

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

Evidential Hearing

**The Honourable Mr Justice David Lok
The Honourable Mr Chan Kin-por, GBS, JP
Dr Rex Auyeung Pak-kuen, GBS, JP**

**On:
Day 10
Friday, 10 April 2026**

**Mr Victor Dawes SC, Mr Jason Yu, Mr SW Lee, Mr Jonathan Fung,
Mr John Cheung and Mr Brian Lee appeared on behalf of the Independent
Committee**

**Mr Jenkin Suen SC, Mr Michael Lok, Mr Calvin Cheuk and Mr Charlie
Liu appeared on behalf of the Government**

Mr Solomon Lam appeared on behalf of Victory Fire Engineering Limited

**Mr Andrew Lau and Mr Jeffrey Tam appeared on behalf of the residents of
Wang Fuk Court**

**Mr Martin Ho and Mr Cedric Yeung appeared on behalf of ISS EastPoint
Properties Ltd**

Representatives of Department of Justice

**Mr Mike Lui SC and Mr Ross Yuen appeared on behalf of the Urban
Renewal Authority**

Representatives of Competition Commission

Solicitor for Hop On Management Company Limited

**Mr Jonathan Kwan and Mr Aaron Chan appeared on behalf of Leung Ping
Kay**

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<p>1 Friday, 10 April 2026</p> <p>2 (10.00 am)</p> <p>3 THE HON MR JUSTICE DAVID LOK: Mr Dawes, we have one witness</p> <p>4 today; right?</p> <p>5 MR VICTOR DAWES: Yes. Chairman, members, today's witness</p> <p>6 is Assistant Director of the FSD, Mr Keung Sai Ming.</p> <p>7 Mr Keung, please.</p> <p>8 Good morning. Mr Keung, would you please stand up</p> <p>9 and read out the declaration before you.</p> <p>10 (10.01 am)</p> <p>11 MR KEUNG SAI MING (affirmed)</p> <p>12 Examination by MR VICTOR DAWES</p> <p>13 MR VICTOR DAWES: Thank you. Good morning, Mr Keung. You</p> <p>14 are the Assistant Director of the FSD. You are in</p> <p>15 charge of licensing and certification; right?</p> <p>16 MR KEUNG SAI MING: Correct.</p> <p>17 MR VICTOR DAWES: You have made five witness statements to</p> <p>18 the Committee. You can confirm the content of the</p> <p>19 statements; right?</p> <p>20 MR KEUNG SAI MING: Right.</p> <p>21 MR VICTOR DAWES: You are an experienced officer in the FSD.</p> <p>22 You joined in 1995, serving the department for over</p> <p>23 30 years?</p> <p>24 MR KEUNG SAI MING: Right.</p> <p>25 MR VICTOR DAWES: We would like to tap into your experience</p>	<p>1 also answer questions from contractors, departments, FSI</p> <p>2 consultants, as well as relevant parties; right?</p> <p>3 MR KEUNG SAI MING: Yes.</p> <p>4 MR VICTOR DAWES: There's also a fire protection engineering</p> <p>5 compliance division. Under it, there is the FSI unit as</p> <p>6 well as the ventilation unit. The former is in charge</p> <p>7 of certifying new FSIs as well as monitoring the</p> <p>8 professionalism of FSI contractors; is that right?</p> <p>9 MR KEUNG SAI MING: Right.</p> <p>10 MR VICTOR DAWES: Am I right to say that when it comes to</p> <p>11 impact on fire safety of a building, it will be you in</p> <p>12 charge of fire abatement including sending fire hazard</p> <p>13 abatement notice; is that right? That's part of your</p> <p>14 duties; right?</p> <p>15 MR KEUNG SAI MING: Yes, in relation to FSIs.</p> <p>16 MR VICTOR DAWES: We see from the evidence that you are in</p> <p>17 charge of monitoring active FSI and equipment; right?</p> <p>18 MR KEUNG SAI MING: Right.</p> <p>19 MR VICTOR DAWES: In relation to passive ones, say, for</p> <p>20 example, fire safety structures, that's under the</p> <p>21 purview of the Buildings Department.</p> <p>22 MR KEUNG SAI MING: The Buildings Department, BD, is one of</p> <p>23 the regulators.</p> <p>24 MR VICTOR DAWES: But that is not under your purview?</p> <p>25 MR KEUNG SAI MING: Right.</p>
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<p>1 to assist the Committee to reconstruct what happened</p> <p>2 during the fire. We would also like to use your</p> <p>3 experience to improve in areas that need improvement.</p> <p>4 You were promoted to your current post on</p> <p>5 31 March 2024 in charge of this scope of duties?</p> <p>6 MR KEUNG SAI MING: Right.</p> <p>7 MR VICTOR DAWES: Am I right to say that the licensing and</p> <p>8 certification command is in charge of formulating and</p> <p>9 executing policies relating to fire safety and provide</p> <p>10 guidance and advice to the general public in relation to</p> <p>11 fire abatement?</p> <p>12 MR KEUNG SAI MING: Right.</p> <p>13 MR VICTOR DAWES: There are different commands. You are in</p> <p>14 charge of policies division in relation to formulating</p> <p>15 and certifying fire safety standards as well as</p> <p>16 prosecutions?</p> <p>17 MR KEUNG SAI MING: Yes.</p> <p>18 MR VICTOR DAWES: There is also a fire protection facilities</p> <p>19 supervision division in charge of FSIs in existing</p> <p>20 buildings, handling complaints relating to FSIs, as well</p> <p>21 as monitoring the professional level of registered</p> <p>22 contractors as well as, if necessary, take law</p> <p>23 enforcement actions.</p> <p>24 MR KEUNG SAI MING: Yes.</p> <p>25 MR VICTOR DAWES: The facilities supervision division will</p>	<p>1 MR VICTOR DAWES: In the first paragraph of your first</p> <p>2 witness statement, you said that you are in charge of</p> <p>3 formulating and certifying existing and alterations in</p> <p>4 relation to new buildings?</p> <p>5 MR KEUNG SAI MING: Yes, in relation to fire safety</p> <p>6 standards.</p> <p>7 MR VICTOR DAWES: We asked you to explain this to us. It's</p> <p>8 something that was mentioned a few days ago.</p> <p>9 MR KEUNG SAI MING: Right.</p> <p>10 MR VICTOR DAWES: Well, to save time, I'd like to ask you,</p> <p>11 relevant witnesses of two fire service installation</p> <p>12 contractors have given evidence.</p> <p>13 MR KEUNG SAI MING: Right.</p> <p>14 MR VICTOR DAWES: Were you there?</p> <p>15 MR KEUNG SAI MING: I was here the day before yesterday.</p> <p>16 I have read the transcript.</p> <p>17 MR VICTOR DAWES: Thank you. How does FSIs, fire services</p> <p>18 installations, work? In three of your witness</p> <p>19 statements you said that in the investigation of</p> <p>20 Wang Fuk Court and the analysis of the issues, there is</p> <p>21 one investigation report. It's in bundle B11,</p> <p>22 page 5625.</p> <p>23 You were involved in the compilation of this report;</p> <p>24 right?</p> <p>25 MR KEUNG SAI MING: Right.</p>

Page 5	<p>1 MR VICTOR DAWES: First, please explain to us about the fire 2 hydrant and the hose reel system. How will they operate 3 under normal circumstances? 4 MR KEUNG SAI MING: Right. 5 MR VICTOR DAWES: If we refer to your report starting from 6 page 5628, starting from 5627/8, there is an explanation 7 about the relevant systems and installations. 8 Now, on page 5629, the first thing I'd like you to 9 explain to us is in relation to the FS tank and its 10 relationship in terms of operation with the ground floor 11 FS pump. The HR/HS system, how many pumps are there and 12 how do they operate? I am a layman, so please 13 supplement at the right time. 14 We know that there is an FS transfer tank on the 15 ground floor. It will first draw water from the ground 16 floor supply system and it will separate and store 17 2,000 litres of water, if necessary pump it to the 18 rooftop FS tank; is that right? 19 MR KEUNG SAI MING: Right. 20 MR VICTOR DAWES: This is the FS tank. The FS tank on the 21 rooftop has a capacity of 18,200 litres, which is 22 significant. 23 MR KEUNG SAI MING: Right. 24 MR VICTOR DAWES: The FS tank on the rooftop will supply to 25 the hose reel system on the different floors.</p>	Page 7
Page 6	<p>1 MR KEUNG SAI MING: The HR as well as the HS system. 2 MR VICTOR DAWES: The upfeed pump draws water from the 3 ground floor to the rooftop tank. 4 MR KEUNG SAI MING: Right. 5 MR VICTOR DAWES: There is also a booster pump, FS booster 6 pump. The purpose, is it to ensure that there is 7 sufficient water pressure of the various systems? 8 MR KEUNG SAI MING: Yes. I'd like to supplement. 9 MR VICTOR DAWES: Right. 10 MR KEUNG SAI MING: The FS tank is on the rooftop. For the 11 lower floors, there is pressure from water because of 12 gravity. On higher floors, the booster pump will play 13 its part in terms of water pressure. 14 MR VICTOR DAWES: In other words, the taller the building, 15 the more important the booster pump is? 16 MR KEUNG SAI MING: Right. 17 MR VICTOR DAWES: From the information you supplied to us, 18 RFSICs, registered FSI contractors, during an annual 19 inspection will have to check the entire system. 20 MR KEUNG SAI MING: Right. 21 MR VICTOR DAWES: Am I right to say that the checks include 22 every component in the systems, including the upfeed 23 pump, booster pump, transfer tank, FS tank, these 24 components will have to be personally checked? 25 MR KEUNG SAI MING: Yes. Checked, every component.</p>	Page 8
	<p>1 MR VICTOR DAWES: In the evidence we have heard, of course 2 one area of concern is leakage from the tank because 3 leakage will affect the operation of the system? 4 MR KEUNG SAI MING: Right. 5 MR VICTOR DAWES: Now let's focus on the FS pump. In each 6 block of Wang Fuk Court, there is an FS booster pump 7 room and a pump room; there are two such rooms. 8 MR KEUNG SAI MING: Right. 9 MR VICTOR DAWES: Now let's talk about the main pump room; 10 please explain to us. Bundle C1-2, page 1627. This is 11 the main pump room of Wang Fuk Court; right? I know 12 that you may not have necessarily visited it, but this 13 will be the standard issue of each pump room? 14 MR KEUNG SAI MING: Right. 15 MR VICTOR DAWES: We see there is a part in the middle in 16 black. Is it the FS upfeed pump? 17 MR KEUNG SAI MING: There was another photo showing two red 18 pumps, they are the ones. This one I don't think is the 19 main pump. This is relating to upfeed. 20 MR VICTOR DAWES: So the FS upfeed pump? 21 MR KEUNG SAI MING: Right. 22 MR VICTOR DAWES: So the part in black is the FS upfeed 23 pump. The one at the back is the transfer tank; right? 24 MR KEUNG SAI MING: Yes, that is so marked. But the upfeed 25 pump is not just the black part, but the part in front</p>	
	<p>1 of it as well. 2 MR VICTOR DAWES: So the entire part will be the connecting 3 part as well, not just the black part? 4 MR KEUNG SAI MING: Right. 5 MR VICTOR DAWES: Now let's turn to page 1651; we have seen 6 this before. In the main pump room there are three 7 panels. Our understanding is that the one in red is the 8 control panel of the FS upfeed pump. 9 MR KEUNG SAI MING: Right. 10 MR VICTOR DAWES: The one in white and green are for the 11 flushing water system and the fresh water system. 12 MR KEUNG SAI MING: Yes. 13 MR VICTOR DAWES: Please turn to page 1654. This is in the 14 main pump room, the control panel of the FS upfeed pump; 15 right? 16 MR KEUNG SAI MING: Right. 17 MR VICTOR DAWES: If the FS upfeed pump is to be turned off, 18 which button should we press? 19 MR KEUNG SAI MING: I can't tell you. 20 MR VICTOR DAWES: According to your understanding, it can be 21 turned off just like that; right? 22 MR KEUNG SAI MING: Well, in relation to the main pump 23 panel, yes, I can answer you, but when it comes to the 24 upfeed pump panel, I have not looked at the different 25 switches in detail because the area of concern is the</p>	

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1 panel of the main pump.
 2 MR VICTOR DAWES: I understand.
 3 If we have to drain the FS tank for inspection or
 4 repair, we can do that from this panel; right? You
 5 might not have looked at the switches in detail, but
 6 according to your understanding; is that right?
 7 MR KEUNG SAI MING: Your question is draining the tank.
 8 MR VICTOR DAWES: Yes.
 9 MR KEUNG SAI MING: I have asked my technical staff to drain
 10 the tank. There is a switch to drain it at the side of
 11 the tank. I have never heard about doing anything on
 12 the control panel.
 13 MR VICTOR DAWES: Using the switch on the side of the tank,
 14 where would it be? On the rooftop?
 15 MR KEUNG SAI MING: According to my technical staff, yes, on
 16 the side of the tank there should be a switch to drain
 17 the water on the rooftop.
 18 MR VICTOR DAWES: Let's turn to page 1640. I think you have
 19 looked at these panels.
 20 MR KEUNG SAI MING: Right.
 21 MR VICTOR DAWES: This is the booster pump room.
 22 MR KEUNG SAI MING: Yes.
 23 MR VICTOR DAWES: Let's focus on the smaller one on the
 24 right-hand side. Page 1642. There is a word "off" at
 25 the bottom.

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1 MR KEUNG SAI MING: Yes.
 2 MR VICTOR DAWES: The lever, when it's vertical, it seems to
 3 indicate that it's off.
 4 MR KEUNG SAI MING: Right.
 5 MR VICTOR DAWES: This is the main switch, main power switch
 6 of the FS system.
 7 MR KEUNG SAI MING: Right.
 8 MR VICTOR DAWES: Evidence seems to suggest that to turn on
 9 and off of the hose reel system and the fire alarm
 10 system, it's this one?
 11 MR KEUNG SAI MING: Right.
 12 MR VICTOR DAWES: It's the lever switch?
 13 MR KEUNG SAI MING: Yes, you can call it that.
 14 MR VICTOR DAWES: To turn off the main power switch, the
 15 fire alarm system, booster pump and upfeed pump will all
 16 lose power?
 17 MR KEUNG SAI MING: Right.
 18 MR VICTOR DAWES: Am I right to say that the RFSIC, when
 19 they conduct checks on the FS system, it is their duty
 20 to ensure that the system runs or functions normally,
 21 otherwise this switch will say "on"?
 22 MR KEUNG SAI MING: Right.
 23 MR VICTOR DAWES: My colleague reminds me that currently --
 24 well, this switches off the FS system and the booster
 25 system but not the upfeed system?

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1 MR KEUNG SAI MING: It's the former. This controls the fire
 2 alarm and the HR/HS system in relation to the booster
 3 pump.
 4 MR VICTOR DAWES: So the upfeed pump is nothing to do with
 5 this control?
 6 MR KEUNG SAI MING: Right.
 7 MR VICTOR DAWES: Now, on page 1641, you see on this big
 8 panel there are some lights and some switches. I'm sure
 9 you are familiar with these.
 10 MR KEUNG SAI MING: Right.
 11 MR VICTOR DAWES: Can you explain to us what each switch
 12 does and what the lights are for, starting from the
 13 left, or whichever way you think fit.
 14 MR KEUNG SAI MING: Okay. Perhaps I'll ask you to blow it
 15 up.
 16 At the top, the three lights relate to the
 17 three-phase power supply and it means there is power
 18 connection.
 19 MR VICTOR DAWES: So normally the three lights should be
 20 eliminated?
 21 MR KEUNG SAI MING: Right. Now lower. You see a stop
 22 switch of the fire alarm, "silence alarm". It means
 23 when the alarm bell rings and if the switch is turned to
 24 the other position, it will silence a ringing alarm.
 25 This reads "normal", it means it's on. Underneath

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1 it there are two switches for pumps.
 2 MR VICTOR DAWES: The normal one, what does it mean? It
 3 means to switch on what?
 4 MR KEUNG SAI MING: Let me read the words.
 5 MR VICTOR DAWES: In Chinese it reads "function activate
 6 normally".
 7 MR KEUNG SAI MING: Well, I can't see.
 8 MR VICTOR DAWES: I interrupted you. Let's continue with
 9 the pumps.
 10 MR KEUNG SAI MING: For the two pump switches, because there
 11 are two pumps in the pump room.
 12 MR VICTOR DAWES: Right.
 13 MR KEUNG SAI MING: One is for the main pump, the other one
 14 is the backup pump. The on and off of the two pumps,
 15 even with main power connection on, these switches can
 16 control the on and off of the individual pumps.
 17 MR VICTOR DAWES: These are the upfeed pumps?
 18 MR KEUNG SAI MING: Booster pumps.
 19 MR VICTOR DAWES: Yes, please go on.
 20 MR KEUNG SAI MING: This one in the middle, this is a flip
 21 switch to the left or right.
 22 All right. Let me continue. There are two lamps.
 23 If the pump is running, then this lamp will be lit.
 24 There is also the system reset. In Chinese it means
 25 system reset, so it means that if the system is up and

Page 13	<p>1 running and if you press this reset button, then the</p> <p>2 whole system resets.</p> <p>3 And then there are also two failure lamps. That is</p> <p>4 in the event of failure, the lamps will be lit.</p> <p>5 MR VICTOR DAWES: What about the one in the middle?</p> <p>6 MR KEUNG SAI MING: I am not able to answer this question.</p> <p>7 I talked to the technical staff and I'm afraid I can't</p> <p>8 tell when the flashing light will start flashing.</p> <p>9 MR VICTOR DAWES: On the left-hand side, for this one that</p> <p>10 reads "normal".</p> <p>11 MR KEUNG SAI MING: "Normal test".</p> <p>12 MR VICTOR DAWES: It actually reads "normal test". This is</p> <p>13 for the testing of the system?</p> <p>14 MR KEUNG SAI MING: Right.</p> <p>15 MR VICTOR DAWES: In paragraph 10.3 of the first witness</p> <p>16 statement -- let's turn to WS1, your witness statement</p> <p>17 starts at page 101.</p> <p>18 I think you know this paragraph, so please read it</p> <p>19 through.</p> <p>20 MR KEUNG SAI MING: Okay.</p> <p>21 MR VICTOR DAWES: Here you say that irregularities were</p> <p>22 identified post-fire. In the pump rooms for seven of</p> <p>23 the eight blocks, the lever switch was turned off.</p> <p>24 That's the smaller box that we just looked at.</p> <p>25 MR KEUNG SAI MING: Correct.</p>	Page 15
Page 14	<p>1 MR VICTOR DAWES: We also viewed some pictures just now. Am</p> <p>2 I right to say that for all eight blocks of Wang Fuk</p> <p>3 Court, they have adopted the same system?</p> <p>4 MR KEUNG SAI MING: Correct.</p> <p>5 MR VICTOR DAWES: So am I right to say the following: it is</p> <p>6 believed that the registered FSI contractor in question</p> <p>7 would be the most familiar with the relevant system that</p> <p>8 we just looked at because they are in charge of</p> <p>9 maintenance and repair?</p> <p>10 MR KEUNG SAI MING: Correct.</p> <p>11 MR VICTOR DAWES: For this system, we know that Wang Fuk</p> <p>12 Court was completed in 1980s.</p> <p>13 MR KEUNG SAI MING: Right.</p> <p>14 MR VICTOR DAWES: So for buildings completed during that era</p> <p>15 I'd say that this system was extensively adopted. This</p> <p>16 is not something special to Wang Fuk Court?</p> <p>17 MR KEUNG SAI MING: I agree.</p> <p>18 MR VICTOR DAWES: The Fire Services Department issued in</p> <p>19 1982 a code of practice on inspection, testing of</p> <p>20 installation and equipment.</p> <p>21 MR KEUNG SAI MING: Yes.</p> <p>22 MR VICTOR DAWES: Now, I know that you must be familiar with</p> <p>23 it. Article 11 says:</p> <p>24 "... the means of operating fire alarms shall be</p> <p>25 interconnected with the means of operating fixed fire</p>	Page 16
	<p>1 pumps of fire hydrant/hose reel installations."</p> <p>2 So it's an interconnected system.</p> <p>3 MR KEUNG SAI MING: Yes, they are interconnected whilst in</p> <p>4 operation.</p> <p>5 MR VICTOR DAWES: So for the main switch turned to the off</p> <p>6 position, it shuts down both systems and that's just</p> <p>7 normal, it is also the requirement under the relevant</p> <p>8 code; am I right to say that?</p> <p>9 MR KEUNG SAI MING: The regulation itself as of now does not</p> <p>10 require separate source of power. But there's no</p> <p>11 specific requirement that both systems must be provided</p> <p>12 with the same source of power. In the 1980s, there was</p> <p>13 no such requirement for a separate source of power.</p> <p>14 MR VICTOR DAWES: So I take it that, subsequently, this</p> <p>15 requirement was indeed imposed for separate sources of</p> <p>16 power?</p> <p>17 MR KEUNG SAI MING: Right.</p> <p>18 MR VICTOR DAWES: So if we take a look at paragraph 11:</p> <p>19 "... the means of operating fire alarms shall be</p> <p>20 interconnected with the means of operating fixed fire</p> <p>21 pumps ..."</p> <p>22 Why is it "shall be interconnected"? Can you tell</p> <p>23 us why this is so phrased?</p> <p>24 MR KEUNG SAI MING: Let me take booster pump as an example.</p> <p>25 Booster pump ensures that for the whole system</p>	
	<p>1 throughout the building, be it upper or lower floors,</p> <p>2 there would be sufficient water pressure. So let's say</p> <p>3 if you want to use the hose with sufficient water</p> <p>4 pressure, then one should first trigger the system by</p> <p>5 breaking the break-glass unit and the pump will also be</p> <p>6 triggered. This is one way of turning on the pump.</p> <p>7 MR VICTOR DAWES: So I think the purpose is that when you</p> <p>8 break the glass of the manual call point to trigger the</p> <p>9 fire alarm, that means it's a situation in which you</p> <p>10 need to use the fire hose reel so there is a need to</p> <p>11 trigger the system and trigger the pump in order to put</p> <p>12 out the fire?</p> <p>13 MR KEUNG SAI MING: Correct.</p> <p>14 MR VICTOR DAWES: So, as far as the design of the system is</p> <p>15 concerned, if we are to drain the FS tank, we can use</p> <p>16 the isolator switch of the FS tank, just switch it off</p> <p>17 without switching off the main power switch; right?</p> <p>18 MR KEUNG SAI MING: I agree.</p> <p>19 MR VICTOR DAWES: So under what circumstances do we need to</p> <p>20 turn off the main power switch in the pump room? Is it</p> <p>21 for some tests?</p> <p>22 MR KEUNG SAI MING: I think it's for electrical safety, like</p> <p>23 what counsel just said, for conducting tests, for</p> <p>24 repair, yes, to abate the risk of electricity leakage.</p> <p>25 MR VICTOR DAWES: But let me put it this way. If we merely</p>	

Page 17	<p>1 need to drain the FS tank, then there is no need to</p> <p>2 switch off the main power switch; right?</p> <p>3 MR KEUNG SAI MING: I agree.</p> <p>4 MR VICTOR DAWES: We explored the point just now that there</p> <p>5 is no need to turn off the power switch in order to</p> <p>6 drain the FS tank and it's really basic knowledge for an</p> <p>7 RFSIC; right?</p> <p>8 MR KEUNG SAI MING: Agree.</p> <p>9 MR VICTOR DAWES: I'm going to discuss another point with</p> <p>10 you in relation to the responsibilities of various</p> <p>11 stakeholders at the time so that, in the future, there</p> <p>12 will be clearer delineation of responsibilities.</p> <p>13 It's now common knowledge that, unfortunately, the</p> <p>14 engineering staff of ISS EastPoint, on the request of</p> <p>15 the contractor, helped switch off the lever switch in</p> <p>16 order to perform maintenance and repair.</p> <p>17 MR KEUNG SAI MING: Right.</p> <p>18 MR VICTOR DAWES: We now understand that this staff member</p> <p>19 is actually one of the property management company and</p> <p>20 not one of the RFSIC.</p> <p>21 MR KEUNG SAI MING: Yes.</p> <p>22 MR VICTOR DAWES: If assistance was sought from an RFSIC,</p> <p>23 then the switch would not have been switched off; right?</p> <p>24 MR KEUNG SAI MING: it if not registered --</p> <p>25 MR VICTOR DAWES: Of course ISS is not a registered</p>	Page 19
Page 18	<p>1 contractor, but what if the registered contractor was</p> <p>2 engaged with proper licence and knowledge, the power</p> <p>3 switch would not have been turned off; right?</p> <p>4 MR KEUNG SAI MING: Just for draining the tank.</p> <p>5 MR VICTOR DAWES: So I would say this is a really elementary</p> <p>6 error; right?</p> <p>7 MR KEUNG SAI MING: I would agree.</p> <p>8 MR VICTOR DAWES: If a registered contractor had performed</p> <p>9 this act, then it would have been a grave error; right?</p> <p>10 MR KEUNG SAI MING: I agree.</p> <p>11 MR VICTOR DAWES: In this situation, this ISS staff failed</p> <p>12 to ask the registered FSI contractor and instead he</p> <p>13 turned the switch off himself. I'd like to ask</p> <p>14 a question on responsibility. I'd like to turn to your</p> <p>15 witness statement, paragraph 5.5.3, in which you</p> <p>16 explained the relevant responsibilities under the laws:</p> <p>17 "... the Owners' Corporation normally hands over</p> <p>18 day-to-day management of those FSIs to Property</p> <p>19 Management Company ('PMC')."</p> <p>20 So, as ISS is a property management company, it is</p> <p>21 responsible for ensuring the FSIs are in efficient,</p> <p>22 working order; right?</p> <p>23 MR KEUNG SAI MING: I agree.</p> <p>24 MR VICTOR DAWES: Is there a circumstance under which</p> <p>25 a property management company could turn on and off the</p>	Page 20
	<p>1 switch without engaging the registered contractor?</p> <p>2 MR KEUNG SAI MING: That would be against the law.</p> <p>3 MR VICTOR DAWES: So, in your experience, if a third party</p> <p>4 turns on and off the switch and the system, then is it</p> <p>5 something rare or does it happen often?</p> <p>6 MR KEUNG SAI MING: I'd say the former.</p> <p>7 MR VICTOR DAWES: Let me put it this way. In the past</p> <p>8 10 years or so, have you come across a case in which</p> <p>9 somebody not being an RFSIC handled the system on their</p> <p>10 own? How often did it happen?</p> <p>11 MR KEUNG SAI MING: I've never seen somebody who does not</p> <p>12 belong to an RFSIC turning off the switch.</p> <p>13 MR VICTOR DAWES: According to Cap 95B of the laws of</p> <p>14 Hong Kong, the Fire Service (Installations and</p> <p>15 Equipment) Regulations, anyone who is not an RFSIC will</p> <p>16 be subject to a \$50,000 fine. That's a level 5 fine if</p> <p>17 it's not a registered contractor handling the switch.</p> <p>18 MR KEUNG SAI MING: Correct.</p> <p>19 MR VICTOR DAWES: Do you think -- well, of course whether</p> <p>20 this is sufficient deterrence is something we can</p> <p>21 further explore.</p> <p>22 MR KEUNG SAI MING: In this hearing I'd like to add to this</p> <p>23 point about increasing the maximum penalty.</p> <p>24 MR VICTOR DAWES: Perhaps you'd like to elaborate now.</p> <p>25 MR KEUNG SAI MING: For Caps 95A and 95B, relating to FSI</p>	
	<p>1 contractors and FSIs and equipment regulations, the</p> <p>2 maximum penalty is a fine of \$50,000, there is no</p> <p>3 imprisonment term. We reviewed the relevant</p> <p>4 legislation, such as Lifts and Escalators (Safety)</p> <p>5 Ordinance, requiring the engagement of a registered</p> <p>6 contractor; the relevant maximum penalties are much</p> <p>7 higher. The relevant director would be subject to</p> <p>8 a time of imprisonment as well.</p> <p>9 So we do plan to increase the maximum penalties to</p> <p>10 increase deterrence, at least in relation to section 7,</p> <p>11 that is inspection, maintenance, repair and testing of</p> <p>12 FSIs and equipment without a licence. We plan to</p> <p>13 increase the maximum penalty.</p> <p>14 MR VICTOR DAWES: Now, my question is whether the FSD has</p> <p>15 issued guidelines to the property management companies</p> <p>16 urging them not to handle the FSIs equipment on their</p> <p>17 own? I know that after the incident you issued</p> <p>18 circulars, but before that, was any circular issued?</p> <p>19 MR KEUNG SAI MING: Before the Wang Fuk Court fire, there</p> <p>20 was such.</p> <p>21 MR VICTOR DAWES: Can you explain your work before the fire?</p> <p>22 MR KEUNG SAI MING: The Fire Services Department does not</p> <p>23 directly supervise the property management companies,</p> <p>24 but we work closely with them. We work closely with, in</p> <p>25 particular, the Property Management Services Authority.</p>	

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<p>1 We are aware that property management staff are usually</p> <p>2 the ones to oversee the FSIs, and that is why we have</p> <p>3 prepared a set of guidelines in collaboration with the</p> <p>4 Property Management Services Authority. This set of</p> <p>5 guidelines is included in my list of documents in the</p> <p>6 witness statement.</p> <p>7 I'd also like to highlight two or three points on</p> <p>8 top of that. We've repeatedly reminded them about the</p> <p>9 requirements of section 7 of Cap 95A, and that is</p> <p>10 a non-RFSIC must not inspect, test or repair FSIs on</p> <p>11 their own.</p> <p>12 Now, this is included in the guidelines as well. We</p> <p>13 also remind the licensed property management companies</p> <p>14 that even if they have engaged registered FSICs to do</p> <p>15 the work, the property management company is still</p> <p>16 required to oversee this work.</p> <p>17 MR VICTOR DAWES: All right. So is it right to say that had</p> <p>18 ISS monitored or checked the guidelines, then this</p> <p>19 should not have happened?</p> <p>20 MR KEUNG SAI MING: I agree. It should not have happened.</p> <p>21 MR VICTOR DAWES: Chairman, this set of guidelines is in</p> <p>22 tab 7, bundle B10. Page 5613, that's the page number.</p> <p>23 In other words, that's the PMSA's guidelines, but</p> <p>24 you worked with the PMSA in preparing the guidelines.</p> <p>25 MR KEUNG SAI MING: Correct.</p>	<p>1 notice should come with a cross, to show others that</p> <p>2 this one is not in order. So that's about heading (A).</p> <p>3 MR VICTOR DAWES: And there are also dimension requirements</p> <p>4 under heading (A) as well?</p> <p>5 MR KEUNG SAI MING: Yes. And then heading (B). For the</p> <p>6 first time we have found that somebody who's not an</p> <p>7 RFSIC and somebody without any knowledge had switched</p> <p>8 off the main power switch, and it's really problematic.</p> <p>9 So, in terms of power supply, we urge the reader to be</p> <p>10 vigilant. And there should be a seal. If the seal is</p> <p>11 in green, it means that the power is on, and the green</p> <p>12 seal should be put there. No unnecessary tampering</p> <p>13 should happen. If it happens, then it will come with</p> <p>14 the word "void" here.</p> <p>15 So for property management staff, they will find it</p> <p>16 easy to differentiate whether the lever has been</p> <p>17 tampered with and that the contractor will be asked to</p> <p>18 help.</p> <p>19 Now, if it's under repair, then a red seal should be</p> <p>20 put there on the main power switch so that anyone who</p> <p>21 reads the switch will see the word "void".</p> <p>22 MR VICTOR DAWES: And there is also this requirement on</p> <p>23 measurements.</p> <p>24 MR KEUNG SAI MING: Right.</p> <p>25 MR VICTOR DAWES: So for (C), it's "Contractor's Misconduct</p>
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<p>1 MR VICTOR DAWES: In 2026, the FSD also issued two circular</p> <p>2 letters relating to this incident.</p> <p>3 MR KEUNG SAI MING: Right.</p> <p>4 MR VICTOR DAWES: If we go to bundle C3-1/1979. That's FSD</p> <p>5 circular 1/2026.</p> <p>6 MR KEUNG SAI MING: Yes.</p> <p>7 MR VICTOR DAWES: Can you please explain the content of this</p> <p>8 circular issued after the incident?</p> <p>9 MR KEUNG SAI MING: This circular letter supplements</p> <p>10 circular letter number 1/2021. That's, for example,</p> <p>11 under headline (A) in relation to damage notice. The</p> <p>12 original requirement is that the notices should be</p> <p>13 posted at conspicuous places. Now, the requirement</p> <p>14 specifically is that the notice should be of an A3 size,</p> <p>15 it should be laminated, and instead of posting the</p> <p>16 notice on the ground floor, it should be posted at</p> <p>17 conspicuous places of the lift lobbies of each floor in</p> <p>18 order to enhance efficiency.</p> <p>19 Please go back to heading (A). Let me correct.</p> <p>20 I mentioned the dimensions of a size A3. Let me</p> <p>21 correct. About this circular letter number 1/2026,</p> <p>22 under heading (A), for the defective components such as</p> <p>23 the hose reel, if it is to be shut down and not to be</p> <p>24 used, we want users to know for sure that this is</p> <p>25 a defective component and should not be used. This</p>	<p>1 or Negligence". This is already in law?</p> <p>2 MR KEUNG SAI MING: Yes.</p> <p>3 MR VICTOR DAWES: And "Commencement and Transitional</p> <p>4 Arrangements".</p> <p>5 MR KEUNG SAI MING: Correct.</p> <p>6 MR VICTOR DAWES: If you refer to page 1985, please.</p> <p>7 MR KEUNG SAI MING: That's the second circular letter. It</p> <p>8 also supplements the circular letter number 1/2021.</p> <p>9 You can scroll down, please.</p> <p>10 First, we have a reminder for contractors there is</p> <p>11 a cascading effect. If you maintain a system and the</p> <p>12 building is from an older era like Wang Fuk Court, you</p> <p>13 have to be mindful of the power supply. They already</p> <p>14 should know about this, but to prevent any</p> <p>15 misunderstanding, we have the circular letter to make</p> <p>16 sure the shutdown of one system will not affect another</p> <p>17 system. That's what's in section (A).</p> <p>18 For section (B), again we have mentioned this for</p> <p>19 notices before, but we again remind them to have notices</p> <p>20 printed in a large form and it should be affixed in</p> <p>21 conspicuous locations like lift lobbies so that</p> <p>22 residents and relevant personnel understand what is</p> <p>23 going on with the fire services installations.</p> <p>24 MR VICTOR DAWES: Right. So with these circular letters,</p> <p>25 you will issue them to fire services contractors; right?</p>

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<p>1 MR KEUNG SAI MING: Yes.</p> <p>2 MR VICTOR DAWES: Who else will be disseminated with</p> <p>3 circular letters?</p> <p>4 MR KEUNG SAI MING: In fact, I have talked to property</p> <p>5 management services personnel and associations as well</p> <p>6 as organisations managing many shopping malls, told them</p> <p>7 about the circular letter, but the target of the</p> <p>8 circular letter is for contractors.</p> <p>9 MR VICTOR DAWES: We have explored potential increase in</p> <p>10 penalties.</p> <p>11 MR KEUNG SAI MING: Right.</p> <p>12 MR VICTOR DAWES: You have also implemented some measures</p> <p>13 for contractors and property management companies to</p> <p>14 better understand the system. Do you have any other</p> <p>15 recommendations coming from the Fire Services</p> <p>16 Department?</p> <p>17 MR KEUNG SAI MING: I do. It will take some time, though.</p> <p>18 MR VICTOR DAWES: Sure.</p> <p>19 MR KEUNG SAI MING: After the incident, in terms of</p> <p>20 regulation of FSI, we do see a need to review</p> <p>21 legislation and on this occasion this incident is</p> <p>22 related to a shutdown of a system. If you are</p> <p>23 registered contractor, you have a responsibility to</p> <p>24 enhance relevant system, including something related to</p> <p>25 shutdown.</p>	<p>1 means you want to expedite the efficiency to enforce</p> <p>2 against breaches or notify those who have contravened</p> <p>3 relevant laws.</p> <p>4 MR KEUNG SAI MING: Right.</p> <p>5 MR VICTOR DAWES: You believe that will increase deterrence?</p> <p>6 MR KEUNG SAI MING: Agreed. Apart from the above, we have</p> <p>7 registered contractors, being of three tiers. We have</p> <p>8 approximately 1,000 of them. After they are registered,</p> <p>9 as long as they are qualified persons, they will be</p> <p>10 permanently registered. We want to look to the</p> <p>11 practices of other professional bodies. We will no</p> <p>12 longer have permanent registration. We will require</p> <p>13 renewals of registration. We are also looking at how we</p> <p>14 can enhance our enforcement powers. We do have the</p> <p>15 power to investigate fires and we have the power to</p> <p>16 enter certain premises, but for investigation and</p> <p>17 seizure of documents, we have limited powers. We want</p> <p>18 to enhance our powers in this regard.</p> <p>19 The last aspect is penalties. Right now the fine is</p> <p>20 \$50,000, this is the maximum fine. We believe it is of</p> <p>21 limited deterrence.</p> <p>22 For works personnel, they will not be sentenced to</p> <p>23 imprisonment at all. We have referred to other</p> <p>24 legislation. We believe there is much room for</p> <p>25 increasing penalties to increase deterrence.</p>
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<p>1 But in future, we want to make sure before shutdown,</p> <p>2 approval has to be sought from the Fire Services</p> <p>3 Department. This is what we will look at for</p> <p>4 legislative amendments. This will give us more power to</p> <p>5 review shutdowns and to make sure there are appropriate</p> <p>6 measures to safeguard the buildings when there is</p> <p>7 a shutdown. This is the first point for legislative</p> <p>8 amendments.</p> <p>9 For the second point, we do note that property</p> <p>10 management companies are not accountable for fire</p> <p>11 services installations. The ones who are held</p> <p>12 accountable are building owners.</p> <p>13 For those managing buildings, like property</p> <p>14 management companies, are often held responsible in</p> <p>15 other legislations, so we want to increase the coverage</p> <p>16 to cover property management companies to make sure fire</p> <p>17 services installations are in good order. This is the</p> <p>18 second pillar we are looking at.</p> <p>19 The third pillar is, right now, with enforcement</p> <p>20 efficiency we issue summons for enforcement. We want to</p> <p>21 have for FSIs or some active breaches, we will have</p> <p>22 fixed penalties. We believe it will increase</p> <p>23 deterrence. It will also be more efficient for us to</p> <p>24 enforce relevant laws.</p> <p>25 MR VICTOR DAWES: To better understand the situation, it</p>	<p>1 So these are the six aspects for the amendments of</p> <p>2 law.</p> <p>3 We also plan to implement other measures.</p> <p>4 MR VICTOR DAWES: Right. For legislative amendments, you</p> <p>5 have mentioned the points. I believe you have other</p> <p>6 points relating to education, for example?</p> <p>7 MR KEUNG SAI MING: Yes.</p> <p>8 MR VICTOR DAWES: We are dealing with some issues that we</p> <p>9 have gleaned from the evidence we heard at evidential</p> <p>10 hearings. Ms Cheng Tsz Ying of the property management</p> <p>11 company said, when asked why shutdown notices were sent</p> <p>12 to Victory Fire Engineering, why they were not notified</p> <p>13 of that, and she said because -- well, Victory Fire</p> <p>14 Engineering should have already been aware of such work</p> <p>15 so they didn't specifically notify Victory Fire</p> <p>16 Engineering.</p> <p>17 But for property management companies, do you think</p> <p>18 they have a role of coordinating different personnel and</p> <p>19 companies?</p> <p>20 MR KEUNG SAI MING: I agree they should take the role of</p> <p>21 a coordinator if they engage more than one contractor,</p> <p>22 because that would eliminate communication issues.</p> <p>23 MR VICTOR DAWES: I believe in relation to the rules and</p> <p>24 regulations, there is no such requirement. Is it</p> <p>25 because before, we would not have more than one</p>

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<p>1 contractor or we haven't had specific incidents like</p> <p>2 these?</p> <p>3 MR KEUNG SAI MING: I have seen instances like this.</p> <p>4 I don't know if this happens often, but I guess with</p> <p>5 tendering there are quotations to be given and perhaps</p> <p>6 they think certain quotations are appropriate for them,</p> <p>7 they would go with the contractors. I believe that's</p> <p>8 what happened.</p> <p>9 MR VICTOR DAWES: In terms of the role of a coordinator, do</p> <p>10 you have specific recommendations or what will you do in</p> <p>11 regulation?</p> <p>12 MR KEUNG SAI MING: I believe coordination is very</p> <p>13 important. We haven't really seen much problem with</p> <p>14 coordination before but we have seen in this incident</p> <p>15 coordination is an issue. So in future, with shutdowns,</p> <p>16 we want to have people seek approval from the Fire</p> <p>17 Services Department and then we can look at whether</p> <p>18 there will be potentially coordination issues among</p> <p>19 contractors and we can deal with them.</p> <p>20 MR VICTOR DAWES: All right. I also want to talk about the</p> <p>21 responsibility of Victory Fire Engineering.</p> <p>22 A representative said that during maintenance they found</p> <p>23 that booster pump room switch was turned off. So for</p> <p>24 fire services installation contractor, when they went to</p> <p>25 the pump room, they found the main switch turned off.</p>	<p>1 found that there is serious problem with the operations</p> <p>2 of FSIs, they should do something.</p> <p>3 If you refer to B2/1303, we can see this is part of</p> <p>4 the circular letter. I believe there is a difference</p> <p>5 between the English and Chinese versions in terms of</p> <p>6 page number. Page 1303, (B) at the very bottom. In the</p> <p>7 English version:</p> <p>8 "Written notification should be made if the shutdown</p> <p>9 is arisen from a situation where there are defects in</p> <p>10 the FSI system ..."</p> <p>11 So there is a difference between the Chinese and</p> <p>12 English versions.</p> <p>13 MR KEUNG SAI MING: Right.</p> <p>14 MR VICTOR DAWES: In Chinese it has a degree, "serious</p> <p>15 defects". In English it's just "defects". I believe</p> <p>16 there is a discrepancy in translation.</p> <p>17 MR KEUNG SAI MING: Sorry, I did say "serious defects", and</p> <p>18 in Chinese it is "defects", "serious defects".</p> <p>19 MR VICTOR DAWES: In Chinese it says "serious defects".</p> <p>20 MR KEUNG SAI MING: I understand what you're saying.</p> <p>21 MR VICTOR DAWES: I believe most contractors would look at</p> <p>22 the Chinese version.</p> <p>23 MR KEUNG SAI MING: Right. I agree, I do know there's</p> <p>24 a discrepancy between the Chinese and English versions.</p> <p>25 I think we can perhaps amend this but you can also refer</p>
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<p>1 I believe that they should feel alarmed.</p> <p>2 MR KEUNG SAI MING: Yes.</p> <p>3 MR VICTOR DAWES: So once they have found out about this,</p> <p>4 they asked the property management company</p> <p>5 representative and they confirmed it to be the case</p> <p>6 because there was maintenance of fire service tanks, so</p> <p>7 someone else touched the switch.</p> <p>8 For a registered contractor, under the</p> <p>9 circumstances, what should they do in view of existing</p> <p>10 rules and regulations?</p> <p>11 MR KEUNG SAI MING: To shut down a system we have the FSD</p> <p>12 circular letter number 1/2021 and for section (B) we</p> <p>13 actually said very clearly for a contractor needing to</p> <p>14 maintain or repair a system and then it became</p> <p>15 inoperational, they should notify Fire Services</p> <p>16 Department and residents should also be notified, so</p> <p>17 that for other operations mentioned in the circular</p> <p>18 letter will be aware of such, we will perhaps deploy</p> <p>19 more appliances because we are aware of this. We may</p> <p>20 also review our operational plans and inspections. We</p> <p>21 will also make maybe 10-odd recommendations to building</p> <p>22 personnel to notify residents to perhaps also enhance</p> <p>23 housekeeping of FSI maintenance.</p> <p>24 MR VICTOR DAWES: You mentioned this is mentioned in FSD</p> <p>25 circular letter number 1/2021 and it is said if they</p>	<p>1 to the contents below to see what specific impact there</p> <p>2 is to the building.</p> <p>3 MR VICTOR DAWES: And it is already set out here.</p> <p>4 MR KEUNG SAI MING: Yes.</p> <p>5 MR VICTOR DAWES: I also want to ask about what the witness</p> <p>6 of Victory Fire said. They said after turning off the</p> <p>7 switch they have contacted ISS and ISS representative</p> <p>8 told them because there was maintenance for the fire</p> <p>9 service tank, they have turned it off and a shutdown</p> <p>10 notice was given.</p> <p>11 Mr Chung Kit Man said because another contractor was</p> <p>12 working on things, they should not tell them what to do.</p> <p>13 He thought he already went over what he was supposed to</p> <p>14 do. Will you accept what he said?</p> <p>15 MR KEUNG SAI MING: I won't accept what he said because, in</p> <p>16 this trade, we work with fire services installations and</p> <p>17 the ultimate goal is to protect residents. If the power</p> <p>18 supply is cut off, even if the system is operational, it</p> <p>19 does not achieve the intended effect. The alarm will</p> <p>20 not sound, there's no water. And we have already</p> <p>21 reminded them in the circular letter to notify us so</p> <p>22 that we can implement other measures stated in circular</p> <p>23 letter, deploy more appliances, notify the residents</p> <p>24 enhance relevant work to ensure safety.</p> <p>25 MR VICTOR DAWES: If we look at the circular letter, if we</p>

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<p>1 go back to page 1302. So we can see the very last page, 2 it says this: 3 "As RFSICs will be engaged by the FSI owners to 4 inspect FSIs to see whether they have to be shut down 5 for maintenance/modification/repair, the RFSIC is 6 therefore the most appropriate person to notify the FSD 7 accordingly." 8 The Chinese version is in bundle A3, page 207. 9 Basically it says the contractor is the most appropriate 10 party to notify the Fire Services Department of such. 11 I want to ask, you know there was the Wang Fuk Court 12 incident and the circumstances around it. To 13 contractors, who should notify you? Is it Victory Fire 14 Engineering or China Status Development? Either/or or 15 both of them? 16 MR KEUNG SAI MING: Both of them. 17 MR VICTOR DAWES: China Status Development has the 18 responsibility because they submitted the shutdown 19 notices. 20 MR KEUNG SAI MING: If they're aware of that, right. 21 MR VICTOR DAWES: They should notify you? 22 MR KEUNG SAI MING: Right. 23 MR VICTOR DAWES: Of course if they conducted inspections; 24 they should conduct inspections. 25 MR KEUNG SAI MING: Yes.</p>	<p>1 submitted FS251 and China Status Development later 2 submitted a shutdown notice, so you know that more than 3 one contractor is dealing with the building system. 4 Under the current mechanism, are there any guidelines 5 stating that officers of the FSD should pay attention to 6 that, do some coordination or reminding? If not, what 7 can you do in the future, learning from this lesson? 8 MR KEUNG SAI MING: There is a large amount of certificates 9 posted to our department, 300,000 every year. There are 10 still certificates being posted to us and there is 11 a time lag. If you ask us to monitor each and every 12 submission minutely, yes, it can be strengthened. 13 Just now there is a mention that there are two 14 contractors. I mentioned about the guideline issued by 15 the PMSA which says that property management companies 16 will have to monitor the contractors for maintenance 17 work they have engaged. In this instance, there are two 18 contractors engaged. According to the guidelines, the 19 management company has the duty to better monitor them. 20 However, the FSD has the duty as well. 21 As I said, we have amended the regulations, we have 22 added an application for approval for shutdown. When 23 they have complied with that, then we can see whether 24 there are one contractors and when we give the approval, 25 we will be able to supervise better to guard against</p>
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<p>1 MR VICTOR DAWES: As for Victory Fire Engineering, they are 2 not the party submitting the SDNs, they know that 3 another company has submitted SDNs. Do you think they 4 can rely on the fact that SDNs have submitted -- 5 I already kind of sensed from what you said earlier, but 6 what will you say specifically? 7 MR KEUNG SAI MING: If they see a switch panel from this 8 era, they should know the switch without power supply 9 will not only cut the power supply to the water system 10 but also the fire alarm system. I'm not sure if they 11 know about this. Assuming they know about this, they 12 know this system has SDN, they should know the fire 13 alarm system does not have an SDN covered. And for 14 section (A), they are engaged for maintenance and 15 repairs, and in section (B) we talked about there is 16 a need to notify us. I believe this is very clear. 17 MR VICTOR DAWES: I want to explore another topic. We 18 talked about how under circumstances when there is more 19 than one registered contractor, the property management 20 company has the responsibility of being a coordinator. 21 MR KEUNG SAI MING: Agree. 22 MR VICTOR DAWES: I want to ask if the Fire Services 23 Department understands or knows there is more than one 24 registered contractor. If we refer to the circular 25 1/2021, on 31 March, Victory Fire Engineering already</p>	<p>1 mistakes. 2 MR VICTOR DAWES: Well, as these contractors have to be 3 registered, and there is also a system under which there 4 are disciplinary hearings, China Status' disciplinary 5 hearing was actually chaired by you. There was 6 a suspension of three weeks; you dished out that 7 penalty. To a certain extent, of course when it comes 8 to fire safety, the trade will have to exercise 9 discipline because they have statutory disputes. 10 However, the responsibilities between Victory Fire and 11 China Status, can Victory Fire say, "China Status has 12 a registration, they have submitted the SDN, how come we 13 can't rely on their professional qualification?" 14 MR KEUNG SAI MING: This is a good example. If the matter 15 is not followed up in accordance with the circular 16 letter, there will be inadequacy in the communications. 17 When a system shuts down, some other parties will not 18 know. Some people should know that one system is in 19 control, one panel is in control of two systems. 20 Disabling one will disable the other. 21 THE HON MR JUSTICE DAVID LOK: When Victory Fire conducted 22 the visit, perhaps they did not know what the shutdown 23 notice covers. Perhaps the FAS as well. Maybe they 24 need to look at the SDN, ask for it from the management 25 office before making a decision because, without seeing</p>

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<p>1 it, they would not know what to do.</p> <p>2 MR KEUNG SAI MING: I agree. That's one of the approaches.</p> <p>3 They could call us or, out of caution, they could submit</p> <p>4 the SDN. If they did not get any reply from anyone or</p> <p>5 they could not find the SDN, because it's a matter of</p> <p>6 life and limb, one should not be careless.</p> <p>7 MR VICTOR DAWES: What we were saying is that currently</p> <p>8 there is no mechanism to monitor in a case with more</p> <p>9 than one contractor. You said that you received more</p> <p>10 than 300,000 certificates every year. If there is</p> <p>11 a notification mechanism in addition to an approval</p> <p>12 mechanism for every submission, it would generate a huge</p> <p>13 amount of workload.</p> <p>14 MR KEUNG SAI MING: Right.</p> <p>15 MR VICTOR DAWES: Can you tell us, every year, in relation</p> <p>16 to shutdown notices, are these the 300,000 or would that</p> <p>17 include others?</p> <p>18 MR KEUNG SAI MING: Other cases are included. I was talking</p> <p>19 about whether a certificate could be traced. In</p> <p>20 relation to shutdown cases, every year there are about</p> <p>21 6,000.</p> <p>22 THE HON MR JUSTICE DAVID LOK: I'd also like to also ask</p> <p>23 a follow-up question. We can make plenty of</p> <p>24 recommendations. There are different sayings, but it</p> <p>25 involves a huge amount of manpower.</p>	<p>1 MR VICTOR DAWES: Now I want to ask about the</p> <p>2 responsibilities of China Status. I think it's more</p> <p>3 straightforward. They admitted in the hearing that in</p> <p>4 the submission of SDN they did not send anyone</p> <p>5 personally to go to the site to look at the situation</p> <p>6 before making the submission. So what is the extent of</p> <p>7 their responsibility under this approach, speaking from</p> <p>8 the FSD?</p> <p>9 MR KEUNG SAI MING: That is misrepresentation. That is</p> <p>10 under Cap 95B, Fire Service Installation, it is</p> <p>11 a violation of section 9, maximum penalty is a level 5</p> <p>12 fine. I think that is at least one of their</p> <p>13 contraventions.</p> <p>14 MR VICTOR DAWES: So from your stance, it's against the law?</p> <p>15 MR KEUNG SAI MING: Yes. In addition, it is something that</p> <p>16 one must never do.</p> <p>17 MR VICTOR DAWES: So, speaking from the FSD's stance, under</p> <p>18 current law, is it explicit that they have to personally</p> <p>19 monitor the shutting down of the FS system; right?</p> <p>20 MR KEUNG SAI MING: Right.</p> <p>21 MR VICTOR DAWES: We talked about labels. I'd like to ask</p> <p>22 for your clarification. There is one Mr Wong Kit, an</p> <p>23 electrician from Victory Fire. He confirmed that next</p> <p>24 to the main switch there was no instructions saying that</p> <p>25 this switch controls the fire alarm system. I think</p>
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<p>1 MR KEUNG SAI MING: Right.</p> <p>2 THE HON MR JUSTICE DAVID LOK: So when it comes to</p> <p>3 legislative amendment you will need to ask for an</p> <p>4 increase in manpower because you need to carry out an</p> <p>5 inspection for every shutdown.</p> <p>6 MR KEUNG SAI MING: Chairman, we do send people over for an</p> <p>7 inspection for every shutdown. It's 24 hours after the</p> <p>8 shutdown. Officers from fire stations within hours will</p> <p>9 send a team with fire appliance to have a look as part</p> <p>10 of the deployment for the shutdown.</p> <p>11 MR VICTOR DAWES: A few days ago, the counsel for the</p> <p>12 Government, in his examination for Victory Fire, said</p> <p>13 that when he was aware of the FSI system, whether it</p> <p>14 occurred to him to contact China Status. Under current</p> <p>15 legislation, it seems that they did not have the duty to</p> <p>16 communicate directly with the other contractor.</p> <p>17 MR KEUNG SAI MING: Under the circular letter, there is</p> <p>18 a duty to notify us. If there was a need for them to</p> <p>19 approach someone else to find the answer, then they</p> <p>20 should do so.</p> <p>21 MR VICTOR DAWES: There are many different ways to find the</p> <p>22 information. They can ask, they can approach the</p> <p>23 contractor, they can also go to do a site visit, but we</p> <p>24 know that in this case none of these happened.</p> <p>25 MR KEUNG SAI MING: Right.</p>	<p>1 you've been informed of that.</p> <p>2 MR KEUNG SAI MING: Yes.</p> <p>3 MR VICTOR DAWES: When he was questioned by ISS counsel, he</p> <p>4 admitted that in the version in relation to FSI and</p> <p>5 equipment 2022 in relation to code of inspections and</p> <p>6 certification, a sign should be added.</p> <p>7 MR KEUNG SAI MING: Yes.</p> <p>8 MR VICTOR DAWES: Let's look at B2, page 919.</p> <p>9 You see here, it's under 3.8.2. It says the label</p> <p>10 should read "Fire alarm", "Fire alarm. Do not switch</p> <p>11 off", "Warning. This switch also controls the supply to</p> <p>12 the fire alarm system". I think the third label applies</p> <p>13 in our case.</p> <p>14 MR KEUNG SAI MING: In the circular letter we mention about</p> <p>15 label attached to the switch. I can give you the</p> <p>16 labels. I think that it applies to newer buildings,</p> <p>17 this code of practice.</p> <p>18 MR VICTOR DAWES: Let me clarify with you. There is</p> <p>19 a saying from Victory Fire that buildings constructed in</p> <p>20 the 1980s, there is no such requirement in the relevant</p> <p>21 CoP, that's why they did not have the duty to do that.</p> <p>22 Do you agree with what they said?</p> <p>23 MR KEUNG SAI MING: Different era have different labels, but</p> <p>24 I think -- well, I will give you the label. I can't</p> <p>25 confirm, but when it comes to labelling and</p>

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<p>1 requirements, for different times there are different</p> <p>2 requirements, that's true.</p> <p>3 MR VICTOR DAWES: So you can't help us with what Mr Chung</p> <p>4 Kit Man said because --</p> <p>5 MR KEUNG SAI MING: I need to verify it.</p> <p>6 MR VICTOR DAWES: Perhaps we will try to find an answer from</p> <p>7 your witness statement. Paragraph 19, your fourth</p> <p>8 witness statement is page 1917. It talks about the code</p> <p>9 of practice, CoP. The applicable CoP, you said -- here</p> <p>10 it says -- that is in relation to what Mr Chung said:</p> <p>11 "FSD's stance is that both the repair works and the</p> <p>12 annual inspection shall be carried out in accordance</p> <p>13 with the specific CoP that was in force at the time when</p> <p>14 the building plan for Wang Fuk Court was first submitted</p> <p>15 for approval."</p> <p>16 The relevant CoP should be the one when the plan was</p> <p>17 submitted.</p> <p>18 MR KEUNG SAI MING: Let me say that it is in relation to</p> <p>19 maintenance of annual inspections, that is that the</p> <p>20 latest code should apply when it comes to maintenance</p> <p>21 and the one that was in force when the building was</p> <p>22 constructed applied. So I want to clarify whether it is</p> <p>23 repair or maintenance, the code of the time when the</p> <p>24 building was constructed applies.</p> <p>25 MR VICTOR DAWES: We now look at B2/791. There are two</p>	<p>1 checklist there is a part that says "not applicable" --</p> <p>2 if the checklist is followed, if there are components</p> <p>3 that are absent in older buildings, that will be not</p> <p>4 applicable because that part could not be carried out.</p> <p>5 MR VICTOR DAWES: Right. I have many questions to ask you.</p> <p>6 In your fourth witness statement you actually quoted</p> <p>7 a code, 1.14, B2, page 883. Let's look at 1.14. There</p> <p>8 is a different wording. It says very clearly here that:</p> <p>9 "RFSIC should bear the ultimate responsibility in</p> <p>10 certifying the FSIs are in efficient working order."</p> <p>11 That's very clear.</p> <p>12 MR KEUNG SAI MING: Right.</p> <p>13 MR VICTOR DAWES: Let's look at (i):</p> <p>14 "the appropriate version of Code of Practice for</p> <p>15 Minimum Fire Service Installations ..."</p> <p>16 As you said, that is for installation, it is in</p> <p>17 relation to the minimum protection, there is a relevant</p> <p>18 version.</p> <p>19 MR KEUNG SAI MING: Right.</p> <p>20 MR VICTOR DAWES: A different one applies for different</p> <p>21 times.</p> <p>22 MR KEUNG SAI MING: Correct.</p> <p>23 MR VICTOR DAWES: Now let's look at subparagraph (ii):</p> <p>24 "All inspection, testing and maintenance of FSIs ...</p> <p>25 [all of them] shall be conducted in accordance with:</p>
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<p>1 parts. That is bundle B2. This is the code of</p> <p>2 practice. There are two parts. One is "Minimum Fire</p> <p>3 Service Installations and Equipment", that is to do with</p> <p>4 installation but not maintenance and repair.</p> <p>5 MR KEUNG SAI MING: Right, the provision of installations.</p> <p>6 MR VICTOR DAWES: The other one is "Inspection, Testing and</p> <p>7 Maintenance of Installations and Equipment". That's to</p> <p>8 do with maintenance of the systems.</p> <p>9 MR KEUNG SAI MING: Correct.</p> <p>10 MR VICTOR DAWES: What you said in your fourth witness</p> <p>11 statement, it means that the 2022 version, in relation</p> <p>12 to the CoP of inspection, testing and maintenance, it</p> <p>13 does not apply to Wang Fuk Court. Is that what you</p> <p>14 meant?</p> <p>15 MR KEUNG SAI MING: Right.</p> <p>16 MR VICTOR DAWES: In your fifth witness statement, that is</p> <p>17 the latest one, paragraph 12, you also cited the 2022</p> <p>18 version. From what you just said in clarification,</p> <p>19 perhaps the 2022 version is not applicable.</p> <p>20 MR KEUNG SAI MING: Let me supplement.</p> <p>21 MR VICTOR DAWES: Yes.</p> <p>22 MR KEUNG SAI MING: In relation to the installations, say</p> <p>23 the 2022 version, the annual inspection checklist, this</p> <p>24 checklist was in place in 2021. The checklist was to</p> <p>25 help contractors to carry out their work. In the</p>	<p>1 (i) the Code of Practice for Inspection, Testing and</p> <p>2 Maintenance of Installations and Equipment".</p> <p>3 It doesn't differentiate the difference. It doesn't</p> <p>4 say that there are different versions that will apply.</p> <p>5 Am I right to say that?</p> <p>6 MR KEUNG SAI MING: I think you have to read 1.14 together</p> <p>7 with another part. Subparagraphs (i) to (iii) talk</p> <p>8 about the annual inspection checklist, but as to whether</p> <p>9 a part applies to the component, then the code, the</p> <p>10 relevant code applies. If there is requirement -- if</p> <p>11 that applies to that code in the relevant code, then</p> <p>12 that applies.</p> <p>13 What I'm trying to say is that in relation to parts,</p> <p>14 there won't be update in requirements.</p> <p>15 MR VICTOR DAWES: I understand. Well, there will be -- if</p> <p>16 there is a constant update in relation to the</p> <p>17 components, that will be unrealistic.</p> <p>18 MR KEUNG SAI MING: Right.</p> <p>19 MR VICTOR DAWES: Let me go back to the labelling. The</p> <p>20 requirement of the warning label, do you think that that</p> <p>21 applies to Wang Fuk Court, that's my question, that is</p> <p>22 3.8.2?</p> <p>23 MR KEUNG SAI MING: I'll have to check the year, whether for</p> <p>24 that year there is such a requirement relating to</p> <p>25 labelling. If there is one, then it applies. However,</p>

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<p>1 if it only applies to newer buildings, then it will not 2 apply. 3 MR VICTOR DAWES: So there is a chance that that part will 4 not apply. 5 I will move on to the failure of the fire alarm 6 during the fire. 7 THE HON MR JUSTICE DAVID LOK: Perhaps we'll have a break of 8 10 minutes. 9 (11.19 am) 10 (A short adjournment) 11 (11.29 am) 12 THE HON MR JUSTICE DAVID LOK: Please continue. 13 MR VICTOR DAWES: Mr Keung, before we move on to talk about 14 the fire alarm on the date of the fire, let's go back to 15 the version of the code. You may need some time to read 16 it through, but let me put it this way, if you need time 17 to read through the code, then perhaps for the 18 registered contractors, they may find it confusing. 19 Would you agree? Do you think that you can clarify it a 20 bit? 21 MR KEUNG SAI MING: Of course there is always room for 22 improving the clarity of the code. 23 MR VICTOR DAWES: Now let's go to the fire alarm system. In 24 the first witness statement of yours in paragraph 10.3, 25 post-fire you checked the fire alarm systems and then,</p>	<p>1 Now let's go to B5/3530. 2 That's the damage caused to Wang Tai House. 3 I suppose you've seen this? 4 MR KEUNG SAI MING: Yes. Yes, I saw the damage done to 5 Wang Tai House in other pictures. 6 MR VICTOR DAWES: That's the damage report. If we go to 7 page 3532, that's the situation for Wang Sun House, 8 again quite seriously damaged. 9 Now my question is this: for Wang Tai House, we know 10 that over 80 residents died. For Wang Sun House, 11 despite the severe damage, only two deaths resulted from 12 the damage. Now, can you tell or would you agree that 13 the fire alarm system is the reason for the difference 14 in the number of deaths in these two blocks? 15 MR KEUNG SAI MING: I agree. But can I also supplement? 16 MR VICTOR DAWES: Yes. 17 MR KEUNG SAI MING: In relation to the number of deaths and 18 the exact causes, we need to conduct in-depth 19 investigation. 20 MR VICTOR DAWES: Now, I'm not suggesting that the fire 21 alarm is the only factor, but in relation to these two 22 blocks -- now, of course we need to investigate how the 23 fire spread and for how long, but one major factor is 24 the fire alarm. Now, I'd say that this factor should be 25 given some weight and this is definitely one major</p>
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<p>1 apart from Wang Sun House, during the inspection the 2 power switch was found to be at the off position. 3 Right? 4 MR KEUNG SAI MING: Correct. 5 MR VICTOR DAWES: And then, next paragraph, when 6 firefighters attended the scene, it was found that the 7 main power switch was at the -- at Wang Sun House, the 8 fire alarm was working, it went off. 9 MR KEUNG SAI MING: Yes. 10 MR VICTOR DAWES: For how long? Subsequently, Ms Tsang Wai 11 Tai, a resident, provided a statement to the place, she 12 said that in her recollection the fire alarm went off at 13 about 15:23 hours, and it went on for about 10 minutes 14 until 15:33. 15 Let me correct. I should say that during that time 16 she heard the alarm going off, but it wasn't clear for 17 how long the alarm rang. Does it tally with your 18 account? 19 MR KEUNG SAI MING: We only heard that indirectly from the 20 residents. 21 MR VICTOR DAWES: But that's also your impression; right? 22 MR KEUNG SAI MING: More or less. 23 MR VICTOR DAWES: For Wang Sun House, according to 24 information, over half of all the units were damaged by 25 the fire. Similar to Wang Tai House.</p>	<p>1 cause. Am I right? 2 MR KEUNG SAI MING: I cannot rule this out. 3 MR VICTOR DAWES: In your third witness statement, 4 paragraph 5.1.1, you refer to "there is no information 5 to suggest to FSD that the fire alarm at Wang Yan House 6 had been activated". You recall that? 7 MR KEUNG SAI MING: Yes. 8 MR VICTOR DAWES: We were also provided with other 9 information at the hearing, because Mr Lam Man Yan from 10 ISS testified that he went to the pump room of Wang Yan 11 House to pull the lever back to the on position and then 12 he heard the alarm being activated. You know that? 13 MR KEUNG SAI MING: I learned subsequently. 14 MR VICTOR DAWES: I'm not criticising your witness 15 statement. I just want to tell you that we did receive 16 another piece of information. 17 He said he went to Wang Tao House, he tried to pull 18 the lever to the on position to no avail, and then in 19 Wang Sun House he succeeded. So for Wang Yan and 20 Wang Sun Houses, he managed to put it back on. 21 From residents, we learned the fire alarm at 22 Wang Yan House was activated. In the questionnaires 23 dished out to residents, 55 out of the 76 residents of 24 Wang Yan House said that they heard the fire alarm ring. 25 Now, we know that this may be a contradiction to</p>

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1 whether the fire alarm system was in order after the
 2 fire because, according to your witness statement, upon
 3 checking, the system was turned off. You remember that?
 4 MR KEUNG SAI MING: Yes, I remember that.
 5 MR VICTOR DAWES: So, under what circumstances would the
 6 fire alarm have been activated and then subsequently was
 7 found to be switched off?
 8 MR KEUNG SAI MING: I can only say that if it was switched
 9 off, it would be impossible for the fire alarm to go
 10 off.
 11 MR VICTOR DAWES: But it seems from the residents that the
 12 fire alarm had indeed been activated, they heard it.
 13 MR KEUNG SAI MING: Well, if it indeed rang, then it should
 14 have been activated.
 15 MR VICTOR DAWES: Right.
 16 MR KEUNG SAI MING: But then, at the scene of the fire, when
 17 our firefighters checked, it was at the off position.
 18 So if it's at the off position, it shouldn't go off.
 19 MR VICTOR DAWES: Well, I think we all get that. If it's
 20 put at off position, it shouldn't go off.
 21 So my question is why is it that it seems from
 22 objective evidence that the fire alarm did go off; only
 23 that when you checked, it's at the off position?
 24 MR KEUNG SAI MING: We couldn't find the reason why.
 25 MR VICTOR DAWES: But that seems to be the case.

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1 MR KEUNG SAI MING: Correct.
 2 MR VICTOR DAWES: Is there another possibility? Let's say
 3 if the FAS is deactivated and then if somebody puts it
 4 back on, then the fire alarm may not go off. For other
 5 reasons, the fire alarm may be out of order?
 6 MR KEUNG SAI MING: I agree.
 7 MR VICTOR DAWES: I also asked you that, had the fire alarm
 8 been activated earlier, then lives could have been
 9 saved. You agree?
 10 MR KEUNG SAI MING: Yes.
 11 MR VICTOR DAWES: Then, according to your report, apart from
 12 Wang Cheong House, the fuse of the control panels of the
 13 seven blocks were damaged by the fire. I think you
 14 remember that; right?
 15 MR KEUNG SAI MING: I want to check the relevant statement.
 16 MR VICTOR DAWES: Bundle B2/1893. This is part of the
 17 report that I showed you earlier this morning. Under
 18 "Control Fuse", we see "Blown", and then "Blown and
 19 Mouldy". You see that?
 20 MR KEUNG SAI MING: Yes.
 21 MR VICTOR DAWES: So you can now recall upon seeing this?
 22 MR KEUNG SAI MING: Yes.
 23 MR VICTOR DAWES: Let's go to page 1980 to 1982 of the
 24 report. It contains the investigation findings of each
 25 FAS, for example whether it was switched off, whether it

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1 could be switched back on and then "Action taken by
 2 FSD".
 3 Let me put this to you. Out of the eight blocks,
 4 only the control fuse of Wang Chi House was intact and
 5 it could be put back on later. For Wang Tai, it says
 6 "Waterlogged in the pump room".
 7 MR KEUNG SAI MING: Right.
 8 MR VICTOR DAWES: So the system could not be tested.
 9 MR KEUNG SAI MING: Right.
 10 MR VICTOR DAWES: Then in paragraph 5.2 of the witness
 11 statement you refer to the same. You remember that?
 12 MR KEUNG SAI MING: Yes.
 13 MR VICTOR DAWES: And then according to the report, for the
 14 FAS of the remaining five blocks, they could not be
 15 activated.
 16 So for post-fire testing, for one of the five blocks
 17 including Wang Sun House, which was confirmed to have
 18 the fire alarm go off, and also another block, indeed
 19 for post-fire investigation the control fuse was found
 20 to be defective.
 21 MR KEUNG SAI MING: Subsequent investigation indicated so.
 22 MR VICTOR DAWES: But the post-fire investigation took place
 23 after the fire had happened, so it could be that the
 24 control fuses were actually damaged by the fire; is that
 25 right?

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1 MR KEUNG SAI MING: I cannot rule this out.
 2 MR VICTOR DAWES: And your witness statement also explained
 3 this point. In fact, paragraph 6.1, 6.2 of the third
 4 witness statement, in fact you explained that the FAS:
 5 "... interconnected in a series within a single
 6 shared electrical conduit ..."
 7 MR KEUNG SAI MING: Right.
 8 MR VICTOR DAWES: So just a set of interconnected electrical
 9 cables; is that right?
 10 MR KEUNG SAI MING: Agree.
 11 MR VICTOR DAWES: And post-fire investigation revealed that
 12 many places had their fuses severely damaged by intense
 13 heat so there was no way to reactivate the fire alarm
 14 system afterwards. This is a possibility; right?
 15 MR KEUNG SAI MING: Correct.
 16 MR VICTOR DAWES: So, for these fire alarm systems, we know
 17 that the cables, should they be exposed or encased in
 18 concrete, or could you not say?
 19 MR KEUNG SAI MING: In general, they should be encased in
 20 concrete.
 21 MR VICTOR DAWES: So for the eight houses, the cables for
 22 the fire alarm system, you understand that they should
 23 be fire-protected?
 24 MR KEUNG SAI MING: I believe there were some changes to the
 25 rules. In the 1980s, the specifications for cables were

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1 not as high as thereafter for newer buildings.
 2 MR VICTOR DAWES: So there is a possibility that for the
 3 Wang Fuk Court development, there is more damage to the
 4 cables because their standards are not as high as those
 5 in newer buildings?
 6 MR KEUNG SAI MING: That is possible.
 7 MR VICTOR DAWES: But if we have the cables encased in
 8 concrete, is it the case that there will be less damage?
 9 MR KEUNG SAI MING: I agree, but then the switch would still
 10 be exposed.
 11 MR VICTOR DAWES: All right. So if the switch is damaged by
 12 fire, it can still affect the system?
 13 MR KEUNG SAI MING: Yes. I also want to add this. Even
 14 with high standards, there is a temperature restriction.
 15 If the temperature is very high, we can have the same
 16 effect.
 17 MR VICTOR DAWES: And you talked about the highest
 18 temperature in a fire, it can go up to 500-odd degrees.
 19 MR KEUNG SAI MING: I do not have the specific data, but
 20 this is possible, this temperature.
 21 MR VICTOR DAWES: So when it gets to this temperature, any
 22 fire alarm system can be rendered inoperational?
 23 MR KEUNG SAI MING: It is possible.
 24 MR VICTOR DAWES: So in the 1980s, the system from the
 25 1980s, compared to a newer system, it will be less

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1 resistant to fire?
 2 MR KEUNG SAI MING: Agree.
 3 MR VICTOR DAWES: So in the 2022 code of practice, it has
 4 fire-resistant cables, but for older buildings, you do
 5 not have such requirements?
 6 MR KEUNG SAI MING: I agree. Or we had different
 7 requirements.
 8 MR VICTOR DAWES: So for older buildings with older systems,
 9 a fire alarm system being rendered inoperational in
 10 fires is more possible or more likely; right?
 11 MR KEUNG SAI MING: I agree.
 12 MR VICTOR DAWES: So for older buildings, if their fire
 13 alarm system is not as advanced or safe as the ones in
 14 newer buildings, do you have specific measures
 15 implemented for these systems?
 16 MR KEUNG SAI MING: In fact, we have several pieces of law
 17 to have building improvement for older buildings, so we
 18 work with the Buildings Department in terms of fire
 19 services installation construction and systems. For
 20 buildings with a certain age range, they have to
 21 implement a programme of works.
 22 MR VICTOR DAWES: Sorry to interrupt you. Is there one
 23 specifically for fire alarm systems?
 24 MR KEUNG SAI MING: Yes.
 25 MR VICTOR DAWES: What are the requirements specifically for

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1 fire alarm systems in older buildings?
 2 MR KEUNG SAI MING: I cannot say them all, but I can say,
 3 for example, for switches. The specific pieces of
 4 legislation would ask people to follow the code in at
 5 least 1994, because some buildings in the 1980s are
 6 required to undergo improvement works for FSIs to follow
 7 the code of practice in 1994. There are also some other
 8 requirements. I cannot say them all now.
 9 MR VICTOR DAWES: When you talk about the switch, are you
 10 referring to the break-glass switch or other kind of
 11 switches?
 12 MR KEUNG SAI MING: I'm referring to the power supply
 13 switch. But I understand that the requirement got up to
 14 the 1994 version. The system in the 1980s and 1990s,
 15 the specific differences, I can't really say them now.
 16 MR VICTOR DAWES: So for this incident, we do understand
 17 that a possible scenario is the fire alarm system is
 18 affected by the fire. We may have an older fire alarm
 19 system in older buildings. Do you think existing rules
 20 and regulations cannot really catch up with the needs?
 21 MR KEUNG SAI MING: We have systems or systems in buildings
 22 constructed before 1987. We need to have some
 23 improvements. We have some new measures. We introduced
 24 new technology and ... technology so that for tenement
 25 buildings six storeys high, we have such arrangements.

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1 We are at a preliminary stage.
 2 MR VICTOR DAWES: Is this introduced after the fire or
 3 before the fire?
 4 MR KEUNG SAI MING: Before the fire. We have commenced such
 5 work before the fire.
 6 MR VICTOR DAWES: Can you tell me more about what happens
 7 after submission of forms? With the submission of
 8 forms, you have a shutdown notice FS251, and in
 9 paragraph 5.4.2 in your witness statement you said
 10 specifically the Fire Services Department would regulate
 11 the work of contractors with the submission of such
 12 notices. The most important one is FS251 because
 13 they would have to submit such forms for your vetting.
 14 So I understand, from the current evidence,
 15 they would have to submit such forms after certain
 16 number of days to say that a system is operational and
 17 when there are issues, what they are going to do about
 18 it.
 19 So after receiving such form, I want to ask what the
 20 Fire Services Department will do? In paragraph 5.4.2 we
 21 can see the Fire Services Department will do three
 22 steps. It seems the first step is the vetting of
 23 documents.
 24 MR KEUNG SAI MING: Right.
 25 MR VICTOR DAWES: And then verification inspection and then

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1 you will do a functional testing.
 2 MR KEUNG SAI MING: Right. So this is not three consecutive
 3 steps, it is three different types of work.
 4 MR VICTOR DAWES: So basically you would do all three types
 5 of work.
 6 MR KEUNG SAI MING: Right.
 7 MR VICTOR DAWES: But they will be done after the submission
 8 of the forms?
 9 MR KEUNG SAI MING: Correct.
 10 MR VICTOR DAWES: So with document review, these are paper
 11 forms?
 12 MR KEUNG SAI MING: Yes.
 13 MR VICTOR DAWES: So you would have officers seeing if all
 14 the fields have been filled and whether the information
 15 is correct?
 16 MR KEUNG SAI MING: Correct.
 17 MR VICTOR DAWES: You'll look at each one?
 18 MR KEUNG SAI MING: We will take 15,000 out of the 300,000
 19 forms submitted every year for checking.
 20 MR VICTOR DAWES: All right. So to check the forms
 21 you would just do a random sampling, you won't review
 22 every one of them?
 23 MR KEUNG SAI MING: We won't review every one of them,
 24 correct. We have different tiers of contractors. For
 25 tier class I contractor, you have done some class II

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1 stuff, then we can see right away that is problematic.
 2 MR VICTOR DAWES: All right. So you're talking about an
 3 obvious scenario. But for whether there is a problem
 4 with the forms, you would only review 15,000 of the
 5 300,000 forms?
 6 MR KEUNG SAI MING: Yes.
 7 MR VICTOR DAWES: Will you conduct a random checking of the
 8 FS251 submitted by registered contractors?
 9 MR KEUNG SAI MING: The FS251 have to be filed with us, so
 10 we will have a random checking and an important document
 11 we will refer to is FS251.
 12 MR VICTOR DAWES: Mr Chung Kit Man said specifically for
 13 several years they have not had Fire Services Department
 14 check their annual checklists. It is because they have
 15 not submitted them to you, so you don't have to look at
 16 it specifically.
 17 MR KEUNG SAI MING: Well, let me say something. He said we
 18 do not ask them to submit to us in the circular letter,
 19 but we ask them to keep them for seven years. FS251 is
 20 a certificate of fire services installation and
 21 equipment.
 22 MR VICTOR DAWES: So FS251s have to be filed with you?
 23 MR KEUNG SAI MING: Yeah, they have to submit the soft
 24 copies.
 25 MR VICTOR DAWES: What do they have to keep a record of

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1 exactly?
 2 MR KEUNG SAI MING: The annual checklist.
 3 MR VICTOR DAWES: So for the annual checklist they said the
 4 Fire Services Department has never done a random
 5 checking, but you actually do it?
 6 MR KEUNG SAI MING: Yes.
 7 MR VICTOR DAWES: It's just that you have not selected
 8 Victory Fire for checking?
 9 MR KEUNG SAI MING: Correct.
 10 MR VICTOR DAWES: So can you tell the Committee how much
 11 samples will you check?
 12 MR KEUNG SAI MING: We will check 300 cases per year.
 13 MR VICTOR DAWES: Per year?
 14 MR KEUNG SAI MING: Yes.
 15 MR VICTOR DAWES: You have approximately 1,000-odd
 16 registered contractors?
 17 MR KEUNG SAI MING: 1,000-odd.
 18 MR VICTOR DAWES: So, according to your evidence, you would
 19 review approximately one-third each year, or are you
 20 referring to 300 cases?
 21 MR KEUNG SAI MING: 300 checklists.
 22 MR VICTOR DAWES: So if you go to a particular contractor,
 23 they have 30 cases, you would do it on a case basis, not
 24 a contractor basis?
 25 MR KEUNG SAI MING: Correct.

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1 MR VICTOR DAWES: So in terms of percentage, how many forms
 2 or checklists are you checking? You have every year
 3 300,000 FS251s. You would review 300-odd of them. Do
 4 you think this way of putting it is inaccurate?
 5 MR KEUNG SAI MING: With 300,000 certificates, not all of
 6 them involve annual reviews. We have annual reviews,
 7 the particular checklist for them.
 8 MR VICTOR DAWES: How many annual checks are we doing each
 9 year in Hong Kong? How many contractors and how many
 10 buildings are there and how many annual reviews are we
 11 doing each year?
 12 MR KEUNG SAI MING: We have 60,000 buildings in Hong Kong.
 13 MR VICTOR DAWES: So they would have to do annual checks
 14 each year?
 15 MR KEUNG SAI MING: Yes.
 16 MR VICTOR DAWES: So for the 60,000 buildings, you would
 17 inspect 300 of them.
 18 MR KEUNG SAI MING: Specifically the checklists.
 19 MR VICTOR DAWES: So it's about 0.5 per cent?
 20 MR KEUNG SAI MING: It's just the checklists. It's the
 21 issue of the numerator and denominator. We do have
 22 other work.
 23 MR VICTOR DAWES: Well, I'm not saying the numerator and
 24 denominator would show what work you're doing, but this
 25 is what is the case for the checklists?

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<p>1 MR KEUNG SAI MING: Yes.</p> <p>2 MR VICTOR DAWES: So for the verification inspection and</p> <p>3 functional tests, these two would require on-site work;</p> <p>4 right?</p> <p>5 MR KEUNG SAI MING: Correct.</p> <p>6 MR VICTOR DAWES: Can you tell us what specific procedures</p> <p>7 are involved?</p> <p>8 MR KEUNG SAI MING: Can I add something? There is more to</p> <p>9 document review.</p> <p>10 MR VICTOR DAWES: Yes.</p> <p>11 MR KEUNG SAI MING: After submitting the certificates, we</p> <p>12 will select 15,000 for checking. For the 300,000 forms,</p> <p>13 20,000 of them are for restaurants, guesthouses, bed</p> <p>14 space, accommodation as well as dangerous goods stores.</p> <p>15 Because licensing is involved, we have to follow up on</p> <p>16 every one of these. We have approximately 300,000. For</p> <p>17 the 30,000 of the 300,000, they would talk about some</p> <p>18 damaged items and we will follow up. They would also be</p> <p>19 categorised as work under document review.</p> <p>20 MR VICTOR DAWES: Thank you. I want to ask you the previous</p> <p>21 question that I asked, so for the verification</p> <p>22 inspection and the functional test components.</p> <p>23 MR KEUNG SAI MING: Right.</p> <p>24 MR VICTOR DAWES: Can you tell us what they involve</p> <p>25 specifically?</p>	<p>1 every year.</p> <p>2 For demerit system, for the contractors who have</p> <p>3 accumulated more demerit points, we will have functional</p> <p>4 tests done and every year we have approximately 80-odd</p> <p>5 such cases.</p> <p>6 This is what I want to say for functional test</p> <p>7 component.</p> <p>8 I would also want to add that the functional test</p> <p>9 component would allow us to have a more in-depth</p> <p>10 understanding of how the systems are working.</p> <p>11 MR VICTOR DAWES: All right. Can you refer to</p> <p>12 paragraph 5.4.2 of your first witness statement, the</p> <p>13 last part. You said if there is no defects with the</p> <p>14 certificates:</p> <p>15 "... the local fire stations also conduct a</p> <p>16 significant number of on-site verification inspection</p> <p>17 annually."</p> <p>18 MR KEUNG SAI MING: Yes.</p> <p>19 MR VICTOR DAWES: So for the "significant number" of on-site</p> <p>20 verification inspections, how many are there?</p> <p>21 MR KEUNG SAI MING: Well, that's the 10,000 inspections that</p> <p>22 I mentioned earlier.</p> <p>23 MR VICTOR DAWES: Before the Wang Fuk Court incident, in</p> <p>24 March 2025, so several months before the fire,</p> <p>25 Victory Fire submitted FS251s for the eight houses. We</p>
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<p>1 MR KEUNG SAI MING: For verification inspection, it will</p> <p>2 cover several parts. Every year we will receive</p> <p>3 approximately 3,000 FSI complaints. When we deal with</p> <p>4 the complaints, apart from conducting on-site</p> <p>5 inspections, we will review the certificates to compare</p> <p>6 the circumstances to see what is happening.</p> <p>7 So this is what is for FSI. Every year we receive</p> <p>8 30,000 certificates relating to damaged items. We will</p> <p>9 also follow up on them and one of the ways we will</p> <p>10 follow up on these will be conducting on-site</p> <p>11 inspections and there are approximately 2,000 such</p> <p>12 cases. We have every year checks of 10,000 systems, and</p> <p>13 this is random to see if there is anything wrong in</p> <p>14 reality.</p> <p>15 For contractors we have a demerit system. If there</p> <p>16 are contractors who have accumulated demerit points, we</p> <p>17 will select 1,000 out of the contractors to conduct</p> <p>18 inspection. So that is for the component of</p> <p>19 verification inspection.</p> <p>20 Let me now talk about the component of functional</p> <p>21 test as well.</p> <p>22 It would involve when frontline officers receive</p> <p>23 reports of misactivation of alarms or actual fires, we</p> <p>24 will have the fire services installation operate and in</p> <p>25 a way it is being tested. We have 1,000 such cases</p>	<p>1 can see at B2/1440 this is for Wang Yan House. Can you</p> <p>2 see that?</p> <p>3 MR KEUNG SAI MING: Yes.</p> <p>4 MR VICTOR DAWES: Bottom right of this form, there are three</p> <p>5 columns, "For FSD use only", "Inspected, reviewed and</p> <p>6 verified", "key-in and verified". What do they</p> <p>7 represent, these three boxes, and when will they be</p> <p>8 filled?</p> <p>9 MR KEUNG SAI MING: The three boxes, as the names suggest,</p> <p>10 if an inspection has been conducted then it will be</p> <p>11 filled. If it has been input into the system and if</p> <p>12 they have been verified, then these boxes will be</p> <p>13 ticked.</p> <p>14 MR VICTOR DAWES: So, according to what you said, you will</p> <p>15 only conduct random checks. So very often, in the end,</p> <p>16 these three boxes will not be filled if they are not</p> <p>17 selected because no inspection has been conducted?</p> <p>18 MR KEUNG SAI MING: Right.</p> <p>19 MR VICTOR DAWES: When you receive the FS251, it will be</p> <p>20 recorded in your central data system; right? This is</p> <p>21 LIFIPS?</p> <p>22 MR KEUNG SAI MING: Yes.</p> <p>23 MR VICTOR DAWES: But it's input manually?</p> <p>24 MR KEUNG SAI MING: Yes, input manually.</p> <p>25 MR VICTOR DAWES: So, for the many FS251s, they will be</p>

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<p>1 input manually?</p> <p>2 MR KEUNG SAI MING: Let me add, there are two ways to submit</p> <p>3 the form. About 5 per cent of them will be submitted</p> <p>4 electronically.</p> <p>5 MR VICTOR DAWES: So 95 per cent in physical form?</p> <p>6 MR KEUNG SAI MING: Right.</p> <p>7 MR VICTOR DAWES: And for the 95 per cent you will have to</p> <p>8 find someone to key them in?</p> <p>9 MR KEUNG SAI MING: Right.</p> <p>10 MR VICTOR DAWES: Someone will have to look at the form and,</p> <p>11 afterwards, that person will only input the data without</p> <p>12 checking the integrity and accuracy of the information</p> <p>13 filled in, right, because you only select about 10,000</p> <p>14 or so of the forms for checking?</p> <p>15 MR KEUNG SAI MING: Right, just for inputting.</p> <p>16 MR VICTOR DAWES: So these are two separate duties?</p> <p>17 MR KEUNG SAI MING: Right.</p> <p>18 MR VICTOR DAWES: According the record, B2, page 1559, this</p> <p>19 is the information keyed in by the data inputter; right?</p> <p>20 MR KEUNG SAI MING: That's not the data inputter. These are</p> <p>21 related to records of inspections conducted by our</p> <p>22 colleagues.</p> <p>23 MR VICTOR DAWES: Right. That may be the case, but when</p> <p>24 FS251 has been submitted and if there is no follow-up</p> <p>25 action, this will show here; right? That is the system</p>	<p>1 without an actual site inspection; am I right to put it</p> <p>2 this way?</p> <p>3 MR KEUNG SAI MING: Yes.</p> <p>4 MR VICTOR DAWES: We see from records and documents that it</p> <p>5 seems that after the annual inspection in March 2025,</p> <p>6 the FSD did not visit the eight blocks of Wang Fuk Court</p> <p>7 to conduct verification inspection or functional tests</p> <p>8 because this complex has not been selected; is that</p> <p>9 right?</p> <p>10 MR KEUNG SAI MING: No functional test was done. But in</p> <p>11 relation to the annual inspection of Wang Tai House,</p> <p>12 inspections have been conducted for Wang Yan, Wang Sun</p> <p>13 and Wang Tai Houses, blocks A, C and E.</p> <p>14 MR VICTOR DAWES: But they are not on this record. We are</p> <p>15 only looking at the record we're looking at here. It</p> <p>16 doesn't mention there has been site inspection conducted</p> <p>17 in relation to this block because, if that is the case,</p> <p>18 it would have said.</p> <p>19 MR KEUNG SAI MING: Right. But I'd like to add, as I said</p> <p>20 in my witness statement, from the major renovation to</p> <p>21 the fire, in relation to inspections of Wang Tai House,</p> <p>22 the information has been set out in my witness</p> <p>23 statement. So in relation to the annual inspection of</p> <p>24 Wang Tai House, we have conducted work in various</p> <p>25 aspects in relation to the issues identified.</p>
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<p>1 that we mentioned, or is it a different one?</p> <p>2 MR KEUNG SAI MING: We call it LIFIPS, the one starting with</p> <p>3 L. That is a system to record the work done by our</p> <p>4 colleagues.</p> <p>5 MR VICTOR DAWES: For data input of LIFIPS, it will be put</p> <p>6 into the system; right?</p> <p>7 MR KEUNG SAI MING: This system, right.</p> <p>8 MR VICTOR DAWES: In relation to the records of Wang Tai</p> <p>9 House, page 1399 here, the lower part. It says here on</p> <p>10 12 August 2025, from Mr Lai of the management company,</p> <p>11 received FS251 personally. These have been uploaded to</p> <p>12 document list enclosed 848. So this is a record that</p> <p>13 the hard copy has been received.</p> <p>14 MR KEUNG SAI MING: Right.</p> <p>15 MR VICTOR DAWES: Now let's look at page 1429. That is an</p> <p>16 earlier record. It says in relation to this premises</p> <p>17 there is a new annual inspection certificate. There is</p> <p>18 a number, "Items for defects, it's being followed up by</p> <p>19 the annual inspection case number 1709543. Please refer</p> <p>20 to review case data FS251, audited without inspection</p> <p>21 and related case."</p> <p>22 MR KEUNG SAI MING: Yes.</p> <p>23 MR VICTOR DAWES: It says "audited without inspection".</p> <p>24 Does it mean that on 12 August the FSD has conducted</p> <p>25 document review from the document received from Mr Lai</p>	<p>1 MR VICTOR DAWES: It's not the case that I said you have not</p> <p>2 done anything, that is in the line of your work, if</p> <p>3 there is follow-up work after receipt of FS251, that</p> <p>4 includes inspection conducted. It should be so stated</p> <p>5 in the record; right?</p> <p>6 MR KEUNG SAI MING: Right.</p> <p>7 MR VICTOR DAWES: Am I right to say this: the result --</p> <p>8 well, there is a checklist under the annual inspection.</p> <p>9 It seems from your evidence that the checklist does not</p> <p>10 have to be submitted to the FSD, they only have to be</p> <p>11 filed by the contractor?</p> <p>12 MR KEUNG SAI MING: Right.</p> <p>13 MR VICTOR DAWES: If this is different from the checklist,</p> <p>14 then you need to rely on the contractor to go through</p> <p>15 the checklist to identify the differences, that is, in</p> <p>16 relation to the cases selected every year. Right?</p> <p>17 MR KEUNG SAI MING: Well, one way is to use the checklist to</p> <p>18 identify the differences. That is done by the</p> <p>19 contractor. That's one way.</p> <p>20 MR VICTOR DAWES: If there is difference from the annual</p> <p>21 checklist, from this record, you won't be able to see.</p> <p>22 You can only see when you conduct an audit with the</p> <p>23 contractor on the site?</p> <p>24 MR KEUNG SAI MING: Right.</p> <p>25 MR VICTOR DAWES: I would like to talk to you about surprise</p>

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1 check. Let's look at B2/1451. Item 1333, on page 1451
 2 at the top, B2, tab B3. It says here, 1333:
 3 "Surprise check was conducted by the undersigned."
 4 It is an action taken in relation to an SDN,
 5 according to the record. A surprise check stated here,
 6 on what basis or under what mechanism is it conducted?
 7 MR KEUNG SAI MING: I will have to read further down.
 8 I see from this record that in relation to the
 9 surprise check, there is an ADO who is in a supervisory
 10 position. From the record, I see that it says it is
 11 a surprise check to assess the work performed by his
 12 colleagues.
 13 MR VICTOR DAWES: So in addition to assessing the
 14 performance of colleagues, under what circumstances
 15 would the surprise check be done?
 16 MR KEUNG SAI MING: For this rank, that is the main reason.
 17 MR VICTOR DAWES: If it's not just this rank, I would like
 18 to know under what circumstances will a surprise check
 19 be conducted?
 20 MR KEUNG SAI MING: When we receive complaints relating to
 21 FSI.
 22 MR VICTOR DAWES: If no one lodged any complaints about
 23 FSIs, would there be any surprise checks?
 24 MR KEUNG SAI MING: As I said, under verification
 25 inspection, the inspection conducted of the 10,000 cases

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1 will be a surprise check. In relation to the 2,000
 2 inspections conducted because of defects in part 3,
 3 there are also surprise checks without prior
 4 notification. You said that we don't have to look at
 5 the fire hazard complaints. There are also surprise
 6 checks. Under the demerit point systems, there are also
 7 about 1,000 cases. The inspections are also surprise
 8 checks.
 9 MR VICTOR DAWES: In your fourth witness statement, in
 10 paragraph 4 you mention that in relation to
 11 complaint-led investigations, if prior notification is
 12 made, it will undermine the fairness of the enforcement
 13 action and compromise the investigation hence no prior
 14 notification.
 15 MR KEUNG SAI MING: Right.
 16 MR VICTOR DAWES: So these complaint-based investigations,
 17 there would definitely be no prior notice or in some
 18 cases there would be prior notice?
 19 MR KEUNG SAI MING: If it involves functional test, very
 20 often we need to give them prior notice.
 21 MR VICTOR DAWES: Yes, because you need to contact the
 22 contractor.
 23 MR KEUNG SAI MING: Also, notice will have to be given to
 24 residents of the block because the fire alarm system
 25 will not function. So prior notice should be given to

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1 residents.
 2 MR VICTOR DAWES: Can I say this in general. If it's a
 3 check of the fire hydrant and hose reel system, is prior
 4 notice necessary?
 5 MR KEUNG SAI MING: If it's not functional test, if it's
 6 just to get an understanding upon receipt of complaint,
 7 then no prior notice.
 8 MR VICTOR DAWES: If it's to test whether it's functional?
 9 MR KEUNG SAI MING: Then you need to give notice because the
 10 fire alarm will ring and it may scare people.
 11 MR VICTOR DAWES: That's very obvious because the residents
 12 might be surprised, but there would be other reasons
 13 that warrants a prior notice.
 14 MR KEUNG SAI MING: For example, things related to the fire
 15 alarm system?
 16 MR VICTOR DAWES: That, I understand.
 17 MR KEUNG SAI MING: The fire detection system, say, for
 18 example, these detectors above you that are in white, if
 19 tests are done, it will surprise people. And if the
 20 detector is activated, the alarm will ring. In
 21 addition, there are systems that involve water, say, for
 22 example, the sprinkler system. If a functional test is
 23 conducted for these systems, then there will be water.
 24 We need preparation by the management office because the
 25 water may damage certain facilities and it may be

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1 slippery.
 2 MR VICTOR DAWES: In your first witness statement it says
 3 between July 2024 and November 2025, in relation to
 4 investigations and inspections, the FSD has not given
 5 any prior notices; right?
 6 MR KEUNG SAI MING: That is inspections related to shutting
 7 down of systems. In relation to these inspections,
 8 telephone calls have been made to the contractors to get
 9 an understanding of what was going on, does it amount to
 10 advance notice?
 11 MR VICTOR DAWES: Yes, I understand gathering of
 12 information, but when it comes to the actual on-site
 13 inspection, there was no prior notice?
 14 MR KEUNG SAI MING: Right.
 15 MR VICTOR DAWES: So is it related to complaint-related
 16 cases?
 17 MR KEUNG SAI MING: No.
 18 MR VICTOR DAWES: An area of concern in this case is that
 19 there will be fire hazards or risks related to major
 20 renovation. In this regard, contractors may not do
 21 anything in relation to inspections. Would there be
 22 special policies related to surprise inspections on
 23 buildings undergoing renovation? Would there be more
 24 surprise checks?
 25 MR KEUNG SAI MING: Not an increased particularly higher

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<p>1 number of surprise checks in relation to major 2 renovations. 3 MR VICTOR DAWES: Well, that may not be a good turn of 4 phrase. We know that in Wang Fuk Court all eight blocks 5 were under major renovation, hence a higher fire risk. 6 To be fair, can we say that because of major renovation, 7 the FSD has put in place additional measures, say, for 8 example, dispatch of more firemen and different 9 appliances, but let's leave what happened on the day of 10 the fire aside. 11 In relation to inspections, the current policy is 12 that there won't be additional -- there will not be 13 surprise check arisen from major renovations? 14 MR KEUNG SAI MING: Well, before the fire in relation to 15 Wang Fuk Court, what you said is true, but let me 16 supplement. I understand that the colleagues of that 17 area, in relation to the major renovation, they have 18 filed a record in this regard. 19 MR VICTOR DAWES: The filed record, that is because of 20 a heightened fire risk because of the major renovation, 21 should a fire break out, additional measures will have 22 to be put in place. 23 MR KEUNG SAI MING: Yes, additional fire appliances. 24 MR VICTOR DAWES: Additional fire appliances, and you need 25 the plans to know about the layout.</p>	<p>1 already conducted inspections. For problematic ones, 2 the FSD has already followed up and had the issues 3 rectified. This is not just a one-off exercise. It is 4 a cross-departmental exercise. For future buildings 5 undergoing major renovations, the same approach will be 6 adopted. 7 MR VICTOR DAWES: So for -- the major renovation may bring 8 about fire hazards and risks that are not present under 9 other circumstances. When you become aware of that, you 10 will dispatch additional appliances. It goes to show 11 that the FSD is aware that there will be additional fire 12 risk arisen from major renovations; is that right? 13 MR KEUNG SAI MING: For that area, these are the steps that 14 we have taken. 15 MR VICTOR DAWES: Let me repeat myself. The FSD surely 16 knows that because of major renovation, there will be 17 fire risk that are otherwise not present, say, for 18 example, related to fire on the scaffolding nets or the 19 facade, these are the obvious fire risk from major 20 renovation; right? 21 MR KEUNG SAI MING: I don't agree with you entirely because, 22 well, there is a compliant net and non-compliant net. 23 MR VICTOR DAWES: Yes. That would be a different matter. 24 What I'd like you to help me is that we know that, well, 25 before this fire, we know that there has been fires</p>
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<p>1 MR KEUNG SAI MING: I can only give you information about 2 the additional fire appliances. In relation to the 3 contingency plan, I don't have any information to give 4 at this moment. But there will be more fire engines. 5 MR VICTOR DAWES: So in relation to our response to 6 emergency situations and the heightened fire risk, there 7 is no policy stating that there will be surprise checks 8 or additional inspections conducted because of major 9 renovations. Am I right to say that? 10 MR KEUNG SAI MING: Yes. 11 MR VICTOR DAWES: After the fire, do you think this is an 12 area for improvement? 13 MR KEUNG SAI MING: Yes. That's why I want to supplement. 14 MR VICTOR DAWES: Please do. 15 MR KEUNG SAI MING: After the fire, I personally chaired 16 a number of meetings. We liaised with the property 17 service management sector as well as from the Buildings 18 Department, obtained annual inspections covering 19 500 blocks. We want to send out an important message to 20 management offices that prior to major renovations, if 21 there are problems with the FSIs and if repairs are 22 needed, these repairs and replacement should be done 23 before the major renovation. 24 We have finished our work in this regard. For the 25 500 blocks that required a scaffolding net, we have</p>	<p>1 related to scaffolding, bamboos and nets. There is a 2 difference in appliances to be dispatched because of the 3 major renovation. 4 MR KEUNG SAI MING: It's not just about the major 5 renovation, because different fire stations will take 6 different steps because of different situation. 7 MR VICTOR DAWES: I'm not saying you have not done anything 8 in other situation. But just let's focus on Wang Fuk 9 Court. 10 MR KEUNG SAI MING: Yes. 11 MR VICTOR DAWES: It's exactly because there was a major 12 renovation, that's why the fire station was aware that 13 additional appliances would have to be dispatched. 14 MR KEUNG SAI MING: Right. 15 MR VICTOR DAWES: That's why there will be a heightened fire 16 risk because of major renovation compared to other 17 times. Do you agree? 18 MR KEUNG SAI MING: Well, when colleagues prepared the 19 contingency plan, they do so for different places. It's 20 not because of the heightened risk. But they will 21 prepare for the contingency because of the change. 22 MR VICTOR DAWES: Now, you have provided an answer, but 23 I want you to answer my question: do you agree that 24 because of major renovation, relatively, fire risks are 25 heightened? There would be some fire risks that would</p>

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1 otherwise not be present at ordinary times; do you
 2 agree?
 3 MR KEUNG SAI MING: I agree, but I want to supplement,
 4 because these risks are possible.
 5 MR VICTOR DAWES: Right. It's all a matter of possibility
 6 when we talk about risks?
 7 MR KEUNG SAI MING: When there are more people, more
 8 materials around, definitely there would be greater
 9 risks.
 10 MR VICTOR DAWES: True. It's not just today that we have
 11 known that some workers do smoke? It's not just today
 12 that we have come to know that there will be additional
 13 materials on the exterior walls of building that may
 14 catch fire? And that is why, before major renovation,
 15 your colleagues would go and inspect the place so that
 16 in the event of a fire another fire engine will be
 17 dispatched; right?
 18 MR KEUNG SAI MING: Agree.
 19 MR VICTOR DAWES: So for these risks, that would not emerge
 20 at other times, that is because you do have experience
 21 of scaffolding nets caught on fire; right?
 22 MR KEUNG SAI MING: Yes.
 23 MR VICTOR DAWES: Then can you tell us why, over the years,
 24 there have not been any plan to cater for major
 25 renovation and the fire risks?

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1 MR KEUNG SAI MING: Different local fire stations would
 2 conduct local inspection, in order to prepare for a plan
 3 to cope with the heightened risk. The same applies for
 4 Wang Fuk Court.
 5 MR VICTOR DAWES: I'm not criticising the inspections done
 6 and how you should respond to possible fire, because the
 7 circumstances might be different.
 8 MR KEUNG SAI MING: Yes.
 9 MR VICTOR DAWES: My question is: why aren't there
 10 corresponding measures to conduct more surprise checks
 11 and inspections because of the heightened risks?
 12 Because you just answered that additional surprise
 13 checks will not be conducted just because of the
 14 buildings under renovation.
 15 MR KEUNG SAI MING: In fact, after the fire, we already
 16 implemented such an arrangement. For buildings under
 17 renovation or buildings that will undergo renovation, we
 18 will strengthen the effort.
 19 MR VICTOR DAWES: The next question is about the supervision
 20 of the shutting down of FSIs. I know that you are
 21 considering a totally different plan, and that is
 22 instead of relying on the reporting mechanism, you adopt
 23 an approval approach. So under the current requirement,
 24 if it's to be shut down for more than 24 hours, you need
 25 to go through procedures to notify the department.

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1 That's according to circular letter number 1/2021. It
 2 spells out the importance of the shutdown notice, SDN;
 3 do you agree?
 4 MR KEUNG SAI MING: Yes.
 5 MR VICTOR DAWES: And the importance of SDN includes, if we
 6 take a look at bundle B2/1302, paragraph 2. It provides
 7 that the purpose of installing FSIs in premises is for
 8 the protection of life and property in case of fire, and
 9 then it goes on. An FSI which is defective may be a
 10 breach of the law, so to prevent that from happening,
 11 the parties will need to bear some responsibilities, and
 12 one duty is to inform the FSD.
 13 MR KEUNG SAI MING: Right.
 14 MR VICTOR DAWES: It is said that the FSD should be promptly
 15 notified of the shutdown so that FSD may formulate
 16 contingency plan and owners can take additional safety
 17 measures. Because only after you've received the SDN
 18 would you know that the system would be shut down.
 19 MR KEUNG SAI MING: Yes.
 20 MR VICTOR DAWES: And additional fire safety measures
 21 include, for example, fire extinguishers and also other
 22 additional measures in the case of fire risks to be
 23 adopted by the FSD.
 24 MR KEUNG SAI MING: Right.
 25 MR VICTOR DAWES: Here, it also refers to the FSCC, the Fire

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1 Services Communications Centre.
 2 MR KEUNG SAI MING: Yes.
 3 MR VICTOR DAWES: This is the designated contact point for
 4 receiving such notification.
 5 MR KEUNG SAI MING: Yes.
 6 MR VICTOR DAWES: So after FSCC receives an SDN, the steps
 7 goes like this. It's actually in your witness statement
 8 paragraph 8.2. That's in your first witness statement.
 9 The FSCC updates the mobilising system. Can you
 10 explain that to us and how it works and what purpose
 11 does it serve?
 12 MR KEUNG SAI MING: The FSCC sets out the mobilisation
 13 action plan in the event of a fire incident. So it
 14 doesn't dispatch or decide on dispatching the number of
 15 fire engines at the time of receiving this report. It
 16 prepares in advance. So upon receipt of a shutdown
 17 notice, if fire breaks out at the same location,
 18 additional resources will be deployed by the FSCC. So
 19 that's the established practice. Upon receipt of an
 20 SDN, the FSCC will provide additional resources as it
 21 dispatches the fire engine.
 22 MR VICTOR DAWES: So how does this piece of information pass
 23 on to the local fire station?
 24 MR KEUNG SAI MING: It goes like this. The FSCC will pass
 25 on the relevant SDN to the local fire station, and for

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<p>1 the mobilisation plan, if somebody makes a call, then 2 the notification board will show that an SDN has been 3 submitted in relation to this location. 4 MR VICTOR DAWES: In order to save time, in paragraphs 6.3 5 and 8.3 of the first witness statement, you refer to the 6 fact that within 24 hours, upon receipt of the SDN, the 7 local fire station will conduct an on-site risk 8 assessment. 9 MR KEUNG SAI MING: Right. 10 MR VICTOR DAWES: So for Wang Fuk Court, Tai Po Fire Station 11 was supposed to go to Wang Fuk Court upon receipt of the 12 SDN within 24 hours? 13 MR KEUNG SAI MING: Correct. 14 MR VICTOR DAWES: So for this risk assessment, what is the 15 output? What did your colleagues check on site? 16 MR KEUNG SAI MING: Because according to the SDN, one box 17 was ticked, indicating that one system was defective, 18 and this frontline firefighter would have to conduct an 19 on-site inspection. That is, for this system that has 20 become defective to his knowledge, in the event of 21 a fire, how should the frontline personnel plan for the 22 firefighting action? For example, how should the fire 23 appliances be deployed? What is the source of water 24 supply and whether there are special circumstances, 25 including a residential care home for the elderly and</p>	<p>1 summarised your point because we have not read the 2 witness statement. So China Status submitted the SDN 3 shutting down the fire hydrant, hose reel and the FS 4 pump. So when the FSD rang Mr Leung Ping Kay of 5 China Status on 9 September, the discussion was about 6 the shutdown of the FH/HR and not other systems? 7 MR KEUNG SAI MING: Correct. 8 MR VICTOR DAWES: And because of that, in relation to the 9 SDN submitted by China Status, when firefighters went to 10 conduct on-site risk assessment, it was a random 11 exercise, and that is for additional extinguishers to be 12 provided according to the requirement, prevailing 13 requirement. 14 MR KEUNG SAI MING: The on-site inspection served a number 15 of purposes. Apart from checking whether additional 16 fire extinguishers were provided -- well, in fact, that 17 should be the second time, the follow-up visit, when he 18 checked whether additional fire extinguishers were 19 provided. 20 MR VICTOR DAWES: Right. So at the time of submission of 21 the SDN, it was not possible that the fire extinguishers 22 were already provided, unless they did so on their own 23 initiative. So after receiving the SDN, you checked 24 whether the measures required were taken, and not 25 anything else?</p>
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<p>1 other matters that they should pay particular attention 2 to? He should look at all these in preparing for the 3 action plan. 4 MR VICTOR DAWES: So after receiving an SDN about shutting 5 down of a system, then even if the SDN is extended 6 later, you will not go on another on-site assessment? 7 MR KEUNG SAI MING: Correct. 8 MR VICTOR DAWES: So for the SDN mechanism, you rely on the 9 contractor's timely reporting. Otherwise, you cannot 10 perform the on-site risk assessment? 11 MR KEUNG SAI MING: Agree. 12 MR VICTOR DAWES: So in this case, the contractor submitted 13 an SDN indicating that the hose reel/fire hydrant system 14 or the fire FS pump would be shut down. But in fact, 15 the FAS had been shut down as well. Then upon on-site 16 inspection, would your colleague be able to see that? 17 MR KEUNG SAI MING: No. 18 MR VICTOR DAWES: So that means responsive measures would be 19 taken specifically in relation to the information 20 submitted in the SDN. As for whether the information 21 truly reflects the actual circumstances, that's not 22 really the focus? 23 MR KEUNG SAI MING: Right. 24 MR VICTOR DAWES: In fact, paragraph 16 of the fourth 25 witness statement refers to the point. I just</p>	<p>1 MR KEUNG SAI MING: Correct. Well, just to supplement, 2 letter would be sent to the owner of the FSI and 3 equipment. 4 MR VICTOR DAWES: Because it's just a partial shutdown, 5 you would assume that other systems would still be in 6 working order? 7 MR KEUNG SAI MING: Correct. 8 MR VICTOR DAWES: If we take a look at the circular letter 9 1/2021, the whole mechanism is built on the contractor's 10 integrity and his effective and timely reporting of the 11 shutdown. 12 MR KEUNG SAI MING: Agree. 13 MR VICTOR DAWES: So if it the contractor makes a mistake 14 it's not possible for the FSD to know. 15 MR KEUNG SAI MING: Well, unless it falls within the scope 16 of random inspection. 17 MR VICTOR DAWES: Right. Of course, if you conduct a random 18 check and discover that, then of course. Otherwise, you 19 would not have known? 20 MR KEUNG SAI MING: Correct. 21 MR VICTOR DAWES: My next question is this: for Wang Fuk 22 Court incident, you received the SDN to shut down the 23 relevant system and colleagues went on site to check the 24 FSIs to see if they fulfilled their responsibilities and 25 see if fire safety measures had been adopted. Now,</p>

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<p>1 because of the partial shutdown of the system, can we</p> <p>2 say that other effective measures will become more</p> <p>3 important, for example, after the fire hydrant/hose reel</p> <p>4 system has been shut down, then the fire alarm system</p> <p>5 would have been even more important?</p> <p>6 MR KEUNG SAI MING: True.</p> <p>7 MR VICTOR DAWES: So when your colleagues went on site to</p> <p>8 check, I don't think they will be given additional</p> <p>9 workload because they needed to check other systems?</p> <p>10 MR KEUNG SAI MING: I don't agree. You can't just conduct</p> <p>11 visual inspection to check if the system is in efficient</p> <p>12 working order. You need to conduct functional tests,</p> <p>13 and for some buildings they may have not only two</p> <p>14 systems, but seven.</p> <p>15 MR VICTOR DAWES: What I'm trying to say is this. I'm not</p> <p>16 trying to say that you can just go in, take a look and</p> <p>17 discover that the system has been shut down. What I'm</p> <p>18 trying to say is if you know that some of the measures</p> <p>19 to protect life and property were not in effective</p> <p>20 working order, then other measures would be more</p> <p>21 important and, as a result, something should be done to</p> <p>22 ensure that these measures were in proper working order.</p> <p>23 MR KEUNG SAI MING: I agree. And that is why, as per the</p> <p>24 subsequent circular letter, they would be required to</p> <p>25 put seals or labels on switches. Because even after</p>	<p>1 including the fact that the FS tanks should be filled</p> <p>2 with water. It's also set out here.</p> <p>3 MR VICTOR DAWES: In the interest of time, let me put this</p> <p>4 to you. Part of your work relies on contractors and</p> <p>5 owners?</p> <p>6 MR KEUNG SAI MING: Agree.</p> <p>7 MR VICTOR DAWES: Am I right to say this: take Wang Fuk</p> <p>8 Court as an example, the FSI system that protects lives</p> <p>9 and properties fall mainly into the two types. For the</p> <p>10 fire hydrant/hose reel system, that had been shut down,</p> <p>11 as well as the FAS, also shut down. Is there anything</p> <p>12 else?</p> <p>13 MR KEUNG SAI MING: Yes. An emergency lighting system and</p> <p>14 also the fire extinguishers in relation to the rooms.</p> <p>15 MR VICTOR DAWES: Emergency lighting, in this case, we know</p> <p>16 that the fire hydrant/hose reel systems and the FAS were</p> <p>17 shut down, and fire extinguisher/emergency lighting, we</p> <p>18 know that nobody ever checked if they were in working</p> <p>19 order.</p> <p>20 In your circular letter number 1/2021, you said that</p> <p>21 if the system is to be shut down, you should make sure</p> <p>22 that there is minimum impact and not more than 14 days</p> <p>23 of shutting down; right?</p> <p>24 MR KEUNG SAI MING: Shut down for not more than 14 days for</p> <p>25 existing buildings.</p>
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<p>1 checking, the switches were found to be at the off</p> <p>2 position subsequently, so it's for the property</p> <p>3 management staff, et cetera, to fulfil the duties as</p> <p>4 well.</p> <p>5 MR VICTOR DAWES: Yes. It's reasonable. But it seems that</p> <p>6 before the incident, when a fire safety system is</p> <p>7 defective, the Fire Services Department has not checked</p> <p>8 other systems to see if they're in working order; right?</p> <p>9 MR KEUNG SAI MING: Well, if you're talking about that case,</p> <p>10 then that is true. For other circumstances we have</p> <p>11 other kinds of audits and checks.</p> <p>12 MR VICTOR DAWES: Now, of course if you're able to identify</p> <p>13 irregularities through audits and checks, then so be it.</p> <p>14 For example, you can identify that through an audit or</p> <p>15 surprise check.</p> <p>16 MR KEUNG SAI MING: Right.</p> <p>17 MR VICTOR DAWES: But I understand that, taking this</p> <p>18 building as an example, you had some difficulties. And</p> <p>19 you just said that this is something that should be</p> <p>20 improved; right?</p> <p>21 MR KEUNG SAI MING: Yes, definitely, it should be improved.</p> <p>22 But I want to supplement. I sent a letter to the owner</p> <p>23 of the FSIs of the buildings concerned, and in the</p> <p>24 letters, I have reminded the owners to make sure that</p> <p>25 other facilities and equipment are properly managed,</p>	<p>1 MR VICTOR DAWES: Right. Understood. Because for</p> <p>2 renovation they may not be completed in 14 days.</p> <p>3 MR KEUNG SAI MING: Correct.</p> <p>4 MR VICTOR DAWES: Let's take a look at the circular letter,</p> <p>5 page 1307. Let's zoom out a bit:</p> <p>6 "Against this background, the Director is of the</p> <p>7 view that (i) failure to follow the procedures of</p> <p>8 notification to the Director as stipulated in this</p> <p>9 [circular letter] or (ii) any undue, arbitrary or</p> <p>10 deliberate delay of FSI works, may amount to 'improper</p> <p>11 conduct' ..."</p> <p>12 So the relevant contractor may not be allowed to be</p> <p>13 registered for a period of time. If the registered</p> <p>14 contractor fails to follow the requirement in relation</p> <p>15 to the shutdown of the FSI, if there is any undue or</p> <p>16 deliberate delay of FSI works, then this will be subject</p> <p>17 to disciplinary sanction. It's a serious offence.</p> <p>18 MR KEUNG SAI MING: It's a serious offence. Agree.</p> <p>19 MR VICTOR DAWES: And this is something that the</p> <p>20 disciplinary board hearing will need to deal with; this</p> <p>21 is something that you took part in?</p> <p>22 MR KEUNG SAI MING: Correct.</p> <p>23 MR VICTOR DAWES: Shutdown of the FSI system. Now, the</p> <p>24 shutdown period should be as short as possible.</p> <p>25 Otherwise, it would be something major.</p>

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<p>1 MR KEUNG SAI MING: Correct.</p> <p>2 MR VICTOR DAWES: During major renovation, this is even more</p> <p>3 important; right?</p> <p>4 MR KEUNG SAI MING: I agree.</p> <p>5 MR VICTOR DAWES: Can you tell us; you also deal with</p> <p>6 disciplinary matters it seems every year. We have</p> <p>7 contractors having an undue delay. In failure to follow</p> <p>8 the procedures of notification, how many cases have been</p> <p>9 referred to a disciplinary board?</p> <p>10 MR KEUNG SAI MING: In my memory, there are rarely such</p> <p>11 cases. With the delays, we also look at the owners who</p> <p>12 have appointed them, whether there were disputes about,</p> <p>13 say, contracts, say owners lodge complaint with us</p> <p>14 saying they have delayed work, we will conduct</p> <p>15 an investigation. If we have found it to be</p> <p>16 substantiated, we will follow up on this.</p> <p>17 MR VICTOR DAWES: But you have rarely seen such complaints?</p> <p>18 MR KEUNG SAI MING: Rarely.</p> <p>19 MR VICTOR DAWES: And you have seen in such cases owners are</p> <p>20 often not alert enough to --</p> <p>21 MR KEUNG SAI MING: Right.</p> <p>22 MR VICTOR DAWES: According to your guidelines, you have</p> <p>23 talked about some risks of SDNs. We can refer to bundle</p> <p>24 B2/2185.</p> <p>25 You can see the Fire Services Department policy</p>	<p>1 each hose reel ..."</p> <p>2 MR KEUNG SAI MING: Right.</p> <p>3 MR VICTOR DAWES: If you look at scenario 6, it is when</p> <p>4 FH/HR system is inoperative and the fire alarm system is</p> <p>5 in efficient working order. I believe this should apply</p> <p>6 to Wang Fuk Court.</p> <p>7 MR KEUNG SAI MING: Yes.</p> <p>8 MR VICTOR DAWES: The suggested standby means is also having</p> <p>9 a one 9-litre water-type fire extinguisher, but they are</p> <p>10 to be placed in different locations. They are to be</p> <p>11 placed at each hose reel point but on alternative</p> <p>12 floors, and at each hose reel point of the affected</p> <p>13 area, if only one floor is affected.</p> <p>14 MR KEUNG SAI MING: Correct.</p> <p>15 MR VICTOR DAWES: So I want to ask, do we need to review</p> <p>16 these as well, these arrangements? You can see with the</p> <p>17 difference being a fire alarm system being inoperative</p> <p>18 and in efficient working order, the only difference lies</p> <p>19 with the locations of the water-type fire extinguisher.</p> <p>20 MR KEUNG SAI MING: I do agree, but I have something to add.</p> <p>21 When we have the standby means during maintenance, we</p> <p>22 have to understand it will not work the same as the</p> <p>23 proper arrangement. We will also look at some newer</p> <p>24 products or systems so that when the fire alarm system</p> <p>25 is inoperative, we can achieve a similar effect as the</p>
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<p>1 instrument.</p> <p>2 MR KEUNG SAI MING: Correct.</p> <p>3 MR VICTOR DAWES: You can see here at the top, this defines</p> <p>4 the general procedures to be adopted for handling</p> <p>5 defective FSI and FSI shutdown cases.</p> <p>6 MR KEUNG SAI MING: Correct.</p> <p>7 MR VICTOR DAWES: Let's now look at page 2202. We can see</p> <p>8 appendix IV here. There are guidelines for provision of</p> <p>9 standby means.</p> <p>10 MR KEUNG SAI MING: Yes.</p> <p>11 MR VICTOR DAWES: If you look at paragraph 2 -- I have some</p> <p>12 questions about this. We have some scenarios here.</p> <p>13 They are not exhaustive, just some proposed scenarios.</p> <p>14 It details what IO should do. It is said here</p> <p>15 specifically that professional judgment should be</p> <p>16 exercised in fire risk assessment.</p> <p>17 MR KEUNG SAI MING: Correct.</p> <p>18 MR VICTOR DAWES: If we look at page 2203, scenario 5, it</p> <p>19 says:</p> <p>20 "FH/HR system is inoperative."</p> <p>21 So it's not working.</p> <p>22 "Fire alarm system is not provided or inoperative."</p> <p>23 MR KEUNG SAI MING: Right.</p> <p>24 MR VICTOR DAWES: Suggested standby means:</p> <p>25 "One 9-litre water-type fire extinguisher ... at</p>	<p>1 proper arrangements.</p> <p>2 MR VICTOR DAWES: So for the Wang Fuk Court fire, we have</p> <p>3 the fire hydrant/hose reel system and fire alarm system</p> <p>4 being the main measures to protect safety, and even if</p> <p>5 one of the systems is working with fire extinguishers,</p> <p>6 it would not work as well.</p> <p>7 MR KEUNG SAI MING: I agree. But then we have also measures</p> <p>8 and 12 to 13 recommendations for the property management</p> <p>9 company to follow and contractors to follow so as to</p> <p>10 enhance safety.</p> <p>11 MR VICTOR DAWES: For example?</p> <p>12 MR KEUNG SAI MING: Perhaps we can also refer to the letter</p> <p>13 we issued to them for reference.</p> <p>14 MR VICTOR DAWES: All right. Let me find that page.</p> <p>15 B2/1446. Is this the one?</p> <p>16 MR KEUNG SAI MING: Yes. Let's look at -- yes. Well, for</p> <p>17 this letter, we should probably look at the appendix.</p> <p>18 You can go on.</p> <p>19 MR VICTOR DAWES: This is a standard form that we will see</p> <p>20 in normal cases as well.</p> <p>21 MR KEUNG SAI MING: Yes. I want to say that this letter, we</p> <p>22 have several of them. At the top here, there is a</p> <p>23 reminder telling them if there is something that is</p> <p>24 defective or is shut down for repairs, we actually</p> <p>25 issued the same letter for both scenarios and we remind</p>

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1 them of several things.
 2 One, they need to notify residents, fill the water
 3 tanks, and they should not delay these. We tell
 4 contractors not to have a delay. We also say the same
 5 to the management office. And for the different
 6 systems, say sprinkler systems, we have the same.
 7 MR VICTOR DAWES: Let's look at the appendix. You have some
 8 requirements. You have to provide fire extinguishers on
 9 alternate floors at the hose reel points.
 10 MR KEUNG SAI MING: Yes.
 11 MR VICTOR DAWES: If the hose reel system is not working,
 12 the fire extinguishers work as an alternative solution.
 13 MR KEUNG SAI MING: Yes.
 14 MR VICTOR DAWES: And I also understand that notifying the
 15 residents is very important to tell them that the fire
 16 alarm system is not working.
 17 MR KEUNG SAI MING: I agree. If the fire alarm system is
 18 undergoing repairs, we are looking at what a better
 19 solution is and we're looking at some short-term
 20 alternative solutions in terms of price and other
 21 factors.
 22 MR VICTOR DAWES: We also want to look at what to do on
 23 a policy level. From your past practice, or your reply
 24 earlier, there appears to be no effective solution that
 25 is an alternative when the fire alarm system is not

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1 working; is that right?
 2 MR KEUNG SAI MING: We need to implement other fire safety
 3 measures, but you're right, we cannot really achieve the
 4 same effect.
 5 MR VICTOR DAWES: You said that notifying residents of an
 6 operational fire alarm system is important. Filling the
 7 water tanks is also important.
 8 And I think what we have to explore is that when we
 9 do not have a direct measure to notify residents that
 10 they need to evacuate during fires, there is no way of
 11 doing that right now, but you're exploring the different
 12 solutions?
 13 MR KEUNG SAI MING: Correct.
 14 MR VICTOR DAWES: I want to ask, for China Status
 15 Development, you rely on contractors following specific
 16 reporting for regulation; it is very important?
 17 MR KEUNG SAI MING: Correct.
 18 MR VICTOR DAWES: We understand that China Status
 19 Development has been punished before?
 20 MR KEUNG SAI MING: Yes.
 21 MR VICTOR DAWES: So you mentioned earlier, registrations
 22 are permanent, even if they have been punished, they
 23 will not have their registrations revoked?
 24 MR KEUNG SAI MING: Correct.
 25 MR VICTOR DAWES: So for those contractors who have been

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1 punished, apart from imposing the punishment, there is
 2 really no other effect on them; right?
 3 MR KEUNG SAI MING: I agree. But I have something to add.
 4 I don't think there's no impact at all. We have
 5 a demerit system, so we will have more stringent
 6 inspections for these contractors. We also publish such
 7 information online so that citizens will not be as
 8 inclined to engage these contractors.
 9 MR VICTOR DAWES: All right. Let's look at the voluntary
 10 inspections done at Wang Fuk Court. In paragraph 7.1 of
 11 your first witness statement, you talked about how for
 12 some inspections, such as the one at Wang Fuk Court, we
 13 have for the visits and inspections initiating from
 14 three factors: fire hazard complaints, FSI-related
 15 visits/inspections and proactive visits by local fire
 16 stations.
 17 And you said since ... the FSD did 26 inspections.
 18 MR KEUNG SAI MING: Correct.
 19 MR VICTOR DAWES: And only one of them is proactive visit.
 20 MR KEUNG SAI MING: Correct.
 21 MR VICTOR DAWES: And only one of them is relevant to the
 22 EVA.
 23 MR KEUNG SAI MING: Correct.
 24 MR VICTOR DAWES: If we refer to B2/1371.
 25 We can see a letter here. There is, well, a record:

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1 "A routine visit to Wang Fuk Court was carried out
 2 at about 21:10 hours 19 October 2025 ... at the time of
 3 the visit, road test ... access was confirmed free from
 4 obstruction. Meanwhile, the fire hydrants were also
 5 inspected without irregularity."
 6 So you mainly looked at the roads as well as the
 7 water sources, and there's a major pump personnel there?
 8 MR KEUNG SAI MING: Correct, major pump.
 9 MR VICTOR DAWES: So we have major pump personnel, that is
 10 a team that has full frontline equipment with them
 11 there?
 12 MR KEUNG SAI MING: Correct.
 13 MR VICTOR DAWES: Apart from going to Wang Fuk Court, some
 14 fire hydrant tests were also done; they were just visual
 15 inspections?
 16 MR KEUNG SAI MING: From what I can see here, we don't know
 17 if they're actually tested, but in general we would test
 18 the fire hydrants. We are testing the street fire
 19 hydrants, not the ones in the buildings.
 20 MR VICTOR DAWES: So if we refer to paragraph 7.1.4, since
 21 2018 you have this risk-based building fire safety visit
 22 programme. You would have proactive visits in different
 23 districts, you would also promote risk-related fire
 24 safety education to relevant stakeholders.
 25 MR KEUNG SAI MING: Right.

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<p>1 MR VICTOR DAWES: Can you tell us, on 19 October 2025, you 2 conducted a visit to Wang Fuk Court; why was Wang Fuk 3 Court selected? Is there a particular consideration, or 4 was it random sampling? 5 MR KEUNG SAI MING: There were different factors and 6 considerations of the local fire station personnel. We 7 have some older and newer officers, and they wanted the 8 checking based on their capabilities. We didn't conduct 9 this visit under a particular scheme. 10 MR VICTOR DAWES: We don't know why there was a specific 11 inspection. 12 MR KEUNG SAI MING: It was just a visit, let me clarify 13 this. Because inspection is for identifying issues. It 14 was just a visit. 15 MR VICTOR DAWES: So while Wang Fuk Court was undergoing 16 major repairs, that was the only visit that was done? 17 MR KEUNG SAI MING: Right. 18 MR VICTOR DAWES: And you don't have a specific reason? 19 MR KEUNG SAI MING: Right. 20 MR VICTOR DAWES: Does the department have any indicators 21 for how many visits have to be done? 22 MR KEUNG SAI MING: I would want to say there are different 23 categories that we categorise buildings, and we have 24 some visits done every year or every two years. There 25 are no performance indicators for the visits.</p>	<p>1 MR KEUNG SAI MING: Yes. 2 MR VICTOR DAWES: It said on 19 October 2025 that particular 3 officer was on duty as a member of team C of Tai Po Fire 4 Station. And he led the major prime personnel to the 5 EVA of Wang Fuk Court for a visit. They checked whether 6 the EVA was obstructed, whether the fire hydrants had 7 been turned on or were defective, and they did not see 8 on the surface whether the fire hydrants were 9 problematic. So it seems to be official inspection from 10 what is here. 11 MR KEUNG SAI MING: I guess so. 12 MR VICTOR DAWES: And the officer was asked whether they 13 have checked the fire services installation of the 14 building and checked the EVA access, as well as whether 15 they checked the fire alarm system to be in working 16 order. 17 You can see answer 3: didn't check whether they have 18 entered the booster pump room for checks? No. Did they 19 know about the switch condition? Didn't know. Did they 20 know the same switch was for the fire hose reel system 21 as well as the booster pump and fire alarm? Don't know. 22 And whether they knew it was off and whether they saw 23 any notices? They say they didn't pay attention to it. 24 I am not saying that every visit has to have 25 a purpose, and I am not querying the practice of the</p>
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<p>1 MR VICTOR DAWES: If you look at the end of the statement: 2 "... these proactive visits enable the frontline 3 personnel to have a better grasp of the conditions of 4 the buildings in their respective districts, so as to 5 lay solid groundwork for firefighting and rescue 6 operations." 7 So that's what you said here at that part of the 8 statement. 9 And if you only look at the vehicular access and the 10 fire hydrants, it may not achieve this effect in 11 Wang Fuk Court; right? 12 MR KEUNG SAI MING: But I would like to clarify that the 13 visit was not for this purpose at Wang Fuk Court. 14 MR VICTOR DAWES: All right. So it was a visit. You didn't 15 do the other tests? 16 MR KEUNG SAI MING: Didn't do the other tests. 17 MR VICTOR DAWES: So for this particular visit, we don't 18 know what the aim was specifically. We know that road 19 tests were done and fire hydrants were checked. 20 MR KEUNG SAI MING: Yes. 21 MR VICTOR DAWES: But then if we look at the statement you 22 gave the police, C3-1/1795 -- well, let's start from 23 page 1794. 24 This is a statement that the police took from an 25 officer of the Fire Services Department.</p>	<p>1 firemen because they follow the policies. What I would 2 like to ask is, this is a detailed visit before the fire 3 because, as you can see here, he has led a team of 4 officers fully equipped there. 5 MR KEUNG SAI MING: It's a routine visit because a fire 6 appliance was sent and it is a routine scale, because 7 every fire engine will have a team with them. 8 MR VICTOR DAWES: Well, these visits would enable firemen to 9 know better about how to react when there is a fire. it 10 seems that by just visually checking the EVA road 11 service as well as the fire hydrant, it won't be too 12 effective. 13 MR KEUNG SAI MING: Right. But we have to take this and 14 another matter together. 15 MR VICTOR DAWES: So in relation to risk-based assessment of 16 Wang Fuk Court, we bear in mind that all eight blocks 17 have been covered by scaffolding nets. Has a visit been 18 done? 19 MR KEUNG SAI MING: No. Not one under that category, that 20 is the risk-based building fire safety visit programme. 21 MR VICTOR DAWES: Why not? 22 MR KEUNG SAI MING: Because under this programme, different 23 buildings are categorised into different groups. There 24 are numerous buildings. Some buildings may have 25 a higher category or level. Say, for example,</p>

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<p>1 commercial buildings or industrial buildings, there will 2 be at least one visit every year. For residential 3 buildings under that category, a visit will be conducted 4 once every three or four years. 5 MR VICTOR DAWES: What about in Tai Po district? 6 THE HON MR JUSTICE DAVID LOK: Do you agree -- of course 7 with hindsight is what we're doing now -- the fire risk 8 of buildings under major renovation is almost the 9 highest because, in addition to existing fire risks, 10 there are also people living there? 11 MR KEUNG SAI MING: Well, speaking today, I agree with what 12 you say. 13 MR VICTOR DAWES: We're not talking about other relevant 14 legislation. When it comes to a site where workers are 15 working, the risk will be different where people are 16 living in there or not. The amount of people who are 17 affected will also be different. So would there be 18 special measures in places, or special inspections 19 conducted in view of the different risks? 20 MR KEUNG SAI MING: Yes. 21 MR VICTOR DAWES: For these construction sites, the 22 measures, will they apply to buildings under renovation? 23 MR KEUNG SAI MING: For construction sites, we look at the 24 supply -- the water supply for major renovation. 25 I agree today that the measures will have to be</p>	<p>1 statement. There is a table stating the relevant 2 inspections. It says "FSI Visits/Inspections". 3 18 visits, 16 relate to defective installation and 4 12 shutdowns. That actually is from 28 November 2024 to 5 17 September 2025. You received FS251, you identified 6 that there are defective FSIs, hence the visits; right? 7 MR KEUNG SAI MING: Right. 8 MR VICTOR DAWES: In the same complaint, in the same witness 9 statement, it says, following that: 10 "This resulted in issuance of advisory letters." 11 That is the FSD will send advisory letters or 12 warning letters. 13 MR KEUNG SAI MING: I agree. 14 MR VICTOR DAWES: You required the provision of standby 15 means and/or expedited rectification works? 16 MR KEUNG SAI MING: I agree. 17 MR VICTOR DAWES: Let's look at B2/1595. We saw this this 18 morning. That's the information in the system. Let's 19 look at M-4912 in the middle. Paragraph 2, what does it 20 say -- sorry, it's 4911. 21 MR KEUNG SAI MING: Right. 22 MR VICTOR DAWES: It says there was a telephone enquiry. It 23 was made to the RFSIC, registered FSI contractor, and 24 there was a mention of a shutdown mentioned in FS251. 25 It says:</p>
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<p>1 tightened. 2 MR VICTOR DAWES: We talk about various investigations, some 3 surprise ones, some random checks, they serve different 4 purposes. 5 MR KEUNG SAI MING: Right. 6 MR VICTOR DAWES: When it comes to the eight blocks in 7 Wang Fuk Court, given the fire risk under the major 8 renovation, it seems that the Tai Po Fire Station did 9 not conduct any comprehensive assessment in view of the 10 major renovation to see what more they can do in terms 11 of fire. 12 MR KEUNG SAI MING: Agree. 13 MR VICTOR DAWES: What they look at is just in terms of 14 putting out a fire. 15 MR KEUNG SAI MING: Yes. 16 MR VICTOR DAWES: I will pause here. 17 THE HON MR JUSTICE DAVID LOK: We will adjourn till 14.15. 18 Please rise. 19 (1.04 pm) 20 (The luncheon adjournment) 21 (2.15 pm) 22 THE HON MR JUSTICE DAVID LOK: Do continue. 23 MR VICTOR DAWES: Mr Keung, good afternoon. I'd like to 24 move on to a different topic. That's regarding 25 defective FSI inspections. This is your first witness</p>	<p>1 "It would not affect the operation of the FH/HR 2 system of the subject building." 3 That means there is a defect, but it will not affect 4 the operation of the system? 5 MR KEUNG SAI MING: Right. 6 MR VICTOR DAWES: Paragraph 3, in the middle: 7 "It was revealed the same mentioned by the RFSIC 8 that the [system] of the subject building is still 9 operative." 10 It continued to say, paragraph 5: 11 "In view of the above, I suggest BU 2 months to 12 review the situation." 13 What is "BU 2 months to review"? 14 MR KEUNG SAI MING: "Bring up". 15 MR VICTOR DAWES: Thank you. Paragraph 2 talks about FS251. 16 Let's look at B2, page 1596. 17 We'll look at a few dates. First, this is dated 18 December 2023. That's the date when it was signed. 19 MR KEUNG SAI MING: Right. 20 MR VICTOR DAWES: Let's look at the top left, the date of 21 the fax is 2 August 2024. Can you see that? 22 MR KEUNG SAI MING: Yes. 23 MR VICTOR DAWES: Under the chop of the FSD, here it says 24 November 2024. I can't see the date. How come there is 25 a huge difference among the date?</p>

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1 MR KEUNG SAI MING: I think for the first date it was a late
 2 submission.
 3 MR VICTOR DAWES: You mean it was sent to you eight months
 4 after it was signed?
 5 MR KEUNG SAI MING: Right, that's suggested by the date.
 6 MR VICTOR DAWES: If a contractor submits an FS251 signed
 7 eight months ago, is it unusual?
 8 MR KEUNG SAI MING: Unusual, because it should have been
 9 submitted within 14 days.
 10 MR VICTOR DAWES: And then your chop is November 2024. How
 11 come it's also late? Can you explain?
 12 MR KEUNG SAI MING: That's a challenge we had to overcome.
 13 For paper-based certificates submitted, we do receive
 14 a lot of them, so we hired a data inputter to put in the
 15 information in our system.
 16 MR VICTOR DAWES: So, from your answer, can I take it that
 17 the original design has been rendered meaningless?
 18 There is a requirement for submission to be made within
 19 14 days, and yet the submission came late by eight
 20 months, and then only three months on was this
 21 information entered into the system?
 22 MR KEUNG SAI MING: Right, that seems to be the case.
 23 MR VICTOR DAWES: So that's really undesirable. It could
 24 lead to major consequences should there be changes.
 25 MR KEUNG SAI MING: Can I supplement? This is something

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1 we're working on. In future legislative amendment, we
 2 are going to mandate electronic submission in order to
 3 shorten this gap as much as possible.
 4 MR VICTOR DAWES: Now, about this chop -- this chop isn't
 5 very clear; I can't read it very clearly, but when was
 6 it affixed?
 7 MR KEUNG SAI MING: That was at the time of receiving the
 8 submission. This chop is one affixed by the FPFS.
 9 MR VICTOR DAWES: In August, when Victory Fire faxed this
 10 document to you, if we take a look at the top left.
 11 MR KEUNG SAI MING: Agree.
 12 MR VICTOR DAWES: That's the time stamp. Why is it that the
 13 licensing unit of yours only received this document
 14 three months on?
 15 MR KEUNG SAI MING: I'm not sure.
 16 MR VICTOR DAWES: Now let's turn to page 1595, paragraph 3.
 17 These are only minor defects, not major ones. And then
 18 it is still operative and you suggest bringing up
 19 two months to review the matter.
 20 However, if the FS251s aren't checked until, say,
 21 a few months later, then if a review isn't done until at
 22 least two months later, then it's more than two months;
 23 right?
 24 MR KEUNG SAI MING: I agree. The time gap should be as
 25 short as possible should manpower situation permit.

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1 MR VICTOR DAWES: Now, for FS251, on 12 August 2025, the FSD
 2 conducted an investigation at Wang Tai House. Let's
 3 take a look at page 1599. That's the record in the
 4 system. Starting from page 1600, MC-1373, at the
 5 bottom, this is an entry of the FSD dated 28 November.
 6 Now, you received the FS251 dated 28 November, so it
 7 seems that an entry is opened here. It says:
 8 "BU defect MC for your perusal, please."
 9 As the record suggests.
 10 Now let's turn to the next page, 1601. The date is
 11 4 December, as you see in the bottom right. So,
 12 according to this form and the entry in the computer
 13 system, when you key in this entry and open the file,
 14 the FSI had remained defective for as long as a year?
 15 MR KEUNG SAI MING: Yes, according to the record.
 16 MR VICTOR DAWES: M-1375, let's go to that. Let's go to
 17 page 1600. Follow-up action, it says -- and it's dated
 18 4 February. And then M-1374 refers, "W/L", meaning
 19 warning letter has been issued.
 20 MR KEUNG SAI MING: Right.
 21 MR VICTOR DAWES: So the warning letter was issued on
 22 4 February. Then the preceding record, it seems in
 23 March and April there was communication and that the
 24 works had not yet been completed.
 25 MR KEUNG SAI MING: Right.

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1 MR VICTOR DAWES: And then the previous page, 1599, and then
 2 the FSD contacted them on 3 April. And then 1399,
 3 received from Mr Lai of the property management company
 4 in person the two FS251s and then they were uploaded to
 5 the document list.
 6 If we could now turn to the footnote dated 13 August
 7 on page 1599, received the new certificate from Mr Lai
 8 of the PMC. And according to Mr Lai of the PMC, the
 9 tendering of the building works was in progress.
 10 MR KEUNG SAI MING: In March 2025 there was an annual
 11 inspection certificate setting out the repair of the
 12 defective components. And then in March 2025 there were
 13 other defects.
 14 MR VICTOR DAWES: Now, how do you know that the defective
 15 components have been repaired?
 16 MR KEUNG SAI MING: Because the defects identified in
 17 November 2023 could no longer be found on this one, but
 18 there are other defects shown here.
 19 MR VICTOR DAWES: So that means these refer to other
 20 defects?
 21 MR KEUNG SAI MING: Right. Other defects identified in the
 22 annual inspection.
 23 MR VICTOR DAWES: How do you know that?
 24 MR KEUNG SAI MING: Because -- well, in fact, you can show
 25 the next annual inspection certificate. It shows that

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<p>1 for defective items, they no longer include the ones</p> <p>2 identified in November 2023.</p> <p>3 MR VICTOR DAWES: That's a new one?</p> <p>4 MR KEUNG SAI MING: Correct.</p> <p>5 MR VICTOR DAWES: So it's not the case that the defects</p> <p>6 remained unrepaired for a year and a half; it's just</p> <p>7 that there are new defects?</p> <p>8 MR KEUNG SAI MING: Right. Perhaps nine months, as you can</p> <p>9 see here.</p> <p>10 MR VICTOR DAWES: If I may turn to another topic. After</p> <p>11 receiving the SDN within 24 hours, a preliminary</p> <p>12 assessment would be conducted.</p> <p>13 MR KEUNG SAI MING: Yes.</p> <p>14 MR VICTOR DAWES: According to your witness statement, the</p> <p>15 FPFS, Fire Protection Facilities Supervision, would take</p> <p>16 over?</p> <p>17 MR KEUNG SAI MING: But there is a gap in between because</p> <p>18 the frontline unit would be responsible for assessment</p> <p>19 and that will not be handed in immediately.</p> <p>20 MR VICTOR DAWES: But what follows is it will be handed over</p> <p>21 to the FPFS and there will be ongoing monitoring.</p> <p>22 That's according to your first witness statement,</p> <p>23 paragraph 8.</p> <p>24 MR KEUNG SAI MING: Yes.</p> <p>25 MR VICTOR DAWES: In your fourth witness statement,</p>	<p>1 time of the incident?</p> <p>2 MR KEUNG SAI MING: Yes.</p> <p>3 MR VICTOR DAWES: Page 2188, paragraph 3.4.2, I'd like you</p> <p>4 to help us with the following. Paragraph 3.4.2</p> <p>5 basically sets out the following: the extension notice</p> <p>6 should be signed by qualified person or authorised</p> <p>7 signatory, or authorised person. The shutdown notice</p> <p>8 should specify the FSI installed/maintained/repared by</p> <p>9 the registered contractor should contain the serial</p> <p>10 number of the relevant FS251?</p> <p>11 MR KEUNG SAI MING: Yes, I agree.</p> <p>12 MR VICTOR DAWES: Then next paragraph, 3.4.3, for each SDN</p> <p>13 submitted, if the shutdown period reported is more than</p> <p>14 14 days, the FSI task force of the FSD will consider</p> <p>15 taking action; is that right?</p> <p>16 MR KEUNG SAI MING: I agree. But this is about each</p> <p>17 submission.</p> <p>18 MR VICTOR DAWES: In other words, if a submission applies</p> <p>19 for shutdown of 30 days, that won't do?</p> <p>20 MR KEUNG SAI MING: Right.</p> <p>21 MR VICTOR DAWES: 3.4.4:</p> <p>22 "With a view to monitoring the progress ..."</p> <p>23 In other words, the relevant fire station should</p> <p>24 proactively liaise with owners, occupiers, PMCs or</p> <p>25 registered contractors in order to monitor the progress;</p>
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<p>1 paragraph 9, it says that in relation to the SDN, and</p> <p>2 I'm going to summarise what you've said, I stand to be</p> <p>3 corrected, the SDN works on a reporting mechanism, it's</p> <p>4 not an approval mechanism.</p> <p>5 MR KEUNG SAI MING: Right.</p> <p>6 MR VICTOR DAWES: You are considering changing this</p> <p>7 mechanism, but the registered contractor has the</p> <p>8 ultimate responsibility.</p> <p>9 MR KEUNG SAI MING: Right.</p> <p>10 MR VICTOR DAWES: Now, am I right to say that it's</p> <p>11 a notification mechanism, they have the ultimate</p> <p>12 responsibility, but your responsibility doesn't simply</p> <p>13 lie in receiving the notification. Upon receiving the</p> <p>14 SDN, you need to proactively monitor the SDN and the</p> <p>15 extension notices to make sure that the FSIs will be in</p> <p>16 operation as quickly as possible; would you agree?</p> <p>17 MR KEUNG SAI MING: I agree.</p> <p>18 MR VICTOR DAWES: Now let's turn to page 2185. That's the</p> <p>19 DPI, Fire Services Department policy instructions, so</p> <p>20 that's the policy document of the FSD. It sets out</p> <p>21 "Procedures for Handling Defective FSI and FSI Shutdown</p> <p>22 Cases". Do you see the heading?</p> <p>23 This tallies with the FSD circular letter 1 of 2021?</p> <p>24 MR KEUNG SAI MING: Correct.</p> <p>25 MR VICTOR DAWES: And this document still applies to the</p>	<p>1 right?</p> <p>2 MR KEUNG SAI MING: I agree.</p> <p>3 MR VICTOR DAWES: So the FSD does not have a passive role</p> <p>4 only in receiving the FS251s. After receiving them, you</p> <p>5 have the active responsibility of monitoring the works?</p> <p>6 MR KEUNG SAI MING: It says "liaise" here.</p> <p>7 MR VICTOR DAWES: Yes, liaise. So by liaising with them,</p> <p>8 you talk to them, you consult them to make sure that</p> <p>9 there won't be undue delay because of the fire risks.</p> <p>10 MR KEUNG SAI MING: Yes, I agree, but I want to supplement</p> <p>11 that the most important thing is to make sure that the</p> <p>12 contractor will not give up midway.</p> <p>13 MR VICTOR DAWES: The contractor must follow up because the</p> <p>14 system will remain shut down and for defective systems,</p> <p>15 they should be repaired as quickly as possible.</p> <p>16 Otherwise, the risks will remain.</p> <p>17 MR KEUNG SAI MING: Agree.</p> <p>18 MR VICTOR DAWES: Now, page 2190, 3.4.5(a), it says:</p> <p>19 "For major maintenance/modification/repair work to</p> <p>20 Fire Hydrant/Hose Reel System or Sprinkler System, the</p> <p>21 system shutdown period shall not be longer than 2 months</p> <p>22 without reasonable justifications ..."</p> <p>23 Is that right?</p> <p>24 MR KEUNG SAI MING: But there's a paragraph before that.</p> <p>25 There's a few lines at 3.4.5: if there is suspicion of</p>

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<p>1 improper conduct on the part of the registered 2 contractor, then we should rely on the FS231, which is 3 a complaint form. 4 To my understanding, if there is suspicion that 5 a registered contractor is acting improperly, is causing 6 delay, then a complaint can be made with a form. 7 MR VICTOR DAWES: So the frontline staff would tell you that 8 this is less than ideal, so you need to take up 9 follow-up action. And then (a) says, "While each case 10 has its own merits, the following guidelines should shed 11 some light to assist offers in making their own 12 judgment." 13 So the following bullet point sets out things that 14 can help your colleagues make their own judgments, one 15 of which is this: for works relating to a fire 16 hydrant/hose reel systems, the system shutdown period 17 should not be longer than two months without reasonable 18 justifications. 19 MR KEUNG SAI MING: I agree. 20 MR VICTOR DAWES: So if the shutdown period lasts longer 21 than two months without reasonable justification, then 22 there is a suspicion here? 23 MR KEUNG SAI MING: Right. Indeed, if somebody lodges 24 a complaint. 25 MR VICTOR DAWES: Now, I stand to be corrected, but to my</p>	<p>1 doesn't mean that this is something that would attract 2 our major concern and that strengthened efforts should 3 be made. 4 MR VICTOR DAWES: So what does it mean here? 5 MR KEUNG SAI MING: If a registered contractor is suspected 6 to cause a delay of the works in an improper manner 7 without reasonable grounds, then we should send 8 a reminder. 9 MR VICTOR DAWES: So what does it mean to put down 10 two months here? Does it mean that after two months 11 you should proactively remind them or upon lodging a 12 complaint after the lapse of two months you should -- 13 what is your understanding? 14 MR KEUNG SAI MING: My understanding is that works may take 15 longer not only because of the registered contractor, 16 but because of other reasons involving the owner or the 17 agreement and there are reasons why works could not be 18 completed as quickly as possible. 19 MR VICTOR DAWES: Right. I agree. Perhaps not just 20 a responsibility of the registered contractor but also 21 the responsibility of owners, perhaps the tendering has 22 taken too long. But the shutdown period, if it goes on 23 for too long, it will not be desirable? 24 MR KEUNG SAI MING: Correct. 25 MR VICTOR DAWES: Now, coming back to the first witness</p>
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<p>1 understanding the two-month period set out in 2 paragraph (a) means that your colleagues should know 3 that something has gone wrong and then you may need to 4 consider lodging a complaint for the sake of protecting 5 lives? 6 MR KEUNG SAI MING: I don't fully agree because this is the 7 view that should be formed upon the filing of 8 a complaint. 9 MR VICTOR DAWES: Please don't mince words. Let's just put 10 it this way. In your experience, if the system shutdown 11 period is longer than two months, then just taking it at 12 face value, something is fishy here. 13 MR KEUNG SAI MING: Take the 6,000 cases in 2024 as an 14 example. Only 500 FSI repairs could be completed within 15 14 days. As for the cases completed within two months, 16 about 30 to 40 per cent. 17 MR VICTOR DAWES: So if works cannot be completed within 18 two months, I'm referring to the DPI here, at least for 19 a shutdown period longer than two months, you should 20 make an enquiry and ask why; right? Otherwise, you will 21 not require an extension notice to be filed once every 22 14 days. 23 MR KEUNG SAI MING: Well, I answered the first part once 24 already, but my understanding of this paragraph here is 25 that for the shutdown period longer than two months, it</p>	<p>1 statement, page 129, 8.18.1. Starting from 2 7 April 2025, Mr Leung from China Status Development 3 submitted the SDN to FSD to report the shutdown of the 4 system. 5 MR KEUNG SAI MING: Shutdown of the fire hydrant/hose reel 6 system. 7 MR VICTOR DAWES: It says shutdown of the FH/HR system. 8 Now, let's go to B2/1612. This SDN is dated 7 April; 9 you see that? 10 MR KEUNG SAI MING: Yes. 11 MR VICTOR DAWES: First application for shutting down the 12 system. 13 MR KEUNG SAI MING: Right. 14 MR VICTOR DAWES: Again this date of faxing this document, 15 7 April, estimated completion date 20 April, and then 16 page 1628 is the FS251, defects. And then FS water tank 17 water leakage. 18 MR KEUNG SAI MING: Correct. 19 MR VICTOR DAWES: Comment, "Need to repair". So, in fact, 20 seven days before that, on 31 March, Victory Fire 21 submitted an FS251, the certificate. 22 MR KEUNG SAI MING: Yes. 23 MR VICTOR DAWES: Of course perhaps seven days before that, 24 there was no defect and then the defect subsequently 25 emerged. And then seven days on, the contractor</p>

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1 submitted another document stating the defect that
 2 required repair.
 3 Now, perhaps because of manpower implications the
 4 colleagues did not find anything peculiar; right?
 5 MR KEUNG SAI MING: Correct.
 6 MR VICTOR DAWES: After receiving the SDN, 8 April 2025,
 7 there was an inspection made and the page number is
 8 1606. You can see the record here. For paragraph 4, it
 9 says:
 10 "At the time of the inspection, the defects of the
 11 FH/HR System was found to be the same as stated on the
 12 relevant Shutdown Notice."
 13 So the aim of the inspection is to see whether the
 14 defective items are the same as those stated in the
 15 form.
 16 MR KEUNG SAI MING: Agree. I want to add something. We say
 17 it's an inspection, but in fact it's a visit, and do
 18 more.
 19 MR VICTOR DAWES: What's the difference between a visit and
 20 an inspection?
 21 MR KEUNG SAI MING: If you are trying to detect potential
 22 irregularities, it would be an inspection. For a visit,
 23 it is how we can see what we can do to enhance rescue
 24 operations.
 25 MR VICTOR DAWES: So you have received an SDN. For the

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1 visit, what would you look at?
 2 MR KEUNG SAI MING: We would look at 4.2.16, the
 3 instructions. There are multiple things to do. When
 4 there is a building fire, what the plan should be, so
 5 a visit is needed. The source of water, where the
 6 appliance is parked; they have to know about this. The
 7 appliance personnel should also note that -- they should
 8 also notify the building personnel that there is such
 9 shutdown and the notification is in the form of a letter
 10 given to the management office. We looked at this
 11 earlier before. We need to also have a contractor
 12 following up on the defective items.
 13 In the letter we also say the different ways to
 14 enhance fire safety, and the officer's judgment is that
 15 there should be alternative measures and you can see
 16 here the standby means should be there are other fire
 17 extinguishers at appropriate locations and, like I said
 18 earlier, the tanks should be filled and the works should
 19 be completed as soon as possible. The Fire Services
 20 Communications Centre will also deploy an additional
 21 appliance to this location should there be a fire.
 22 MR VICTOR DAWES: So the goal is that, while we're aware
 23 there is a shutdown of the system, when there is a fire,
 24 what is to be done. So a visit has to be made. It's
 25 not just based on what they said, make plans?

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1 MR KEUNG SAI MING: Right.
 2 MR VICTOR DAWES: I believe your colleagues also asked you
 3 what was looked at?
 4 MR KEUNG SAI MING: Right.
 5 MR VICTOR DAWES: So I want to ask if this is regular
 6 practice. C3-1/1824. This is after the fire. The
 7 police asked a departmental officer what was done on the
 8 day. You can see on page 1826: whether you have looked
 9 at the fire services installations, extinguishers, fire
 10 hydrant, fire systems during the visit, whether there
 11 was water supply then? And it was said these were not
 12 inspected. And whether there was an alarm bell, did
 13 they check it? They didn't check it. And whether they
 14 entered the booster pump room for checks? No.
 15 Apparently the officer said they didn't know what the
 16 power switch was -- what condition it was in and they
 17 didn't know the booster pump and alarm system was using
 18 the same switch. They also didn't have anyone tell them
 19 about notification system. And the officer was also
 20 asked whether China Status Development or Victory Fire
 21 Engineering said or have they asked how to turn off the
 22 fire hydrant/hose reel system. The answer was no.
 23 To be fair to the officer, the officer would have to
 24 rely on what is said in the shutdown notice or FS251 to
 25 know this.

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1 MR KEUNG SAI MING: Right.
 2 MR VICTOR DAWES: But then water tank leakage is the cause
 3 of the defect.
 4 MR KEUNG SAI MING: Yes.
 5 MR VICTOR DAWES: Why didn't the officer look at the
 6 condition of the water tank then?
 7 MR KEUNG SAI MING: Well, because the visit was made on the
 8 premise that this has to be repaired. So it is on the
 9 fact that they wanted to know more and they wanted to
 10 make plans.
 11 MR VICTOR DAWES: So they knew it was defective because --
 12 MR KEUNG SAI MING: They were notified, yes.
 13 MR VICTOR DAWES: So the other pump switch, fire hydrant,
 14 hose reel, whether it was the same switch, you didn't
 15 ask the officer to look at these?
 16 MR KEUNG SAI MING: Right.
 17 MR VICTOR DAWES: So basically, for a visit, there was only
 18 limited scope?
 19 MR KEUNG SAI MING: Right. The officer was trying to just
 20 achieve the aim of the visit.
 21 MR VICTOR DAWES: Right. They knew for a system to be shut
 22 down, there should be conspicuous notices to notify
 23 residents of such.
 24 MR KEUNG SAI MING: Right.
 25 MR VICTOR DAWES: Should they have looked at whether there

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<p>1 were notices?</p> <p>2 MR KEUNG SAI MING: I want to say for letters that are</p> <p>3 issued, they should be posted in the building premises,</p> <p>4 I'm not sure if this is mentioned.</p> <p>5 MR VICTOR DAWES: So the officer, when they visited the</p> <p>6 premises, the system has already shut down, there should</p> <p>7 be notices?</p> <p>8 MR KEUNG SAI MING: Yes. It was also in the letter that was</p> <p>9 issued.</p> <p>10 MR VICTOR DAWES: So if it is an important part of the work</p> <p>11 to notify residents.</p> <p>12 MR KEUNG SAI MING: Right.</p> <p>13 MR VICTOR DAWES: If the officer did not even look at</p> <p>14 whether there were notices, would that have contravened</p> <p>15 the aim of the visit?</p> <p>16 MR KEUNG SAI MING: In general, two visits would be made.</p> <p>17 The first time would be to ask them to post notices and</p> <p>18 the second time would be there should be notices.</p> <p>19 MR VICTOR DAWES: So was there a visit that there should</p> <p>20 not -- it should not be about looking at notices?</p> <p>21 MR KEUNG SAI MING: That's why I want to refer to a specific</p> <p>22 page.</p> <p>23 MR VICTOR DAWES: All right. Page 1606. Please refer to</p> <p>24 page 1606. You can see here it says an inspection was</p> <p>25 conducted. This is the part you wanted to look at;</p>	<p>1 MR VICTOR DAWES: Right. So you assumed defects were the</p> <p>2 ones reported?</p> <p>3 MR KEUNG SAI MING: Yes.</p> <p>4 MR VICTOR DAWES: But then here it says the defects was</p> <p>5 found to be the same as stated on the relevant shutdown</p> <p>6 notice. So do you assume they have seen that?</p> <p>7 MR KEUNG SAI MING: Well, I guess there is an assumption,</p> <p>8 but then they also have to look at what was actually the</p> <p>9 case.</p> <p>10 MR VICTOR DAWES: So you don't know?</p> <p>11 MR KEUNG SAI MING: Right.</p> <p>12 MR VICTOR DAWES: So basically, they should have looked at</p> <p>13 what the condition of the water tank was and what was</p> <p>14 a repair condition?</p> <p>15 MR KEUNG SAI MING: Right.</p> <p>16 MR VICTOR DAWES: But objectively, it is hard for one to</p> <p>17 see; right?</p> <p>18 MR KEUNG SAI MING: Agree.</p> <p>19 MR VICTOR DAWES: But I would say the work the officer did</p> <p>20 was limited. What would you say today, whether the work</p> <p>21 was sufficient that was done by the officer?</p> <p>22 I'm not saying that the officer didn't see a lot on</p> <p>23 the day, but with the letter issued to building</p> <p>24 personnel and the visit to be done, did you think you</p> <p>25 did sufficient work?</p>
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<p>1 right?</p> <p>2 MR KEUNG SAI MING: Yes. I think they didn't talk about the</p> <p>3 notice here. It is not ideal. If they can say whether</p> <p>4 there were notices posted, that would be ideal.</p> <p>5 MR VICTOR DAWES: What did you say was not ideal? I don't</p> <p>6 want to misunderstand you.</p> <p>7 MR KEUNG SAI MING: Right. The letter issued would ask the</p> <p>8 management office to affix notices.</p> <p>9 MR VICTOR DAWES: That's standard practice?</p> <p>10 MR KEUNG SAI MING: Correct. And the requirement should be</p> <p>11 met, apart from having fire extinguishers, notices</p> <p>12 should be posted.</p> <p>13 MR VICTOR DAWES: So basically it seems that the officer did</p> <p>14 not check whether a notice's requirement has been met?</p> <p>15 MR KEUNG SAI MING: I agree, from what is here.</p> <p>16 MR VICTOR DAWES: So basically, it says here in paragraph 4:</p> <p>17 "At the time of the inspection, the defects of</p> <p>18 the ... System was found to be the same as stated on</p> <p>19 the ... Shutdown Notice."</p> <p>20 If they didn't see whether there was a defect, how</p> <p>21 could they say the defects were found to be the same as</p> <p>22 stated on the shutdown notice?</p> <p>23 MR KEUNG SAI MING: They can ask personnel that were</p> <p>24 present. I won't guess what they meant, but based on</p> <p>25 what's written here, I guess that is what was done.</p>	<p>1 MR KEUNG SAI MING: Based on the mechanism then, that was</p> <p>2 adequate, but we think there's room for enhancement.</p> <p>3 MR VICTOR DAWES: What should be enhanced?</p> <p>4 MR KEUNG SAI MING: For the notices issued to building</p> <p>5 personnel, we should conduct inspections on this. In</p> <p>6 February and March we have checked buildings that should</p> <p>7 have notices posted. We tried the pump room operations,</p> <p>8 we tested the components to see they were in working</p> <p>9 order.</p> <p>10 MR VICTOR DAWES: So basically the officer did what was</p> <p>11 standard practice?</p> <p>12 MR KEUNG SAI MING: Right.</p> <p>13 MR VICTOR DAWES: You wouldn't say the officer did wrong,</p> <p>14 but then after the incident you found that this was</p> <p>15 insufficient so you changed the approach?</p> <p>16 MR KEUNG SAI MING: Right. We would do random sampling and</p> <p>17 it would also depend on manpower resources.</p> <p>18 MR VICTOR DAWES: If we look at the Wang Fuk Court incident,</p> <p>19 you have the FPFS, the Fire Protection Facilities</p> <p>20 Supervision division, they should have continuous</p> <p>21 monitoring?</p> <p>22 MR KEUNG SAI MING: Agreed.</p> <p>23 MR VICTOR DAWES: Do you have any guidelines on how many</p> <p>24 days after the system has been shut down you would be</p> <p>25 concerned or you would have to take some sort of</p>

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<p>1 follow-up action?</p> <p>2 MR KEUNG SAI MING: A year.</p> <p>3 MR VICTOR DAWES: A year? So basically a fire services</p> <p>4 system that is shut down by less than a year, you won't</p> <p>5 take any action?</p> <p>6 MR KEUNG SAI MING: We would monitor the situation to make</p> <p>7 sure the contractors would not end up not finishing</p> <p>8 their work.</p> <p>9 MR VICTOR DAWES: Is this stated in black and white, this</p> <p>10 one-year period?</p> <p>11 MR KEUNG SAI MING: It is not in black and white. It is</p> <p>12 standard practice of the specific unit under the FPFS</p> <p>13 that is under me.</p> <p>14 MR VICTOR DAWES: When will the one-year period start?</p> <p>15 MR KEUNG SAI MING: I can't answer that.</p> <p>16 MR VICTOR DAWES: When were you first aware of this one-year</p> <p>17 approach?</p> <p>18 MR KEUNG SAI MING: Approximately one year ago.</p> <p>19 MR VICTOR DAWES: Who proposed this one-year approach? Was</p> <p>20 it you?</p> <p>21 MR KEUNG SAI MING: It wasn't me, but I have something to</p> <p>22 add. I looked at some data. Works completed within</p> <p>23 a year are in the majority. Works cannot be completed</p> <p>24 within nine months, for the 6,000-odd cases in 2024,</p> <p>25 there were 1,000, approximately, of such cases.</p>	<p>1 approximately 1,000-odd such fire hazard abatement</p> <p>2 notices to see if more stringent action is needed</p> <p>3 afterwards.</p> <p>4 MR VICTOR DAWES: And in B2/2185, I took you to page 2190</p> <p>5 before. 3.4.5, you explained earlier, if suspected</p> <p>6 improper conduct or negligence in the installation and</p> <p>7 maintenance, the fire station concerned should inform</p> <p>8 the FSITF as soon as practicable.</p> <p>9 You said there were different cases but, in general,</p> <p>10 these would have to be dealt with only after two months.</p> <p>11 Is that right?</p> <p>12 MR KEUNG SAI MING: Yes.</p> <p>13 MR VICTOR DAWES: Let's now look at paragraph 3.4.7. You</p> <p>14 can see here:</p> <p>15 "FSITF shall monitor the progress and development of</p> <p>16 the case. After 60 days from the issue of notification,</p> <p>17 if no part 2 or part 3 ... FS251 reporting complete</p> <p>18 rectification ... consider to take necessary enforcement</p> <p>19 action."</p> <p>20 Can you see this?</p> <p>21 MR KEUNG SAI MING: Yes.</p> <p>22 MR VICTOR DAWES: What did you mean by this, for the 60 days</p> <p>23 initiate prosecution and "take necessary enforcement</p> <p>24 action"? How do they relate to each other? I think</p> <p>25 this is quite far from what you said before for the 60</p>
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<p>1 MR VICTOR DAWES: So this is a chicken and egg problem. If</p> <p>2 you only take action after a year, there may be other</p> <p>3 issues. What action will be taken after the one-year</p> <p>4 period based on the mechanism?</p> <p>5 MR KEUNG SAI MING: Then we would find out more from the</p> <p>6 building personnel and contractors. Sometimes we would</p> <p>7 have to bridge the understanding between the two</p> <p>8 parties.</p> <p>9 MR VICTOR DAWES: I understand you should have flexibility</p> <p>10 seeing the differences in circumstances, but my concern</p> <p>11 is from what you said with the one-year period, that is</p> <p>12 a shutdown period, you will not initiate prosecutions</p> <p>13 then, or maybe even after that, you would just be</p> <p>14 issuing advice?</p> <p>15 MR KEUNG SAI MING: Agreed.</p> <p>16 MR VICTOR DAWES: So when will you initiate prosecution?</p> <p>17 MR KEUNG SAI MING: Well, there is another mechanism for</p> <p>18 initiating prosecutions. We would have FS251 associated</p> <p>19 with shutdowns and, under the defects part, if there is</p> <p>20 a serious defect, we wouldn't wait that long. If there</p> <p>21 is a serious defect, if it is related to this, we may</p> <p>22 have to issue a fire hazard abatement notice, so we</p> <p>23 would issue -- as well as warning letters, we will have</p> <p>24 inspections done to see what is going on.</p> <p>25 We have 2,000-odd cases and we would issue</p>	<p>1 days' requirement.</p> <p>2 MR KEUNG SAI MING: Well, if there is no serious defect,</p> <p>3 that is the premise. If there is a serious defect, we</p> <p>4 will issue a warning letter. We will also take</p> <p>5 enforcement action. Let's not refer to this specific</p> <p>6 incident. In general, if this is not a defect or there</p> <p>7 is an enhancement, there is a difference.</p> <p>8 MR VICTOR DAWES: But you can't really see the distinction</p> <p>9 in this instructions.</p> <p>10 MR KEUNG SAI MING: Well, in the instructions there are</p> <p>11 certain passages that relate to serious defects.</p> <p>12 MR VICTOR DAWES: In the case of Wang Fuk Court, is it</p> <p>13 a serious defect?</p> <p>14 MR KEUNG SAI MING: We would have to refer to part 3 of</p> <p>15 FS251. The relevant form says that it is water leakage.</p> <p>16 It doesn't say anything about no water or anything else,</p> <p>17 so we don't know whether it's a major defect.</p> <p>18 MR VICTOR DAWES: Now let's look at page 1606.</p> <p>19 THE HON MR JUSTICE DAVID LOK: Mr Keung, there's something</p> <p>20 that I don't understand. "Serious defect" vis-a-vis not</p> <p>21 serious defect, both will affect the system. How do you</p> <p>22 differentiate between the two? Is it because, say, the</p> <p>23 extent of the leakage that determines whether it is</p> <p>24 major or not, or something to do with whether the FSI is</p> <p>25 useable or not?</p>

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1 MR KEUNG SAI MING: When there is leakage, it doesn't mean
 2 the FS tank cannot be used. When there is no water,
 3 that means it won't be functional. So there may be
 4 leakage from the pipe or leakage from the brim. So in
 5 the circular letter we use leakage of the tank as an
 6 example.
 7 THE HON MR JUSTICE DAVID LOK: So that is different from
 8 your understanding. You thought it was leakage but
 9 actually the work was related to the tank being empty.
 10 MR KEUNG SAI MING: Agree.
 11 MR VICTOR DAWES: The repair of the water tank at Wang Fuk
 12 Court, did you not see it as a major defect?
 13 MR KEUNG SAI MING: Well, I will have to look at FS251 to
 14 decide whether it is major or not.
 15 MR VICTOR DAWES: Now let's look at the screen, paragraph 2,
 16 the last line.
 17 MR KEUNG SAI MING: Yes.
 18 MR VICTOR DAWES: This is a major defect; right? That's
 19 according to your record. I understand that there are
 20 many records. It's difficult to say -- to answer on
 21 your feet.
 22 MR KEUNG SAI MING: Where?
 23 MR VICTOR DAWES: Where the cursor is, "major defect", under
 24 paragraph 2.
 25 MR KEUNG SAI MING: I agree.

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1 MR VICTOR DAWES: According to the chairman, perhaps that
 2 issue is no longer bearing because whether it is leakage
 3 or not from the tank, it is a major defect.
 4 MR KEUNG SAI MING: I want to say that this is what the
 5 record says, but it's not so in FS251.
 6 MR VICTOR DAWES: But that is recorded after the FS251 had
 7 been received; right?
 8 MR KEUNG SAI MING: Right.
 9 MR VICTOR DAWES: Let's leave aside where it is so stated in
 10 FS251. We're talking about a major defect here and it
 11 takes longer than 60 days for it to be repaired.
 12 MR KEUNG SAI MING: Right.
 13 MR VICTOR DAWES: Your policy, is it like what you said, you
 14 will only take further action after one year?
 15 MR KEUNG SAI MING: No.
 16 MR VICTOR DAWES: So how long will you wait before you take
 17 action?
 18 MR KEUNG SAI MING: After 60 days. The operations will take
 19 over and follow up after 60 days. Well, the operations
 20 will follow up and then 60 days, then the FPFS will take
 21 action. There will be a warning period of about one
 22 month.
 23 MR VICTOR DAWES: What would happen afterwards?
 24 MR KEUNG SAI MING: Well, we would consider whether a valid
 25 certificate is to be issued. Before that, we will

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1 attend the scene for an inspection because we may serve
 2 as witnesses. Every year we conduct about 2,000
 3 inspections.
 4 MR VICTOR DAWES: Let's look at 3.4.7 in your policy paper,
 5 that is B2/2185. Here it says you need to monitor the
 6 progress and development of the case. After 60 days
 7 from the issue of notification. The notification refers
 8 to the shutdown notice, FS251; right?
 9 MR KEUNG SAI MING: Yes.
 10 MR VICTOR DAWES: If no part II or part III or FS251 has
 11 been received, you then take enforcement action; right?
 12 MR KEUNG SAI MING: We will consider.
 13 MR VICTOR DAWES: You will consider.
 14 MR KEUNG SAI MING: Yes.
 15 MR VICTOR DAWES: If these have been received, then that
 16 would be in order.
 17 MR KEUNG SAI MING: Sorry. It says -- no, that is in
 18 relation to the extension of a shutdown period. Let me
 19 supplement. 3.4.7, the part II and part III referred
 20 here is about -- of the SDN is that if there is no
 21 part II, but in this case there has been extension,
 22 continuous extensions. The policy here says once
 23 a submission has been made and there have been two or
 24 three extensions, then that's it.
 25 MR VICTOR DAWES: In the case, we know that there has been

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1 constant submissions for extension once every 14 days.
 2 For some blocks -- 16 times as well for two blocks.
 3 MR KEUNG SAI MING: Correct.
 4 MR VICTOR DAWES: At a certain stage you needed to ask them
 5 how come there has been so many shutdowns?
 6 MR KEUNG SAI MING: Yes, we agree that we need to improve in
 7 this regard.
 8 MR VICTOR DAWES: Let's focus on this instance first. Not
 9 all 16 blocks have seen 16 extensions. Some came in
 10 September. But we know that for two blocks, starting
 11 from April, Wang Tai House, 7 April; Wang Chi House,
 12 7 April; all the way to the fire there has been
 13 continuous extensions. That's why I said there were
 14 altogether 85. Before the fire, your policy was that
 15 even with 16 submissions of extensions, there was no
 16 need to explain why it had taken such a long time before
 17 the completion.
 18 MR KEUNG SAI MING: I agree. That was the completion. We
 19 focused on whether the case was followed up by
 20 a contractor and whether the contractor was removed from
 21 the register or whether halfway through the contractor
 22 said they would not be following up.
 23 MR VICTOR DAWES: Under this 3.4.7, if there has been
 24 continuous submissions of SDN, the 60 days will be
 25 meaningless.

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<p>1 MR KEUNG SAI MING: We're talking about two teams following</p> <p>2 up. The first one is the operations of the fire</p> <p>3 station. After 60 days then it will be handed over to</p> <p>4 the supervision division. I have explained.</p> <p>5 MR VICTOR DAWES: Yes, you have explained in the statement.</p> <p>6 I'd like to look at something different. The</p> <p>7 requirement you imposed on contractors is to resume the</p> <p>8 FS system as soon as possible. That's a major</p> <p>9 principle.</p> <p>10 MR KEUNG SAI MING: Right.</p> <p>11 MR VICTOR DAWES: And you asked them to consider isolated</p> <p>12 shutdown because you need to keep this to a minimum.</p> <p>13 MR KEUNG SAI MING: Right.</p> <p>14 MR VICTOR DAWES: You sent circular letters to the trade</p> <p>15 saying that turning off the FS system is a major issue</p> <p>16 because it will affect fire safety.</p> <p>17 MR KEUNG SAI MING: Well, if there is no standby means, it</p> <p>18 will be even more serious.</p> <p>19 MR VICTOR DAWES: Yes, we have looked at whether there was</p> <p>20 standby means. We know that there is room for</p> <p>21 improvement and it's a matter of policy.</p> <p>22 Here it says 60 days. If there is no part II or</p> <p>23 part III, then you still will only consider taking</p> <p>24 enforcement measures because this is a policy matter.</p> <p>25 So without justification, you will be hesitant before</p>	<p>1 exercise, identify contractors. So even before work</p> <p>2 starts, it would take months.</p> <p>3 MR VICTOR DAWES: So, from your experience, work relating to</p> <p>4 the FS tank lasting seven months, you would not think</p> <p>5 that there was any delay; is that right?</p> <p>6 MR KEUNG SAI MING: After the fire, we have conducted</p> <p>7 a review. But before that, we knew that there were such</p> <p>8 cases and we knew that the building had engaged</p> <p>9 a contractor to follow up.</p> <p>10 MR VICTOR DAWES: Perhaps my question was not clear. From</p> <p>11 your experience, a project lasting seven months, it's</p> <p>12 a project involving leakage in FS tank, you thought that</p> <p>13 it was normal and you did nothing that was anything</p> <p>14 irregular because there were similar cases; is that</p> <p>15 right?</p> <p>16 MR KEUNG SAI MING: Right.</p> <p>17 MR VICTOR DAWES: This may be a good time for a break.</p> <p>18 THE HON MR JUSTICE DAVID LOK: We will take a break for</p> <p>19 10 minutes.</p> <p>20 (3.11 pm)</p> <p>21 (A short adjournment)</p> <p>22 (3.22 pm)</p> <p>23 THE HON MR JUSTICE DAVID LOK: Please continue.</p> <p>24 MR VICTOR DAWES: Mr Keung, now please look at the screen.</p> <p>25 We were on this page and we came to know that for your</p>
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<p>1 you take action.</p> <p>2 MR KEUNG SAI MING: We realise about 30 to 40 per cent of</p> <p>3 the cases were completed in 60 days. This is also about</p> <p>4 manpower and deployment because we do not have</p> <p>5 sufficient manpower, not as much as in fire stations.</p> <p>6 That's why there is a division of labour. This is the</p> <p>7 basis of the line being drawn at 60 days.</p> <p>8 MR VICTOR DAWES: And SDN being extended 16 times, if there</p> <p>9 were new SDNs being submitted and you'd been told</p> <p>10 continuously that a contractor had been following up on</p> <p>11 it, it doesn't explain why it would take so long for</p> <p>12 completion. Evidence shows that over seven months you</p> <p>13 did not ask how come it would take so long.</p> <p>14 MR KEUNG SAI MING: Right.</p> <p>15 MR VICTOR DAWES: Because your requirement was only that</p> <p>16 there is someone following up.</p> <p>17 MR KEUNG SAI MING: Well, we receive an SDN, we sent</p> <p>18 a letter to them personally, we were aware of the works,</p> <p>19 and when we came to know that a contractor was engaged</p> <p>20 and a contractor knew that every 14 days an extension</p> <p>21 had to be submitted, then both parties agree it's</p> <p>22 a project that would take time. And when it comes to</p> <p>23 works relating to tanks, I've seen cases lasting seven</p> <p>24 or eight months. Sometimes say, for example, for</p> <p>25 leakage, the building will have to conduct a tender</p>	<p>1 internal record you've put down "major defect".</p> <p>2 MR KEUNG SAI MING: But this record does not tally with the</p> <p>3 certificate. This officer asked the contractor. He was</p> <p>4 told by the contractor so, and that's why he put down</p> <p>5 "major defect" here. But if we take a look at the</p> <p>6 China Status certificate, for defect he's put down water</p> <p>7 leakage. So according to our division, it's not a major</p> <p>8 defect. So this is not ideal.</p> <p>9 MR VICTOR DAWES: So according to your version now, this</p> <p>10 officer should not have defined this defect as "major</p> <p>11 defect" because, according to your internal system,</p> <p>12 water leakage is not a major defect?</p> <p>13 MR KEUNG SAI MING: Correct, not a major defect. The</p> <p>14 officer in question put down this statement after</p> <p>15 talking to the contractor, "major defect". But we do</p> <p>16 refer to the certificate because the certificate carries</p> <p>17 a declaration. That was a telephone inquiry here. I'm</p> <p>18 sorry, but we need to refer to the certificate as well</p> <p>19 because there is a declaration. He has declared the</p> <p>20 defect refers to water leakage.</p> <p>21 MR VICTOR DAWES: You're referring to FS251 when you said</p> <p>22 "the certificate"; right?</p> <p>23 MR KEUNG SAI MING: Yes.</p> <p>24 MR VICTOR DAWES: Then I have another question for you. For</p> <p>25 China Status, on 7 April for Wang Tai House, the</p>

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1 shutdown notice was submitted, referring to the shutting
 2 down of the fire hydrant/hose reel system; right?
 3 MR KEUNG SAI MING: Right.
 4 MR VICTOR DAWES: That's the one dated 8 April. That's the
 5 record made on the following day.
 6 So you just mentioned referring to the certificate
 7 submitted; right?
 8 MR KEUNG SAI MING: Agree.
 9 MR VICTOR DAWES: So there was no need for your colleague to
 10 ring them. Just by checking the certificate he would
 11 know the nature of the defect?
 12 MR KEUNG SAI MING: But often the certificate would come
 13 after the SDN. The SDN, I do require them to submit
 14 within 24 hours.
 15 MR VICTOR DAWES: Right. For the certificate, it's within
 16 14 days. So for the workflow, your colleague should
 17 have checked the certificate in defining whether it's
 18 a major defect instead of referring to the certificate?
 19 MR KEUNG SAI MING: Correct.
 20 MR VICTOR DAWES: So, according to the procedures -- the
 21 certificate carries the relevant information, so by
 22 checking the certificate, you'd know whether it's
 23 a major defect. According to you, there are different
 24 approaches to major and minor defects?
 25 MR KEUNG SAI MING: Right.

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1 MR VICTOR DAWES: So the SDN was submitted in April and only
 2 six months on was the certificate submitted. So in the
 3 six-month period, what did you refer to?
 4 MR KEUNG SAI MING: It was not ideal and that is why we are
 5 thinking of going digital.
 6 MR VICTOR DAWES: Right. We're talking about the system
 7 before the fire took place. Six months in between, no
 8 certificate was submitted and nobody followed up on it.
 9 MR KEUNG SAI MING: Because of this time gap, it was hard to
 10 follow up on the matter. It was not ideal.
 11 MR VICTOR DAWES: So the answer is in the affirmative?
 12 MR KEUNG SAI MING: Right. But I want to supplement. After
 13 the certificate was submitted, the data would have to be
 14 keyed in the system, so we had to trace the system. It
 15 was not ideal.
 16 MR VICTOR DAWES: So in the six months nobody checked the
 17 certificate to see if a major defect?
 18 MR KEUNG SAI MING: Correct.
 19 MR VICTOR DAWES: So we've been talking about whether it's
 20 a major defect, but it's really pointless without
 21 referring to the certificate; right?
 22 MR KEUNG SAI MING: That was his judgment and that helped
 23 him at that juncture because the contractor was required
 24 to prepare standby means.
 25 MR VICTOR DAWES: So you're just making use of this mistake?

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1 MR KEUNG SAI MING: I won't put it this way, but many SDNs
 2 refer to upgrading work, for example, for the piping to
 3 a pump, in fact there was another pump that's still
 4 working. Now, if need be, we will require the
 5 contractor to install additional components. So as for
 6 standby means, it's a safeguard.
 7 MR VICTOR DAWES: Mr Leung on Wednesday said the following:
 8 in October, when the FSD pursued the matter, he couldn't
 9 hold it any longer, so he submitted the FS251. What is
 10 your response to this statement? Is it right, in your
 11 understanding?
 12 MR KEUNG SAI MING: I asked around. Nobody pursued him.
 13 MR VICTOR DAWES: But isn't it worse? Because six months
 14 on, nobody knew that the FS251 had not been submitted.
 15 It was on his own initiative that the certificate was
 16 submitted.
 17 MR KEUNG SAI MING: He was responsible for submitting the
 18 certificate. I really wanted to shorten the time gap
 19 and initiate prosecution at a lapse of 15 days.
 20 MR VICTOR DAWES: He explained he submitted the certificate
 21 months later because he was pursued and then you
 22 asked -- you just said that you asked around. In fact,
 23 over the past few months, nobody pursued the matter.
 24 Isn't it a big problem?
 25 MR KEUNG SAI MING: Right. It's less than ideal; we receive

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1 over 300,000 notices per year. We wanted to improve the
 2 system to improve things because we cannot just go after
 3 each and every notice. We have 300,000 of them. It's
 4 less than ideal.
 5 MR VICTOR DAWES: Because Mr Suen, representing the
 6 Government, also put this question to Victory Fire, the
 7 FS251 was submitted on 16 June, and then Mr Leung said
 8 that this paper was actually prepared and only that the
 9 paper was ultimately faxed to the department in October.
 10 So do you agree?
 11 MR KEUNG SAI MING: I don't agree.
 12 MR VICTOR DAWES: Mr Choi Lip Pong, the senior station
 13 officer, gave a statement to the police and he said that
 14 the earliest date of submission was in October. As to
 15 why the FS251 had to be submitted in October, according
 16 to you, no reason could be given because you did ask
 17 around and nobody pursued the matter.
 18 MR KEUNG SAI MING: I asked around.
 19 MR VICTOR DAWES: So, in other words, apparently, there was
 20 non-compliance because you required the FS251 to be
 21 submitted within 14 days for a very important purpose,
 22 in the design of your system. Because, according to
 23 you, by referring to FS251, you would then understand
 24 the details of the works, you would then be able to
 25 determine whether it's a major defect followed by any

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<p>1 necessary follow-up action. So if every time you</p> <p>2 receive the SDN, you don't always receive the</p> <p>3 corresponding FS251?</p> <p>4 MR KEUNG SAI MING: Sometimes.</p> <p>5 MR VICTOR DAWES: But then if you miss that certificate</p> <p>6 there is no mechanism to follow up?</p> <p>7 MR KEUNG SAI MING: Our pain point is there is a lag between</p> <p>8 the posting date and there is a lag due to data entry.</p> <p>9 MR VICTOR DAWES: But the backlog could last for months.</p> <p>10 MR KEUNG SAI MING: There is also a mail delivery problem.</p> <p>11 MR VICTOR DAWES: I agree that this is a pain point. This</p> <p>12 is something we have to tackle. But as far as this case</p> <p>13 is concerned, from the documents that we've gone</p> <p>14 through, this document is submitted and the system</p> <p>15 doesn't show until three months later.</p> <p>16 MR KEUNG SAI MING: Because it was submitted late, I cannot</p> <p>17 verify what you said. We do have a backlog. It takes a</p> <p>18 month for the submission to be keyed in.</p> <p>19 MR VICTOR DAWES: So, in other words, by checking the</p> <p>20 computer system, your colleague would not get accurate</p> <p>21 information?</p> <p>22 MR KEUNG SAI MING: The accurate information would only come</p> <p>23 to light later.</p> <p>24 MR VICTOR DAWES: Back to the screen, we looked at the</p> <p>25 situation regarding Wang Tai House. For the remaining</p>	<p>1 MR KEUNG SAI MING: This is an agreement between the</p> <p>2 building and the contractor.</p> <p>3 MR VICTOR DAWES: So if a contractor keeps on telling you</p> <p>4 that works are in progress and is taking very long, as</p> <p>5 long as one year, it's still all right?</p> <p>6 MR KEUNG SAI MING: According to the prevailing mechanism.</p> <p>7 MR VICTOR DAWES: I've checked the policy. It cannot be the</p> <p>8 intention of this policy, that is not pursuing the</p> <p>9 matter even after a year of extension.</p> <p>10 MR KEUNG SAI MING: Let me supplement. A building enters</p> <p>11 into agreement with a contractor to carry out works.</p> <p>12 The works may entail a great sum. Together with</p> <p>13 tendering and the actual works, what happens in reality</p> <p>14 is that there are projects that can be completed within</p> <p>15 nine months out of 6,000, but there are also some 1,000</p> <p>16 cases that could not be completed in nine months.</p> <p>17 So, according to the prevailing mechanism, even with</p> <p>18 this agreement in place, the FSD should have urged both</p> <p>19 parties to expedite the works as quickly as possible.</p> <p>20 But I think that even members of the public would agree</p> <p>21 that there would be difficulties. And that was the</p> <p>22 mechanism in place then.</p> <p>23 MR VICTOR DAWES: The question is, for the contractors in</p> <p>24 question and the building as well as residents, in fact</p> <p>25 the residents did not have the capacity of urging the</p>
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<p>1 eight blocks, can we say that, according to your</p> <p>2 observation, the situation was quite similar, the only</p> <p>3 difference is about the submission dates?</p> <p>4 MR KEUNG SAI MING: Correct.</p> <p>5 MR VICTOR DAWES: And after receiving SDNs, your colleagues</p> <p>6 went to inspect the blocks on site and in fact they</p> <p>7 considered whether fire extinguishers were installed.</p> <p>8 I don't want to go through each and every witness</p> <p>9 statement with the police. To sum up, indeed, for</p> <p>10 on-site assessment they did not check the functioning of</p> <p>11 the FAS, they just checked functionally whether there</p> <p>12 were fire extinguishers.</p> <p>13 MR KEUNG SAI MING: Yes, as well as other measures to put</p> <p>14 out fires and notify residents.</p> <p>15 MR VICTOR DAWES: Let's go to page 2158 of B2, the DPI.</p> <p>16 3.4.5(a). I appreciate how you interpret this</p> <p>17 paragraph, which may be different from our</p> <p>18 interpretation, but I believe you'd agree with me that</p> <p>19 in the event of a delay, in order to understand the</p> <p>20 cause of the delay -- it is important to find out the</p> <p>21 cause of the delay.</p> <p>22 MR KEUNG SAI MING: Agree.</p> <p>23 MR VICTOR DAWES: And in fact, according to your policy,</p> <p>24 according to your arrangement, there is no need to</p> <p>25 explain even with an extension of a year.</p>	<p>1 parties to complete the works as quickly as possible.</p> <p>2 MR KEUNG SAI MING: I'm not in a position to answer that.</p> <p>3 MR VICTOR DAWES: That means the general public relies on</p> <p>4 the FSD, including the legal framework, to urge</p> <p>5 contractors in question to complete the works as quickly</p> <p>6 as possible; right?</p> <p>7 MR KEUNG SAI MING: Now, the FSD carries responsibility,</p> <p>8 but, at the same time, the property management company</p> <p>9 and the registered contractor also share this</p> <p>10 responsibility.</p> <p>11 MR VICTOR DAWES: In this case, according to you, the defect</p> <p>12 of water leakage is not a major defect.</p> <p>13 MR KEUNG SAI MING: Right.</p> <p>14 MR VICTOR DAWES: And it's not absolute that water leakage</p> <p>15 must not be a major defect, it depends on the extent?</p> <p>16 MR KEUNG SAI MING: Now, I've given this example of the tank</p> <p>17 being empty or not being filled to the right level. The</p> <p>18 tank is empty, that's the example.</p> <p>19 MR VICTOR DAWES: Or just containing little water.</p> <p>20 MR KEUNG SAI MING: Right.</p> <p>21 MR VICTOR DAWES: So you cannot tell arbitrarily that it's</p> <p>22 a major defect or not because there are different</p> <p>23 approaches and this could lead to major problems.</p> <p>24 MR KEUNG SAI MING: I do agree that we should take a more</p> <p>25 stringent approach in classifying defects.</p>

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<p>1 MR VICTOR DAWES: Right. For water leakage and the empty 2 water tank, so on and so forth, I don't think there is 3 a difference because, according to the chairman here, 4 you need to shut down the tank anyway. You have not 5 considered whether just because of water leakage the 6 function of the FS tanks should not be affected; you did 7 not consider that? 8 MR KEUNG SAI MING: Well, we would not consider the tank is 9 empty because of the expression "water leakage", but 10 we would consider that. 11 MR VICTOR DAWES: But simply putting down "water leakage" 12 may not mean it's empty. 13 MR KEUNG SAI MING: Leakage from a filled tank or an empty 14 tank or from the pipes, that's different. 15 MR VICTOR DAWES: But do you agree that, as far as this 16 mechanism is concerned, the FSD did not ask about that? 17 MR KEUNG SAI MING: Agree. 18 MR VICTOR DAWES: Right. Coming back to this question, we 19 do understand that the situation was less than ideal. 20 For some blocks, over 10 SDNs were submitted. For 21 Wang Fuk Court, 85 SDNs were submitted by China Status 22 Development. In terms of the timeframe and the number 23 of SDNs, under the prevailing mechanism, you did not 24 find it alarming? 25 MR KEUNG SAI MING: I agree, in hindsight.</p>	<p>1 MR KEUNG SAI MING: But if it's just about the delay of 2 works with a registered contractor following up, then 3 I agree. 4 MR VICTOR DAWES: There is no mechanism to follow up or ask 5 for further explanation. This is a deficiency of the 6 mechanism. Then you said it was due to a manpower 7 shortage and you need to have the data inputted. 8 MR KEUNG SAI MING: Right. This has to be improved. But 9 let me say this: for our priorities, we are more worried 10 that there's no one doing annual maintenance. And if 11 annual maintenance is being done, if no one is following 12 up on the defects, it is also a problem. If no one does 13 annual maintenance, we don't know what is going on. 14 In 2024 we issued 900-odd summons, and in 2025 we 15 issued 1,300-odd summons. With annual maintenance we 16 can identify some major defects. 17 We are also concerned the contractors won't follow 18 up on this. If we can have contractors follow up on 19 this after annual maintenance, it would work. In fact, 20 for building owners, we need them to repair these. They 21 need to engage contractors to repair these to make sure 22 the system is in working order. 23 So what we ask is that they have to be repaired and 24 there should be standby means. I agree, Mr Dawes, that 25 there is a need for improvement.</p>
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<p>1 MR VICTOR DAWES: No, I'm asking, before the incident, was 2 there anything in your mechanism to monitor the 3 situation? That's the question. 4 MR KEUNG SAI MING: If the details provided in the FS251 5 could trigger us to investigate, then we would do so, 6 but we weren't triggered. 7 MR VICTOR DAWES: But six months on you did not receive the 8 FS251, then there's no way for you to pursue the matter. 9 MR KEUNG SAI MING: That's a challenge we had to overcome, 10 that is the contractor not submitting the FS251 to us. 11 I do agree that this is tricky for us. 12 MR VICTOR DAWES: I think we are on the same page. I just 13 want to clarify this bit. Under the prevailing 14 mechanism then, no matter the number of SDNs, say for 15 this incident, 85 SDNs, that seems to be a big number, 16 regardless of the number of SDNs for a single block, for 17 the whole estate, there is no mechanism to follow up on 18 the matter, even if the extension lasted for over 19 a year. 20 MR KEUNG SAI MING: Agree. 21 MR VICTOR DAWES: And now you think that this is not ideal? 22 MR KEUNG SAI MING: Agree. 23 MR VICTOR DAWES: So, according to you, if any FSI works 24 delayed for not more than one year, then a review would 25 not be conducted; right?</p>	<p>1 MR VICTOR DAWES: I agree. So it is a matter of priorities. 2 You are concerned that you won't have enough officers or 3 contractors for annual maintenance and then you have to 4 take follow-up action, and then works would have to be 5 undertaken. So the matters have to be followed up, but 6 because it is at a slow pace it seems that the issues 7 are not being addressed. 8 MR KEUNG SAI MING: Right. 9 MR VICTOR DAWES: I believe no further discussion is needed. 10 We all agree that the circumstances were less than 11 ideal. 12 MR KEUNG SAI MING: Agreed. 13 MR VICTOR DAWES: I want to explore another topic. In your 14 latest statement you said in this case the fire water 15 tank was used as a freshwater tank and repairs were done 16 to the freshwater tank. In your understanding, this is 17 not common practice. 18 MR KEUNG SAI MING: It is not common practice. 19 MR VICTOR DAWES: It does not comply with the laws? 20 MR KEUNG SAI MING: Unless they have approval, but I believe 21 it is against the rules or regulations. 22 MR VICTOR DAWES: It is because they are quite different; 23 right? 24 MR KEUNG SAI MING: Agreed. 25 MR VICTOR DAWES: The freshwater tank and the fire service</p>

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<p>1 tanks, they can make use of fibre tanks as replacement?</p> <p>2 MR KEUNG SAI MING: I can't say about fibre tanks.</p> <p>3 For fire service tanks, they are for putting out</p> <p>4 fires. If the water inside is used as fresh water, we</p> <p>5 need to replenish the water and it will take more time.</p> <p>6 That is not ideal.</p> <p>7 MR VICTOR DAWES: When FSI operations are suspended and if</p> <p>8 they say a long time is needed for the works to repair</p> <p>9 freshwater tanks, you wouldn't approve of it?</p> <p>10 MR KEUNG SAI MING: If we knew, we wouldn't approve of it,</p> <p>11 but we did not have such information. We only knew that</p> <p>12 it would be shut down.</p> <p>13 MR VICTOR DAWES: Please wait a moment.</p> <p>14 Mr Keung, due to time constraints I want to ask</p> <p>15 about the fifth witness statement. You talked about</p> <p>16 some Victory Fire and China Status Development's</p> <p>17 explanations and you said it was unreasonable. We will</p> <p>18 only deal with it in submissions because these are just</p> <p>19 miscellaneous issues.</p> <p>20 Chairman, I have no other questions.</p> <p>21 Thank you, Mr Keung.</p> <p>22 THE HON MR JUSTICE DAVID LOK: Thank you.</p> <p>23 ISS.</p> <p>24 Examination by MR MARTIN HO</p> <p>25 MR MARTIN HO: I represent ISS, chair. Good afternoon.</p>	<p>1 compliance matters. You have the code of practice for</p> <p>2 minimum fire service installations and equipment, that</p> <p>3 is the minimum standards.</p> <p>4 MR KEUNG SAI MING: Right. We have the code of practice for</p> <p>5 inspection and maintenance.</p> <p>6 MR MARTIN HO: And paragraph 1.14 is on page 109. You can</p> <p>7 see here there is an applicable version of the code of</p> <p>8 practice and the version that was prevailing at the time</p> <p>9 of construction would be applicable.</p> <p>10 MR KEUNG SAI MING: Yes.</p> <p>11 MR MARTIN HO: But it seems that here we do not mention what</p> <p>12 the applicable version is. Would your approach still</p> <p>13 apply?</p> <p>14 MR KEUNG SAI MING: Yes.</p> <p>15 MR MARTIN HO: So under point (iii) it says:</p> <p>16 "For the annual maintenance checklist announced by</p> <p>17 the Director of Fire Services ..."</p> <p>18 Is it the case that whenever the building was</p> <p>19 completed, there would be an annual maintenance</p> <p>20 checklist?</p> <p>21 MR KEUNG SAI MING: Yes.</p> <p>22 MR MARTIN HO: So in 1982 version there was no such annual</p> <p>23 maintenance checklist requirement because it only came</p> <p>24 into effect in 2021. So what are the annual maintenance</p> <p>25 requirements then?</p>
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<p>1 I have some issues about fire safety.</p> <p>2 Mr Keung, good afternoon. I represent the property</p> <p>3 management company. I want to explore with you some</p> <p>4 fire safety issues.</p> <p>5 MR KEUNG SAI MING: Okay.</p> <p>6 MR MARTIN HO: As you said this morning, even if a property</p> <p>7 management company engages a fire service installation</p> <p>8 contractor, they have some supervisory responsibility.</p> <p>9 I want to explore some of the related fire safety issues</p> <p>10 with you.</p> <p>11 Mr Dawes earlier this morning touched on the issue</p> <p>12 of the different versions of a code of practice. If you</p> <p>13 look at pages 1916 to 1917 of your statement, in</p> <p>14 paragraph 18 you talk about Mr Chung Kit Man's</p> <p>15 explanation.</p> <p>16 MR KEUNG SAI MING: Agree.</p> <p>17 MR MARTIN HO: You said that annual maintenance did not</p> <p>18 have -- had a different practice for repair works. And</p> <p>19 we have in August 1982 that code of practice version</p> <p>20 being applicable.</p> <p>21 MR KEUNG SAI MING: Agree.</p> <p>22 MR MARTIN HO: So you can look at paragraph 1.15, that is</p> <p>23 A3, page 20. You can see we have a different code of</p> <p>24 practice. We have for the code of practice about</p> <p>25 maintenance and checks being different, some of the</p>	<p>1 MR KEUNG SAI MING: Well, if there were requirements in the</p> <p>2 checklist, then they should follow them. If they were</p> <p>3 older buildings, they could just say "not applicable".</p> <p>4 MR MARTIN HO: For the statutory requirements, if you refer</p> <p>5 to B2/180. If you look at page 181, we have the code of</p> <p>6 practice to be announced by the Director of Fire</p> <p>7 Services and it will be published in the gazette at</p> <p>8 least once every year.</p> <p>9 So should we adopt the latest version rather than</p> <p>10 the prevailing year's version?</p> <p>11 MR KEUNG SAI MING: The code of practice would say what you</p> <p>12 said. So I understand you would need the checklist in</p> <p>13 the code of practice and things only came into effect in</p> <p>14 2021, but for older buildings you can just say "not</p> <p>15 applicable".</p> <p>16 MR MARTIN HO: So this would act as a foundation for</p> <p>17 checking?</p> <p>18 MR KEUNG SAI MING: Yes.</p> <p>19 MR MARTIN HO: We have seen some registered FSI contractors</p> <p>20 being confused about which version should apply. Would</p> <p>21 you agree the wording would cause confusion or</p> <p>22 maladjustment?</p> <p>23 MR KEUNG SAI MING: As I said this morning, it would be</p> <p>24 great if it is made clear. We have been closely</p> <p>25 liaising with contractors. We hold four to five</p>

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<p>1 meetings per year. No contractor has ever raised the</p> <p>2 point you made earlier.</p> <p>3 MR MARTIN HO: This is my last question on this subject.</p> <p>4 Aside from the issue of which version should apply, did</p> <p>5 the Fire Services Department think that for Wang Fuk</p> <p>6 Court, because it is 40-year-old estate, this approach</p> <p>7 is valid? As we move ahead in times, we have higher</p> <p>8 FSCC standards, no?</p> <p>9 MR KEUNG SAI MING: I would say we should use a more</p> <p>10 stringent version, but upgrades would have to be done to</p> <p>11 buildings, and 502/572/636, there is much to overcome in</p> <p>12 implementing upgrades.</p> <p>13 MR MARTIN HO: All right. Perhaps we can explore another</p> <p>14 subject about fire alarm system maintenance, especially</p> <p>15 3.8.2. Mr Dawes talked about this. It's bundle A/136.</p> <p>16 This is a checklist for fire detection and fire alarm</p> <p>17 system. I'm not sure from the heading, because it</p> <p>18 doesn't say whether it applies to annual maintenance?</p> <p>19 MR KEUNG SAI MING: It does.</p> <p>20 MR MARTIN HO: Now, 3.8.2, Mr Dawes actually mentioned this</p> <p>21 earlier, page 147. At the top there, it says power</p> <p>22 switches relating to the fire alarm system should have</p> <p>23 some labels. And (c), it says here:</p> <p>24 "This switch also [contains] the supply to the fire</p> <p>25 alarm system."</p>	<p>1 MR MARTIN HO: Let's look at another topic about rules</p> <p>2 relating to turning off fire alarm systems. A3/186.</p> <p>3 There is in particular a point to note, paragraph 2.</p> <p>4 After SDNs are received, a risk assessment has to be</p> <p>5 done. You touch on this in your first statement. You</p> <p>6 were referred to paragraph 6.3 earlier, I won't repeat</p> <p>7 this, but basically, within 24 hours, an officer will be</p> <p>8 deployed to conduct inspections.</p> <p>9 Now I want to ask you to refer to paragraph 6.8.</p> <p>10 I will not repeat everything that's said here, but</p> <p>11 basically for extension applications relating to fire</p> <p>12 alarm systems, no additional inspection will be</p> <p>13 conducted. Because a risk assessment has already been</p> <p>14 conducted, the risk won't be heightened with an</p> <p>15 extension. Is that your stance about risk assessment</p> <p>16 being done in advance?</p> <p>17 MR KEUNG SAI MING: Yes.</p> <p>18 MR MARTIN HO: Now, for an extension of 28 days, the</p> <p>19 shutdown period is 14 days, and with that period being</p> <p>20 extended to six months, there can be different levels of</p> <p>21 risks; right?</p> <p>22 MR KEUNG SAI MING: If improvement works are done or if</p> <p>23 standby means are put in place, then it would be all</p> <p>24 right.</p> <p>25 MR MARTIN HO: But then you said earlier, with the standby</p>
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<p>1 I want to raise this point because I'm sure you'll</p> <p>2 understand this fire stems from an unqualified personnel</p> <p>3 turning off the isolator switch in the pump room.</p> <p>4 Would you say this is a lever switch that is -- that</p> <p>5 we've been talking about?</p> <p>6 MR KEUNG SAI MING: Agree.</p> <p>7 MR MARTIN HO: And you said it did not apply. Did you check</p> <p>8 whether it didn't apply indeed?</p> <p>9 MR KEUNG SAI MING: It didn't apply.</p> <p>10 MR MARTIN HO: But for this fire, if there is this warning,</p> <p>11 then to prevent people from inadvertently turning off</p> <p>12 the power switch, if they read this warning, that is, if</p> <p>13 this warning is very conspicuous, there are rules for</p> <p>14 the warning too about the size. And if there is warning</p> <p>15 next to the fire alarm system, that would reduce the</p> <p>16 chance of unqualified personnel turning off the switch.</p> <p>17 MR KEUNG SAI MING: I agree.</p> <p>18 MR MARTIN HO: This actually leads to another point I want</p> <p>19 to make. You said one of the improvement measures is to</p> <p>20 improve the regulatory and vetting regime, but it does</p> <p>21 not prevent people from going into the pump room to turn</p> <p>22 off the device. Would you have this requirement applied</p> <p>23 mandatorily, regardless of the building age? Is this</p> <p>24 something you will look at?</p> <p>25 MR KEUNG SAI MING: We will review relevant measures.</p>	<p>1 means being fire extinguishers, if a fire alarm system</p> <p>2 is shut down, you can't achieve the same effect.</p> <p>3 MR KEUNG SAI MING: I agree, but -- and we are thinking</p> <p>4 coming up with improvement measures and we issued</p> <p>5 a letter to building personnel to remind them of this.</p> <p>6 MR MARTIN HO: Would you consider an additional risk</p> <p>7 assessment should be done for extension applications?</p> <p>8 MR KEUNG SAI MING: We will review this. We believe</p> <p>9 legislative amendments are needed.</p> <p>10 MR MARTIN HO: I also want to talk about fire alarm</p> <p>11 system ... some reports. Let's look at WS1/140,</p> <p>12 paragraph 10.11. So for Wang Chi House, it was not</p> <p>13 affected by the fire, it was only minimally affected.</p> <p>14 "Given that Wang Chi House was only minimally</p> <p>15 affected by the fire, it is expected that the FAS should</p> <p>16 remain intact and undamaged."</p> <p>17 But even with this, even with the lever switch</p> <p>18 turned on, the fire alarm system was inoperational.</p> <p>19 I understand more experiments will be done by the</p> <p>20 department, but I have some macro perspective questions.</p> <p>21 If a fuse is blown, whether the switch is on or not,</p> <p>22 the alarm system will not be on, cannot be activated;</p> <p>23 right?</p> <p>24 MR KEUNG SAI MING: In my understanding, right.</p> <p>25 MR MARTIN HO: So for fuses of fire alarm systems in</p>

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<p>1 buildings in Hong Kong being blown, is this common 2 occurrence or rare occurrence? 3 MR KEUNG SAI MING: A rare occurrence. 4 MR MARTIN HO: In your experience, what are the possible 5 reasons for the fuse being blown? 6 MR KEUNG SAI MING: I can't answer this question. 7 MR MARTIN HO: In relation to this paragraph, you said that 8 you can't rule out the possibility that for Wang Chi 9 House, whether the lever switch was on or off, it would 10 not work during the fire, you cannot rule out that 11 possibility? 12 MR KEUNG SAI MING: Right. 13 MR MARTIN HO: My last question. The tragedy shows that 14 management offices would need more guidelines from the 15 FSD to address fire safety issues arising from 16 maintenance works. Of course that includes how to deal 17 with contractors, FSI contractors. You mentioned about 18 guidelines from the PMSA, but they are just guidelines 19 without practical details. Should the FSD provide more 20 guidelines to the property management companies? Would 21 that be included in the review? 22 MR KEUNG SAI MING: Yes, we have an ambassador scheme and we 23 have also launched another scheme. Currently, about 24 6,000 practitioners have joined our courses. We want to 25 make use of these training courses to enhance the</p>	<p>1 MR KEUNG SAI MING: Right. 2 MR SOLOMON LAM: Your colleague Shek Ngai Chun, C3-3, 3 page 2241, he is station officer. Do you see it's 4 station officer Shek Ngai Chun? 5 MR KEUNG SAI MING: Yes. 6 MR SOLOMON LAM: Paragraph 2, Mr Shek said that he is 7 attached to the Fire Protection and Facilities 8 Supervision division in charge of checking whether the 9 FSI complied with relevant FS legislation. You see 10 that? 11 MR KEUNG SAI MING: Yes. 12 MR SOLOMON LAM: We heard from Mr Dawes about this division, 13 Fire Protection Facilities Supervision division. He's a 14 colleague from that division? 15 MR KEUNG SAI MING: Right. 16 MR SOLOMON LAM: In page 2246, question/answer 5: 17 "Question: If Victory, when they were rectifying 18 the FS system and found that the FS system was switched 19 off on that day, should they notify the FSD immediately? 20 Answer: If any contractor during the repair found 21 that the FS system is in an off condition, they have the 22 duty to immediately confirm whether it is actually off 23 and in accordance with the rules. Notify the FSD." 24 You see that? 25 MR KEUNG SAI MING: Yes.</p>
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<p>1 knowledge of practitioners in the management service 2 sectors. 3 MR MARTIN HO: Thank you. 4 THE HON MR JUSTICE DAVID LOK: Victory Fire. 5 Examination by MR SOLOMON LAM 6 MR SOLOMON LAM: I have some questions for you, Mr Keung. 7 I want to focus on your fourth witness statement, 8 WS1/1914, paragraph 14. Starting from the third line, 9 you said that Victory Fire was engaged by Wang Fuk Court 10 to carry out annual inspection and rectification. 11 It says: 12 "... it was required to notify the FSD when its 13 staff discovered during the course of repairs that the 14 FS water tanks, a component of FH/HR system of certain 15 blocks were empty and the main power switches of all 16 blocks were in off position (which would also 17 de-energise the FAS)." 18 MR KEUNG SAI MING: Mmm. 19 MR SOLOMON LAM: In the fourth witness statement dated 20 6 April 2026, it was only then that you said this, that 21 is, Victory Fire was engaged by Wang Fuk Court and 22 et cetera; right? 23 MR KEUNG SAI MING: Yes. 24 MR SOLOMON LAM: This is based on the circular letter 25 1/2021; right?</p>	<p>1 MR SOLOMON LAM: That is different from paragraph 14 in your 2 fourth witness statement. Do you agree? 3 MR KEUNG SAI MING: Right, they are not the same. 4 MR SOLOMON LAM: Mr Shek is also a frontline officer of the 5 FSD. He's also in charge of SDNs. Mr Shek's 6 understanding was that Victory Fire only has to make 7 sure that an SDN has been submitted. Right? 8 MR KEUNG SAI MING: Well, there are also other duties, not 9 just that, but he hasn't elaborated on that. 10 MR SOLOMON LAM: We can see that his answer is only one 11 line; right? 12 MR KEUNG SAI MING: Right. 13 MR SOLOMON LAM: Is it the case that your understanding of 14 circular letter 1/2021 is different from your colleagues 15 in the department, that is whether Victory Fire should 16 give notification? 17 MR KEUNG SAI MING: My understanding is that we have 18 a consistent understanding. 19 MR SOLOMON LAM: There is another colleague of yours, the 20 one from the Fire Protection Facilities Supervision 21 division. 22 MR KEUNG SAI MING: That's different. He hasn't elaborated 23 on the other duties. 24 MR SOLOMON LAM: You refer to circular letter 1/2021 in the 25 English version. B2/1303. Let's look at (B). You said</p>

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<p>1 that (B) applies to Victory Fire.</p> <p>2 MR KEUNG SAI MING: Yes.</p> <p>3 MR SOLOMON LAM: It says here:</p> <p>4 "Written notification should be made if the shutdown</p> <p>5 is arisen from a situation where there are defects in</p> <p>6 the FSI system ..."</p> <p>7 The wording used here is that there are defects. In</p> <p>8 the Chinese version, it says "(Chinese spoken)", "major</p> <p>9 defects". So (B) applies when the FS system is broken;</p> <p>10 is that right?</p> <p>11 MR KEUNG SAI MING: I think it's easier to continue to read</p> <p>12 it so as to understand. It says that if there is a</p> <p>13 fire, the building would be put in jeopardy. And there</p> <p>14 are some examples. Say, for example, "no water supply",</p> <p>15 it would help you understand.</p> <p>16 MR SOLOMON LAM: (B) talks about the system being broken,</p> <p>17 not like in Wang Fuk Court; that is, there is another</p> <p>18 contractor taking the initiative because of major</p> <p>19 renovation to turn off the lever switch. So (B) here</p> <p>20 doesn't apply to this situation. Do you agree?</p> <p>21 MR KEUNG SAI MING: No, I don't.</p> <p>22 MR SOLOMON LAM: It's the Chinese version, A3/207. This is</p> <p>23 1/2021. This is the Chinese version. Let's look at the</p> <p>24 bottom, the fourth paragraph. It says here that when</p> <p>25 1/2021 was issued, a few steps had been gone through.</p>	<p>1 page 212, the appendix does not in particular talk about</p> <p>2 paragraph 14 of the fourth statement, that is when</p> <p>3 malfunctioning -- when failure is detected, notification</p> <p>4 has to be made. There is no way on this form to notify</p> <p>5 the FSD here.</p> <p>6 MR KEUNG SAI MING: You mean not on the SDN?</p> <p>7 MR SOLOMON LAM: Right.</p> <p>8 MR KEUNG SAI MING: Yes, there is a box referring to the</p> <p>9 system.</p> <p>10 MR SOLOMON LAM: So you're talking about the box under --</p> <p>11 MR KEUNG SAI MING: Yes.</p> <p>12 MR SOLOMON LAM: That applies to (A), that is shutdown for</p> <p>13 overnight or continuous over 24 hours?</p> <p>14 MR KEUNG SAI MING: It's not about (A), (B) or (C). There</p> <p>15 are nine systems, which of them will not function for</p> <p>16 over 24 hours.</p> <p>17 MR SOLOMON LAM: I agree with you. Now let's look at</p> <p>18 page 212. Part 1, shutdown of the FSI. There should be</p> <p>19 a signature.</p> <p>20 MR KEUNG SAI MING: Right.</p> <p>21 MR SOLOMON LAM: And the intention was that at the time when</p> <p>22 the system is turned on, then part 3 will have to be</p> <p>23 filled?</p> <p>24 MR KEUNG SAI MING: Right.</p> <p>25 MR SOLOMON LAM: On 19 November 2025, when Victory Fire</p>
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<p>1 First, there was an internal review within the</p> <p>2 department. Do you see that?</p> <p>3 MR KEUNG SAI MING: Yes.</p> <p>4 MR SOLOMON LAM: And then there was consultation with</p> <p>5 associations of FSI contractors as well as trade. It's</p> <p>6 after these steps that 1/2021 was promulgated; right?</p> <p>7 MR KEUNG SAI MING: Right.</p> <p>8 MR SOLOMON LAM: We will go to 2026 later when I talk about</p> <p>9 the significance.</p> <p>10 Let's look at the annex, page 212, also in</p> <p>11 bundle A3. This is the appendix, a sample of the SDN.</p> <p>12 MR KEUNG SAI MING: Right.</p> <p>13 MR SOLOMON LAM: Here it says:</p> <p>14 "We confirm that the following affected FSIs will</p> <p>15 have to be switched off overnight or for more than</p> <p>16 continuous 24 hours."</p> <p>17 This is under (A), page 208; is that right? Let's</p> <p>18 look at page 208 as well. Page 208 in the same</p> <p>19 document.</p> <p>20 MR KEUNG SAI MING: I agree.</p> <p>21 MR SOLOMON LAM: (A) talks about 24 hours overnight.</p> <p>22 MR KEUNG SAI MING: Yes.</p> <p>23 MR SOLOMON LAM: In page 212, in this form, it says the</p> <p>24 registration will cover these premises mentioned in</p> <p>25 subparagraph (C), but it doesn't ... that is, in</p>	<p>1 became aware that there was another contractor, having</p> <p>2 made submission to the FSD about the shutdown of FSI,</p> <p>3 this form would no longer apply; is that right?</p> <p>4 MR KEUNG SAI MING: I don't agree. The form applies.</p> <p>5 MR SOLOMON LAM: Let's look at A3, page 210, "Special</p> <p>6 Attention", paragraph 1, it says:</p> <p>7 "Notification given to the FSD about the shutdown of</p> <p>8 the FSI, only appendix I of the form should be used".</p> <p>9 That is page 212.</p> <p>10 "Any other notification in writing or verbally would</p> <p>11 not be accepted".</p> <p>12 Is that right, so SDN is the only way?</p> <p>13 MR KEUNG SAI MING: Right.</p> <p>14 MR SOLOMON LAM: Earlier on, you said on that day there were</p> <p>15 different ways for Victory Fire to do it, one of which</p> <p>16 is to call the fire station; right?</p> <p>17 MR KEUNG SAI MING: Yes, I did mention that.</p> <p>18 MR SOLOMON LAM: But it's not mentioned in the circular</p> <p>19 letter; that is, in relation to the different ways to</p> <p>20 give notification. Under "Special Attention" -- the</p> <p>21 communications between the FSD and the contractor,</p> <p>22 you -- the FSD wants it to be in the form of SDN; right?</p> <p>23 MR KEUNG SAI MING: I agree, for the use of the SDN.</p> <p>24 MR SOLOMON LAM: Let's see if you agree with this. When an</p> <p>25 FSI contractor carries out the work, before the work was</p>

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1 carried out, they would have to notify the FSD; right?
 2 They would have to first notify FSD before carrying out
 3 the work.
 4 MR KEUNG SAI MING: We accept both being done in tandem.
 5 MR SOLOMON LAM: So for Victory Fire, they knew that on
 6 19 November someone else turned off the switch because
 7 of the major switch. So the SDN mechanism does not
 8 apply. Do you agree?
 9 MR KEUNG SAI MING: I don't agree.
 10 MR SOLOMON LAM: Now let's look at 2/2026. C3-1/1985. Also
 11 we are looking at the Chinese version. The caption says
 12 2/2026.
 13 You signed this; right?
 14 MR KEUNG SAI MING: I agree.
 15 MR SOLOMON LAM: Let's see if you agree. Under the SDN
 16 mechanism -- well, you said -- you emphasise that it's
 17 actually nothing new?
 18 MR KEUNG SAI MING: We want to add additional information
 19 for compliance.
 20 MR SOLOMON LAM: So the additional information is on
 21 page 1986; right?
 22 Let's look at (A):
 23 "Contractors have all along been responsible for
 24 identifying ... 1/2021".
 25 And it says that circular does not introduce new

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1 requirements but reiterates this existing
 2 responsibility.
 3 MR KEUNG SAI MING: Right.
 4 MR SOLOMON LAM: In (A), there is nothing new in this
 5 circular 2/2026; right?
 6 MR KEUNG SAI MING: Well, there is something new in the
 7 circular letter.
 8 MR SOLOMON LAM: Well, let's go to the example at the end of
 9 page 1985 and the top of page 1986. It's about the
 10 contractor turning off the FSI system. When they submit
 11 the SDN, they have to make an assessment whether the
 12 shutting down will affect another system; right?
 13 MR KEUNG SAI MING: Right.
 14 MR SOLOMON LAM: And that is the main point of (1) and (2)
 15 under (A).
 16 MR KEUNG SAI MING: Right.
 17 MR SOLOMON LAM: The purpose of this circular letter is
 18 because of the Wang Fuk Court fire?
 19 MR KEUNG SAI MING: Right.
 20 MR SOLOMON LAM: In relation to Wang Fuk Court, China Status
 21 submitted an SDN to shut down the FS system. It should
 22 be China Status who does an assessment of whether
 23 another system would be affected?
 24 MR KEUNG SAI MING: Well, the circular is to clearly remind
 25 contractors, not just China Status, about the risk.

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1 MR SOLOMON LAM: Let's talk about this tragedy, Wang Fuk
 2 Court. The known fact is that the FSI contractor that
 3 submitted the SDN for the shutting down is China Status.
 4 MR KEUNG SAI MING: Right.
 5 MR SOLOMON LAM: They should be the one to conduct an
 6 assessment as to whether to shut down one or shut down
 7 the FAS as well.
 8 MR KEUNG SAI MING: I agree. Well, the submission was in
 9 relation to the shutting down of one system. So when it
 10 was done, only one system should be shut down, not the
 11 other.
 12 MR SOLOMON LAM: But the circular letter is to remind
 13 contractors that they have to assess whether another
 14 system will be switched off at the same time; right?
 15 MR KEUNG SAI MING: Right.
 16 MR SOLOMON LAM: 1/2021 together with 2/2026 have the
 17 intention that the FSD does not expect two contractors
 18 to submit two SDNs; right?
 19 MR KEUNG SAI MING: We've seen such cases. I can't tell you
 20 whether it's what we expect or not, but both circular
 21 letters cover different scenarios in order to inform
 22 contractors.
 23 MR SOLOMON LAM: Well, whether it's 1/2021 or 2/2026, both
 24 circular letters do not cover what is stated in
 25 paragraph 14 of the fourth statement; that is, when

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1 Victory Fire knew that another contractor shut down the
 2 FSI system and made a submission, they had to notify the
 3 FSD.
 4 MR KEUNG SAI MING: I don't agree. I think they did have to
 5 notify the FSD.
 6 MR SOLOMON LAM: Do you agree that there are areas that are
 7 unclear in both circular letters?
 8 MR KEUNG SAI MING: I do not agree.
 9 MR SOLOMON LAM: Do you agree that when it comes to the
 10 internal review and the consultation, in your fourth
 11 witness statement paragraph 14 you state about
 12 a requirement that when finding out another contractor
 13 has submitted an SDN, the FSI contractor will have to
 14 notify the FSD, there is a need for another
 15 consultation?
 16 MR KEUNG SAI MING: We continuously review arrangements and
 17 we continuously consult the trades. So, yes, I agree
 18 with you.
 19 MR SOLOMON LAM: So, after consulting the trade, there needs
 20 to be another circular letter informing all contractors
 21 that in this circumstance one has to be submitted?
 22 MR KEUNG SAI MING: To make matters clear by circular
 23 letters is something that we will continue to do.
 24 MR SOLOMON LAM: Or even design another form in relation to
 25 the requirements set out under paragraph 14 of your

<p>Page 169</p> <p>1 fourth statement, to better inform contractors about 2 that; right? 3 MR KEUNG SAI MING: I agree. 4 MR SOLOMON LAM: My last question. Earlier on, you and 5 Mr Dawes discussed about the policy, B2/2203, at the 6 bottom. You talked about scenarios 5 and 6? 7 MR KEUNG SAI MING: Right. 8 MR SOLOMON LAM: Scenario 6., well, in the form, there's 9 only one box ticked, that is shutting down of the fire 10 hydrant. So on every other floor, there needs to be a 11 fire extinguisher? 12 MR KEUNG SAI MING: Correct. 13 MR SOLOMON LAM: Well, if the fire alarm system is turned 14 off as well, then scenario 5 will apply? 15 MR KEUNG SAI MING: Correct. 16 MR SOLOMON LAM: So if the FSD was aware that two boxes were 17 ticked; that is, the one applies to FH and the other one 18 for the fire alarm system, under the existing policy the 19 only difference is that double the number of fire 20 extinguishers will be placed? 21 MR KEUNG SAI MING: And residents will have to be notified 22 that the fire alarm system will not sound. 23 MR SOLOMON LAM: Thank you. I don't have any other 24 questions. 25 THE HON MR JUSTICE DAVID LOK: China Status.</p>	<p>Page 171</p> <p>1 the contractor will supervise the staff. 2 MR JONATHAN KWAN: Well, in English, it's "supervise". 3 MR KEUNG SAI MING: Yes. 4 MR JONATHAN KWAN: So do you agree that the FSD agrees that 5 repair of the water tank may not be undertaken by the 6 registered FSI contractor, but then the contractor 7 should supervise the works? 8 MR KEUNG SAI MING: Well, it's a registered company, so the 9 contractor has a supervisory role. It supervises the 10 staff. 11 MR JONATHAN KWAN: So not necessarily the staff of the 12 contractor but maybe staff of another contractor, so the 13 registered FSI contractor will supervise the work of 14 staff of another contractor? 15 MR KEUNG SAI MING: Agree. 16 MR JONATHAN KWAN: So there is division of work here. The 17 registered contractor will be responsible for, say, 18 filling in the SDN, if necessary, then the registered 19 contractor should also help fill in the works undertaken 20 by another contractor. So the registered contractor 21 will supervise the works, like I said. 22 MR KEUNG SAI MING: Yes. The registered contractor should 23 supervise its own staff. 24 MR JONATHAN KWAN: Then do you agree that the RFSIC, in some 25 circumstances, will have to rely on another contractor</p>
<p>Page 170</p> <p>1 Examination by MR JONATHAN KWAN 2 MR JONATHAN KWAN: Mr Keung, good afternoon. To my 3 understanding, water tank forms part of the FSI. 4 MR KEUNG SAI MING: What FSI? 5 MR JONATHAN KWAN: Fire services installation. 6 MR KEUNG SAI MING: Fire hydrant, hose reel, sprinkler 7 system. 8 MR JONATHAN KWAN: The water tank supplies water to fire 9 hydrants and the hose reel systems; right? 10 MR KEUNG SAI MING: Yes, the FH/HR system comes with a water 11 tank, right. 12 MR JONATHAN KWAN: So in relation to the repair of the FS 13 water tank, say when it comes to water leakage and 14 repair of the concrete water tank, the FSD does not 15 require a registered FSI contractor to undertake the 16 repair personally; right? 17 MR KEUNG SAI MING: Now, if the water tank forms part of the 18 FH/HR system, the registered contractor is required by 19 the FSD to supervise the repair works in relation to the 20 FS water tank. 21 MR JONATHAN KWAN: Right. So this registered contractor 22 will be required to supervise the carrying out of works 23 by other contractors? 24 MR KEUNG SAI MING: Right. Because the registered 25 contractor will be responsible for the repair works. So</p>	<p>Page 172</p> <p>1 to provide information on the repair of water tank in 2 handling the matter? 3 MR KEUNG SAI MING: I don't agree because, from my 4 experience, the registered contractor would engage its 5 own staff, or engage staff under the supervision of the 6 contractor, in carrying out of the works. 7 MR JONATHAN KWAN: That means supervising the workers in 8 person or on site, as works were in progress? 9 MR KEUNG SAI MING: I would say if the works involve an 10 inspection and checking for defects, then definitely, it 11 should be carried out by a qualified person. 12 MR JONATHAN KWAN: So what happens if the registered 13 contractor does not have the professional knowledge 14 about FS tanks? So even if the contractor supervises 15 the works on site, there may be questions like how long 16 does it take to complete the repair of the tanks; do you 17 agree? 18 MR KEUNG SAI MING: But there must be qualified persons 19 working for the registered contractor. He can ask 20 questions. For example, for registered contractor, 21 there should be a qualified plumber who should have 22 professional knowledge about water tanks. 23 MR JONATHAN KWAN: Let's go to bundle R3, page 1035. This 24 is a list of the class of registered FSI contractors 25 required for the FSIs and equipment.</p>

Page 173	<p>1 MR KEUNG SAI MING: Correct.</p> <p>2 MR JONATHAN KWAN: I'm reading from the English version.</p> <p>3 For supply tank, this is for water supply, and then it</p> <p>4 says here: no need to engage either class I, II or III.</p> <p>5 MR KEUNG SAI MING: If it's the water supply tank, then</p> <p>6 that's true.</p> <p>7 MR JONATHAN KWAN: That's why I started by saying that water</p> <p>8 tanks might involve other FSIs such as fire hydrant.</p> <p>9 MR KEUNG SAI MING: Now, I don't fully agree because it's</p> <p>10 not about water tanks involving FSIs, but FSIs that may</p> <p>11 come with a water tank.</p> <p>12 MR JONATHAN KWAN: Right. About this water supply tank,</p> <p>13 there is no need to engage a class 1, 2 or 3 contractor.</p> <p>14 MR KEUNG SAI MING: But I want to supplement, just to inform</p> <p>15 the Independent Committee, that water tanks were mostly</p> <p>16 constructed in concrete at the time of building</p> <p>17 construction. So even if the registered contractor has</p> <p>18 not been engaged at the time of pouring of concrete, the</p> <p>19 registered contractor should be there to inspect the</p> <p>20 process. And at the time of acceptance, the registered</p> <p>21 contractor should be there to check. Because there are</p> <p>22 a number of things, such as the means of escape, the</p> <p>23 staircase for firefighters, a registered contractor</p> <p>24 would be required.</p> <p>25 Now, if it's a standalone water tank not connected</p>	Page 175	<p>1 contractor relies on on-site staff who would provide</p> <p>2 information to the registered contractor. It would be</p> <p>3 reasonable; right?</p> <p>4 MR KEUNG SAI MING: The contractor would get information</p> <p>5 from different parties to help them process the work.</p> <p>6 I don't have objection.</p> <p>7 MR JONATHAN KWAN: Chairman, I see the time and I'm moving</p> <p>8 to another area. I do have a lot of ground to cover,</p> <p>9 including the five witness statements of this witness.</p> <p>10 THE HON MR JUSTICE DAVID LOK: How long will you take?</p> <p>11 Mr Suen, counsel, and other -- will there be other</p> <p>12 involved parties?</p> <p>13 Mr Suen?</p> <p>14 MR JENKIN SUEN: It's not going to take long for me. I have</p> <p>15 two questions.</p> <p>16 MR VICTOR DAWES: May I suggest to chairman that -- I don't</p> <p>17 think it's convenient for Mr Keung to come again, so</p> <p>18 I hope that without causing inconvenience, we can go on.</p> <p>19 MR JONATHAN KWAN: Yes, I can go on.</p> <p>20 Now, Mr Keung, from page 1937 to page 1949 of the</p> <p>21 witness statement bundle, that's your fifth witness</p> <p>22 statement. Let's go to paragraphs 8 to 10.</p> <p>23 Paragraph 8, it says basically that this is not</p> <p>24 acceptable; right? That's, in fact, in paragraph 10.</p> <p>25 Unacceptable for one RFSIC to sign the SDN while the</p>
Page 174	<p>1 to any FS pipes, et cetera, then indeed a registered</p> <p>2 contractor is not required.</p> <p>3 MR JONATHAN KWAN: So let's say this is a standalone water</p> <p>4 tank and it's not for the registered contractor to</p> <p>5 submit an SDN in order to perform a repair, then</p> <p>6 instead, another qualified contractor is responsible for</p> <p>7 the repair.</p> <p>8 MR KEUNG SAI MING: Right.</p> <p>9 MR JONATHAN KWAN: Then can you accept the SDN not being</p> <p>10 submitted by that contractor?</p> <p>11 MR KEUNG SAI MING: But if it's to be shut down by that</p> <p>12 contractor, then the contractor itself should submit the</p> <p>13 SDN.</p> <p>14 MR JONATHAN KWAN: Why?</p> <p>15 MR KEUNG SAI MING: That's according to the circular letter.</p> <p>16 I think this comes with clear reason.</p> <p>17 MR JONATHAN KWAN: But if the contractor isn't involved in</p> <p>18 the repair and the contractor is on site to inspect it,</p> <p>19 then is it okay for the contractor to fill in the SDN?</p> <p>20 MR KEUNG SAI MING: I think the circular letter spells out</p> <p>21 very clearly that the contractor concerned should submit</p> <p>22 the SDN if the contractor is in charge of the shutting</p> <p>23 down of the FSI for repair. I don't quite get your</p> <p>24 second point.</p> <p>25 MR JONATHAN KWAN: From the FSD's perspective, a registered</p>	Page 176	<p>1 actual works are carried out by another RFSIC. Agree?</p> <p>2 MR KEUNG SAI MING: Yes.</p> <p>3 MR JONATHAN KWAN: In order to support this statement, you</p> <p>4 also refer to FSD circular letter number 1/2021. The</p> <p>5 circular letter number 1/2021 is in B2/1302-1311. We</p> <p>6 went through this already:</p> <p>7 "... the RFSIC is therefore the most appropriate</p> <p>8 person to notify the FSD accordingly."</p> <p>9 MR KEUNG SAI MING: Right.</p> <p>10 MR JONATHAN KWAN: For the reason that the RFSIC should</p> <p>11 inspect the works on site.</p> <p>12 MR KEUNG SAI MING: Correct.</p> <p>13 MR JONATHAN KWAN: Now, leaving this incident aside,</p> <p>14 a competent registered contractor inspects FSI works on</p> <p>15 site. Now, if the contractor provides accurate</p> <p>16 information to the registered FSI contractor, then what</p> <p>17 is the problem?</p> <p>18 MR KEUNG SAI MING: I don't understand the question.</p> <p>19 THE HON MR JUSTICE DAVID LOK: Right. So you signed the SDN</p> <p>20 and then you claim that the information is passed on to</p> <p>21 you by another person, then you're absolved from any</p> <p>22 liability?</p> <p>23 MR JONATHAN KWAN: I don't suggest that the one signing the</p> <p>24 SDN carries no responsibility. I need to clarify this</p> <p>25 first.</p>

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<p>1 In fact, we asked Mr Leung. Now, Mr Leung said that</p> <p>2 by signing the SDN, there is responsibility. So on this</p> <p>3 basis, we do agree that those who have signed the SDN</p> <p>4 would be responsible.</p> <p>5 MR KEUNG SAI MING: Right.</p> <p>6 MR JONATHAN KWAN: But if this person relies on another</p> <p>7 registered contractor to provide information and</p> <p>8 supposing this contractor is capable, then would there</p> <p>9 be any problem?</p> <p>10 THE HON MR JUSTICE DAVID LOK: I don't think he's in</p> <p>11 a position to answer whether this party has</p> <p>12 responsibility or not.</p> <p>13 MR JONATHAN KWAN: No, I'm not asking about responsibility,</p> <p>14 chairman. I'm asking whether the FSD allows</p> <p>15 a registered contractor to provide --</p> <p>16 THE HON MR JUSTICE DAVID LOK: Right. The FSD allows that,</p> <p>17 but the other side would be responsible as well. Are</p> <p>18 you suggesting that this is permitted under the laws,</p> <p>19 this is understandable or what?</p> <p>20 MR JONATHAN KWAN: Now, my question for Mr Keung is this:</p> <p>21 will the FSD accept this arrangement?</p> <p>22 MR KEUNG SAI MING: I'll try to answer that, chairman. It's</p> <p>23 less than ideal because, according to the circular</p> <p>24 letter, after submitting the SDN, this party will need</p> <p>25 to carry some responsibilities as well. So if another</p>	<p>1 somebody following up on the works.</p> <p>2 MR JONATHAN KWAN: And then paragraphs 12 to 15, you refer</p> <p>3 to the code of practice. You explain that the</p> <p>4 registered contractor is required to inspect the works</p> <p>5 and supervise the works and then advise the residents;</p> <p>6 right?</p> <p>7 MR KEUNG SAI MING: Right.</p> <p>8 MR JONATHAN KWAN: So in the same vein, if a competent</p> <p>9 registered contractor conducted on-site inspection and</p> <p>10 then passed on the information to another competent</p> <p>11 registered contractor signing the SDN, then what would</p> <p>12 be the problem?</p> <p>13 MR KEUNG SAI MING: If another registered contractor was</p> <p>14 carrying out the works, then in the first place it</p> <p>15 should be that contractor submitting the SDN.</p> <p>16 MR JONATHAN KWAN: Mr Dawes SC just now asked about the</p> <p>17 mechanism of punishment.</p> <p>18 MR KEUNG SAI MING: Yes.</p> <p>19 MR JONATHAN KWAN: You explained that in terms of penalties,</p> <p>20 there could be a suspension, removal from the register,</p> <p>21 and then disciplinary action.</p> <p>22 MR KEUNG SAI MING: In fact, just two ways: either removing</p> <p>23 the name from the register or reprimand the contractor.</p> <p>24 MR JONATHAN KWAN: So if there is a disciplinary record of</p> <p>25 this contractor, the FSD will be highly vigilant; there</p>
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<p>1 contractor is engaged in the submission process, then</p> <p>2 for the subsequent steps such as renewal and the</p> <p>3 notices, et cetera, then there would be a party to</p> <p>4 follow up on them. But if one carries out the work and</p> <p>5 another submits the SDN, then that would be far from</p> <p>6 ideal.</p> <p>7 MR JONATHAN KWAN: Right, far from ideal, but according to</p> <p>8 the circular, it says the most appropriate person should</p> <p>9 be the contractor performing the inspection on site.</p> <p>10 It's the most appropriate. Doesn't mean that it must be</p> <p>11 the one doing that. Does it mean that there could be</p> <p>12 anyone else signing the SDN?</p> <p>13 MR KEUNG SAI MING: No.</p> <p>14 MR JONATHAN KWAN: Paragraph 11 of your witness statement:</p> <p>15 "This again reinforces that an SDN should be</p> <p>16 completed and filed by an RFSIC which is 'employed for</p> <p>17 the work(s)' in question."</p> <p>18 The reason is if the registered contractor is no</p> <p>19 longer involved in the project, they should inform you</p> <p>20 at once because, first and foremost, the FSD should be</p> <p>21 able to contact the contractor?</p> <p>22 MR KEUNG SAI MING: Well, in the SDN, there is a box here</p> <p>23 stating that the registered contractor would no longer</p> <p>24 follow up on this project. And I told counsel Mr Dawes</p> <p>25 that the most important thing is that there would be</p>	<p>1 will be more frequent inspections.</p> <p>2 MR KEUNG SAI MING: Right. Under the demerit point system,</p> <p>3 we will increase the frequency of random checks.</p> <p>4 MR JONATHAN KWAN: China Status in 2022 was subject to</p> <p>5 disciplinary sanction.</p> <p>6 MR KEUNG SAI MING: Correct.</p> <p>7 MR JONATHAN KWAN: Afterwards, did you conduct more frequent</p> <p>8 inspections on the works of China Status?</p> <p>9 MR KEUNG SAI MING: Yes. According to the record, it has</p> <p>10 accumulated four points. So from 1,000 times, we</p> <p>11 conducted checks on the four certificates of</p> <p>12 China Status. We must clarify we did not identify</p> <p>13 anything irregular.</p> <p>14 MR JONATHAN KWAN: I have no other questions.</p> <p>15 Questions by THE MEMBERS</p> <p>16 THE HON MR CHAN KIN-POR: Mr Keung, assistant director,</p> <p>17 I have some questions.</p> <p>18 Some in the trade, for administrative reasons, would</p> <p>19 submit notices for others. Have you heard of this</p> <p>20 before?</p> <p>21 MR KEUNG SAI MING: I would like to report to Mr Chan</p> <p>22 Kin-por, the SDN-related administrative measures are</p> <p>23 very straightforward. One only has to sign a notice.</p> <p>24 I haven't really heard this happen before.</p> <p>25 THE HON MR CHAN KIN-POR: You said you haven't heard this</p>

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1 before, but there are some in the trade saying larger
 2 companies are doing this, but you haven't heard about
 3 this before?
 4 MR KEUNG SAI MING: I have not heard about this before.
 5 THE HON MR JUSTICE DAVID LOK: Mr Jenkin Suen.
 6 Examination by MR JENKIN SUEN
 7 MR JENKIN SUEN: Thank you, Chairman. I only have two
 8 questions, quick follow-up questions.
 9 Mr Dawes asked about you earlier, about B2/1446.
 10 You were asked about this letter. If you look at
 11 page 1447, you can see the date is in 2022. It's not
 12 when the buildings were undergoing major repairs.
 13 MR KEUNG SAI MING: Right.
 14 MR JENKIN SUEN: You can look at the appendix in 1448. It's
 15 not in 2024-2025 when the buildings were undergoing
 16 major repairs. We have different documents for
 17 different papers, but let's just use this as an example.
 18 MR KEUNG SAI MING: Okay.
 19 MR JENKIN SUEN: If you look at B2/1606, Mr Dawes also asked
 20 questions about this. In paragraph 4, you can see here
 21 for Wang Fuk Court, I believe it's about an inspection
 22 that was done on 8 April 2025. I want you to refer to
 23 page 1608.
 24 MR KEUNG SAI MING: Yes.
 25 MR JENKIN SUEN: Page 1608 is about the inspection being

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1 done on the same day in Wang Chi House. A letter was
 2 issued. It was also dated 8 April 2025. Can you refer
 3 to the appendix at page 1610.
 4 MR KEUNG SAI MING: Right.
 5 MR JENKIN SUEN: On this page, you can see the different
 6 recommendations made, and this is the appendix. Is this
 7 what you mentioned earlier in your evidence?
 8 MR KEUNG SAI MING: Yes.
 9 MR JENKIN SUEN: I won't go through each and every one of
 10 them. I just want to refer to paragraph 13. It says
 11 that notices about the fire system shutdown needs to be
 12 affixed at the following location, and it says here
 13 ground floor lobby. Mr Dawes asked questions about
 14 this, on 8 April 2025, on the same day, why the officer
 15 didn't see whether notices have been affixed.
 16 MR KEUNG SAI MING: Right.
 17 MR JENKIN SUEN: And you can see here, with reference to
 18 paragraph 13, why the officer didn't check whether
 19 a notice had been affixed?
 20 MR KEUNG SAI MING: Maybe the notice has yet to be affixed
 21 or they didn't know.
 22 MR JENKIN SUEN: Or let me ask this: what is the purpose of
 23 paragraph 13?
 24 MR KEUNG SAI MING: It wants the building personnel to affix
 25 a notice.

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1 MR JENKIN SUEN: Right. I have only one question left.
 2 I believe Mr Lam asked earlier, in your fourth witness
 3 statement Victory Fire Engineering should submit the
 4 SDN. On page 142 of your first witness statement,
 5 paragraph 11.1, you said here: if an RFSIC had duly
 6 notified the Fire Services Department of the shutdown of
 7 the fire alarm system, it would achieve a certain
 8 purpose.
 9 MR KEUNG SAI MING: Yes.
 10 MR JENKIN SUEN: It says here specifically "duly notified
 11 the FSD". For the case of Wang Fuk Court, which
 12 contractors would it cover, or which contractor? Or
 13 maybe I should put it this way: for China Status
 14 Development, if it becomes aware that there is
 15 a shutdown of the fire alarm system, should they notify
 16 the Fire Services Department?
 17 MR KEUNG SAI MING: They should.
 18 MR JENKIN SUEN: For Victory Fire Engineering, if they are
 19 doing some rectification works, when they find out about
 20 this, should they notify the Fire Services Department?
 21 MR KEUNG SAI MING: They should.
 22 MR JENKIN SUEN: I have no other questions.
 23 THE HON MR JUSTICE DAVID LOK: Any re-examination questions?
 24 MR VICTOR DAWES: Chairman, no.
 25 THE HON MR JUSTICE DAVID LOK: Thank you, Mr Keung. You

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1 have completed the giving of your evidence.
 2 (The witness was released)
 3 (4.46 pm)
 4 THE HON MR JUSTICE DAVID LOK: Next hearing will be held on
 5 Monday?
 6 MR VICTOR DAWES: I believe the hearings will be held on
 7 Monday, Wednesday, Thursday and Friday next week.
 8 THE HON MR JUSTICE DAVID LOK: On Monday it will be 10 in
 9 the morning. Thank you.
 10 (4.46 pm)
 11 (The hearing adjourned until 10.00 am
 12 on Monday, 13 April 2026)
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