes (M-6) and (M-7) (**[LD/B/46&47]**). I endorsed their recommendations above. Relevant sub-contract of GPSI was provided by PC&E via email (**[LD/C/15]**). CSIRs were issued to the PC&E (**[LD/B/46C]**) and to GPSI (**[LD/B/46D]**), giving the warnings for intended prosecution which were indicated in Part I of CSIR with a “✓” sign (refer to paragraph 13 and footnote 2), and also reminders to PC&E and GPSI (i) that smoking or the use of naked lights is [LD/B/45-47]
[LD/C/15&
LD/B/46C&D]

prohibited on site where flammable liquid which involves danger from fire is used; and (ii) of other relevant safety requirements about storage of material, health issue of dust and scaffolding material. Interim replies ([LD/B/128-131]) and substantial replies ([LD/B/132-136]) were issued in respect of the above complaints. The IN ([LD/B/49B]) and CSIR ([LD/B/49C]) were returned undelivered and re-sent by LD to GPSI ([LD/B/49D & 49E]).

[LD/B/128-131,
132-136]

[LD/B/49B-E]

38. The issuance of the three aforementioned INs recommended by SO-I KWAN and SO-II CHENG was approved by me. The aforementioned prosecution against PC&E and GPSI later resulted in the conviction of PC&E and GPSI⁶.

Referral to ICU

39. Given that the cracks in bamboo members, health issue of dust and the fire-retardant properties of scaffolding nets arising from previous complaints and enquiry were related to public safety, notwithstanding that the complaint was deemed not justified from the OSH perspective, referral was made to ICU on 11 November 2024 via memo at [LD/B/48] for their necessary and further actions.

[LD/B/48]

6th Inspection (18 November 2024) – normal inspection and IN follow-up inspection

40. On 18 November 2024, a site inspection was conducted by SO-II CHENG for normal inspection and follow-up on the INs issued to

⁶ Summonses number STS 3540-2/2025 were laid against PC&E and GPSI on 15 April 2025. STS 3540/2025 (contravention of CSSR 38B(1)) & STS3542/2025 (contravention of the CSSR 38B(1A)) were laid against PC&E and GPSI relating to the offence of erection of scaffold, while STS 3541/2025 (contravention of CSSR 38B(1)) was laid against PC&E relating to the offence of working on top of grab-mounted lorry. On 3 October 2025, PC&E was convicted of the offence under STS 3541/2025 and fined \$18,000 while GPSI was convicted of the offence under STS 3542/2025 and fined \$12,000. The prosecution applied to withdraw STS 3540/2025, which was granted by the court.

PC&E and GPSI as referred to in paragraph 29 above. As reported by SO-II CHENG, the site was mainly engaged in spalling and housekeeping work at the time of inspection.

41. Regarding the follow-up of the aforesaid INs, SO-II CHENG reported that scaffold erection work was completed at Wang Kin House. Relevant inspection report of scaffold (CSSR Form 5) was obtained from PC&E [LD/C/16]. No grab-mounted lorry was noted at Wang Shing House. Besides, no grab-mounted lorry was scheduled to remove construction debris on that day. SO-II CHENG was told that worker would work on the suitable working platform of grab-mounted lorry. Thus, no further action was recommended regarding the INs. [LD/C/16]
42. The observations and recommendations of SO-II CHENG were recorded in an Inspection Worksheet ([LD/B/50]) and a minute (M-8) ([LD/B/51]). I endorse his recommendation. A CSIR ([LD/B/51A]) was issued to PC&E, enclosing warnings regarding fall hazard, as well as access to and egress from workplace. [LD/B/50-51 & 51A]

7th Inspection (12 December 2024) – normal inspection and complaint investigation

43. On 12 December 2024, a site inspection was conducted by SO-I CHAU Ho-ying (“SO-I CHAU”) in connection with two complaints received via 1823 ([LD/B/52 & 53]), concerning: (i) use of wooden ladder; and (ii) improper use of fall arresting equipment by worker. [LD/B/52&53]
44. As reported by SO-I CHAU, no wooden ladder was found at the site. Erection of scaffolds at Wang Yan House and Wang Tao House were in progress. Sufficient independent lifelines were installed and the scaffolders met on spot were found wearing safety

helmets, with fall-arresting devices attached to independent lifelines.

45. As the same complainant lodged further complaints ([LD/B/54-56]) regarding improper use of safety harnesses and the condition of bamboo members (i.e. using “new” bamboo member) which might affect the structural safety of scaffold, SO-I CHAU recommended conducting a further site inspection on the use of wooden ladder and fall arresting equipment, and making referral to ICU and BD regarding structural safety and stability of the scaffold. I concurred with her suggestion and file was returned to her for further site inspection on the complaint cases before referral to ICU and BD. For details about the further site inspection carried out, please refer to paragraphs 47 to 50 below. [LD/B/54-56]
46. The observations and recommendations of SO-I CHAU were recorded in an Inspection Worksheet ([LD/B/57]) and a minute (M-9) ([LD/B/58]). I endorsed her recommendation. A CSIR ([LD/B/58A]) was issued to PC&E, setting out reminders about safe means of support and proper use of safety harness. [LD/B/57-58 & 58A]

8th Inspection (7 January 2025) – normal inspection and complaint follow-up investigation

47. On 7 January 2025, a complaint follow-up site inspection was conducted by SO-I CHAU in relation to complaint cases received via 1823 ([LD/B/52-56]), concerning (i) improper use of safety harnesses; and (ii) condition of bamboo member. As reported by SO-I CHAU, spalling, plastering and housekeeping work were in progress at the site at the time of inspection. [LD/B/52-56]
48. Regarding the complaint about improper use of safety harnesses (relating to [LD/B/52&53, 55&56]), it was found that no erection [LD/B/52&53, 55&56]

of scaffold was in progress, and it was recommended that the complaint against improper use of safety harness be deemed “could not be justified”.

49. The observations and recommendations of SO-I CHAU were recorded in an Inspection Worksheet ([LD/B/59]) and a minute (M-10) ([LD/B/60]). I endorsed her recommendation about improper use of fall arresting equipment. A CSIR ([LD/B/60A]) was issued to PC&E, giving warnings for fall protection and reminder for safe means of support and ensuring the use of safety harnesses. [LD/B/59 & 60]
[LD/B/60A]
50. Regarding the complaint at ([LD/B/54]) about the use of “new” bamboo members also known as “green” bamboo members, the conditions of bamboo members might adversely affect the structural safety and stability of scaffold that imposed hazard to the public. Therefore, referral to ICU and BD was recommended by SO-I CHAU for their necessary actions, and I agreed with her recommendation. Interim replies ([LD/B/137]) and substantial replies ([LD/B/138]) were issued in respect of the above complaints. [LD/B/54]
[LD/B/137&138]

Referral to ICU and BD

51. Memo to ICU ([LD/B/61]) and BD ([LD/B/62]) concerning the structural safety and stability of scaffold arising from the complaint at ([LD/B/54]) were issued on 8 January 2025 for their necessary actions. [LD/B/61&62]
[LD/B/54]

9th Inspection (10 February 2025) – normal inspection, promotional visit and complaint investigation

52. On 10 February 2025, a site inspection was conducted by SO-II

CHENG for normal inspection, promotional⁷ visit and complaint investigation. The complaint was received via 1823 ([LD/B/63]) regarding unsafe use of a fork-lift truck.

[LD/B/63]

53. As reported by SO-II CHENG, a fork-lift truck was found idle at the site. Nevertheless, test and examination certificates of the truck certifying that the forklift truck was in safe working order were provided by PC&E and the certificate of the operator was checked valid. Therefore, the complaint was recommended to be deemed “could not be justified”.

54. The observations and recommendations of SO-II CHENG were recorded in an Inspection Worksheet ([LD/B/64]) and a minute (M-11) ([LD/B/65]). I enforced his recommendation. A CSIR ([LD/B/64A]) was issued to PC&E reminding it to observe the relevant guidance notes for fork-lift trucks. Interim replies ([LD/B/139]) and substantial replies ([LD/B/140]) were issued in respect of the above complaints.

[LD/B/64,65
& 64A]

[LD/B/139&140]

10th Inspection (21 February 2025) – normal inspection and Special Enforcement Operation

55. With the support of divisional headquarters, the site at WFC was selected for Repair, Maintenance, Alteration and Addition Works cum Truss-out Scaffolding Safety Special Enforcement Operation (“SEO”)⁸ for Year 2025 (Phase 1). During the SEO, immediate prosecutions would be initiated against offenders violating the OSH legislation. The target areas of this SEO included work-at-height safety and electrical work safety. A technical team⁹ in

⁷ Promotional visit is a raise awareness activity carried out by OSOs in connection with an OSH inspection. Its primary purpose is educational and preventive to supplement enforcement inspections, fostering a culture of OSH with duty holders. During this visit, PC&E’s attention was drawn to the new requirements set out in the updated CoP for Bamboo Scaffolding Safety (5th edition).

⁸ For details about SEO, please refer to Part A of the Witness Statement of LI Man-pong.

⁹ The technical team consisted of two members, one DSO and one OSO. They had passed the

electrical aspect was deployed to conduct joint inspection with OSO of another office (Operations Division) Building and Engineering Construction (New Territories East and Kwun Tong)1 (“OD(C/E)1”) during this SEO.

56. On 21 February 2025, an inspection under the said SEO was conducted by a team of officers, including a leader, from the other two offices¹⁰. As reported by SO-I PANG Kwok-kwong, an electric cable connected to the distribution board was found not insulated and effectively protected at the roof of Wang Cheong House. However, no workers were found working near the electric cable. One IN dated 26 February 2025 [LD/B/69A] regarding the [LD/B/69A] ineffectively protected electric cable, in contravention of F&IU(Electricity) regulation 6, was issued to require PC&E to rectify the condition with electrical hazards within 14 days.
57. Further, a void was found between the scaffold and external wall outside 25/F of Wang Cheong House. Thus, the access to and egress from the bamboo scaffold was found unsafe since worker might be liable to fall more than 2 metres through the void. In view that no worker was found working nearby, no prosecutions were initiated. Instead, two INs dated 26 February 2025 regarding the access to and egress from the scaffold at the external wall were issued. One was issued to PC&E ([LD/B/69A], which covers also the contravention mentioned in the preceding paragraph, and the [LD/B/69A&69B] other to the bamboo scaffold sub-contractor ([LD/B/69B]), respectively to require them to rectify the hazardous condition regarding access and egress within 14 days. The observations and recommendations of SO-I PANG were recorded in an Inspection Worksheet ([LD/B/66]) and a minute (M-12) ([LD/B/67]). SO-I [LD/B/66&67]

Electrician / Electrical Fitter Upgrading Course and held valid licence.

¹⁰ The two officers of the technical team, including a leader from (Operations Division)(Kowloon-2 District Office) and an OSO-II from (Operations Division)(Three-Runway System Project Office)2

PANG's recommendation was endorsed by his supervisor, DSO(C/E)1 AU Cheuk-yin. CSIRs ([LD/B/69C] and [LD/B/69D]) [LD/B/69C&69D] were sent to them giving warnings of fall protection and electrical safety.

11th Inspection (5 March 2025) – normal inspection, complaint investigation and IN follow-up inspection

58. On 5 March 2025, an inspection was conducted at the site by SO-I CHAU for complaint investigations and follow-up on the INs referred to in paragraphs 56 and 57 above ([LD/B/69A & 69B]). [LD/B/69A&69B] Two complaints were received via complaint hotline and 1823 respectively at [LD/B/70] and [LD/B/71], concerning: (i) worker [LD/B/70-71] not wearing safety helmet; (ii) smoking issue; and (iii) building structural safety issue. An email ([LD/B/72]) was sent to inform [LD/B/72] 1823 that matters concerning structural safety was outside LD's jurisdiction.
59. As reported by SO-I CHAU, all workers were found to be wearing safety helmets while at work during the inspection. No worker was found smoking at the inspected areas. A designated smoking area had been set up at the site. No flammable liquid was found. In view of the above, SO-I CHAU recommended that the complaint be deemed "could not be justified".
60. Regarding the complaint about structural safety problem, SO-I CHAU recommended to refer the case to ICU and BD since it was outside the jurisdiction of LD.
61. Regarding the follow-up on the INs concerned, SO-I CHAU reported that suitable walkways were installed and secured at the bamboo scaffolds mounted on the external wall on the 25/F of Wang Cheong House. The electric cables connected to the

distribution box at the roof of Wang Cheong House were insulated and effectively protected. SO-I CHAU recommended that no further action was required for the INs since the hazardous conditions of the access and egress and electric cable had been rectified.

62. The observations and recommendations of SO-I CHAU were recorded in an Inspection Worksheet ([LD/B/73]) and minutes (M-13) and (M-16) ([LD/B/74&77]). I endorsed her recommendation. [LD/B/73, 74,74A&77]
 A CSIR ([LD/B/74A]) was issued to PC&E giving warnings for provision and maintenance of suitable access and egress and reminder for wearing of safety helmets. Interim replies ([LD/B/142]) and substantial replies via phone on 3 March 2025 and 17 March 2025 in respect of the above complaints were made. [LD/B/141&142]
 A record of phone reply is at [LD/B/141].

Referral to ICU and BD

63. Regarding the complaint on building structural safety, referral to ICU ([LD/B/75]) and BD ([LD/B/76]) was issued by memo on 6 March 2025 for their necessary actions. [LD/B/75 &76]

12th Inspection (30 April 2025) – normal inspection, pre-court inspection and complaint investigation

64. On 30 April 2025, a normal inspection was conducted at the site by SO-II CHENG in connection with pre-court inspection^{11,12} ([LD/E/12-13]) and complaint investigation. The complaint was received via 1823 ([LD/B/78]), concerning: (i) illegal workers; (ii) [LD/B/78]

¹¹ A pre-court inspection is a visit by OSOs after detecting a violation of OSH legislation at a workplace with prosecution instigated and prior to the legal proceedings to be held in court.

¹² With reference to paragraph 38, prosecution against PC&E was initiated on 21 October 2024, a pre-court inspection was conducted by an OSO to gather information regarding the updated situation at the workplace, including information on whether the condition of previous contravention was rectified, for the purpose of assisting the court in sentencing in plea hearing(s).

improper use of safety harnesses; and (iii) smoking on scaffolds. The complaint case was also assigned to the Immigration Department and the Tobacco and Alcohol Control Office (“TACO”) via 1823 for parallel actions. Pre-court inspection was also conducted ([LD/E/12-13]) in this site visit and result reported ([LD/E/14]).

[LD/E/12-14]

65. As reported by SO-II CHENG, plastering work was being conducted at the time of visit. No worker was observed working on the scaffolds. Safety harnesses and independently lifelines were found provided on the spot. No worker was found smoking and no flammable liquid was noted. In view of the above findings, SO-II CHENG recommended the complaint be deemed “could not be justified”.

66. The observations and recommendations of SO-II CHENG were recorded in an Inspection Worksheet ([LD/B/79]) and a minute (M-15) ([LD/B/80]). I endorsed his recommendation. A CSIR ([LD/B/80A]) was issued to PC&E giving the warnings relating to work-at-height safety and safe means of support. A substantial reply [LD/B/143] was issued in respect of the above complaint.

[LD/B/79,
80&80A]

[LD/B/143]

13th Inspection (21 July 2025) – normal inspection and promotional visit

67. On 21 July 2025, a site inspection was conducted at the site by SO-I CHAU for normal inspection and promotional visit¹³. Cleaning work after typhoon was conducted by PC&E on the day of inspection.

68. As reported by SO-I CHAU, some scaffolds were damaged and displaced as a result of the adverse weather during the previous

¹³ During this visit, “scaffolding safety after typhoon” was promoted to PC&E, with special emphasis that scaffold should be inspected and certified in safe working order by a competent person before use.

weekend. SO-I CHAU was informed that the use of scaffold had been prohibited until the scaffolds had been re-inspected and re-certified by a competent person. SO-I CHAU reminded PC&E to display notices on the prohibition of the use of scaffolds.

69. The observations of SO-I CHAU were recorded in an Inspection Worksheet ([LD/B/81]) and minutes (M-17) ([LD/B/82]). I endorsed her recommendation. A CSIR ([LD/B/82A]) was issued to PC&E setting out warnings relating to examination of scaffold and work-at-height safety. [LD/B/81, 82&82A]

14th Inspection (28 July 2025) – normal inspection and complaint investigation

70. On 28 July 2025, a site inspection was conducted at the site by SO-I CHAU regarding a complaint case received via 1823 ([LD/B/83]), concerning: (i) scaffolding conditions after typhoon; (ii) damaged scaffolding nets with holes; and (iii) falling objects. [LD/B/83]
71. Regarding the scaffold conditions after typhoon, SO-I CHAU reported that some damaged areas of scaffolds were found repaired. SO-I CHAU was informed that the use of the scaffolds had been prohibited until the scaffolds had been re-inspected and re-certified by competent person. SO-I CHAU reminded PC&E again to display notices of the prohibited use of scaffolds.
72. Regarding the holes in the scaffolding nets, SO-I CHAU reported that new scaffolding nets had been installed at most defective areas on the scaffolds where holes were found previously. SO-I CHAU was informed that the use of the scaffold had been prohibited until the repairing work of scaffolding nets were completed. Besides, no loosening material was found at the scaffold. Therefore, it was recommended that the complaint items against loosening of

scaffold and falling objects be deemed “could not be justified”.

73. The observations and recommendations of SO-I CHAU were recorded in an Inspection Worksheet ([LD/B/84]) and a minute (M-18) ([LD/B/85]). I endorsed her recommendation. Relevant inspection report of scaffold (CSSR Form 5) was provided by PC&E via email ([LD/C/17]). A CSIR ([LD/B/85A]) was issued to PC&E setting out warnings relating to examination of scaffold and work-at-height safety. A substantial reply [LD/B/144] was issued in respect of the above complaint. [LD/B/84, 85 & 85A & LD/C/17] [LD/B/144]

15th Inspection (2 October 2025) – normal inspection, promotional visit and accident investigation

74. On 2 October 2025, an inspection was carried out at the site by SO-II CHENG for normal inspection, promotional visit¹⁴ and accident investigation¹⁵.
75. As reported by SO-II CHENG, the scaffolds were checked with no irregularities observed. The workers were engaged in the maintenance of scaffolds at the time of inspection. In view of the coming typhoon, SO-II CHENG reiterated the preventive measures of bamboo scaffolds before and after typhoon to PC&E.
76. The observations of SO-II CHENG were recorded in an Inspection Worksheet ([LD/B/86]) and a minute (M-19) ([LD/B/87]). I endorsed his recommendation to issue a CSIR. A CSIR [LD/B/86&87]

¹⁴ During this visit, scaffolding safety before and after typhoon was promoted to PC&E, including the matters as follows. Measures should be taken to maintain the stability of the scaffold. All personnel should be safely and efficiently evacuated from the scaffold. After the typhoon, scaffold should be inspected and certified in safe working order by a competent person before restarting the work.

¹⁵ All accidents that happen in workplaces are required to be reported to the Employees' Compensation Division of LD in a prescribed form (i.e. Form 2) under the Employees' Compensation Ordinance (Cap. 282). A Form 2 was received by the office under my charge regarding an accident involving a worker slipping on the working platform of a scaffold with his chest struck to the end of a bamboo pole on 3 July 2025, and accordingly an accident investigation was conducted at the site.

[LD/B/87A] was issued to PC&E setting out reminders about safety measures regarding adverse weather conditions. [LD/B/87A]

16th Inspection (20 November 2025) – normal inspection and complaint investigation

77. On 20 November 2025, an inspection was conducted at the site by SO-I CHAU for normal inspection and complaint investigations. The complaints in question were received by LD by a referral memo from ICU ([LD/B/88]) and emails ([LD/B/89&90¹⁶]), concerning: (i) safety standard of scaffolding nets and falling objects; and (ii) smoking on the scaffolds. [LD/B/88-90]
78. Regarding the smoking issue, SO-I CHAU reported that no worker was found smoking at the site. A Safety Officer of PC&E informed SO-I CHAU that PC&E had set up a designated smoking area at the site, and workers received briefings weekly reminding them to smoke only at the designated smoking area. Besides, no flammable liquid was found at the site. No work involving the use of naked lights was observed. On SO-I CHAU’s request, PC&E subsequently provided a test report of scaffolding nets ([LD/C/18]) via email. For details, please refer to paragraphs 83 and 84. In view of the above, SO-I CHAU recommended that the complaint be deemed “could not be justified”. [LD/C/18]
79. The observations and recommendations of SO-I CHAU were recorded in an Inspection Worksheet and a Checklist at [LD/B/91-92] and a minute (M-20) at [LD/B/93]. I endorsed her recommendation. A CSIR ([LD/B/93A]) was issued to PC&E, setting out reminders (i) that the prohibition of smoking or the use of naked lights in a site where flammable liquid which involves [LD/B/91-93 & 93A]

¹⁶ For this complaint, the complainant addressed the complaint email to LD, TACO, BD and FSD.

danger from fire is used; (ii) for the provision of working platform; and (iii) for prevention of falling object. An interim reply ([LD/B/145]) and substantial replies ([LD/B/146-147]) were issued in respect of the above complaints. A subsequent complaint case received via email on 21 November 2025 ([LD/B/94]) concerning falling object was not investigated due to the outbreak of fire.

[LD/B/145-
147]

[LD/B/94]

A2. Officers who conducted the inspection (in answer to Question 10.2)

80. A summary on the number of officers who conducted each of the inspections referred to in Part A1 and their names are tabulated below:

	Date of inspection	No. of officers	Names of officers
1.	22 July 2024	1	SO-I KWAN *
2.	8 August 2024	1	SO-I KWAN *
3.	27 August 2024	1	SO-I KWAN *
4.	24 September 2024	1	SO-I KWAN *
5.	21 October 2024	3	LAM Sau-ching, SO-I KWAN *, SO-II CHENG
6.	18 November 2024	3	SO-I CHAU, SO-II CHENG *, WONG Oi-ning
7.	12 December 2024	2	SO-I CHAU *, SO-II CHENG
8.	7 January 2025	1	SO-I CHAU *
9.	10 February 2025	2	SO-I CHAU, SO-II CHENG*
10.	21 February 2025	4	CHAN Hing-fai, PANG Kwok-kwong*, LAM Tik-hang, HUNG Tsz-hin
11.	5 March 2025	2	SO-I CHAU *, SO-II CHENG
12.	30 April 2025	1	SO-II CHENG *
13.	21 July 2025	1	SO-I CHAU *
14.	28 July 2025	2	SO-I CHAU *, SO-II CHENG
15.	2 October 2025	3	WAI Shu-kee, SO-I CHAU, SO-II CHENG *
16.	20 November 2025	1	SO-I CHAU *

*Denotes the officer-in-charge

A3. Inspections and test reports on scaffolding nets used at WFC (in answer to Question 10.3)

81. During the 1st Inspection of the site on 22 July 2024, SO-I KWAN proactively requested PC&E to provide the relevant test report(s) of scaffolding nets to confirm their compliance with the fire-

retardant standards stipulated in the Code of Practice (“CoP”) for Bamboo Scaffolding Safety (5th Edition), which was not yet in force at the time. PC&E could not provide the relevant test report of scaffolding nets at the time of the inspection, but it subsequently furnished the same to SO-I KWAN via email on 24 July 2024 ([LD/C/7]). The report stated that the fire-retardant property of the scaffolding nets met the standard of GB 5725-2009, which is one of the acceptable standards stipulated in the CoP for Bamboo Scaffolding Safety (5th Edition).

[LD/C/7]

82. SO-I KWAN also obtained a delivery note ([LD/C/8]) from PC&E, which showed that the fire-retardant test on the scaffolding nets was conducted by “国家劳动保护用品质量监督检验中心(北京)” on 5-8 January 2024 and the manufacturer “山东宸旭化纤绳网有限公司” made a direct delivery of the scaffolding nets to WFC.

[LD/C/8]

83. During the 16th Inspection of the site on 20 November 2025 in connection with a complaint on the condition of the scaffolding nets, SO-I CHAU requested PC&E to provide the relevant test report(s) of the scaffolding nets, because some nets were damaged during typhoon and replaced afterwards. PC&E could not provide the relevant test report of scaffolding nets at the time of the inspection, but it subsequently furnished the relevant test report to SO-I CHAU via email on 20 November 2025 ([LD/C/18]). When the test report was received, we focused on the test result but did not notice at the material time that the report received was the same as the one LD received on 24 July 2024.

[LD/C/18]

84. Since PC&E had provided fire retardant test report demonstrating the fire-retardant standard of the scaffolding nets in compliance with GB 5725-2009, which is one of the acceptable standards stipulated in the CoP for Bamboo Scaffolding Safety (5th Edition)

which has since come into force on 19 October 2024, no follow-up action and no enforcement action was taken.

Part B – LD’s Reply (in answer to Question 11.1 to 11.3)

85. I am the author of the subject Reply dated 4 October 2024. I shall in this Part illustrate the bases of the statements and/or assessments made in the Reply.

“根據現時勞工處所執行適用於建築地盤的安全條例中，並沒有涵蓋關於棚網或任何物料的阻燃標準”

86. The fire-retardant standards for scaffolding nets were at all material times and are to date not a prescribed requirement under the OSH legislation. At the time when the Reply was issued on 4 October 2024, the prevailing version of the CoP for Bamboo Scaffolding Safety was its 4th edition ([LD/A/20]). Section 4.4.4(d) thereof reads: [LD/A/20]

“...suitable protective screen of fire-retardant material should be provided to confine falling objects. If tarpaulin is being used as protective screen, its fire-retardant characteristic should meet the requirement of BS 5867-2:2008 or other equivalent national/international standards or provisions.”

In other words, only the fire-retardant characteristic for tarpaulin was specified in the CoP, and the CoP was silent on this in relation to other materials like scaffolding nets, plastic sheeting, canvas. Therefore, while the CoP (4th edition) requires contractors to provide protective screen of fire-retardant material, it does not provide specific standards for them to follow.

87. The CoP (5th edition) ([LD/A/21]) became effective on 19 October 2024. Section 4.4.4(d) specifies examples of recognised fire-retardant standards for scaffolding nets, namely GB 5725-2009, BS 5867-2:2008, NFPA 701:2019, or equivalent standards. [LD/A/21]
88. At the time of issuing the Reply, I was well cognizant of the applicable requirements on the fire-retardant standards regarding scaffolding nets (i.e. those stated in the 4th Edition), as well as the new standards which will be introduced upon the 5th Edition coming into effect on 19 October 2024. And the above formed the main bases of my statement under the present heading.

“棚網發生火災的風險相對較低”

89. Based on the findings and observations of the four inspections between July 2024 and September 2024 (i.e. the 1st, 2nd, 3rd and 4th Inspections referred to in paragraphs 8 to 27 above) outline in Part A1 above and information from PC&E, it was confirmed that the major work of the construction site involved erection of bamboo scaffolds, mosaic removal work and plastering work. As such, hot work, use of naked light and flammable liquid was not required for the construction work of the site. Furthermore, no such related work was found conducted during the investigations and inspections.
90. As mentioned in Parts A1 and A3, notwithstanding that the 5th Edition of the CoP had not come into play, during the 1st Inspection of the site at WFC on 22 July 2024, the office under my charge proactively obtained from PC&E the relevant test report of the scaffolding nets ([LD/C/7]) to check the fire-retardant properties of the scaffolding nets. Moreover, a delivery note was also obtained from PC&E ([LD/C/8]), showing that the manufacturer made a direct delivery of the scaffolding nets to WFC after the test [LD/C/7]
[LD/C/8]

of fire-retardant property.

91. Based on my assessment taking into account the nature of construction work on site at the time and the relevant test report obtained from PC&E as aforementioned, indicating the scaffolding nets were in compliance with the fire-retardant properties under GB 5725-2009, the establishment of the designated smoking area, and the in-house rules as mentioned in paragraphs 15 and 16 above, I was of the opinion that the risk for scaffolding nets to catch fire was relatively low.

Reminders to PC&E for prevention of fire

92. In addition, PC&E was repeatedly reminded to implement fire prevention measures at the site to prevent the outbreak of fire. Three CSIRs dated 2 August 2024, 9 August 2024 and 2 September 2024 at [LD/B/9A, 12A&21A] were issued, reminding PC&E that “Steps shall be taken to ensure that smoking or the use of naked lights is prohibited in a site where flammable liquid or any mixture containing such liquid or any substance or thing which will involves danger from fire is used.” [LD/B/9A, 12A&21A]
93. Please also refer to Part E of the Witness Statement of LI Man-pong concerning the further steps and review carried out by LD subsequent to the Reply.

Part C – Correspondence exchanged between the Complainant and LD (in answer to Question 11.4)

94. The correspondence exchanged between the Complainant and LD are tabulated below:

Description	Date	List of Document
Enquiry by the Complainant about construction site notification and fire-retardant scaffolding net via email	2024.09.06	[LD/B/23]
Enquiry by the Complainant about fire-retardant material and safety helmet issue via email	2024.09.16	[LD/B/24]
Interim reply by LD regarding LD/B/23	2024.09.16	[LD/B/113]
Substantive reply by LD regarding LD/B/23 & 24	2024.10.04	[LD/B/114]
Enquiry by the Complainant about LD's inspection strategy via email	2024.10.06	[LD/B/25]
Email reply of LD regarding LD/B/25	2024.11.05	[LD/B/115]
Enquiry by the Complainant about LD's inspection strategy via email	2025.01.21	[LD/B/26]
Email reply of LD regarding LD/B/26	2025.02.17	[LD/B/116]
Enquiry by the Complainant about inspection details via email	2025.02.20	[LD/B/27]
Email reply of LD regarding LD/B/27	2025.03.18	[LD/B/117]
Enquiry by the Complainant about court case number via email	2025.03.22	[LD/B/28]
Email reply of regarding LD/B/28)	2025.04.16	[LD/B/118]
Enquiry by the Complainant about court case number via email	2025.04.16	[LD/B/29]
Email reply of LD regarding LD/B/29)	2025.05.08	[LD/B/119]

[LD/B/23-29
& 113-119]

Part D – Prevalence of smoking specifically in the renovation site at WFC (in answer to part of Question 13)

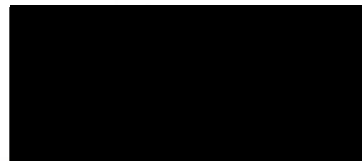
95. During the inspections made by OSOs to the renovation site at WFC from July 2024 to November 2025, while some workers were found smoking at the designated smoking area set up by PC&E, no worker whom LD officers met at the working areas was found smoking. Based on these findings, there is no cogent basis to

suggest that smoking was prevalent in the renovation site at WFC.

Part E – Describe steps taken to address smoking issues at WFC (in answer to part of Question 14)

96. For the details in issuing of prohibition of smoking notice (“PSN”), please refer to Part C of the Witness Statement of LI Man-pong. As such, smoking issue at WFC did not reach to the threshold for issuing of PSN. Therefore, before the fire, LD has not issue any PSN by virtual of regulation 53 of the CSSR.
97. Although PSN under regulation 53 of the CSSR has not been issued, we noted that PC&E had already set up designated smoking area and implemented in-house rules (paragraphs 15 and 16) to control the smoking behaviour of workers.
98. In view of the induced fire risk arising from smoking, referral had been made to FSD in the early stage. Please see paragraph 8 above.
99. 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.



LAM Sau-ching

#2126421