

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

**THIRD WITNESS STATEMENT OF
Mr KU SIU PING**

I, KU Siu Ping, Senior Maintenance Surveyor of Independent Checking Unit (“**ICU**”) 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 same KU Siu Ping who gave two Witness Statements dated 16 January 2026 (“**First Statement**”) and 28 January 2026 (“**Second Statement**”) respectively to the Independent Committee (“**Committee**”) in relation to the fire at Wang Fuk Court in Tai Po.
2. I make this third Witness Statement specifically to explain in greater detail the inspections carried out in respect of scaffolding nets and foam boards during the Wang Fuk Court renovation works (“**WFC Renovation**”), as well as to respond to the request of the Committee as set out in the letter from Messrs. Lo & Lo, Solicitors dated 30 March 2026 (“**30 March Letter**”), and some of the matters raised in the Letter from Mr TSE Kam Ming Franco (“**Mr Tse**”) dated 11 March 2026 and the Witness Statement of 江祥發 (“**Mr Kong**”) (a resident of Wang Fuk Court) dated 9 March 2026. For the avoidance of doubt, I would not respond to the Supplemental Witness Statement of Mr Kong dated 13 April 2026 here, as I have not had a chance to properly review the same.
3. I understand that the Committee has circulated Bundles (e.g. Bundles I1-1 to I1-4 and I2) which contain relevant documents in

ICU's and other Involved Parties' possession. ICU will also produce to the Committee a 3rd List of Documents ("3rd LoD"), a draft of which I have read. In this Witness Statement, I shall refer to the relevant documents by their designated reference, e.g. [I1-1/A/1/1] denotes Item 1 on page 1 of Part A of Bundle I1-1 and [ICU3/A/1] denotes Item 1 of Part A of the 3rd LoD.

(I) **Manpower of ICU's Mandatory Building Inspection Scheme Team ("MBIST") and its Usual Practice in Arranging Inspections**

4. In the light of the relevant background and contexts as explained in my First Statement, the Mandatory Building Inspection Scheme ("MBIS") is a scheme that places primary reliance on the self-regulation of the construction industry's professionals for its implementation. This spirit is reflected in the design of the regime – according to section 30D of the Buildings Ordinance, Cap. 123 ("BO"), under the MBIS, an appointed registered inspector ("RI") is responsible for providing proper supervision of the carrying out of the MBIS-prescribed repair and ensuring that the repair materials to be used are not defective and comply with all relevant Ordinances and Regulations, as well as codes of practice and practice notes.
5. For property developments subject to ICU's statutory control as explained in paragraphs 10 to 13 of Mr LAU Fu Kwok's Statement, insofar as the MBIS is concerned, ICU would, acting on behalf of the Building Authority ("BA"), conduct audit checks on the relevant submissions made by the RI at two points in time, i.e. (i) upon completion and submission of the Inspection Report, and (ii) upon completion of the MBIS-prescribed repair works. If a submission made at these two points in time is sampled for site

audit, ICU would carry out such audit in accordance with the relevant manual, code of practice and guideline.

6. The MBIS team, i.e. MBIST of ICU, is responsible for implementing the MBIS and the Mandatory Window Inspection Scheme (“MWIS”) for properties under ICU’s purview. The team’s main responsibilities include:-

- (a) preparing building data for selecting Target Buildings for the MBIS and MWIS;
- (b) preparing and issuing Statutory Notices (“SNs”) including searching landlord information;
- (c) processing statutory submissions received;
- (d) conducting audit checks;
- (e) taking enforcement action against non-compliant owners including issuing fixed penalties, applying for court orders and referring cases to the Buildings Department (“BD”) for prosecutions; and
- (f) handling complaints and enquiries.

7. The MBIST in ICU is headed by a Senior Professional Officer (“SPO”) (i.e. me being the incumbent) and underpinned by five Professional Officers (“POs”). There are also 12 other staff members, but they are all technical officers of lower seniority, hence most of the work that requires professional knowledge or judgement is shared amongst the abovesaid six professional officers.

8. As an illustration of the manpower and workload of the MBIST, in 2025, the team:-

- issued 21 SNs under the MBIS and nearly 17 000 SNs under the MWIS;
- handled about 32 000 MWIS submissions;

- issued 275 fixed penalty notices to owners who did not comply with the MWIS notices;
- investigated 25 prosecution cases under the MWIS; and
- handled 1 300 complaints or enquiries under the MBIS and the MWIS (excluding verbal enquiries by phone).

Such figures are also tabulated below for easy reference. Of note, apart from newly issued SNs, the MBIST also needs to attend to SNs previously issued but not yet complied with in 42 courts/estates (which are in different stages, e.g. engaging RIs, prescribed inspection by RIs underway, renovation underway, etc.). Furthermore, given the large number of MWIS SNs and related complaints or enquiries, a significant proportion (i.e. almost 90%) of the MBIST's time and efforts is dedicated to the MWIS.

	MBIS	MWIS
SNs issued in 2025	21 (one SN may cover an entire estate/court)	Nearly 17 000
MWIS submissions handled in 2025	-	Nearly 32 000
Fixed penalty notices issued in 2025	-	275
Prosecution cases investigated in 2025	-	25
Complaints and enquiries handled in 2025	1 300 (excluding verbal enquiries by phone)	

9. The above figures exemplify the significant volume and diversity of work handled by the MBIST with its limited professional resources. Against this backdrop, the POs of the MBIST are required to exercise their professional judgement across a wide range of statutory and administrative responsibilities, with the

WFC Renovation being one of many matters under the team's purview at any given time.

Practice of arranging inspections

10. Between 1 July 2024 and 26 November 2025, a total of 10 site inspections on Wang Fuk Court (or individual building(s) therein) had been conducted by ICU. A schedule summarising the parties involved, purpose of visit and other related details is at [I1-4/C(2)/(i)/1/8744-8767]. In response to the questions set out in the 30 March Letter, an updated schedule of visits with additional details, including whether notification was given to any other parties and the considerations behind such arrangements, is provided as an Annex to this third Witness Statement (see additions in blue). The background and process of those more relevant inspection relating to scaffolding nets and foam boards are set out in greater detail in paragraphs 15 to 67 below. [I1-4/C(2)/(i)/1/8744-8767]
11. I would like to stress that the purpose of the abovesaid site inspections conducted by ICU was mainly to address certain complaints and / or enquiries received. Such inspections were not carried out for the purpose of site audit mentioned in paragraph 5 above, the purpose and mechanism of which are clearly provided for in the relevant manual, code of practice and guideline. Nor are they comparable to surprise checks conducted by other law enforcement agents or by ICU for other purposes (with the details set out in paragraphs 68 to 71 below).
12. Furthermore, given that the purpose of such site inspections was to address complaints and enquiries, and that the RI is the responsible party under the MBIS regime and the Registered Contractor (“RC”) is the one who carries out actual works, it is imperative that the RI and / or RC (or their representatives) are

present such that ICU can:–

- (a) better understand the actual situation in respect of the site or the works;
- (b) assess whether the subject matter being complained or enquired about could be substantiated; and
- (c) request the RI and / or RC (or their representatives) to give explanations as well as make improvements / rectifications as necessary, thereby enabling ICU to better understand the situation and consider any appropriate follow-up actions to be taken.

In other words, the practice of arranging site inspections with the presence of the RI and / or RC (or their representatives) is not only in line with the self-regulatory spirit of the MBIS, but also a practical necessity given the nature and purpose of such inspections. The presence of the RI and / or RC (or their representatives) is essential to enable ICU to effectively discharge its role in addressing the complaints and enquiries received.

- 13. The above is consistent with the fact that the primary responsibility of supervising the works and ensuring compliance with the relevant statutory requirements rests with the RI and RC. Whilst ICU also has a role to play by conducting checks at prescribed stages and responding to complaints and enquiries as they arise, it is not its role to provide continuous oversight of the works.
- 14. With the above in mind, I now go on to provide more details on the relevant site inspections which took place.

(II) Scaffolding NetsInspections relating to scaffolding nets

15. As explained in paragraph 48 of my First Statement, 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 properties and ageing of the scaffolding nets used for the WFC Renovation [I1-4/C(1)/10/8252-8257, I1-4/C(1)/20/8380 & I1-4/C(1)/39/8689-8720], ICU conducted site inspections on 28 October 2024, 18 November 2024 and 28 October 2025, where on-site quick tests were conducted on scaffolding nets in the presence of ICU's staff. [I1-4/C(1)/10/8252-8257, I1-4/C(1)/20/8380 & I1-4/C(1)/39/8689-8720]
16. During these three inspections, a total of 17 spots were randomly picked by me for conducting quick tests. No prior notice of the precise location of such spots was given to the RI / RC. I should add that the samples were taken from the ground floor or rooftop, not only because they were more accessible, but also to ensure that the sampling was done at spots which were within the sight of ICU's staff. All sampling locations were selected randomly during the site walks, i.e. selected and announced one by one instead of all in one go at the start. On 28 October 2024, since it was the first time ICU conducted quick tests, and the fire-retardant property of the scaffolding nets was not the only focus of the inspection, two locations were randomly chosen as ICU walked around the site. On 18 November 2024, more locations were tested as an extra safeguard, and ICU endeavoured to have a wide distribution of samples from different blocks. On 28 October 2025, given the replacement of nets, both the old and new nets were tested. Save for one of the tests on 28 October 2024 ("**the Test**"), the video record of which was shown by the Committee's Leading Counsel

when delivering his opening address on 19 March 2026, the results of all other quick tests conducted (altogether 16 tests) did not give rise to any concerns. For the Test in which the sample was ignited after being burnt for about 10 seconds, two re-tests of the same small piece of scaffolding net were conducted immediately, and the same sample was not ignited. Since such quick tests were not conducted in controlled environments and both re-tests yielded negative results, and scaffolding net was not the only focus of this particular inspection, ICU did not conduct further re-tests on the same day, but it did conduct further tests as an extra safeguard on 18 November 2024. All relevant photo and video records of the three inspections were provided to the Committee **[I1-4/D/(A)/1-3/8988-8990 & I1-4/D/(B)/2, 4 & 10/9000-9033, 9037-9065 & 9094-9118]**, with the relevant details of the tests further elaborated in the ensuing paragraphs.

[I1-4/D/(A)/1-3/8988-8990 & I1-4/D/(B)/2, 4 & 10/9000-9033, 9037-9065 & 9094-9118]

(i) Site inspection on 28 October 2024

17. On 5 October 2024, ICU was copied in an email entitled, “Subject: Re: 轉寄:勞工處就App70要求誤導宏福苑居民” (**[I1-4/C(1)/10/8252-8257]**), where the enquirer raised concerns on the fire risks of the WFC Renovation and stressed the importance of ensuring the fire-retardant properties of the scaffolding nets. Around the similar time, ICU also received several other complaints and enquiries, covering issues including use of foam boards, quality of bamboo scaffolding, etc., pertaining to the WFC Renovation **[I1-4/C(1)/8/8221-8228, I1-4/C(1)/9/8229-8251, I1-4/C(1)/11/8258-8273, I1-4/C(1)/12/8274-8285 & I1-4/C(1)/13/8286-8319]**.
18. In view of these complaints and enquiries received involving multiple issues of concern, ICU issued an email to the RI in charge of the WFC Renovation on 22 October 2024 (Tuesday), requiring that he took immediate actions to address such issues, as well as

[I1-4/C(1)/10/8252-8257]

[I1-4/C(1)/8/8221-8228, I1-4/C(1)/9/8229-8251, I1-4/C(1)/11/8258-8273, I1-4/C(1)/12/8274-8285 & I1-4/C(1)/13/8286-8319]

asking for the arrangement of a site inspection for ICU to better understand the circumstances [I1-4/C(2)/(ii)/6/8781-8784]. The exact date and time of the site inspection, i.e. 10:00 a.m. on 28 October 2024 (the following Monday), were firmed up vide ICU's email on 23 October 2024 (Wednesday) [I1-4/C(2)/(ii)/7/8785].

[I1-4/C(2)/(ii)/6/8781-8784]

[I1-4/C(2)/(ii)/7/8785]

19. As illustrated in paragraphs 10 to 11 above, this inspection was not a site audit under the MBIS regime, but a self-initiated session that arose from the above-said complaints and enquiries. Its purpose was to discuss those concerns raised in ICU's email dated 22 October 2024 [I1-4/C(2)/(ii)/6/8781-8784] with the RI and RC, and to ascertain how the RI and RC could address such concerns, such that ICU could take follow-up actions as appropriate if need be, as well as reply to the complaints and enquiries. As such, it was not conducted in the form of a surprise check. To the contrary, one of the priorities at the time was for the multitude of issues to be brought to the immediate attention of the RI and RC such that they could be addressed and dealt with sooner rather than later, with a view to protecting the interest of residents and the public.
20. At the material time, I understood that there were certain standards governing the use of scaffolding nets (with further details set out in paragraph 28 below). As such, when my team met the RI's assigned person and the RC on site, I asked them to provide a copy of the test report, which was shared with Ms LAU Ka Man, Maintenance Surveyor/ICU14 ("Ms Lau") by the RC via WhatsApp shortly after my request [I1-4/C(2)/(ii)/9/8790-8797]. Our reading of the report is also further illustrated in paragraph 28 below.
21. In addition to asking for a copy of the test report, I also took an extra step to request the RC to conduct quick tests on site (as a rough but handy cross-check). It is however worth noting that,

[I1-4/C(2)/(ii)/6/8781-8784]

[I1-4/C(2)/(ii)/9/8790-8797]

unlike laboratory tests which are performed in a controlled environment in strict accordance with well-established standards, there is no well-recognised industry standard for conducting on-site quick tests. Notwithstanding so and as an ancillary measure, such quick tests served to provide a practical (albeit rough) indication of the fire-retardancy of the scaffolding nets under actual site conditions. In other words, ICU relied primarily on the test certificates, and the quick tests were conducted to provide a further quick reference, as they could be administered readily without much time and costs as a handy cross-check.

22. In this connection, I note that the Committee's Leading Counsel seemed to suggest at the Evidential Hearing on 19 March 2026 that he believed ICU had a misunderstanding about the absence of standards for quick tests. I would like to clarify the meaning of note 5 of my First Statement – it was intended to indicate that there were no established industry standards governing the procedures and methodology on quick tests **carried out on-site**, which are distinct from standards applicable to laboratory tests. I would also like to stress that such quick tests (despite the absence of standards) were conducted as a supplementary measure on top of, and not as a substitute for, the reliance on the test report. The purpose of the quick tests was simply to obtain a practical on-site observation of the fire-retardancy of the scaffolding nets, so as to identify if there was any obvious cause for concern on the nets that would warrant follow-up actions, rather than to positively confirm that the nets were in compliance with relevant standards of fire-retardant properties.
23. In other words, a test report confirming compliance with the relevant standards of fire-retardant properties is the primary source of confirmation relied upon by ICU, which would generally speaking be sufficient for ICU's purposes; the decision to carry out

on-site quick tests for an actual observation of the fire-retardancy of the sample scaffolding nets was an additional measure taken out of caution.

24. During the inspection, we first walked around the ground floor, and I asked the RI's assigned person and RC to conduct a quick test on the scaffolding nets. I requested the RC to cut a small piece of the scaffolding nets from a random location that I pointed at on the ground floor and burn it with a lighter in the presence of the RI's assigned person and ICU's staff. As the sample was not ignited, we did not raise any concerns.

25. Then, we moved to the rooftop where I suggested conducting another quick test on the scaffolding nets. The RC cut another piece of scaffolding nets, again from a location that I randomly pointed at, and moved to burn it in a less windy corner.

26. During the first attempt, it was my observation that the sample was ignited and burnt for about 10 seconds. I was concerned about it; the RC then immediately proceeded to re-test the same small piece of scaffolding net twice. For both of these subsequent attempts, the same sample was not ignited at all, with the captured videos at [I1-4/D/(A)/1/8988]. At that time, we considered such arrangement acceptable since it is not uncommon to re-test the same sample to confirm the test result after a failed attempt for the first time. That was also why two further tests at the near locations of the same safety net were immediately carried out as a cross-check.

[I1-4/D/(A)/1/8988]

27. Given that the two re-tests produced results whereby the samples did not ignite, we considered that the initial result was not conclusive and that the subsequent re-tests, coupled with the test report provided by the RC, did not raise further concerns on the

whole. The videos and photos taken on the day of site inspection are at [I1-4/D/(A)/1/8988 & I1-4/D/(B)/2/9000-9033]. Also, as explained in paragraph 17 above, this particular site inspection was meant to cover a range of other issues, with the scaffolding nets being only one of them.

[I1-4/D/(A)/1/
8988 & I1-4/D/
(B)/2/9000-9033]

28. The above notwithstanding, in respect of the scaffolding nets, ICU's consideration did not rest primarily (let alone solely) on the quick tests. Upon receipt of the test report on the same day, we checked it against the relevant standards – according to BD's Circular Letter dated 21 March 2023 [I1-1/A/20/1370], scaffolding nets installed to cover the façade of buildings should have appropriate fire-retardant properties in compliance with a recognised standard such as GB 5725-2009 (National standard), BS 5867-2:2008 (British standard) or NFPA 701:2019 (American standard). The test report we received demonstrated compliance with the GB 5725-2009 standard. On the basis that the verification of compliance of construction materials (e.g. fire door, concrete, steel reinforcement, etc.) **through certification** is a common practice under the MBIS regime as well as the construction industry as a whole, we did not see sufficient basis to question the result of the series of quick tests or the fire-retardant properties of the nets on the basis of the materials before us at that time.

[I1-1/A/20/1370]

29. As an extra safeguard, further to the quick tests conducted on 28 October 2024, at the next site inspection on 18 November 2024, we also conducted further quick tests with 12 other samples (with further details set out in paragraphs 30 to 33 below).

(ii) Site inspection on 18 November 2024

30. As explained in paragraph 48 (ii) of my First Statement, following the site inspection on 28 October 2024 and the memo from the

Labour Department (“LD”) [I1-4/C(1)/20/8380], I conducted this inspection on 18 November 2024 with Ms Lau and Mr LEE Ka Ho, Assistant Clerk of Works/ICU26 (“Mr Lee”). Since ICU already established contact with both the RI and RC through the previous visit on 28 October 2024, and intended the inspection to materialise sooner, it simply notified them both through WhatsApp, without mentioning the purpose or subject matter of the inspection. The notification was given on the morning of 18 November 2024, and the inspection took place on the afternoon of the same day. [I1-4/C(1)/20/8380]

31. Although we had already checked the test report for the scaffolding nets and considered it in order before this inspection, we still requested the RC and RI’s assigned person to conduct further quick tests as only two locations were tested during the inspection on 28 October 2024 (amongst many other matters to be addressed back then). These further tests served as an extra safeguard, as ICU randomly selected 12 locations on 18 November 2024 in addition to the two locations on 28 October 2024. At my request, the RC cut small samples from the scaffolding nets at 12 locations randomly pointed at by me and burnt them with a lighter:-
- 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.
32. We had no specific concerns on all of the 12 samples tested. Taken together with our earlier review of the test report (which *prima facie* constitutes an objective and credible benchmark given that it

was conducted in accordance with well-established laboratory standards), the cumulative results of the quick tests across the inspections provided no ground to question the fire-retardant properties of the scaffolding nets at the time.

33. The videos and photos taken on the day of site inspection are at **[I1-4/D/(A)/2/8989 & I1-4/D/(B)/4/9037-9065]**.

[I1-4/D/(A)/2/
8989 & I1-4/D/
(B)/4/9037-9065]

- (iii) Site inspection on 28 October 2025

34. As explained in paragraphs 48(iii), 51 and 52 of my First Statement, after Typhoon Ragasa hit Hong Kong in late September 2025 and the fire at Chinachem Tower on 18 October 2025, ICU was very concerned about the scaffolding nets erected at the five courts undergoing renovation under its purview, namely Wang Fuk Court (宏福苑), Sui Wo Court (穗禾苑), Yee Kok Court (怡閣苑), Ching Lai Court (清麗苑) and On Kay Court (安基苑).

35. ICU therefore took the initiative to send an email to the RIs (who were appointed to the said courts undergoing repair works under the watch of the MBIST of ICU, including the RI of Wang Fuk Court) **[I1-4/C(2)/(ii)/37/8903-8912]**, reminding them to ensure that the scaffolding was in good condition and that the fire-retardant properties of the scaffolding nets remained fully in compliance with the requirements of BD's circular and LD's Code of Practice for Bamboo Scaffolding Safety. The point to be emphasised is not whether such reminder was given with or without prior notice, but rather that ICU had proactively ensured that the relevant RIs were made fully aware of the heightened concern over scaffolding safety (at that time, there was quite some media coverage and public attention on such issues), and that their attention was specifically drawn to the applicable requirements.

[I1-4/C(2)/(ii)/37/
8903-8912]

36. In addition, following up on BD's Circular Letter issued on 21 October 2025 [I1-1/A/21/1371-1372], ICU sent emails to the same group of RIs again on 27 October 2025 [I1-4/C(2)/(ii)/38/8913-8918], reminding them to comply with the requirements set out in the BD's Circular Letter. Two reminder emails were sent within the time span of a week. ICU was, again, actively monitoring the situation and taking steps to ensure that the RIs under its purview were kept informed of and reminded of their obligations at a time of heightened public concern over scaffolding safety. [I1-1/A/21/1371-1372] [I1-4/C(2)/(ii)/38/8913-8918]
37. Furthermore, ICU conducted site inspections at all these courts and requested the RIs to submit test reports regardless of whether any complaints had been received, with a view to better understanding the situation of buildings covered with scaffolding and nets. Amongst these site inspections, the MBIST visited Yee Kok Court and Ching Lai Court, despite that no complaints or enquiries in respect of these two courts had been received. We had also conducted, or were scheduling to carry out (in the presence of the RIs and RCs concerned), on-site quick tests for the scaffolding nets of all these five courts.
38. As regards Wang Fuk Court, firstly, 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 ICU's reply issued are at [I1-4/C(1)/39/8689-8720]), ICU notified the RI by email on 8 October 2025 for review and follow-up on the concern about bamboo scaffolding and ageing of old scaffolding nets [I1-4/C(2)/(ii)/37/8903-8904]. Subsequently, against the background of the situations explained in paragraphs 34 to 36 above as well as this enquiry, Ms Lau contacted the RI's assigned person via WhatsApp on 27 October 2025 to schedule the inspection on 28 October 2025 per my request for arranging a site inspection. [I1-4/C(1)/39/8689-8720] [I1-4/C(2)/(ii)/37/8903-8904]

Similar to the site inspection on 28 October 2024, the practical reason why we informed the RI's assigned person beforehand of the conduct as well as the purpose of the inspection was that the RI and RC must focus their efforts and take targeted appropriate follow-up actions on the specific issue of scaffolding safety, given the specific and technical nature of the scaffolding safety concerns to be addressed, and the fact that it was a matter of general and prevailing public concern (hence no secret) at the time in any event.

39. I conducted this site inspection with Ms Lau and Mr Lee. 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 RC 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 readily accessible spot of a scaffolding net in use near the ground floor of one block (i.e. the old nets);
- a readily accessible spot of a scaffolding net in use on the roof of another block (i.e. the old nets); and
- a new batch, unopened roll of scaffolding nets on the roadside within Wang Fuk Court (i.e. the new nets).

40. The inspection on 28 October 2025 focused on the conditions and protective function of the old scaffolding nets, which was the subject of the enquiry of 3 October 2025. Other than that, quick tests on a few samples were also conducted as a cross-check.

41. Again, we had no specific concerns on the test results during this inspection. The videos and photos taken on the day of site inspection are at **[I1-4/D/(A)/3/8990 & I1-4/D/(B)/10/9094-9118]**.

[I1-4/D/(A)/3/
8990 & I1-4/D/
(B)/10/9094-9118]

Conduct of quick tests and sampling

42. I wish to stress again that, as explained in paragraph 22 above, all quick tests mentioned above were only intended as a **supplementary second reference** to complement, rather than replace, the test report as the primary basis for assessing the fire-retardant properties of the scaffolding nets. In the absence of well-recognised industry standards, we conducted them in a way that was to the best of our knowledge. The number of samples tested and the locations chosen were tailored to the specific concerns being addressed on each occasion. Photos and videos on top of the one shown by the Committee's Leading Counsel on 19 March 2026 were taken throughout each of the three inspections and included in the Bundles for the Committee's perusal in a full and frank manner. Also, our on-site testing should not be misinterpreted as a substitute for the responsibilities of the RI and RC to ensure compliance with the relevant fire-retardant requirements, but rather as an additional layer of scrutiny representing efforts to prompt them to remain vigilant and to reinforce the importance of adhering to the applicable fire safety standards.
43. As regards the sampling methodology, I would point out that samples for quick tests were taken randomly at ground floors and rooftops because these locations allowed us to observe the entire sampling and testing process to ensure the process was conducted in a fair and reasonable manner. The element of randomness in the selection of sampling locations was a feature of the methodology. We however could not have imagined and it was not foreseeable at that time that the RI / RC would deceive ICU or resort to the deliberate calculated moves through selective replacements of nets, noting that doing so would have required considerable effort and expense in sourcing and installing

compliant nets specifically for the purpose of deceiving ICU. Such conduct, if proven, would represent a serious and deliberate subversion of the inspection process that ICU could not reasonably have been expected to anticipate or guard against.

(III) Foam Boards as Temporary Window Protection

44. In response to a total of three complaints relating to use of foam boards as temporary window protection received between 17 September 2024 and 17 October 2024 [I1-4/C(1)/8/8221-8228, I1-4/C(1)/9/8229-8251, I1-4/C(1)/12/8274-8285], amongst other complaints, ICU's three inspections to Wang Fuk Court on 25 September 2024, 28 October 2024 and 18 November 2024 touched on the use of foam boards, details of which are explained in paragraphs 48 to 53 and 60 to 67 below. A more detailed account of my recollection of the consultation with Mr Franco TSE, the BD's then secondee, is also provided in paragraphs 54 to 59 below.

[I1-4/C(1)/8/8221-8228, I1-4/C(1)/9/8229-8251, I1-4/C(1)/12/8274-8285]

45. I have explained in my Second Statement ICU's handling of foam board issues (see paragraphs 30 to 36 therein), and would like to reiterate the **key considerations** herewith:–

- (a) Based on ICU's understanding, covering up of windows was a **temporary** protection measure during the hacking off works and there was no specific statutory requirement on such temporary protection measure or on the materials used. To the best of my knowledge, the use of temporary protection materials to cover up windows during the hacking off works is not an uncommon practice, as it can serve to protect the windows, as well as residents and properties inside the flats, preventing accidents of other natures during the hacking off works;

(b) In response to our enquiry during the site inspection on 28 October 2024, the RC, in the presence of the RI's assigned person, said that they would use **non-combustible materials for temporary protection of windows during the hacking off works, which would be removed immediately upon completion of the relevant works.** Such promise was also reduced into writing and made known to the residents by way of a set of Q&As published by the Incorporated Owners of Wang Fuk Court in the end of 2024:

2024年11月23日工程交流會問答概要

1) 問：為何現時窗邊已沒有保護？

答：宏業表示打鑿時才會有保護，完成打鑿後會拆除窗外保護物。

(c) Given the RC's promise to ICU at the inspection on 28 October 2024, the RI's explanation to the residents as stated in paragraph 45(b) above, as well as the fact that ICU did not receive any further complaint or enquiry in relation to the use of foam boards after October 2024, there was no sufficient basis to doubt the RI and RC's previous promise that **the temporary protection on the windows was only in place for a short duration when the hacking off works were being carried out.**

46. ICU was indeed aware of the potential fire risks associated with using foam boards to cover up windows, thus our queries to the RI's assigned person and RC during our three inspections. Nonetheless, ICU's understanding at the material time was that the use of foam boards would only be **temporary and localised in nature**, and it was considered practical and necessary during the hacking off works.

47. I also note from the Witness Statement of a resident of Wang Fuk Court, 葉家駒, that such temporary and localised use of the foam boards was also conveyed to residents by the RC (paragraph 18 of his Statement [WS2/107/1365] refers).

[WS2/107/1365]

Inspections relating to foam boards

(i) Site inspection relating to foam boards on 25 September 2024

48. As explained in paragraph 60(i) of my First Statement, I conducted this site inspection on 25 September 2024 with Ms Lau 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 issued are at [I1-4/C(1)/8/8221-8228]) and an enquiry 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 issued are at [I1-4/C(1)/9/8229-8251]).

[I1-4/C(1)/8/8221-8228]

[I1-4/C(1)/9/8229-8251]

49. In the course of handling a separate complaint [I1-4/C(1)/6/8191-8209], ICU learnt on 13 September 2024 that the then RI, Mr SHUM Kui Chung, had passed away.

[I1-4/C(1)/6/8191-8209]

50. Given that ICU would like to conduct a site inspection to have a grasp of the site situation sooner rather than later, ICU conducted this inspection on its own. At the time, we considered that we could conduct preliminary inspection first in the interest of time rather than delaying the same until after the appointment of the new RI.

51. At the time of inspection, it was observed that Blocks F, G and H had scaffolding and nets erected, Blocks C, D and E had only

scaffolding erected without nets, and Blocks A and B were without any scaffolding. For those five blocks without scaffolding nets, no foam board on windows was observed; whilst for the other three blocks with scaffolding nets erected, we were unable to see the condition of the windows of the domestic flats by looking from the outside.

52. During the site inspection, I observed that some materials labelled as “CO²生態健康地暖板” were stored on ground floor. 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. However, since the façade of buildings with scaffolding was fully covered with scaffolding nets (i.e. Blocks F, G and H) 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 and did not see the condition of the windows of the domestic flats. The photos taken on the day of site inspection are at [I1-4/D/(B)/1/8991-8999].

[I1-4/D/(B)/1/8991-8999]

53. I also wish to take the opportunity to clarify and supplement a point – at the time of preparing my previous two Witness Statements, my recollection was that the site inspection on 25 September 2024 was conducted by ICU all on its own (without the presence of the RI or RC). However, as I continued to review the relevant records and try to more carefully recall the situation back then in the process of preparing this Statement, I believe it is possible that we encountered the RC on site during the inspection on 25 September 2024, and I might have briefly talked to him about the conditions of foam boards observed on site. Given the time that has lapsed, I could not be entirely certain about what happened exactly, but I would like to place this on record in the current Witness Statement in the spirit of being full and frank to assisting with the

investigation.

Consultation with Mr Tse

54. Shortly after the inspection, I consulted Mr Tse, the then-Senior Building Surveyor/Building Control (“SBS/BC”), who was one of the three BD officers at senior professional rank seconded to ICU to provide guidance on the interpretation of the BO provisions and legislative requirements to ICU staff for handling both administrative and statutory building control cases. Mr Tse was seconded to ICU from 25 April 2023 until his retirement on 6 July 2025. The duties of BD officers seconded to ICU are elaborated in paragraphs 17 to 18 of the Witness Statement of Mr LAU Fu Kwok.
55. Indeed, upon receipt of an enquiry dated 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是否符合規定” [I1-4/C(1)/8/8221-8228], since I was unaware of any specific regulations and guidelines regarding the matter in question, I sent an email to Ms Lau on 20 September 2024, instructing her to arrange a low-profile site inspection (i.e. the one conducted on 25 September 2024), and informing her that I would consult SBS/BC (i.e. Mr Tse) [I1-4/C(2)/(ii)/1/8751].
56. It is noteworthy that there is no internal guideline on the means and manners for seeking advice from the BD officers seconded to ICU. Officers would exercise their judgement to decide the most appropriate way to seek advice. Generally speaking, a common way is face-to-face consultation, especially when the officers concerned are in the same office, as this facilitates more effective interactions and allows for immediate clarifications where needed.
57. I visited Mr Tse’s office after the inspection on 25 September 2024

to consult him whether there were any regulations or guidelines issued by BD regarding the use of foam boards to cover up the windows. I explained to Mr Tse that my team had received an enquiry about the use of foam boards for temporary protection of windows and asked whether such use of foam boards would contravene any regulation or guidelines issued by BD. Despite that there was no written record of our discussions that day, I recall Mr Tse advised that the said use of foam boards was not considered as building works and that there was no requirement on the fire-retardant properties of the foam boards used. I then asked whether the matter was actionable (i.e. any action could be taken under the BO) had he received such an enquiry (i.e. if a similar enquiry were received by BD). He advised that as the said use of foam boards would not be considered as unauthorised buildings works, it would not be actionable. This largely aligned with my own understanding that there was no specific regulation or guideline governing the use of foam boards to cover up the windows in the context of renovation works. After the consultation, I conveyed Mr Tse's advice to Ms Lau verbally.

58. One might question why I only consulted Mr Tse on the use of foam boards generally instead of describing the extent to which foam boards were used in the renovation works of Wang Fuk Court during the consultation. It was because I did not have information on the extent of the use of foam boards at that material time (indeed, as explained above the RI and RC later promised that the temporary protection on the windows was only in place for a short duration when the hacking off works were being carried out, and I had not known about the extensive coverage to the contrary until the fire; otherwise, follow-up actions including issuing a Cease Works Order would have been considered). The consultation with Mr Tse was therefore conducted on the basis of the information available to me at the time, which did not include any indication

that the use of foam boards was anything other than limited and localised. Neither did Mr Tse ask me to provide any further details during the consultation, or invite me to write him an email to formally seek his advice in writing.

59. It is worth mentioning that, if I had been given to understand that the said use of foam boards would contravene any specific regulations or guidelines upon consulting the BD's secondee at that time, I would have sought Mr Tse's further advice on how to follow-up with the RI to ensure compliance. Moreover, had I known about the extensive use and coverage of foam boards contrary to the promise of the RI and the RC, I would have undertaken follow-up actions as mentioned above.

(ii) Site inspection relating to foam boards on 28 October 2024

60. I conducted this site inspection with Ms Lau and Mr Lee 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 [I1-4/C(1)/9/8229-8251]) 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 issued are at [I1-4/C(1)/12/8274-8285]).
- [I1-4/C(1)/9/8229-8251]
- [I1-4/C(1)/12/8274-8285]
61. During the site inspection on ground floor, I asked the RI's assigned person and the RC about the process of hacking off external finishes. I also expressed concern on the temporary protection that would affect natural lighting and ventilation, and the possible complaints from residents. We were told that the RC's workers would proceed with the hacking off works **every three floors at a time**, and the foam boards were only used for temporary protection of window glazing around each floor during hacking

off, and would be removed immediately upon completion of the hacking off works around each floor.

62. In other words, the explanation was that the foam boards were used solely as a localised and temporary measure to protect window glazing on each floor during the hacking off works. On the basis of this explanation, the use of foam boards appeared to be both limited in scope and short in duration, confined to the immediate vicinity of the works being carried out at any given time.

63. I also raised the concern that the use of foam boards could pose a fire hazard to residents. The RC responded that they would use non-combustible material for such temporary protection.

64. 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 RC agreed to follow up on this. The photos taken on the day of site inspection are at **[I1-4/D/(B)/2/9000-9033]**.

[I1-4/D/(B)/2/9000-9033]

65. As explained in the last bullet point of paragraph 60 of my First Statement, it was ICU's understanding that there was neither any specific requirement under the BO, nor stipulated guidelines in any regulations, rules, codes of practice and standards regarding the use of foam boards as temporary protection for windows.

(iii) Site inspection relating to foam boards on 18 November 2024

66. On 18 November 2024, I conducted a site inspection with Ms Lau and Mr Lee in short notice. As indicated in the updated Schedule of Site Visits (**Annex** to this Witness Statement), this inspection was conducted in response to several complaints / enquiries related to cracks on external walls as well as complaints about scaffolding

nets. For the scaffolding nets, the relevant details are set out in paragraph 48(ii) of my First Statement as well as paragraphs 30 to 32 above. For complaints / enquiries related to cracks on external walls, we reminded the RI's assigned person that they should pay attention to and properly handle the related issues. During the inspection, I also enquired the RC if follow-up actions had been taken subsequent to the site inspection conducted on 28 October 2024 as promised, and the RC replied in the affirmative.

67. After the abovesaid three inspections, ICU did not receive further complaints / enquiries regarding the use of foam boards. Given the lack of further complaints / enquiries and based on the considerations stated in paragraphs 45 to 46 above as a whole, ICU did not consider there to be grounds warranting further follow-up on this issue at that time. If I had been aware that the foam boards were used for covering up windows extensively, we would and must have taken follow-up actions.

(IV) **Unannounced or Surprise Inspections in Other Teams**

68. As I have explained, the design of the MBIS regime does not expressly involve unannounced or surprise inspections.
69. As for the Minor Works Control System ("MWCS"), of the three forms of audits, namely Pre-Commencement Site Audit Check ("PASC"), Audit Fundamental Check ("AFC") and Site Audit Check ("SAC") (the purpose and arrangements of which are explained in paragraphs 12 to 17 of Mr YUNG Siu Lun's First Statement), **only PSAC**, which is meant for detecting whether works have commenced before the date that they are allowed to, is a **surprise check**.
70. On the other hand, ICU's Site Monitoring Team ("SMT"), which

is responsible for conducting site monitoring mainly for works of new buildings, demolition and addition and alteration (“A&A”), conducts surprise checks in accordance with paragraph 1.1 of BD’s Site Monitoring Manual (“**Site Monitoring Manual**”) Section 2 Instruction 11 [ICU3/A/1], paragraph 4 of the Site Monitoring Manual Section 8 Instruction 1 [I1-1/A/17/1278-1285] and paragraph 9 of ICU Instruction 15 Site Monitoring and Auditing [ICU3/A/2].

71. It is however worth noting that the SMT, like the Site Monitoring Section in BD, is primarily concerned with ensuring the construction safety and quality of building/demolition sites with works in progress, mainly for works of new buildings, A&A and demolition rather than those under the MBIS and MWCS. The functions and practice of ICU’s SMT (and similarly BD’s Site Monitoring Team) are vastly different from those of ICU’s MBIST and Minor Works Team (“MWT”).

(V) **Review on Inspection Practice**

72. As illustrated in paragraphs 10 to 12 above, the nature of ICU’s 10 site inspections conducted in respect of the Wang Fuk Court Renovation are of a different nature from site audits under the MBIS regime or surprise checks of other law enforcement agents.
73. On a related note, paragraph 2.4 of the Interim Guideline on Checking of Protective Materials for Scaffolding under PNRC 85 promulgated by BD in February 2026 (i.e. after the fire) [ICU3/A/3] also expressly requests that, for cases of completion of installation of protective materials on the scaffolding, if randomly selected for site audit, the responsible PO should contact the RC within 7 working days from the day of receiving the relevant Notification Forms by BD; and arrange for audit

inspection with the RC within 3 working days upon successful contact with the RC. In case of special circumstances that defer the site audit, e.g. inclement weather, the PO should reschedule with the RC for the earliest date and seek SPO's agreement. Generally speaking, ICU's prevailing practice of arranging site audit and site inspections in response to complaints and enquiries with the involvement of the RI and RC is not ungrounded. As elaborated in the preceding paragraphs, there are practical reasons grounded in the nature and purpose of such inspections that justify this approach.

74. The above notwithstanding, lessons are to be learnt from the course of this investigation, in particular that those in the trade could go to great lengths to deceive the authorities unlawfully. As a forward-looking measure, ICU will review its existing practices and internal guidelines governing the conduct of site inspections. This may include, amongst other measures, ICU's consideration of not indicating the purpose of site inspections of the same kind in advance in the future.

(VI) Response to 江祥發 (Mr Kong)'s First Witness Statement dated 9 March 2026, resident of Wang Fuk Court

75. Finally, new materials have come into light since I prepared my earlier Statements. Given the volume of evidence filed and the limited time available, it is not my intention to respond in detail or to each and every Witness Statement filed on behalf of the other Involved Parties. The following observations are made in passing in respect of the captioned Statement of Mr Kong, and are not intended to suggest that the other aspects of his evidence are accepted or uncontested.

76. Paragraphs 29 and 30 of the Statement of Mr Kong state that ICU

attended a major renovation meeting at the end of December 2024 to discuss the lack of reinforcement bars at window sills and that ICU witnessed a test of the fire-retardant property of the materials used for covering the windows after that meeting. ICU indeed conducted a site inspection on 21 January 2025 (see ICU's schedule of visits with inspection records at [I1-4/C(2)/(i)/1/8744-8767]) where the missing reinforcement at the window sills was discussed, but ICU did **not** attend the major renovation meeting mentioned in Mr Kong's Statement. Nor did ICU witness the abovesaid quick test after that meeting.

[I1-4/C(2)/(i)/1/8744-8767]

77. Paragraph 32 of the same Statement states that the RI said at the major renovation meeting on 18 January 2025 that ICU had received a complaint about the fire-retardant properties of the scaffolding nets and would arrange a site inspection on 21 January 2025. ICU had, in fact, received a referral from the LD on 11 November 2024 regarding this matter [I1-4/C(1)/20/8380]. The inspection on 21 January 2025, however, was carried out to examine missing reinforcement at A/C hoods and window sills, and was **not** about the fire-retardant properties of the nets.

[I1-4/C(1)/20/8380]

78. Paragraph 49 of the same Statement states that ICU's reply to Mr Kong dated 31 October 2025 did not mention whether the scaffolding nets complied with the required fire-retardant properties or comment on the associated potential fire risks. In fact, ICU had issued several emails to the RI requesting him to ensure that the nets met the requirements [I1-4/C(2)/(ii)/37 & 38/8903-8912 & 8913-8918]. ICU also conducted a site inspection in response to the concerns raised by Mr Kong. The findings and actions taken were included in the reply dated 31 October 2025 [I1-4/C(1)/39/8706].

[I1-4/C(2)/(ii)/37 & 38/8903-8912 & 8913-8918]

[I1-4/C(1)/39/8706]

79. Paragraphs 50 and 52 of the same Statement states that Mr Kong

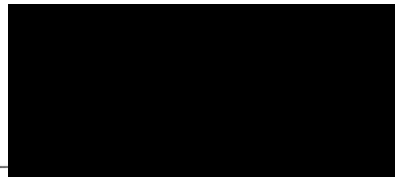
informed ICU and LD of incidents involving falling objects on 6 and 21 November 2025. ICU did send emails to the RI and copied to ISS Property Management Company on 7 November and 24 November 2025 [I1-4/C(2)/(ii)/40 & 42/8930-8931 & 8947] for his follow-up and the RC submitted an incident report to ICU for the incident occurred on 8 November 2025 [I1-4/C(2)/(ii)/41/8932-8946]. Follow-up actions were still in progress prior to the fire incident.

[I1-4/C(2)/(ii)/40
& 42/8930-8931
& 8947]

[I1-4/C(2)/(ii)/41/
8932-8946]

80. 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 April 2026.



KU Siu Ping