

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 15
Monday, 20 April 2026**

**Mr Victor Dawes SC, Mr SW Lee and Mr Jason Yu 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 Jeffrey Tam and Mr Colman Li appeared on behalf of residents of
Wang Fuk Court**

Representatives of Department of Justice

**Ms Denise Or appeared on behalf of the 12th Management Committee of
the Incorporated Owners of Wang Fuk Court**

Representatives of Competition Commission

Solicitor for Hop On Management Company Limited

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

| Page 1 | Page 3 |
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| <p>1 Monday, 20 April 2026</p> <p>2 (10.00 am)</p> <p>3 THE HON MR JUSTICE DAVID LOK: Thank you.</p> <p>4 MR VICTOR DAWES: The next witness here will be Mr Kong</p> <p>5 Cheung Fat.</p> <p>6 Mr Kong, good morning. Like other witnesses, please</p> <p>7 read the declaration before you out.</p> <p>8 (10.00 am)</p> <p>9 MR KONG CHEUNG FAT (affirmed)</p> <p>10 Examination by MR VICTOR DAWES</p> <p>11 MR VICTOR DAWES: Please be seated.</p> <p>12 Mr Kong, we know that you are a resident of flat 604</p> <p>13 of Wang Yan House. You did some media interviews. You</p> <p>14 were a member of the new and old 12th management</p> <p>15 committee of the incorporated owners.</p> <p>16 MR KONG CHEUNG FAT: Correct.</p> <p>17 MR VICTOR DAWES: Your term of office started from</p> <p>18 25 May 2024 until when Hop On took over.</p> <p>19 MR KONG CHEUNG FAT: Correct.</p> <p>20 MR VICTOR DAWES: Because you are a member of the old and</p> <p>21 new management committee, your testimony is very</p> <p>22 important to us. We'd like you to assist us in</p> <p>23 understanding what happened with the previous or old</p> <p>24 management committee.</p> <p>25 MR KONG CHEUNG FAT: Yes.</p> | <p>1 MR VICTOR DAWES: I see that you have submitted two very</p> <p>2 detailed witness statements. I believe that you will</p> <p>3 confirm the content of the statements are correct?</p> <p>4 MR KONG CHEUNG FAT: Yes.</p> <p>5 MR VICTOR DAWES: Regarding the major renovations of</p> <p>6 Wang Fuk Court, when did you start to show concern</p> <p>7 regarding the renovations and when did you start taking</p> <p>8 part in it?</p> <p>9 MR KONG CHEUNG FAT: I tried my best to run for the</p> <p>10 management committee of each term. I hoped to raise</p> <p>11 awareness among young people that they should pay</p> <p>12 attention to what's happening with the estate they live</p> <p>13 in.</p> <p>14 I've been living in Wang Fuk Court for over</p> <p>15 40 years. Even if you bought the flat when you were</p> <p>16 20 years old, you should have already been 60 years old</p> <p>17 by now. When I met the members of the MC, I talked to</p> <p>18 them. Some of them are over 70 years old. I asked if</p> <p>19 they will step down and allow younger people to become</p> <p>20 members of the MC.</p> <p>21 I said this online. I asked young people to show</p> <p>22 interest in the matters of the estate and I encouraged</p> <p>23 more young people to take part in the election of the</p> <p>24 management committee and I want to play a role model.</p> <p>25 I ran for the election for members of the MC. I failed</p> |
| Page 2 | Page 4 |
| <p>1 MR VICTOR DAWES: Mr Tsui Moon Come Tony came last week to</p> <p>2 give his testimony. Were you here?</p> <p>3 MR KONG CHEUNG FAT: Yes.</p> <p>4 MR VICTOR DAWES: I may repeat what he said in the last</p> <p>5 evidential hearing. As you were here, I may repeat them</p> <p>6 in a more simple manner.</p> <p>7 MR KONG CHEUNG FAT: Okay.</p> <p>8 MR VICTOR DAWES: I've read some media interview. I'd like</p> <p>9 to know if it's true. You are a member of another MC;</p> <p>10 right?</p> <p>11 MR KONG CHEUNG FAT: Yes.</p> <p>12 MR VICTOR DAWES: That was a development in the Lohas Park</p> <p>13 in Tseung Kwan O?</p> <p>14 MR KONG CHEUNG FAT: Correct.</p> <p>15 MR VICTOR DAWES: Before the fire broke out and at the time,</p> <p>16 you were living in Wang Fuk Court; correct?</p> <p>17 MR KONG CHEUNG FAT: Yes.</p> <p>18 MR VICTOR DAWES: To assist us in further understanding your</p> <p>19 evidence, I'd like you to tell us what your job is and</p> <p>20 your experience with interior design or renovations.</p> <p>21 MR KONG CHEUNG FAT: Thank you. I own a design company.</p> <p>22 I took part in renovations work. So I have certain</p> <p>23 understanding of renovations.</p> <p>24 MR VICTOR DAWES: You have a legal representative here.</p> <p>25 MR KONG CHEUNG FAT: Yes.</p> | <p>1 many times. The problem lies with the proxies. Because</p> <p>2 the old incorporated owners have some sort of agreement</p> <p>3 among themselves and it's difficult for any outsider to</p> <p>4 be returned as a member of the incorporated owners</p> <p>5 members. I have a friend who took part in the election.</p> <p>6 However, they were very frustrated because it's</p> <p>7 difficult for new people to join the incorporated</p> <p>8 owners. They tried to adopt different means to dismiss</p> <p>9 existing members that were not part of them.</p> <p>10 MR VICTOR DAWES: You first joined the MC in 2024. Why were</p> <p>11 you able to be returned as a member?</p> <p>12 MR KONG CHEUNG FAT: That was because I talked to an old</p> <p>13 member at a car park. They asked if I was interested in</p> <p>14 taking part of the MC of the incorporated owners.</p> <p>15 I said that I ran for the election every time. I had</p> <p>16 always been interested but I was never successful. They</p> <p>17 asked if I was interested. I said, "Yes. Even if you</p> <p>18 didn't ask me, I would have joined the election." And</p> <p>19 they said that they would recommend me.</p> <p>20 So I won the election with 900 votes. I was the</p> <p>21 front-runner of the election. I had some voters or</p> <p>22 electors who said that they were going to support me for</p> <p>23 sure and many neighbours knew who I was. That's why</p> <p>24 I had such a high number of votes.</p> <p>25 MR VICTOR DAWES: Who recommended you?</p> |

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| Page 5 | Page 7 |
| <p>1 MR KONG CHEUNG FAT: Muk Wa Mun.</p> <p>2 MR VICTOR DAWES: They were not part of the IO?</p> <p>3 MR KONG CHEUNG FAT: They were.</p> <p>4 MR VICTOR DAWES: We're talking about May 2024.</p> <p>5 On 28 January 2024 there was an EGM that was to pass</p> <p>6 a resolution to engage Prestige as the contractor. Were</p> <p>7 you a part of it?</p> <p>8 MR KONG CHEUNG FAT: Yes.</p> <p>9 MR VICTOR DAWES: It seems that some owners shows concerns</p> <p>10 regarding the procedures and there were some disputes.</p> <p>11 MR KONG CHEUNG FAT: Let me tell you what happened. On</p> <p>12 28 January we needed to pass a resolution to select a</p> <p>13 contractor. There were only approximately 200 residents</p> <p>14 there. At the scene we had Ms Peggy Wong and her</p> <p>15 so-called team of volunteers. She brought a team of</p> <p>16 volunteers that were not exactly friendly.</p> <p>17 As we were queuing, the volunteers were part of the</p> <p>18 line. I didn't know why. As we were queuing, there was</p> <p>19 some disputes. The team of volunteers were rude to the</p> <p>20 residents. There was a resident who came down to</p> <p>21 collect their ballot paper but they were told that the</p> <p>22 ballot paper was collected by someone else and they</p> <p>23 asked, "Who collected the ballot paper?", and it was a</p> <p>24 woman who collected a ballot paper on behalf of that</p> <p>25 particular resident, and as a result the resident, the</p> | <p>1 MR VICTOR DAWES: So you only mentioned what you observed at</p> <p>2 the scene?</p> <p>3 MR KONG CHEUNG FAT: Correct.</p> <p>4 MR VICTOR DAWES: On 28 January 2024 there was an EGM.</p> <p>5 MR KONG CHEUNG FAT: Right.</p> <p>6 MR VICTOR DAWES: At that time you were not a member of the</p> <p>7 MC, you only participated as a resident of Wang Fuk</p> <p>8 Court.</p> <p>9 MR KONG CHEUNG FAT: Right.</p> <p>10 MR VICTOR DAWES: Is there anything you'd like to tell us</p> <p>11 about the EGM?</p> <p>12 MR KONG CHEUNG FAT: There were only 200 people casting</p> <p>13 votes at the meeting, but some 500 votes were counted.</p> <p>14 There was a bunch of proxies. Every time when there's</p> <p>15 an election, very often a large number of proxies were</p> <p>16 deposited at the ballot box. So proxies is a huge</p> <p>17 problem here.</p> <p>18 MR VICTOR DAWES: Regarding this controversy of proxies,</p> <p>19 many residents of Wang Fuk Court talked about it in the</p> <p>20 hearing. As you were part of the old and the new</p> <p>21 management committee, before you took office as a member</p> <p>22 MC, did you do anything to respond to the concern of</p> <p>23 residents in relation to the use of proxies?</p> <p>24 MR KONG CHEUNG FAT: I didn't know much about the old</p> <p>25 management committee. I was a part of it despite that I</p> |
| Page 6 | Page 8 |
| <p>1 proper owner, was not able to retrieve their own ballot</p> <p>2 paper and they made a complaint.</p> <p>3 Ms Peggy Wong then pulled the women away and she</p> <p>4 said that was all a misunderstanding. The owner at that</p> <p>5 time called the police and a complaint was noted and an</p> <p>6 investigation ensued.</p> <p>7 There was a falsified signature on a ballot paper</p> <p>8 and it was signed by the mother. As a result,</p> <p>9 eventually the owner did not pursue the case.</p> <p>10 MR VICTOR DAWES: You gave us an example. Is this what you</p> <p>11 wrote on paragraphs 77 and 78 in the witness statement?</p> <p>12 MR KONG CHEUNG FAT: Correct.</p> <p>13 MR VICTOR DAWES: It seems that at that time there was an</p> <p>14 owner who was trying to cast a vote and, however, the</p> <p>15 ballot paper was collected by someone else. It was</p> <p>16 eventually found out that the mother of the owner</p> <p>17 appointed someone else to cast the vote.</p> <p>18 MR KONG CHEUNG FAT: Correct.</p> <p>19 MR VICTOR DAWES: Did you know the two owners?</p> <p>20 MR KONG CHEUNG FAT: No.</p> <p>21 MR VICTOR DAWES: You were talking about what you observed</p> <p>22 there. As to whether a proxy was appointed or how the</p> <p>23 mother and daughter dealt with the issue, did you talk</p> <p>24 to them or were you part of it?</p> <p>25 MR KONG CHEUNG FAT: No.</p> | <p>1 was isolated. I sometimes was not able to collect all</p> <p>2 the meeting papers. Even when it's</p> <p>3 construction-related, sometimes the meetings convened</p> <p>4 when I was at work. We encourage residents to go to the</p> <p>5 meeting to cast their vote in person instead of using</p> <p>6 proxy instrument. I said that residents should in</p> <p>7 person cast their votes.</p> <p>8 MR VICTOR DAWES: You were talking about the old</p> <p>9 incorporated owners. You said that you were isolated,</p> <p>10 there's not much you could do, that's why you did not</p> <p>11 address the concern of residents regarding proxy</p> <p>12 instruments. All you did was that you encouraged</p> <p>13 residents to cast their votes in person. When the new</p> <p>14 MC took office, what was done?</p> <p>15 MR KONG CHEUNG FAT: As we didn't want residents to appoint</p> <p>16 proxies, we encouraged them to participate in matters</p> <p>17 relating to Wang Fuk Court. So whenever we organised</p> <p>18 meetings of major matters, we encouraged residents to</p> <p>19 come down to cast their votes.</p> <p>20 MR VICTOR DAWES: Mr Kong, am I fair in saying this. We'd</p> <p>21 like to know more about what happened. Regarding this</p> <p>22 concept of proxy instrument, there's no problem with it</p> <p>23 on its own. The problem lies with whether there is an</p> <p>24 abuse and whether residents know what they're doing when</p> <p>25 they appoint a proxy. Some people say that proxies have</p> |

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| Page 9 | Page 11 |
| <p>1 been abused. I wonder what the old and new management 2 committee have done to rectify the problem? Of course 3 we want to encourage residents to participate in matters 4 relating to the estate, but what have the old and new MC 5 done to address the issue? 6 MR KONG CHEUNG FAT: When you sign the proxy instrument, you 7 may not put the name of the proxy on the instrument. 8 Sometimes residents put the name of the chairman on the 9 proxy instrument. I think that the management office 10 should be the gatekeeper. The management office need to 11 verify the identity of the owner of the proxy and they 12 need to inform the owner the proxy that they have been 13 appointed. 14 MR VICTOR DAWES: Please pause here. I'd like to be more 15 focused. The new management committee think that the 16 management office should be the gatekeeper, but what new 17 procedures have you introduced to address the problems 18 with the proxies? If you have not, just let us know. 19 You said that you have encouraged residents to take part 20 in the meeting in person. 21 MR KONG CHEUNG FAT: As to how we address the proxy issue, 22 we didn't have a specific plan for that. 23 MR VICTOR DAWES: Regarding how management office verify the 24 identity of the owner using proxy instruments, I wonder 25 if the practice adopted by the management office is the</p> | <p>1 some controversy. Prestige was subject to some 2 disciplinary action. The Buildings Department rejected 3 the renewal of licence of minor building works; correct? 4 MR KONG CHEUNG FAT: Yes. 5 MR VICTOR DAWES: Someone brought this up at the time; 6 right? 7 MR KONG CHEUNG FAT: Yes. 8 MR VICTOR DAWES: You supplied us with the Facebook message. 9 That's a Wang Fuk Court residents exchange group. This 10 group started after the meeting. It seems that in 11 February there were residents who talks about this on 12 Facebook. 13 MR KONG CHEUNG FAT: Yes. 14 MR VICTOR DAWES: Let's refer to bundle O1, page 1 to 4. 15 Page 1. We see some screenshots of Facebook posts. 16 You submitted this to us? 17 MR KONG CHEUNG FAT: Correct. 18 MR VICTOR DAWES: Before the meeting on 28 January, it seems 19 that the residents already started discussing this and 20 there was some accusation. But it was only after the 21 meeting did you come across this? 22 MR KONG CHEUNG FAT: Correct. 23 MR VICTOR DAWES: So it seems that on 28 January no one knew 24 about this? 25 MR KONG CHEUNG FAT: Well, some people did bring this up,</p> |
| Page 10 | Page 12 |
| <p>1 same when the new MC took office? 2 MR KONG CHEUNG FAT: Well, the management office do things 3 as always. But I think that what the other management 4 office staff said was unacceptable. I think that we 5 need to make use of existing information to verify the 6 identity of the owner on the proxy. 7 MR VICTOR DAWES: We have some new insight as we have 8 experienced this incident. But regarding new management 9 committee -- this is not a criticism, I'd just like to 10 know what happened -- there were things that were not 11 ideal, but it seems that the new management committee 12 have not taken any further steps to ask the management 13 office to improve their practice. 14 MR KONG CHEUNG FAT: Correct. 15 MR VICTOR DAWES: That's about proxy instruments. On 16 28 January 2024 there was an EGM. You read Ms Lok's 17 statement; she said that they have a list of authorised 18 proxies displayed at the meeting venue. Did you see it? 19 MR KONG CHEUNG FAT: Yes. 20 MR VICTOR DAWES: When Mr Tsui Moon Come gave his evidence, 21 you saw it. We are talking about the same list of 22 authorised proxies; right? 23 MR KONG CHEUNG FAT: Yes. 24 MR VICTOR DAWES: As you said in paragraph 5 to paragraph 8 25 in your first witness statement, on 28 January there was</p> | <p>1 but we didn't discuss it in great detail. At the 2 meeting on 28 January we exchanged our information. As 3 there were more residents there, that's why we go 4 further into detail. 5 MR VICTOR DAWES: On 28 January at the meeting, did they 6 bring this up? 7 MR KONG CHEUNG FAT: Not that I can remember. 8 MR VICTOR DAWES: We understand that the -- there is 9 analysis of the contractors by Will Power. Did you read 10 about this analysis before the meeting on the 28th? 11 MR KONG CHEUNG FAT: No. 12 MR VICTOR DAWES: From your memory, you did not know about 13 the bad record of Prestige before? 14 MR KONG CHEUNG FAT: No. 15 MR VICTOR DAWES: Once you became aware of that, you checked 16 with the Buildings Department? 17 MR KONG CHEUNG FAT: Yes. 18 MR VICTOR DAWES: If you turn to paragraph 8 of your first 19 statement, it seem that's you got the information from 20 Facebook. 21 MR KONG CHEUNG FAT: Yes. I rang up the Buildings 22 Department about the renewal issue of Prestige. 23 MR VICTOR DAWES: How did the BD reply to you? 24 MR KONG CHEUNG FAT: They said that it's been renewed. 25 MR VICTOR DAWES: Anything else from the BD?</p> |

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| Page 13 | Page 15 |
| <p>1 MR KONG CHEUNG FAT: I did ask the BD about the Prestige 2 licence, whether it has been renewed or not, because for 3 some time they had a provisional licence, not a renewed 4 licence. There was conditional provisional licence that 5 they held. I asked BD why they failed to renew the 6 licence and they said it's not appropriate to talk about 7 it and they are following up on this. 8 MR VICTOR DAWES: As regards the appointment of Prestige, 9 you said a moment ago that you expressed concerns about 10 the incomplete information that you got about the 11 selection of the contractor. There are some allegations 12 of fake votes. 13 MR KONG CHEUNG FAT: Yes. 14 MR VICTOR DAWES: Some said from the record the new MC has 15 not got any particular evidence about the bogus votes. 16 Can I say this? 17 MR KONG CHEUNG FAT: Yes. We cannot check the votes. Every 18 time we'd like to inspect the votes, the management 19 office and management committee cannot provide the 20 details. 21 MR VICTOR DAWES: Can I put it this way. When it comes to 22 voting, it seems that the information that you can 23 provide would be rather limited. The examples you cited 24 is the mother and daughter proxy issue. 25 MR KONG CHEUNG FAT: That's not an isolated incident.</p> | <p>1 was in May, the AGM. You must have attended that one. 2 Previously Mr Tang Kwok Kuen did not attend. You may 3 find your position awkward, but did you discuss this 4 with Mr Tang? 5 MR KONG CHEUNG FAT: May when? Before May I wasn't a 6 member. 7 MR VICTOR DAWES: You said your capacity was awkward. What 8 do you mean? 9 MR KONG CHEUNG FAT: After May there were some residents who 10 signed a petition. 11 MR VICTOR DAWES: You find yourself awkward, but that was 12 before May. 13 MR KONG CHEUNG FAT: Right. 14 MR VICTOR DAWES: And at that time there was no awkwardness. 15 You could approach him. Did you ask him why he didn't 16 attend the meeting? 17 MR KONG CHEUNG FAT: It's hard to find him. Hardly ever do 18 I see him. 19 MR VICTOR DAWES: So nobody asked him why he didn't hold the 20 meeting in May; right? 21 MR KONG CHEUNG FAT: Yes. 22 MR VICTOR DAWES: The meeting in May, Mr Tang could not 23 avoid this. 24 MR KONG CHEUNG FAT: Right. 25 MR VICTOR DAWES: My question is, we heard a lot of evidence</p> |
| Page 14 | Page 16 |
| <p>1 MR VICTOR DAWES: But other than hearsay, you don't have 2 evidence that you can provide us with, is it fair to 3 say? 4 MR KONG CHEUNG FAT: On 28 January, that's one of them. For 5 meetings and voting there were some conflicts. Some 6 residents would say that they lost their votes. 7 MR VICTOR DAWES: Let me say this in general. Despite all 8 these episodes, it seems that once the new MC took 9 office, other than urging people, there are no 10 particular measures to address these issues. Is it fair 11 to say this? 12 MR KONG CHEUNG FAT: Yes, correct. 13 MR VICTOR DAWES: In this January meeting -- there was a lot 14 of mention of this at the hearing and there is a request 15 of Chairman Tang to hold an EGM. He refused, and the 16 district office wrote to him to urge him to hold the 17 meeting. Do you know that? 18 MR KONG CHEUNG FAT: Yes, I do. I raised this at the 19 meeting, "Why not people are exercising their power 20 under Cap 344 and they collect 5 per cent of the 21 ownership consent." 22 MR VICTOR DAWES: Did you sign the petition? 23 MR KONG CHEUNG FAT: No, I didn't, because I belonged to the 24 old MC. It was a bit awkward. 25 MR VICTOR DAWES: We understand that the following meeting</p> | <p>1 about this. 2 MR KONG CHEUNG FAT: Yes. 3 MR VICTOR DAWES: In May, why did people elect him? 4 MR KONG CHEUNG FAT: Marginally, only marginally. He came 5 second-last. He just only had enough votes. 6 MR VICTOR DAWES: There was discontent but he got enough 7 votes to serve on? 8 MR KONG CHEUNG FAT: Well, all because of the proxies. 9 MR VICTOR DAWES: Let me put this to you. Paragraph 9 of 10 your statement, you said that there was discontent but 11 he had the proxies and he got elected. And in your 12 second statement, paragraph 82, you had some 13 observations there. You were not the first one to say 14 this. There is a Mr Chan Kau Keung who presided over 15 the meeting and you had some views about him. Can you 16 tell us more about that? 17 MR KONG CHEUNG FAT: We had the first meeting. As a new 18 member I'd like to find out more about the background of 19 the residents. I introduced myself and I asked other 20 members about their background. I asked Mr Chan about 21 his professional background because he was a consultant. 22 In other housing estates there is no such position 23 as a consultant but Mr Chan is a business consultant of 24 the estate. He said he was chairman before and he knew 25 a lot about housing estate. And then I asked him,</p> |

Page 17

1 "Mr Chan, what's your professional background?
 2 Accountant, architect or engineer?" He said, no, he is
 3 an insurance claim practitioner. I asked him whether he
 4 was the owner. He said he was. I asked him, "Why
 5 didn't you take part in the management committee and
 6 instead you're holding down this consultancy position?"
 7 And he said, "I am familiar with this and my wife
 8 doesn't really want me to become a member of the MC".
 9 And I said, "So you're sitting on this committee every
 10 time?" And he said nothing else.
 11 MR VICTOR DAWES: So you had some doubts about his capacity,
 12 why he appeared in this capacity?
 13 MR KONG CHEUNG FAT: Yes. If he is so interested in the
 14 estate affairs, he should do it in a proper way and
 15 become an MC member instead of a consultant. But he
 16 doesn't have any professional background in major
 17 renovation. If he is a surveyor, an architect, for
 18 example, it would be better.
 19 MR VICTOR DAWES: Let me talk about some things that
 20 happened afterwards. You became a member, you took part
 21 in the works group and you also did publicity work, so
 22 your participation level was high.
 23 MR KONG CHEUNG FAT: Yes. Publicity, that's something
 24 imposed upon me. I had this position because every time
 25 we have a meeting, the residents would be waiting

Page 18

1 outside the conference room, waiting to come in. The
 2 doors were shut and the residents were none too pleased
 3 and they were banging on the windows.
 4 I asked them why didn't they have any crisis
 5 management measure. Why don't they come in and take
 6 part in the meeting. We had the first meeting and the
 7 residents were really grumpy because this involves the
 8 payment for the renovation. They were banging on the
 9 windows.
 10 I said to the chairman, "Why don't we go out and
 11 communicate with the residents?" And then we went out
 12 and we told the residents that we're having a meeting.
 13 Once we had the results, we would let them know about
 14 the financials of the major renovation, maybe in the
 15 next day or two they will be informed duly. We asked
 16 them to rest assured, the chairman kept quiet, and it
 17 was me who said this.
 18 When we went back in, they said, "You've done well",
 19 and there were no conflicts. And then they said for the
 20 publicity and communication work, they're leaving this
 21 to me.
 22 MR VICTOR DAWES: Also there is the statutory renovation
 23 working group.
 24 MR KONG CHEUNG FAT: Yes, there is this repair working
 25 group.

Page 19

1 MR VICTOR DAWES: Was it open to the public?
 2 MR KONG CHEUNG FAT: I wasn't part of that. I don't know
 3 when they would have the meeting. That's number one.
 4 Second, they would announce in the chat group to say a
 5 meeting would be convened very short notice and they
 6 don't have the meeting in the evening, they have these
 7 in working hours.
 8 MR VICTOR DAWES: So you never attended?
 9 MR KONG CHEUNG FAT: No, never once.
 10 MR VICTOR DAWES: In the old management committee, when they
 11 were dealing with the affairs, you said that things may
 12 not be entirely to your satisfaction but you had certain
 13 level of participation.
 14 MR KONG CHEUNG FAT: Yes.
 15 MR VICTOR DAWES: I'm sure that you reflected the discontent
 16 of the owners.
 17 MR KONG CHEUNG FAT: Yes.
 18 MR VICTOR DAWES: In the old MC, from the information, it
 19 seems that they have held some briefings in which the
 20 residents could attend?
 21 MR KONG CHEUNG FAT: Yes.
 22 MR VICTOR DAWES: It seems that the discontent continued.
 23 MR KONG CHEUNG FAT: Yes.
 24 MR VICTOR DAWES: Can I put it this way in general: the
 25 discontent arose for many reasons. They didn't want to

Page 20

1 have the renovation in the first place?
 2 Can you answer step by step. Some didn't really
 3 want to have renovation in the first place because of
 4 the sheer cost?
 5 MR KONG CHEUNG FAT: Yes. Some thought about this.
 6 MR VICTOR DAWES: Some said that they were denied any
 7 participation?
 8 MR KONG CHEUNG FAT: Yes.
 9 MR VICTOR DAWES: Some felt that they were not sufficiently
 10 informed?
 11 MR KONG CHEUNG FAT: Yes.
 12 MR VICTOR DAWES: There were so many different views across
 13 different units. Things could have been done better.
 14 MR KONG CHEUNG FAT: Right.
 15 MR VICTOR DAWES: We have heard a lot of allegations about
 16 the general discontent, not any allegation of
 17 wrongdoing, can I put it this way?
 18 MR KONG CHEUNG FAT: Yes.
 19 MR VICTOR DAWES: For the old MC, during your tenure, I'd
 20 like to let you talk about it here. What are the major
 21 problems? What is the evidence that you have?
 22 MR KONG CHEUNG FAT: Lack of transparency.
 23 MR VICTOR DAWES: Lack of transparency is all a matter of
 24 perspective; is that right?
 25 MR KONG CHEUNG FAT: Yes.

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| Page 21 | Page 23 |
| <p>1 MR VICTOR DAWES: We're not saying that they're doing 2 perfectly right, but from the information, from the 3 documents, there are different views and you go in 4 wanting to have more transparency. 5 MR KONG CHEUNG FAT: There is a lack of two-way 6 communications. The residents voice their views; they 7 ignore them. Some residents said that within half a 8 year they have to stump up hundreds of thousands of 9 dollars, and they can save and scrimp and still cannot 10 come up with the money. 11 MR VICTOR DAWES: You say there is a lack of communication, 12 and, second, the chairman on the old OC didn't take care 13 of the sentiments of the residents? 14 MR KONG CHEUNG FAT: Yes. 15 MR VICTOR DAWES: Many residents feel the things are leaving 16 a lot to be desired so that's why you had this incident 17 of dismissing or seeking to dismiss Chairman Tang? 18 MR KONG CHEUNG FAT: The major reason is that within a very 19 short time, the residents are required to shell out 20 hundreds of thousands of dollars. This is a housing 21 estate that accommodates grassroots people: for them to 22 stump up such an amount of money, in particular, the 23 elderly people who are retirees and they don't have the 24 funding available for this purpose. They're so angry 25 that they receive the lawyer's letter to demand the</p> | <p>1 MR VICTOR DAWES: We know that on the second day of the new 2 MC you had the chat group of Wang Fuk renovation. 3 MR KONG CHEUNG FAT: Yes. 4 MR VICTOR DAWES: Who could take part in that? 5 MR KONG CHEUNG FAT: The MC, the management office, Prestige 6 and Will Power. 7 MR VICTOR DAWES: Also, a couple of days ago, when Mr Tony 8 Tsui came to testify, in the bundle there were the 9 records. You've also submitted another version which is 10 in greater detail. 11 MR KONG CHEUNG FAT: Yes. 12 MR VICTOR DAWES: I'm going to take you to that record later 13 on. 14 MR KONG CHEUNG FAT: Right. 15 MR VICTOR DAWES: I would like to ask you, there's another 16 chat called the major works four-party group. What is 17 that? 18 MR KONG CHEUNG FAT: That's the old group. 19 MR VICTOR DAWES: We see that there are some safety concerns 20 being discussed in the group. Did you express concern 21 on those safety issues? 22 MR KONG CHEUNG FAT: Yes. 23 MR VICTOR DAWES: You were also in the old group; right? 24 MR KONG CHEUNG FAT: Yes, correct. 25 MR VICTOR DAWES: So you did speak up in both the old and</p> |
| Page 22 | Page 24 |
| <p>1 payment. When they sent the lawyer's letter, we're 2 really unhappy. One, it's a waste of money; two, why 3 did they have to go so far? This is really causing 4 displeasure. 5 MR VICTOR DAWES: You were sitting on the old MC but you 6 think that the residents' complaints are reasonable? 7 MR KONG CHEUNG FAT: Yes. 8 MR VICTOR DAWES: That's the reason why the MC has been 9 replaced and you stayed on? 10 MR KONG CHEUNG FAT: Yes. Not a single incident. Every 11 time we had meetings, the security was particularly 12 tight. They tried to manage the crowd, the residents. 13 In the new term, we don't have tight security. Things 14 were really smooth. 15 MR VICTOR DAWES: Let's turn to the new MC. You've taken 16 office. What practices were there that differ from the 17 previous MC to address the complaints of the residents? 18 MR KONG CHEUNG FAT: We have regular meetings about the 19 works every week and at the central park we have the 20 sharing sessions in which we invite Prestige and 21 Will Power to come along and exchange with the residents 22 and the avenues of communication have been opened up. 23 We do not deny residents the opportunities to air their 24 views. When they have any questions, we try our best to 25 answer them and we come up with answers for them.</p> | <p>1 new group? 2 MR KONG CHEUNG FAT: Yes. 3 MR VICTOR DAWES: In the first witness statement in 4 paragraph 28 you said that it seems that the old and new 5 MC did not have much communication in relation to the 6 exchange of power? 7 MR KONG CHEUNG FAT: Zero, because Tang Kwok Kuen lived in 8 the same building as me and I asked him when I bumped 9 into him in the elevator why is there nothing from the 10 old MC to the new MC? And he said, "Well, you dismissed 11 us, so it's up to you now." 12 MR VICTOR DAWES: You were part of both the old and new. 13 Were you in your capacity able to manage this? 14 MR KONG CHEUNG FAT: Actually, no, because I didn't know 15 much because I was pretty much excluded from important 16 matters. I believe they have another group. 17 MR VICTOR DAWES: In the new group there were 18 representatives from both Will Power and PC&E. I would 19 like to ask about your communication with them. You 20 were able to send messages in the group. 21 MR KONG CHEUNG FAT: Yes. 22 MR VICTOR DAWES: Can you tell us about your communication 23 with Will Power and PC&E? 24 MR KONG CHEUNG FAT: What do you mean? 25 MR VICTOR DAWES: Well, you would send messages to the</p> |

Page 25

1 group.
 2 MR KONG CHEUNG FAT: Right.
 3 MR VICTOR DAWES: And you would attend their meetings.
 4 MR KONG CHEUNG FAT: Yes.
 5 MR VICTOR DAWES: Would you or other members carry out
 6 direct communication via different channels with
 7 Will Power and PC&E?
 8 MR KONG CHEUNG FAT: Not really.
 9 MR VICTOR DAWES: Let's first talk about Will Power.
 10 MR KONG CHEUNG FAT: Okay.
 11 MR VICTOR DAWES: Who would you approach if you need to
 12 contact Will Power?
 13 MR KONG CHEUNG FAT: Mr Yeung, maybe, or sometimes --
 14 I don't know -- well, mainly Mr Yeung, because Mr Yeung
 15 is responsible for the major renovation.
 16 MR VICTOR DAWES: Any other person other than Mr Yeung?
 17 MR KONG CHEUNG FAT: Wong Hap Yin, sometimes but not
 18 frequently. Usually I would just talk in the group
 19 chat, not directly.
 20 MR VICTOR DAWES: Have you ever seen Ng Yeuk in the group?
 21 MR KONG CHEUNG FAT: No.
 22 MR VICTOR DAWES: Do you know who he is?
 23 MR KONG CHEUNG FAT: I didn't know who he was then but I
 24 know who he is now.
 25 MR VICTOR DAWES: So you mainly only talked to Mr Yeung Chi

Page 26

1 Man?
 2 MR KONG CHEUNG FAT: Yes.
 3 MR VICTOR DAWES: When you need to contact Will Power, are
 4 you able to find anyone on the work site?
 5 MR KONG CHEUNG FAT: No. They say they would come down to
 6 the work site two or three times a week. It should be
 7 Mr Tsui who is responsible for overseeing the works.
 8 MR VICTOR DAWES: Are you talking about the clerk of works,
 9 Mr Wong Tsin Kin?
 10 MR KONG CHEUNG FAT: We call him Nelson.
 11 MR VICTOR DAWES: Okay, Nelson Wong. I'd like to ask about
 12 another role. Do you know if there are any safety
 13 officers on the work site?
 14 MR KONG CHEUNG FAT: Yes, but I believe there's been
 15 a change in officers one once or twice.
 16 MR VICTOR DAWES: Is the safety officer present every day at
 17 Wang Fuk Court?
 18 MR KONG CHEUNG FAT: I'm not sure whether he is present
 19 every day. I wouldn't leave home that early but in the
 20 early days of scaffold-building, I would see many
 21 workers going up and down the scaffolding without safety
 22 belts and I did approach the people there and asked them
 23 to pay attention to safety.
 24 MR VICTOR DAWES: So you said that the foreman or the
 25 supervisor is Nelson. Can you tell us about his role?

Page 27

1 MR KONG CHEUNG FAT: Nelson mainly oversees the works for
 2 Will Power. He would take some photographs when he
 3 received complaints from residents. He would also take
 4 photos of the craftsmanship of the work and sometimes
 5 he would be checking the work materials.
 6 MR VICTOR DAWES: Do you contact him directly when the MC
 7 needs to contact him or how do you contact him?
 8 MR KONG CHEUNG FAT: We would just talk on the group chat
 9 and he would respond, yes.
 10 MR VICTOR DAWES: So he's on site; right?
 11 MR KONG CHEUNG FAT: Yes.
 12 MR VICTOR DAWES: Another topic of concern is the eight
 13 buildings being scaffolded at the same time. I know you
 14 understand the importance of this matter.
 15 MR KONG CHEUNG FAT: Yes.
 16 MR VICTOR DAWES: In your first witness statement, in
 17 paragraphs 56 to 58, you said that after the new MC came
 18 on board, you discussed this matter with PC&E.
 19 MR KONG CHEUNG FAT: Yes.
 20 MR VICTOR DAWES: You suggested dividing it into different
 21 phases but you said they rejected because the old MC
 22 wanted to complete the works as soon as possible.
 23 MR KONG CHEUNG FAT: Correct.
 24 MR VICTOR DAWES: The old MC wanted to complete works as
 25 soon as possible. Do you know of this? Have you heard

Page 28

1 of this before?
 2 MR KONG CHEUNG FAT: It has been mentioned in the meetings.
 3 MR VICTOR DAWES: Can you clarify that it was the request
 4 made by the old MC or were there any other reasons for
 5 that?
 6 MR KONG CHEUNG FAT: I did follow up and I asked about it in
 7 the new MC. I wasn't privy to the meetings in the old
 8 MC so I wasn't sure.
 9 MR VICTOR DAWES: Well, when you were in the old MC, were
 10 there discussions in meetings on putting up the
 11 scaffolding for all eight buildings at the same time?
 12 MR KONG CHEUNG FAT: It was mentioned in one of the
 13 meetings. I was present, but I didn't express my views.
 14 MR VICTOR DAWES: It was because of this reason that all
 15 eight buildings had to be renovated together, or were
 16 there any other reasons?
 17 MR KONG CHEUNG FAT: At that time, it was mentioned that
 18 works should be completed as soon as possible. In the
 19 new MC, however, they had some explanations.
 20 MR VICTOR DAWES: Can you share with us what PC&E had to say
 21 with this?
 22 MR KONG CHEUNG FAT: Talking about --
 23 MR VICTOR DAWES: The old MC said that it would be faster to
 24 renovate all eight buildings together and PC&E agreed,
 25 so what was the reason?

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| Page 29 | Page 31 |
| <p>1 MR KONG CHEUNG FAT: They thought that works would be 2 completed within two years. The MC agreed, so both 3 parties agreed on this and so there was no further 4 discussion. 5 MR VICTOR DAWES: Did they mention anything about saying 6 that if you separate it into different phases it will 7 take a longer time and insurance would be more expensive 8 and it would be more five higher workers? 9 MR KONG CHEUNG FAT: It was not mentioned in the old MC but 10 we did talk about this in the new MC. 11 MR VICTOR DAWES: Okay. So you only saw these reasons in 12 the new MC, but it seems that having all eight buildings 13 renovated at the same time is agreed by both the MC and 14 PC&E. 15 MR KONG CHEUNG FAT: Yes. 16 MR VICTOR DAWES: The old MC wanted to speed up because they 17 wanted to minimise the nuisance on the residents? 18 MR KONG CHEUNG FAT: Correct. 19 MR VICTOR DAWES: It seemed that after the new MC came on 20 board views changed and you wanted not to do it at the 21 same time. 22 MR KONG CHEUNG FAT: Yes. 23 MR VICTOR DAWES: Can you tell us about it? 24 MR KONG CHEUNG FAT: Yes. I was also one of whom agreed to 25 that because residents asked whether we could divide it</p> | <p>1 this. 2 MR KONG CHEUNG FAT: Some people agreed. I really cannot 3 recall who raised it and who agreed. 4 MR VICTOR DAWES: In the original contract it seems that it 5 should be divided into phases. 6 MR KONG CHEUNG FAT: Yes. 7 MR VICTOR DAWES: You know about that; right? 8 MR KONG CHEUNG FAT: Yes. 9 MR VICTOR DAWES: Did you tell PC&E to work in accordance 10 with the contract terms? 11 MR KONG CHEUNG FAT: PC&E told us that they would erect the 12 scaffolding in three phases, three buildings in each 13 phase. For the first two phases and then two buildings 14 in the last two phases. The contract said that the 15 ultimate decision will be made by the court. 16 MR VICTOR DAWES: But then you decided to just follow the 17 original plan even though there were complaints and 18 other comments? 19 MR KONG CHEUNG FAT: Well, yes. Some residents say that we 20 should complete it as soon as possible. 21 MR VICTOR DAWES: When you talked about separating the 22 renovation into different phases was it due to safety 23 reasons? 24 MR KONG CHEUNG FAT: We also considered the craftsmanship. 25 We wanted to see how the works would be upon completion.</p> |
| Page 30 | Page 32 |
| <p>1 into different phases, to complete one phase, take off 2 the scaffolding before we erect scaffolding for other 3 buildings. Mr Ho from Prestige explained that as the 4 old MC expressed their hopes to speed up works to 5 minimise residents' nuisance. If we are to lengthen the 6 time, it would involve insurance matters. So they would 7 not consider that and they have already agreed it with 8 the old MC. 9 THE HON MR JUSTICE DAVID LOK: I don't think you're 10 answering the question. 11 Mr Dawes, could you please follow up? 12 MR VICTOR DAWES: My question is about the discussion of the 13 new MC and who raised the issue of dividing the works 14 into different phases. 15 MR KONG CHEUNG FAT: Well, as I said, I was one of them who 16 mentioned it, but we are not able to do that because it 17 would involve more cost and more nuisance to the 18 residents. 19 MR VICTOR DAWES: So you are the one who raised this point? 20 THE HON MR JUSTICE DAVID LOK: Any other people raised the 21 same point? 22 MR KONG CHEUNG FAT: I don't quite remember. 23 MR VICTOR DAWES: Did Tsui Moon Come raise this up as well? 24 MR KONG CHEUNG FAT: I'm not sure. 25 MR VICTOR DAWES: It seems that you were the one who raised</p> | <p>1 MR VICTOR DAWES: I'd like to also ask about the FS tanks 2 and the switching off of the main switches. We now know 3 a lot more at the hearing, but before, did you know that 4 there would be maintenance works done on the FS tanks? 5 MR KONG CHEUNG FAT: Yes. 6 MR VICTOR DAWES: It seemed there was leakage or some 7 malfunctioning; right? 8 MR KONG CHEUNG FAT: I cannot remember whether this has been 9 discussed, but it seems that the FS tank would be 10 renovated and changed to a freshwater tank. 11 MR VICTOR DAWES: It seemed that the contract stated that 12 PC&E needed to provide a temporary freshwater tank with 13 capacity, about the same as the FS tank. Did you know 14 about that? 15 MR KONG CHEUNG FAT: We did discuss that. Mr Ho also 16 explained that to put in a water tank of a similar size 17 on the rooftop, he worried about the weight loading and 18 he said he would talk to the consultant. 19 MR VICTOR DAWES: What did the consultant say? 20 MR KONG CHEUNG FAT: I cannot remember what he said. It 21 seemed that he said he would provide a fibre tank, but I 22 wasn't sure how he would do that. 23 MR VICTOR DAWES: First of all, why would an FS tank become 24 a freshwater tank? The design was to provide a 25 temporary FS tank for you.</p> |

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| Page 33 | Page 35 |
| <p>1 MR KONG CHEUNG FAT: Yes.</p> <p>2 MR VICTOR DAWES: But it seemed that the plan changed along</p> <p>3 the way, after which you had to spend more money on the</p> <p>4 works.</p> <p>5 MR KONG CHEUNG FAT: This is a lump sum contract. This fee</p> <p>6 would be charged regardless of whether we do it or not.</p> <p>7 MR VICTOR DAWES: Let me first ask you another question.</p> <p>8 Are you saying that a consultant has suggested the idea</p> <p>9 of providing a fibreglass tank? Are you saying that the</p> <p>10 consultant agreed with PC&E's proposal?</p> <p>11 MR KONG CHEUNG FAT: I think so.</p> <p>12 MR VICTOR DAWES: I'm not trying to put words in your mouth,</p> <p>13 but can you tell us more about it?</p> <p>14 MR KONG CHEUNG FAT: I remember we did discuss it, but I</p> <p>15 don't quite remember what the decision was.</p> <p>16 MR VICTOR DAWES: You said the consultant did tell you about</p> <p>17 it, so who was the consultant?</p> <p>18 MR KONG CHEUNG FAT: It's Yeung Chi Man.</p> <p>19 MR VICTOR DAWES: You said that PC&E said this is a lump sum</p> <p>20 contract, the same figure would be charged regardless.</p> <p>21 You did discuss with them whether some parts of the</p> <p>22 works could be minimised; right?</p> <p>23 MR KONG CHEUNG FAT: Yes.</p> <p>24 MR VICTOR DAWES: If I could refer you to H1-3/6033. These</p> <p>25 are minutes of a meeting.</p> | <p>1 MR VICTOR DAWES: You talked about the repair of FS tank.</p> <p>2 MR KONG CHEUNG FAT: We thought that the repair would take</p> <p>3 a very short period of time.</p> <p>4 MR VICTOR DAWES: So you relied on the consultant?</p> <p>5 MR KONG CHEUNG FAT: Correct.</p> <p>6 MR VICTOR DAWES: The reason why I asked you about the FS</p> <p>7 tank is because in the WhatsApp group that you were</p> <p>8 a part of there was a report on the inspection of the FS</p> <p>9 tank.</p> <p>10 MR KONG CHEUNG FAT: Yes.</p> <p>11 MR VICTOR DAWES: Did you look at the report?</p> <p>12 MR KONG CHEUNG FAT: I've looked at the photos.</p> <p>13 MR VICTOR DAWES: At F4, page 1356 in the middle of 2025, in</p> <p>14 June, Will Power did upload some report to the WhatsApp</p> <p>15 group. Please read the bottom, "Report of inspection of</p> <p>16 FS tank". You said that you looked at the photos.</p> <p>17 MR KONG CHEUNG FAT: Correct.</p> <p>18 MR VICTOR DAWES: There is discussion about the report and</p> <p>19 Mr Ho from Prestige said, "Members, after discussion</p> <p>20 today, please look into whether we should accept the</p> <p>21 suggestions of the consultant so that we can work on the</p> <p>22 FS water tank and the water resilient pipes."</p> <p>23 MR KONG CHEUNG FAT: This part was added afterwards, so we</p> <p>24 did add some extra items afterwards, yes. There were</p> <p>25 some switch that could not be turned off because of</p> |
| Page 34 | Page 36 |
| <p>1 MR KONG CHEUNG FAT: Yes.</p> <p>2 MR VICTOR DAWES: Did you attend this meeting? Because</p> <p>3 I cannot see who was present at that meeting.</p> <p>4 MR KONG CHEUNG FAT: I suppose I did.</p> <p>5 MR VICTOR DAWES: So there was a mention of some of the</p> <p>6 works being cut down to only carry out the essential</p> <p>7 works.</p> <p>8 MR KONG CHEUNG FAT: Well, we cannot just cut down</p> <p>9 something. It must be agreed upon both parties.</p> <p>10 MR VICTOR DAWES: You said this is a lump sum contract,</p> <p>11 everything has to be done in accordance with the</p> <p>12 contract. But it seems that you did discuss whether you</p> <p>13 could cut down some of the works and some of them could</p> <p>14 be?</p> <p>15 MR KONG CHEUNG FAT: Yes.</p> <p>16 MR VICTOR DAWES: As to whether or not to cut the item on</p> <p>17 water tanks, can you assist us in enlightening us with</p> <p>18 the discussion? Do you remember?</p> <p>19 MR KONG CHEUNG FAT: We did not ask Prestige not to renovate</p> <p>20 or repair the water tank because we didn't know about</p> <p>21 the status of the water tank. We thought that this item</p> <p>22 was agreed upon. The consultant should have given us</p> <p>23 some professional advice. We were just regular people.</p> <p>24 We didn't know if doing away with the item is in breach</p> <p>25 of any regulations.</p> | <p>1 aging and some replacement was needed and there was</p> <p>2 water leakage.</p> <p>3 MR VICTOR DAWES: So we are not -- so you're not saying that</p> <p>4 you added this item of repair of water tank afterwards,</p> <p>5 you just worked on the parts and this part was added</p> <p>6 after the fact?</p> <p>7 MR KONG CHEUNG FAT: Correct.</p> <p>8 MR VICTOR DAWES: But you didn't talk about the water</p> <p>9 leakage in the group. Did anyone look into whether</p> <p>10 there was actually water leakage with the FS tank?</p> <p>11 MR KONG CHEUNG FAT: According to my recollection, we had</p> <p>12 some problems with parts. Some of it were rusted and</p> <p>13 there was water leakage coming from the coupling. No</p> <p>14 discussion was had at the meeting about water leakage.</p> <p>15 MR VICTOR DAWES: So, according to your recollections,</p> <p>16 neither the new or old MC talked about whether there was</p> <p>17 water leakage with the FS tank; there is no record of</p> <p>18 such discussion?</p> <p>19 MR KONG CHEUNG FAT: Correct.</p> <p>20 MR VICTOR DAWES: Page 1435. We see that works was done.</p> <p>21 Nelson Wong sent some message to the group. Here we are</p> <p>22 in August. The third line, Nelson Wong said that:</p> <p>23 "On the 20th day there was water logging at the FS</p> <p>24 tank after the tiling D."</p> <p>25 Can you see it?</p> |

Page 37

1 MR KONG CHEUNG FAT: Yes.

2 MR VICTOR DAWES: In other words, he inspected the works and

3 he talked about the water logging. What does it mean by

4 "D", does it mean block D, do you know?

5 MR KONG CHEUNG FAT: I am not sure. This was after the FS

6 tank was tiled and water testing was done. After the

7 water testing we found that there was water leakage.

8 That was after the tiling was done and after the water

9 testing.

10 MR VICTOR DAWES: Let's look at the minutes, H1-3/6113,

11 that's 30 August. You attended the meeting, the third

12 member on the minutes.

13 MR KONG CHEUNG FAT: Yes.

14 MR VICTOR DAWES: Let's go to item 6. This is progress of

15 the FS tank. Block G, H, the repair work of the FS tank

16 was completed. Discussion will be had with the

17 management office to change the FS tank to the temporary

18 freshwater tank. The work with block D, E, F was still

19 in progress. You were part of the discussion; correct?

20 MR KONG CHEUNG FAT: Yes.

21 MR VICTOR DAWES: Did anyone raise this point or give you

22 any suggestions that you have to be mindful of the

23 progress because the FS system was suspended?

24 MR KONG CHEUNG FAT: We did not discuss it. The consultant

25 was responsible for it. We had to work every day, so we

Page 38

1 were not able to monitor everything in detail. We asked

2 the consultant to be responsible for the monitoring.

3 MR VICTOR DAWES: Am I correct in saying this: the fire

4 services system had to be suspended at that time. The

5 incorporated owners because the consultant did not alert

6 them of the risk, that's why you did not look into

7 whether you should speed up the process?

8 MR KONG CHEUNG FAT: We did not look at the progress. We

9 were of the view that the consultant would make relevant

10 arrangement so we didn't discuss it in particular. The

11 consultant said that there would be a fibreglass water

12 tank.

13 MR VICTOR DAWES: You were aware that the fire alarm system

14 was suspended? Were you aware of that?

15 MR KONG CHEUNG FAT: Fire service system? I knew that we

16 were working on the water tank, but regarding the FAS,

17 I'm not sure.

18 MR VICTOR DAWES: We're talking about the fire hydrant/hose

19 reel system.

20 MR KONG CHEUNG FAT: No.

21 MR VICTOR DAWES: You didn't know that by working on the FS

22 tank you needed to suspend the system?

23 MR KONG CHEUNG FAT: Correct.

24 MR VICTOR DAWES: Let's look at H1-3/6080. It seems that in

25 March 2025 -- let's look at paragraph 8. This is the

Page 39

1 only record that we were able to identify that

2 applications for the SDN has to be made with the FSD.

3 In other words, you did talk about this in the meeting?

4 MR KONG CHEUNG FAT: Correct. We said that fire hydrant

5 need to be placed at every floor. We did talk about

6 that in the meeting of the IO.

7 MR VICTOR DAWES: You didn't have a sense of crisis when you

8 suspended the FH/HR system. What about the office, did

9 they offer you any advice?

10 MR KONG CHEUNG FAT: No. The management office said that

11 they will place one fire hydrant every other floor.

12 MR VICTOR DAWES: So you were of the view that placing this

13 fire extinguisher at every other floor was sufficient?

14 MR KONG CHEUNG FAT: Yes.

15 MR VICTOR DAWES: They needed to apply for SDN, they needed

16 to engage a fire services contractor. Do you know which

17 contractor was engaged?

18 MR KONG CHEUNG FAT: The IO was aware of the annual

19 inspection and we knew that Victory Fire was engaged

20 because we need to be informed of the outcome of the

21 tender exercise. But if you're talking about other

22 parties or other fire services contractor, we were not

23 aware of that.

24 MR VICTOR DAWES: So you did not know about the fact that

25 China Status was engaged?

Page 40

1 MR KONG CHEUNG FAT: No.

2 MR VICTOR DAWES: I now have some questions regarding foam

3 boards.

4 Chairman, this may be the right time for us to take

5 a break.

6 THE HON MR JUSTICE DAVID LOK: Let's take a break for

7 15 minutes.

8 (11.10 am)

9 (A short adjournment)

10 (11.25 am)

11 MR VICTOR DAWES: Mr Kong, I'd like to turn to the foam

12 board. Paragraphs 13 to 14 of your first statement said

13 that it was in July to September 2024 that foam boards

14 were used. Wang Cheong, Wang Shing, Wang Chi, they put

15 up the nettings and then chiselling work would take

16 place and foam board was there when chiselling work took

17 place.

18 MR KONG CHEUNG FAT: Yes.

19 MR VICTOR DAWES: When the foam boards went up, did

20 residents express concerns?

21 MR KONG CHEUNG FAT: Yes.

22 MR VICTOR DAWES: Will Power expressed some comments on

23 H1-3/6131, item 10. We took that up with Mr Tsui

24 a couple of days ago. Your understanding is that a lot

25 of residents expressed concerns.

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| Page 41 | Page 43 |
| <p>1 MR KONG CHEUNG FAT: Yes.</p> <p>2 MR VICTOR DAWES: And the consultant also expressed</p> <p>3 comments.</p> <p>4 MR KONG CHEUNG FAT: Yes.</p> <p>5 MR VICTOR DAWES: To your understanding, did it occur to you</p> <p>6 that you had to convince Prestige to use something else?</p> <p>7 MR KONG CHEUNG FAT: We tried to convince Prestige, but they</p> <p>8 said that order had been placed and they were signed by</p> <p>9 the previous IO. If we use more fire-retardant foam</p> <p>10 board, we have to wait for the second batch.</p> <p>11 MR VICTOR DAWES: Will Power expressed concern from the</p> <p>12 start. Did they change tack subsequently and did not</p> <p>13 pursue the matter?</p> <p>14 MR KONG CHEUNG FAT: It was a sharp turn on their part.</p> <p>15 MR VICTOR DAWES: You said it was a sharp turn on their</p> <p>16 part. Can you give us more evidence?</p> <p>17 MR KONG CHEUNG FAT: At the meeting they articulated the</p> <p>18 risks and we explored the flammability of the foam</p> <p>19 board. Wong Hap Yin did some explanation. There was</p> <p>20 a temporary arrangement to guard the windows, prevent</p> <p>21 them from breaking. If you want to be fire-retardant,</p> <p>22 you have to do for the same other things, the tall board</p> <p>23 and the netting and so on. If a fire occurs, they would</p> <p>24 also pose problems. They said that on the scaffolding</p> <p>25 there is less likelihood of fire being used. So in the</p> | <p>1 You were not part of that?</p> <p>2 MR KONG CHEUNG FAT: No.</p> <p>3 MR VICTOR DAWES: Despite the decision that was made,</p> <p>4 you can't say anything about that?</p> <p>5 MR KONG CHEUNG FAT: No.</p> <p>6 MR VICTOR DAWES: Subsequently there was some argument;</p> <p>7 Mr Tsui already explained. We understand some tried to</p> <p>8 burn the foam board and that posed a lot of problems.</p> <p>9 It is really flammable.</p> <p>10 MR KONG CHEUNG FAT: Yes.</p> <p>11 MR VICTOR DAWES: And Prestige said that it wouldn't be</p> <p>12 burned by cigarette butts.</p> <p>13 MR KONG CHEUNG FAT: Yes.</p> <p>14 MR VICTOR DAWES: Do you think that we shouldn't use foam</p> <p>15 board? Or if you can help us, having heard what Mr Tsui</p> <p>16 said, is there anything you'd like to supplement?</p> <p>17 MR KONG CHEUNG FAT: In the trade -- I am involved in some</p> <p>18 of the engineering work and there are some temporary</p> <p>19 measures that we would do it this way, but this is for</p> <p>20 a pretty long term and we do have some worries. In the</p> <p>21 course of work, we like to have some more fire-retardant</p> <p>22 materials. We sought to get this done, but eventually</p> <p>23 we had the next batch that was more fire-retardant.</p> <p>24 MR VICTOR DAWES: You did make some enquiries, didn't you?</p> <p>25 MR KONG CHEUNG FAT: Enquiries?</p> |
| Page 42 | Page 44 |
| <p>1 trade, they tend to use foam board and other materials</p> <p>2 for this purpose.</p> <p>3 MR VICTOR DAWES: In your supplementary statement,</p> <p>4 paragraph 54, there is a statement that the new MC took</p> <p>5 over and Prestige told you that the former committee had</p> <p>6 signed off the order. Mr Tony Tsui asked the management</p> <p>7 office to dig up the record to see whether there was an</p> <p>8 approval of the less fire-retardant foam board.</p> <p>9 MR KONG CHEUNG FAT: Yes.</p> <p>10 MR VICTOR DAWES: Do you remember seeing these documents?</p> <p>11 MR KONG CHEUNG FAT: Well, Will Power had the materials.</p> <p>12 I seem to have seen it but I'm not sure.</p> <p>13 MR VICTOR DAWES: The decision of the old committee was that</p> <p>14 they use foam board to seal up the window and Prestige</p> <p>15 said, no, committee already approved that. You were not</p> <p>16 part of that?</p> <p>17 MR KONG CHEUNG FAT: No, I wasn't part of that.</p> <p>18 MR VICTOR DAWES: When you took over, it had already been</p> <p>19 approved?</p> <p>20 MR KONG CHEUNG FAT: Well, I wasn't taking part in that in</p> <p>21 particular.</p> <p>22 MR VICTOR DAWES: A2/240, paper 114. Here we can see</p> <p>23 17 July 2024, procurement of foam boards. It seems</p> <p>24 Prestige sent this to Will Power. Further down, 18 July</p> <p>25 2024, the paper was scrutinised and approved.</p> | <p>1 MR VICTOR DAWES: You enquired with the government</p> <p>2 departments?</p> <p>3 MR KONG CHEUNG FAT: No, I didn't. Not about the foam</p> <p>4 boards.</p> <p>5 MR VICTOR DAWES: F4, there were some discussions. See</p> <p>6 whether you can assist us. There was a chat group,</p> <p>7 page 1034, F4. 12.30-something minutes, "Sam tested</p> <p>8 with cigarettes and it doesn't cause any combustion."</p> <p>9 Karen asked him to send this on for reference.</p> <p>10 "If we use open flame, it would cause combustion.</p> <p>11 The bamboo scaffolding and the netting", and Tony Tsui</p> <p>12 said, "It's to be decided by the publicity committee",</p> <p>13 and Karen shared the information.</p> <p>14 O1, page 23. There are some films being shared.</p> <p>15 Have you seen this?</p> <p>16 MR KONG CHEUNG FAT: Yes.</p> <p>17 MR VICTOR DAWES: Peter Leung, is he a resident?</p> <p>18 MR KONG CHEUNG FAT: Yes.</p> <p>19 MR VICTOR DAWES: Is he part of the MC?</p> <p>20 MR KONG CHEUNG FAT: No, he's not.</p> <p>21 MR VICTOR DAWES: Same day, on the Facebook there is</p> <p>22 a Wilson Wong. Page 23, further down the page. Or turn</p> <p>23 to page 24. Make a brighter, please.</p> <p>24 Wilson Wong uploaded a clip. We're not going to</p> <p>25 play this. They're trying to use a lighter to burn the</p> |

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| Page 45 | Page 47 |
| <p>1 foam board but it wasn't lit. You've seen that?</p> <p>2 MR KONG CHEUNG FAT: Yes.</p> <p>3 MR VICTOR DAWES: This is what was shared and caused some</p> <p>4 discussion.</p> <p>5 F4/1034. 1.03, this is you, isn't it?</p> <p>6 MR KONG CHEUNG FAT: Yes.</p> <p>7 MR VICTOR DAWES: You asked the FSD and BD to confirm the</p> <p>8 materials are good enough before releasing it. You said</p> <p>9 hold the clip to avoid problems.</p> <p>10 MR KONG CHEUNG FAT: I was saying that we should not release</p> <p>11 the clip. We should ask the FSD and the BD about</p> <p>12 whether there is any control and regulation about the</p> <p>13 materials. More information should be released to the</p> <p>14 residents or the owners.</p> <p>15 MR VICTOR DAWES: Did you ask them?</p> <p>16 MR KONG CHEUNG FAT: We asked Will Power to check about the</p> <p>17 requirements about the materials.</p> <p>18 MR VICTOR DAWES: In your first statement, paragraph 23, you</p> <p>19 said that subsequently your members reflected this issue</p> <p>20 at the works committee meeting, the first batch had been</p> <p>21 ordered. Basically, your explanation wasn't accepted.</p> <p>22 MR KONG CHEUNG FAT: Right.</p> <p>23 MR VICTOR DAWES: There are some suggestions that -- you</p> <p>24 say, "We have to ask the FSD and the BD". Did you</p> <p>25 receive any regulations? Have you seen them?</p> | <p>1 MR VICTOR DAWES: Let me show you an example. F4/1065. In</p> <p>2 the subsequent discussions, Will Power issued some</p> <p>3 notices and then you see Mr Tsui on 20 September, this</p> <p>4 is by Mr Tsui Moon Come, he mentioned you in the group</p> <p>5 chat, "@Jason Wong", and he talked about Will Power and</p> <p>6 works and he said many people are calling the</p> <p>7 scaffolding and the window closures to a stop and they</p> <p>8 want the consultants to come in to brief us on that, and</p> <p>9 it seems that you want to explain to the residents.</p> <p>10 Am I fair in saying that, by that time, the focus</p> <p>11 was on how to explain to residents?</p> <p>12 MR KONG CHEUNG FAT: Yes, we wanted more communication with</p> <p>13 the residents.</p> <p>14 MR VICTOR DAWES: Can I say that by the end of September,</p> <p>15 although you questioned the fire-retardancy, you only</p> <p>16 portrayed the comments of Will Power and PC&E to</p> <p>17 residents?</p> <p>18 MR KONG CHEUNG FAT: We know that they wanted to keep the</p> <p>19 first batch because it has already been paid up, but we</p> <p>20 requested to have the second batch be more</p> <p>21 fire-retardant.</p> <p>22 MR VICTOR DAWES: You said that PC&E delivered new boards.</p> <p>23 The second batch should be for the other newer</p> <p>24 buildings, not the previous buildings; am I correct?</p> <p>25 MR KONG CHEUNG FAT: Yes.</p> |
| Page 46 | Page 48 |
| <p>1 MR KONG CHEUNG FAT: Not that I can recollect.</p> <p>2 MR VICTOR DAWES: Let's turn to page 1057. There is Steven</p> <p>3 Choi, 11.26. You see that?</p> <p>4 MR KONG CHEUNG FAT: Yes. I remember that, yes.</p> <p>5 MR VICTOR DAWES: They understand that there are no specific</p> <p>6 requirements.</p> <p>7 You can see that Mr Choi also said, "We have to ask</p> <p>8 whether the consultant was informed before being used".</p> <p>9 MR KONG CHEUNG FAT: Yes.</p> <p>10 MR VICTOR DAWES: Some hold different opinions. Mr Mak Chi</p> <p>11 Hung also emailed the FSD by way of a complaint.</p> <p>12 MR KONG CHEUNG FAT: Yes.</p> <p>13 MR VICTOR DAWES: Do you know that?</p> <p>14 MR KONG CHEUNG FAT: Yes.</p> <p>15 MR VICTOR DAWES: Did he discuss this with you?</p> <p>16 MR KONG CHEUNG FAT: At the evening meetings he mentioned</p> <p>17 sending something to the FSD.</p> <p>18 MR VICTOR DAWES: Any reply, do you know?</p> <p>19 MR KONG CHEUNG FAT: Not that I'm aware of.</p> <p>20 MR VICTOR DAWES: In your chat group there are some messages</p> <p>21 questioning the works of Prestige and Will Power. The</p> <p>22 management committee's position is that you have to</p> <p>23 convince the residents.</p> <p>24 MR KONG CHEUNG FAT: They have to make available more</p> <p>25 information for us to talk to the residents with.</p> | <p>1 MR VICTOR DAWES: I talked about this with Mr Tsui. There</p> <p>2 was a discussion on whether hollow boards should be</p> <p>3 used.</p> <p>4 MR KONG CHEUNG FAT: Yes.</p> <p>5 MR VICTOR DAWES: Before the second batch of foam boards</p> <p>6 arrive, Mr Tsui explained that they considered hollow</p> <p>7 boards but it didn't seem to be a feasible option.</p> <p>8 MR KONG CHEUNG FAT: Yes.</p> <p>9 MR VICTOR DAWES: It could only provide some light but it</p> <p>10 was not fire-retardant.</p> <p>11 MR KONG CHEUNG FAT: Yes.</p> <p>12 MR VICTOR DAWES: Would you agree with what Mr Tsui said?</p> <p>13 MR KONG CHEUNG FAT: Although the hollow boards are a bit</p> <p>14 different from foam boards, it might be similar in</p> <p>15 fire-retardant, but then foam boards seem to be a bit</p> <p>16 more easy to handle in construction. Because of this,</p> <p>17 they didn't choose hollow boards.</p> <p>18 MR VICTOR DAWES: In other words, you don't have much to add</p> <p>19 to what Mr Tsui said previously?</p> <p>20 MR KONG CHEUNG FAT: Yes, you could say that.</p> <p>21 MR VICTOR DAWES: Mr Tsui said the contractors and</p> <p>22 consultants reiterate that there are no standards on</p> <p>23 that and there is not much information on the materials</p> <p>24 to be used in boarding up windows. Do you have anything</p> <p>25 to add to that and is that your understanding at that</p> |

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| Page 49 | Page 51 |
| <p>1 time?</p> <p>2 MR KONG CHEUNG FAT: It was my understanding at that time.</p> <p>3 We did send letters to FSD and other departments and all</p> <p>4 responses was that there was no set standard for our</p> <p>5 reference.</p> <p>6 MR VICTOR DAWES: Some workers said that under certain</p> <p>7 circumstances hollow boards would first be used before</p> <p>8 foam boards are put over them. Do you know whether</p> <p>9 there have been any discussions within the MC on that?</p> <p>10 MR KONG CHEUNG FAT: We were told that hollow boards would</p> <p>11 be put up. Then when chiselling is to be done, there</p> <p>12 would be a protection for the hollow boards. It would</p> <p>13 be sort of like a double-protection for the glass.</p> <p>14 MR VICTOR DAWES: We do not see in your evidence in</p> <p>15 following up with FSD or other departments on whether</p> <p>16 hollow boards should be chosen over foam boards.</p> <p>17 MR KONG CHEUNG FAT: What do you mean?</p> <p>18 MR VICTOR DAWES: Other than the email by Mr Mak, we do not</p> <p>19 see you further questioning the FSD and departments; is</p> <p>20 that right?</p> <p>21 MR KONG CHEUNG FAT: Yes. We only followed up with the</p> <p>22 consultant.</p> <p>23 MR VICTOR DAWES: At the end of 2024 we all know that ICU</p> <p>24 conducted tests on site.</p> <p>25 MR KONG CHEUNG FAT: Yes.</p> | <p>1 it blazed very quickly.</p> <p>2 MR KONG CHEUNG FAT: Yes.</p> <p>3 MR VICTOR DAWES: Let's take a look at the next video,</p> <p>4 A_11.1.</p> <p>5 (Video played)</p> <p>6 MR VICTOR DAWES: So this was a test conducted by you?</p> <p>7 MR KONG CHEUNG FAT: Yes.</p> <p>8 MR VICTOR DAWES: You took some of the excess material to</p> <p>9 conduct test?</p> <p>10 MR KONG CHEUNG FAT: Yes.</p> <p>11 MR VICTOR DAWES: You have accepted Will Power and PC&E's</p> <p>12 decisions, yet you tested out the boards. So what did</p> <p>13 you want to come out of it?</p> <p>14 MR KONG CHEUNG FAT: We want to give them a warning that it</p> <p>15 could really light up and not as they said, that</p> <p>16 cigarette butts would not light up the boards. We tried</p> <p>17 it. Cigarette butts would not light up the boards but</p> <p>18 then if you burn it with a naked flame, it would.</p> <p>19 MR VICTOR DAWES: From questioning to accepting their</p> <p>20 saying, you still tested out the foam boards. What sort</p> <p>21 of outcome were you expecting to come out of this?</p> <p>22 MR KONG CHEUNG FAT: We hoped that they would look for</p> <p>23 fire-retardant boards.</p> <p>24 MR VICTOR DAWES: In your witness statement in -- this was</p> <p>25 taken at a meeting on 20 September 2024. There were no</p> |
| Page 50 | Page 52 |
| <p>1 MR VICTOR DAWES: PC&E also used lighter to test the boards</p> <p>2 in paragraph 30.</p> <p>3 MR KONG CHEUNG FAT: Yes.</p> <p>4 MR VICTOR DAWES: I want to see whether you could explain.</p> <p>5 If we could look at clip O1/A_10.1.</p> <p>6 (Video played)</p> <p>7 MR VICTOR DAWES: You provided this clip; right?</p> <p>8 MR KONG CHEUNG FAT: Yes.</p> <p>9 MR VICTOR DAWES: These corrugated sheets, are we talking</p> <p>10 that they are the same as the foam boards in the second</p> <p>11 batch?</p> <p>12 MR KONG CHEUNG FAT: No, they are not. This corrugated</p> <p>13 sheet is for a large area protection.</p> <p>14 Let's say foam is put over windows. A corrugated</p> <p>15 sheet would then be put over it to further protect the</p> <p>16 window, and then we can take down the corrugated sheet</p> <p>17 for re-use.</p> <p>18 MR VICTOR DAWES: So what did you want to say by showing the</p> <p>19 clip?</p> <p>20 MR KONG CHEUNG FAT: I want to tell residents that if</p> <p>21 they're worried about the corrugated sheets, we have</p> <p>22 tested it out and tested out the flammability and that</p> <p>23 it is all right.</p> <p>24 MR VICTOR DAWES: You have also tested out certain foam</p> <p>25 boards but it seems that it didn't reassure you because</p> | <p>1 representatives from PC&E; right?</p> <p>2 MR KONG CHEUNG FAT: Yes.</p> <p>3 MR VICTOR DAWES: I would like you to explain. If</p> <p>4 I understand it correctly, you were trying to warn them</p> <p>5 of that. You have accepted their decision, yet you</p> <p>6 continue to conduct tests to try to show that it might</p> <p>7 be an issue?</p> <p>8 MR KONG CHEUNG FAT: Yes. Work has already begun. We want</p> <p>9 them to look for suitable materials. We want suitable</p> <p>10 materials to replace foam boards. They keep on</p> <p>11 reiterating it is only a temporary protection. The</p> <p>12 consultant also explained it and the FSD said they do</p> <p>13 not have any comments for us.</p> <p>14 MR VICTOR DAWES: Well, you have accepted it. You are</p> <p>15 trying to persuade or convince the residents, yet you</p> <p>16 still continue to test the material. It seems that your</p> <p>17 behaviour is not very consistent.</p> <p>18 MR KONG CHEUNG FAT: I understand. We hope to convince the</p> <p>19 contractors to use better materials although there are</p> <p>20 no standard requirements.</p> <p>21 MR VICTOR DAWES: We have already touched on workers smoking</p> <p>22 on the scaffolding so I don't want to repeat that.</p> <p>23 Instead, I would like to talk about complaints. To be</p> <p>24 fair, the new MC and the old MC both lodged complaints</p> <p>25 on that. In your first witness statement in</p> |

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| Page 53 | Page 55 |
| <p>1 paragraphs 33 to 34, it is stated that on 2 1 February 2025, someone posted on Facebook that the 3 Labour Department has conducted eight spot checks on 4 Wang Fuk Court and there were some violations identified 5 and a written warning has already been sent to the 6 contractors. We see on Facebook on 01/33. 7 Who is Chung Man Lau? 8 MR KONG CHEUNG FAT: I think it's a resident but I don't 9 know him. Maybe I could recognise the face, but I can't 10 place the name to the person. 11 MR VICTOR DAWES: Let's take a short break so that we can 12 resolve this technical issue. 13 THE HON MR JUSTICE DAVID LOK: All right. 14 (11.55 am) 15 (A short adjournment) 16 (12.03 pm) 17 MR VICTOR DAWES: Thank you, chairman. It seems that the 18 problem has been resolved. 19 Mr Kong, at that time, apart from residents, there 20 were many people who were concerned about major 21 renovations. It seems that this is not a resident of 22 Wang Fuk Court. He made a complaint to the Labour 23 Department and a reply was received. He shared the 24 reply of the Labour Department at a certain group. 25 Regarding complaint filed with the Labour Department,</p> | <p>1 you tried to convince them to follow the rules, but it 2 seems that all these measures were not as useful. 3 MR KONG CHEUNG FAT: You may say that. 4 MR VICTOR DAWES: And there were residents complaining about 5 workers smoking at scaffolding nets and the situation 6 did not improve as time went by; correct? 7 MR KONG CHEUNG FAT: Yes. 8 MR VICTOR DAWES: Did the incorporated owners discuss 9 whether you could use other ways to resolve the 10 problems? Because it seems that the concern of the 11 residents had not been effectively addressed. 12 MR KONG CHEUNG FAT: In the works meeting we did talk about 13 this issue. We asked the consultant to face up to the 14 issue and address it. We've talked about this many 15 times and, despite our efforts, the result was not 16 useful or was not ideal. We looked into whether there 17 was any penalty that could be put in place. The 18 consultant said that when they see workers smoke more 19 than one time, they will be asked to leave the 20 construction site. 21 Well, we did see the consultant trying to penalise 22 or fine the workers who smoked, but the problem was not 23 resolved and we talked about whether we should penalise 24 the contractors because they are the one supervising the 25 workers. I did raise this suggestion, that perhaps we</p> |
| Page 54 | Page 56 |
| <p>1 some members of the MC published post on the Facebook 2 group talking about the works meeting of the MC and in 3 which the problem of workers smoking was discussed. 4 Let's go to page H1-3/6071, item 9. 5 You should recall such complaints and discussions; 6 correct? 7 MR KONG CHEUNG FAT: Yes. 8 MR VICTOR DAWES: It seems that the incorporated owners were 9 aware of the warning given to the contractors by the 10 Labour Department. Did Prestige or Will Power inform 11 the IO about the rectification notice they received? 12 What improvements have they made? Did they inform the 13 IO or did you follow up on them? 14 MR KONG CHEUNG FAT: Regarding these rectification orders we 15 asked them to show us the orders. When the Labour 16 Department conduct investigation, they hand these 17 warning letters to the contractors or maybe they inform 18 the management office. We ask them to submit the 19 warning letters to the management office for record. 20 MR VICTOR DAWES: We read some Facebook posts. Talking 21 about a notice with statutory power that have been given 22 to the contractors. 23 MR KONG CHEUNG FAT: Right. 24 MR VICTOR DAWES: Mr Tsui Moon Come told us that at that 25 time many means were resorted to, you gave them warning,</p> | <p>1 should penalise the contractors. Say, for example, when 2 I come across a worker smoking, the contractor should be 3 fined \$1,000, second time \$2,000, third time \$3,000. 4 But Mr Ho from Prestige at the meeting said that we 5 should give them some more time to train the workers or 6 display more notices before a review is conducted. 7 I think that's where we stopped at. 8 MR VICTOR DAWES: At paragraph 35 of your witness statement 9 you said that you recommended penalising Prestige. Was 10 it followed up on? 11 MR KONG CHEUNG FAT: No. 12 MR VICTOR DAWES: Because no one paid attention to you or 13 what? 14 MR KONG CHEUNG FAT: Because Prestige said that they will 15 reinforce training and at their morning meeting they 16 were going to educate the workers, asking them not to 17 smoke. They asked us to give them some time to conduct 18 a review. 19 MR VICTOR DAWES: So you did suggest penalising Prestige but 20 Prestige was not fined? 21 MR KONG CHEUNG FAT: Correct. 22 MR VICTOR DAWES: Regarding this point, Will Power was a 23 consultant, but they did not take action. 24 MR KONG CHEUNG FAT: Well, Will Power should have experience 25 because they are experienced consultant having worked on</p> |

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| Page 57 | Page 59 |
| <p>1 so many works project.</p> <p>2 MR VICTOR DAWES: Will Power is an experienced consultant</p> <p>3 but nothing was done; did you think that it was a</p> <p>4 problem?</p> <p>5 MR KONG CHEUNG FAT: We did ask the consultant to submit</p> <p>6 a solution to us because workers kept smoking and</p> <p>7 Prestige did not rectify the problem. I think that the</p> <p>8 consultant Will Power did have some responsibility.</p> <p>9 MR VICTOR DAWES: So it seems that you all did try to</p> <p>10 resolve the problem but due to various reasons the issue</p> <p>11 was ignored.</p> <p>12 MR KONG CHEUNG FAT: We didn't ignore it. Workers did keep</p> <p>13 smoking and we had to try to place pressure on the two</p> <p>14 stakeholders.</p> <p>15 MR VICTOR DAWES: You may think that what I said was not</p> <p>16 fair. I didn't say that you totally ignored the</p> <p>17 problem. You did try to solve it, but the problem could</p> <p>18 not be solved or improved?</p> <p>19 MR KONG CHEUNG FAT: You may say that. The problem did not</p> <p>20 improve significantly.</p> <p>21 MR VICTOR DAWES: I'd like to talk about the fire retardancy</p> <p>22 of the scaffolding nets. You did file a complaint to</p> <p>23 the government.</p> <p>24 MR KONG CHEUNG FAT: Okay.</p> <p>25 MR VICTOR DAWES: I see that you participated in the works</p> | <p>1 MR KONG CHEUNG FAT: I did, but I don't remember what was</p> <p>2 being said. But I never saw the certificate.</p> <p>3 MR VICTOR DAWES: So after asking for the certificate, no</p> <p>4 one gave you that, did you take any action?</p> <p>5 MR KONG CHEUNG FAT: They did show us a video clip testing</p> <p>6 the fire retardancy of the scaffolding nets. They tried</p> <p>7 to light the nets on fire and it was not fire-retardant.</p> <p>8 MR VICTOR DAWES: Because a video clip was applied, that's</p> <p>9 why you didn't pursue the certificate?</p> <p>10 MR KONG CHEUNG FAT: Correct.</p> <p>11 MR VICTOR DAWES: Paragraph 38 of your witness statement</p> <p>12 talks about that. You said that because there was</p> <p>13 scaffolding surrounding Wang Cheong House -- a video</p> <p>14 clip was requested.</p> <p>15 On 10 August 2024, the WhatsApp group talked about</p> <p>16 scaffolding nets being erected for Wang Cheong House.</p> <p>17 According to the agreement, fire-retardant tests need to</p> <p>18 be conducted, it has to be filmed. It seems that on</p> <p>19 12 August a video clip was uploaded. That's O2/840.</p> <p>20 This video clip was mentioned in the WhatsApp group.</p> <p>21 (Video played)</p> <p>22 MR VICTOR DAWES: Please pause here. Let's play this video</p> <p>23 first. This is the relevant video clip. Let's watch it</p> <p>24 first.</p> <p>25 (Video played)</p> |
| Page 58 | Page 60 |
| <p>1 meeting and talked about this issue. Let's go to</p> <p>2 H1-3/6129. This is a minutes of the works meeting on</p> <p>3 17 June 2024. You attended the meeting.</p> <p>4 MR KONG CHEUNG FAT: Right.</p> <p>5 MR VICTOR DAWES: Let's go to item 9. It seems that the</p> <p>6 consultant said that the contractor need to comply with</p> <p>7 the best practice of the Buildings Department,</p> <p>8 certificates need to be supplied and tests need to be</p> <p>9 conducted.</p> <p>10 MR KONG CHEUNG FAT: Yes, I see it.</p> <p>11 MR VICTOR DAWES: Did you see any certificate on the fire</p> <p>12 retardancy of any scaffolding nets?</p> <p>13 MR KONG CHEUNG FAT: No.</p> <p>14 MR VICTOR DAWES: Did anyone from the new or old MC ask to</p> <p>15 see the certificates?</p> <p>16 MR KONG CHEUNG FAT: We did ask about the certificates.</p> <p>17 Both the new and the old MC asked to see the</p> <p>18 certificates. I took part in the old MC for a month.</p> <p>19 I didn't know what the works meeting was about.</p> <p>20 MR VICTOR DAWES: So because you were only part of the old</p> <p>21 MC for a month, you weren't that familiar with the work</p> <p>22 procedures?</p> <p>23 MR KONG CHEUNG FAT: Yes.</p> <p>24 MR VICTOR DAWES: When you were at the new MC did you ask</p> <p>25 for the certificates?</p> | <p>1 VIDEO RECORDING: Start. It's not on fire. If the</p> <p>2 cigarette butt lands on the net, it will not catch on</p> <p>3 fire. This part was ignited. When there's heat, the</p> <p>4 net contracts.</p> <p>5 MR VICTOR DAWES: This is a video clip uploaded on to the</p> <p>6 WhatsApp group. In paragraph 26 of your first witness</p> <p>7 statement, you said that Manager Lai from ISS said that</p> <p>8 ICU conducted random check on the scaffolding nets with</p> <p>9 lighters. When ICU came to inspect the scaffolding</p> <p>10 nets, did the IO take part in it?</p> <p>11 MR KONG CHEUNG FAT: No.</p> <p>12 MR VICTOR DAWES: When ICU came for random inspection, was</p> <p>13 it reported to the IO group?</p> <p>14 MR KONG CHEUNG FAT: Well, we usually discuss it in works</p> <p>15 meeting.</p> <p>16 MR VICTOR DAWES: We just talked to you about the random</p> <p>17 checks or tests. It seems that there is no evidence</p> <p>18 showing that any random or designated test was</p> <p>19 conducted.</p> <p>20 MR KONG CHEUNG FAT: Correct.</p> <p>21 MR VICTOR DAWES: We know that last year there were two</p> <p>22 major typhoons --</p> <p>23 MR KONG CHEUNG FAT: Yes.</p> <p>24 MR VICTOR DAWES: -- and some scaffolding nets were damaged</p> <p>25 and some residents said that some scaffolding nets of</p> |

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| Page 61 | Page 63 |
| <p>1 lighter colour were used to replace the old ones. Was 2 that your observation? 3 MR KONG CHEUNG FAT: Correct. 4 MR VICTOR DAWES: You saw that a different scaffolding net 5 was used. Did you worry that there could be any 6 problem? 7 MR KONG CHEUNG FAT: I was worried about the old scaffolding 8 nets because they were there for a year and they 9 experienced typhoon, so I was worried that they were 10 fragile. 11 MR VICTOR DAWES: You did ask to test the scaffolding nets; 12 correct? 13 MR KONG CHEUNG FAT: Yes. 14 MR VICTOR DAWES: Regarding the issue relating to 15 certificate, someone did raise it at the works meeting 16 and they also talked about the scaffolding nets. Let's 17 go to H1-3/6117, paragraph 11. The last item, can you 18 see it? 19 MR KONG CHEUNG FAT: Yes. 20 MR VICTOR DAWES: The incorporated owners request the 21 contractor to explain whether the scaffolding nets were 22 safe. They said that they were going to check it. It 23 would be done next week. 24 Do you know if it was done? 25 MR KONG CHEUNG FAT: No idea.</p> | <p>1 a complaint to 1823. I supplied them with video clips 2 and photos. 3 MR VICTOR DAWES: So you did do something. Let's go to 4 O1/45. This is the record of your complaint; correct? 5 MR KONG CHEUNG FAT: Yes. 6 MR VICTOR DAWES: Let's go to 46-47. This is the 7 information you submitted. 8 MR KONG CHEUNG FAT: Correct. 9 MR VICTOR DAWES: Did they respond? 10 MR KONG CHEUNG FAT: Ms Lau Ka Man did reply once. They 11 said that they were going to follow up and then another 12 person said that testing was done and there was only 13 minor issue identified. 14 MR VICTOR DAWES: 47-48. Is it your message? 15 MR KONG CHEUNG FAT: Yes. 16 MR VICTOR DAWES: So a month on, no response. Following the 17 scaffolding fire in Central, all the netting is 18 combustible; that's your observation? 19 MR KONG CHEUNG FAT: Yes. 20 MR VICTOR DAWES: Page 54. It wasn't only you who said it. 21 The residents also expressed concerns; right? 22 MR KONG CHEUNG FAT: Yes. 23 MR VICTOR DAWES: And you emailed ICU; right? 24 MR KONG CHEUNG FAT: Yes. 25 MR VICTOR DAWES: Page 52, further down, 23 October you</p> |
| Page 62 | Page 64 |
| <p>1 MR VICTOR DAWES: Am I correct in saying that if there were 2 residents who were concerned about the integrity of 3 a scaffolding net after the typhoon, as to whether the 4 new scaffolding net was fire-retardant, the IO did not 5 really follow up on it? 6 MR KONG CHEUNG FAT: At two separate works meetings, after 7 learning that the scaffolding nets had been replaced, 8 I did personally ask Yeung Chi Man. I asked if the 9 scaffolding nets was safe. I asked if there was any 10 certificate. On two separate occasions he said that 11 test was conducted and there was no problem with the 12 nets. They said that they already asked for the 13 certificate from Prestige. 14 MR VICTOR DAWES: So you followed up on it with him but he 15 said he already requested for the certificate from 16 Prestige. They did not supply it so nothing happened 17 afterwards? 18 MR KONG CHEUNG FAT: I did ask him on two occasions. 19 MR VICTOR DAWES: I know you did. What happened afterwards? 20 MR KONG CHEUNG FAT: He didn't reply me. 21 MR VICTOR DAWES: Did you file a complaint on your own? 22 MR KONG CHEUNG FAT: Yes. 23 MR VICTOR DAWES: So to whom did you file the complaint? 24 MR KONG CHEUNG FAT: I wrote to 1823 because I didn't know 25 which department was responsible. So I filed</p> | <p>1 emailed to Amanda Lau, ICU. Her reply is further up the 2 page. She replied to you. What next? 3 MR KONG CHEUNG FAT: I saw the fire in Central and 4 I followed up with an email to her. 5 MR VICTOR DAWES: 28 October, there was an inspection. You 6 were not aware of that? 7 MR KONG CHEUNG FAT: No, I wasn't. 8 MR VICTOR DAWES: O1, page 51. Subsequently she gave you 9 a reply. 10 MR KONG CHEUNG FAT: Yes. 11 MR VICTOR DAWES: Further down. She said there were 12 problems with the protective measures. There were holes 13 in the nettings. Did you find this acceptable? 14 MR KONG CHEUNG FAT: No. Because she didn't mention 15 anything about the certificates, whether it is 16 compliant. 17 MR VICTOR DAWES: Any supplement? 18 MR KONG CHEUNG FAT: And she said what she did. I'm not 19 sure whether there was any follow-up. 20 MR VICTOR DAWES: After this letter, there was a sequel. 21 What is the sequel? 22 MR KONG CHEUNG FAT: Something falling. Some stones falling 23 from the scaffolding, some bamboo sticks fell from the 24 scaffolding. 25 MR VICTOR DAWES: Did you complain?</p> |

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| Page 65 | Page 67 |
| <p>1 MR KONG CHEUNG FAT: Yes, I did.</p> <p>2 MR VICTOR DAWES: Who did you complain to?</p> <p>3 MR KONG CHEUNG FAT: ICU and the Labour Department.</p> <p>4 MR VICTOR DAWES: How did they respond?</p> <p>5 MR KONG CHEUNG FAT: Well, they said, "We acknowledge your 6 complaint. We'll follow up".</p> <p>7 MR VICTOR DAWES: For completeness, O1/59, and page 62. 8 These are the replies?</p> <p>9 MR KONG CHEUNG FAT: Yes.</p> <p>10 MR VICTOR DAWES: On these incidents, let me put this to 11 you. You are a member of the MC. There must have been 12 some discussions at the MC.</p> <p>13 MR KONG CHEUNG FAT: Well, at the MC I did ask the 14 contractor, but they didn't respond to me directly. And 15 I figured it didn't serve any particular purpose 16 pursuing the matter there. So I directly wrote to the 17 government departments, hoping that they would have the 18 statutory power to follow up. I did mention this to the 19 MC.</p> <p>20 MR VICTOR DAWES: For the potential fire hazard, we've seen 21 the replies. They don't seem to address this. Any 22 further information you can supplement?</p> <p>23 MR KONG CHEUNG FAT: Looking at the scaffold nettings, 24 whether there is any fire retardancy for the new 25 nettings, we are really concerned whether they are up to</p> | <p>1 MR KONG CHEUNG FAT: Yes.</p> <p>2 MR VICTOR DAWES: In other words -- further down, please. 3 Slightly down.</p> <p>4 A moment ago we said Mr Tang Kwok Kuen said 5 something.</p> <p>6 MR KONG CHEUNG FAT: Yes.</p> <p>7 MR VICTOR DAWES: Can we say this -- we've been reading your 8 statements about the discussion on the access openings. 9 After he sent that, there doesn't seem to be any further 10 discussion on the fire risk arising from the opening.</p> <p>11 MR KONG CHEUNG FAT: Right.</p> <p>12 MR VICTOR DAWES: So you didn't realise the problems?</p> <p>13 MR KONG CHEUNG FAT: Right. We thought the access openings 14 were there to facilitate the workers to get in and out. 15 We were more concerned about the security.</p> <p>16 MR VICTOR DAWES: Paragraph 55 of your statement, you 17 said -- if we turn to WS2/1358. Paragraph 55, yes. You 18 mentioned whether the tiles on the means of escape -- 19 whether they are fire-retardant. You may wish to 20 explain to us the situation, the discussion.</p> <p>21 MR KONG CHEUNG FAT: There are some glass tiles that are 22 broken. They need replacement. Some residents 23 mentioned that the tiles should be fire-retardant. And 24 Yeung Chi man from consultant said he asked the ICU 25 about that, and he's saying that we're dealing with</p> |
| Page 66 | Page 68 |
| <p>1 scratch, whether they are fire-retardant.</p> <p>2 MR VICTOR DAWES: Here in this email it took us to 3 24 November 2025, very close to the day of the fire.</p> <p>4 MR KONG CHEUNG FAT: Yes.</p> <p>5 MR VICTOR DAWES: So presumably there was no further 6 evidence on this subject; right?</p> <p>7 MR KONG CHEUNG FAT: Yes.</p> <p>8 MR VICTOR DAWES: Let me turn to another subject, about the 9 access openings in the staircases. In your statement 10 you mentioned your views and also the MC. Your first 11 statement, paragraph 54, you mentioned that from your 12 understanding, in the course of work, there were some 13 windows that were removed and wooden boards were put 14 there to facilitate the workers to climb in and climb 15 out, and by the time they finish, they have to lock up 16 the windows.</p> <p>17 MR KONG CHEUNG FAT: Yes.</p> <p>18 MR VICTOR DAWES: In your supplemental statement, 19 paragraph 35, 7 August 2024, in the old MC chat group, 20 Prestige applied for an access opening on the 15th floor 21 and Mr Tang said something.</p> <p>22 MR KONG CHEUNG FAT: Yes.</p> <p>23 MR VICTOR DAWES: He said that, "Let me say something as an 24 outsider. Should we use fire-retardant or fireproof 25 materials?"</p> | <p>1 renovation, we are not doing this from scratch. And 2 with renovation, stick with the materials from the very 3 beginning. In the old days, the tiles were not supposed 4 to be fire-retardant, there were no such requirements, 5 so they stuck with the same kind of tiles for this 6 purpose.</p> <p>7 MR VICTOR DAWES: So for these access openings, could I 8 summarise it like this. Maybe you agree or not. We can 9 see this is presenting enormous problems. The means of 10 escape wasn't good enough, but at that time nobody had 11 any inkling nor Prestige mentioned this particular 12 issue?</p> <p>13 MR KONG CHEUNG FAT: Yes. The consultant is an experienced 14 consultant, and on that score they should have made 15 available more information as to how we can mitigate the 16 safety hazards and to make available more information to 17 us in the MC to consider. But the workers were there to 18 use this every day and Mr Choi climbed in and out of 19 these opening and they must be aware -- they must pay 20 attention to the materials that are used, whether they 21 are up to scratch. Indeed, they should have made 22 available some information to us for us to handle.</p> <p>23 MR VICTOR DAWES: You are a resident of Wang Fuk Court.</p> <p>24 MR KONG CHEUNG FAT: Yes.</p> <p>25 MR VICTOR DAWES: You are represented by a lawyer, but, like</p> |

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| Page 69 | Page 71 |
| <p>1 other people, I'd like to let you have the opportunity 2 to say what else you'd like to speak to the Committee. 3 We've seen your two statements. 4 MR KONG CHEUNG FAT: Yes. 5 MR VICTOR DAWES: Anything else you'd like to supplement? 6 MR KONG CHEUNG FAT: First of all, my thanks to the 7 chairman, members and Senior Counsel Mr Dawes. We hope 8 that we will be able to assist the Committee by our 9 testimony. 10 I am truly grateful to the firemen, the 11 ambulancemen, the police officers for their assistance 12 in this blaze. The fire claimed 168 residents and 13 fireman Mr Ho. I am really saddened and I'd like to 14 extend my condolences to the family. 15 This fire has left an indelible memory in my mind. 16 Every time I come across the residents I feel so 17 traumatised. The residents are telling me that they 18 have to go to psychologists or psychiatrists, including 19 my wife. Every time we walk past Wang Fuk Court, we 20 choke up, we tear up. It is so traumatising. In this 21 renovation there were so many warning signs and the 22 enforcement agencies failed in their duties. 23 I emailed on numerous occasions before the incident. 24 I repeatedly reminded them to re-double their efforts to 25 follow up. I reminded them of the Central blaze and</p> | <p>1 The Government may wish to provide some consultancy 2 role. The consultant, the contractors, they are working 3 together, and as inexperienced owners ourselves, how are 4 we supposed to handle the situation? I hope that the 5 whole workflow could be reviewed. 6 I'd also like to say that should we really have this 7 mandatory building inspection programme? Shouldn't we 8 have a servicing scheme; like in the context of a 9 vehicle, you service your vehicle on a regular basis? 10 If you try to maintain the buildings on a regular basis, 11 some contractors may be maintaining the building for 12 some time, and after a while they have to deal with the 13 mandatory inspection order. The Government doesn't have 14 to go to so many resources, and the people, the 15 residents, don't have to go to so much funding. I think 16 a long-term maintenance programme would be far better 17 than this mandatory repair programme. 18 Maybe we can do a little bit at the beginning, and 19 on a regular basis it will be far better than to go 20 forward with a project of such a big scale. 21 A 40-year-old building, when you chisel the concrete, 22 all the windows are broken, the rebars are also 23 presenting problems and it is really a bit of a 24 challenge and the costs and the duration would be far 25 higher and longer, respectively.</p> |
| Page 70 | Page 72 |
| <p>1 they should follow up the matters in a solemn manner. 2 I have done what I could have done. In my emails 3 I sent them to not just the ICU but also the Labour 4 Department, and the scaffolding nets lost their 5 protection. It is pretty dangerous. Things fell from 6 the scaffolding from height, maybe 11 or in the 7 afternoon the access, the path is pretty busy with 8 people, people walking quite a lot -- luckily, it didn't 9 happen in the morning. In my complaints I pay 10 particular attention to the safety or lack thereof of 11 the scaffolding. I urge the enforcement agencies to 12 conduct patrols proactively and follow up on the matter. 13 If they did it earlier, or if they had done this 14 earlier, the whole blaze could have been averted. 15 I have done my bit. I did what I could have possibly 16 done. Unfortunately, I feel really so helpless. With 17 this major renovation project, I think the government 18 should conduct a review. Is an IO in a position to do 19 that? We are covering buildings of 40 years in age and 20 the owners are getting on in years, and they are 21 retirees, most of them, and they are absolutely unable 22 to handle such a project of such a massive scale. 23 I hope that there will be some professional teams on the 24 part of the administration to help them, to assist them, 25 in this project of such a massive scale.</p> | <p>1 I hope that the important stakeholders will come 2 forward and assist the evidential hearing for us to 3 complete the jigsaw puzzle, including Amanda Lau, ICU, 4 Tang Kwok Kuen, Peggy Wong, Chan Kau Keung, Chan Tak 5 Shing and Wong Hap Yin, Hau Wa Kin, all these people 6 will have to step forward and offer their explanation 7 about the causes of the fire and assist the evidential 8 hearing to complete the picture. Thank you all very 9 much. 10 THE HON MR JUSTICE DAVID LOK: I'm sure that in the final 11 stage we will certainly explore this and I hope that 12 those with legal representatives, they will submit their 13 views to us in a systematic way in the final 14 submissions. We will have to bear in mind all the 15 different possibilities and the Government -- to what 16 extent should the Government will be involved and this 17 is something we have to look into. Does the Government 18 all have the say and the residents have to listen only 19 to the Government? We do have to look at the different 20 ways to solve this issue. 21 I think in the final submission we will also be able 22 to look into the different possibilities. I know this 23 is not easy and I'm sure in the final submission, we 24 hope by that time we will be able to collate all the 25 information and also the views received. And we will</p> |

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| Page 73 | <p>1 give a bit more guidelines and instructions to the</p> <p>2 lawyers in how to proceed further at a later date.</p> <p>3 Residents should be last. Maybe Government is next.</p> <p>4 Do any other involved parties have questions to ask the</p> <p>5 witness?</p> <p>6 If not, Government counsel, please.</p> <p>7 Examination by MR JENKIN SUEN</p> <p>8 MR JENKIN SUEN: Mr Kong, I only have some brief questions</p> <p>9 I would like you to help me with. First of all,</p> <p>10 I notice in your witness statement you talked about your</p> <p>11 background, that you have worked in interior renovation.</p> <p>12 MR KONG CHEUNG FAT: Yes.</p> <p>13 MR JENKIN SUEN: When Mr Dawes asked you about foam boards</p> <p>14 being temporary protection, you replied according to</p> <p>15 your understanding, and your view is foam boards acting</p> <p>16 as temporary protection, when foam boards are used for</p> <p>17 long periods of time, then you would be a bit concerned?</p> <p>18 MR KONG CHEUNG FAT: Yes.</p> <p>19 MR JENKIN SUEN: Let's say if we do the chiselling floor by</p> <p>20 floor and then we move the temporary boards after a few</p> <p>21 floors are completed, would that be a better process if</p> <p>22 it must be used?</p> <p>23 MR KONG CHEUNG FAT: Well, if these foam boards must be</p> <p>24 used, then I believe that this is a better way to go</p> <p>25 ahead.</p> | Page 75 | <p>1 replace the mosaic tiles. It would take around two</p> <p>2 weeks. But as to what to do with the FS tank</p> <p>3 afterwards, Will Power did not give us any advice.</p> <p>4 MR JENKIN SUEN: Please don't mind me asking. We know that</p> <p>5 the hose systems have been switched off for a period of</p> <p>6 time. You or the rest of the MC, do you know that the</p> <p>7 FS systems have been switched off or did you not notice</p> <p>8 it?</p> <p>9 MR KONG CHEUNG FAT: I don't know. I don't think I noticed</p> <p>10 it.</p> <p>11 MR JENKIN SUEN: Mr Dawes asked Mr Tsui Moon Come about one</p> <p>12 item in the works, which is the covered walkway outside</p> <p>13 of each block. You thought of building sort of like a</p> <p>14 metal covered walkway, but then in the end you only</p> <p>15 erected a cover with bamboo. So did you discuss this,</p> <p>16 why metal was to be used, as stated in the contract, but</p> <p>17 in the end you used bamboo?</p> <p>18 MR KONG CHEUNG FAT: We asked the consultant about that,</p> <p>19 I asked why we don't use a metal scaffolding. He said</p> <p>20 that this is actually sort of like a slanted</p> <p>21 scaffolding. Therefore, risk would be reduced. We</p> <p>22 didn't actually pay up but we did ask why they didn't</p> <p>23 use the metal scaffolding.</p> <p>24 MR JENKIN SUEN: We see from the photos that there would be</p> <p>25 a part that is sort of like a catch fan. So the</p> |
| Page 74 | <p>1 MR JENKIN SUEN: Yes. All right.</p> <p>2 Second question, on the fire service tanks. You</p> <p>3 said earlier Will Power said that there would be</p> <p>4 a fibreglass tank in the beginning and Mr Dawes went</p> <p>5 through some documents with you, mentioning that the FS</p> <p>6 tank would be changed to a temporary freshwater tank.</p> <p>7 MR KONG CHEUNG FAT: Yes.</p> <p>8 MR JENKIN SUEN: When they talked about this, do you have</p> <p>9 any recollection of having discussed this in a</p> <p>10 meeting -- or whether a temporary fibreglass tank could</p> <p>11 be used?</p> <p>12 MR KONG CHEUNG FAT: Yes.</p> <p>13 MR JENKIN SUEN: Did you discuss whether you would really</p> <p>14 need to use the FS tank as a temporary freshwater tank?</p> <p>15 MR KONG CHEUNG FAT: Well, every time we hold a meeting, the</p> <p>16 consultant would be present. He would provide us with</p> <p>17 professional views. We said we would use the FS tank as</p> <p>18 a temporary freshwater tank for renovation purposes.</p> <p>19 The consultant would then give us some of his views.</p> <p>20 MR JENKIN SUEN: Do you remember in your meetings, have you</p> <p>21 asked or discussed that if the FS tank is to be changed</p> <p>22 as a temporary freshwater tank, how long would that</p> <p>23 period be?</p> <p>24 MR KONG CHEUNG FAT: I don't think we did, but from our</p> <p>25 understanding, it shouldn't take too long to repair and</p> | Page 76 | <p>1 consultant did mention that towards the bottom of the</p> <p>2 scaffolding there would be sort of like a basket</p> <p>3 extended out, a catch fan to catch the falling debris,</p> <p>4 and you wouldn't need a metal scaffolding?</p> <p>5 MR KONG CHEUNG FAT: Yes, that's what the consultant meant.</p> <p>6 MR JENKIN SUEN: Thank you.</p> <p>7 THE HON MR JUSTICE DAVID LOK: You didn't pay up. What do</p> <p>8 you mean by that? You didn't pay?</p> <p>9 MR KONG CHEUNG FAT: No. They didn't erect the metal</p> <p>10 scaffolding. And I checked records that we didn't pay</p> <p>11 for a metal scaffolding. It was around 200,000.</p> <p>12 Examination by MR JEFFREY TAM</p> <p>13 MR JEFFREY TAM: Mr Kong, I have some follow-up questions.</p> <p>14 Mr Dawes has referred you to O1/48 on your</p> <p>15 complaint. You worry about the fire retardancy of the</p> <p>16 scaffolding net. So this was 23 October 2025 at 9.52 in</p> <p>17 the morning.</p> <p>18 MR KONG CHEUNG FAT: Yes.</p> <p>19 MR JEFFREY TAM: And 10 minutes later you sent an email on</p> <p>20 page 52, also in relation to the blaze in Central.</p> <p>21 MR KONG CHEUNG FAT: Yes.</p> <p>22 MR JEFFREY TAM: Page 51. There were some other complaints</p> <p>23 here but my question is -- because based on this</p> <p>24 response, we don't see any responses on fire retardancy.</p> <p>25 Were there other means of communication other than this?</p> |

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| Page 77 | <p>1 MR KONG CHEUNG FAT: No. Only email.</p> <p>2 MR JEFFREY TAM: I'd like to ask you about workers smoking</p> <p>3 problem. Can we go to WS1-1/2017, paragraph 27.</p> <p>4 I'm not going through each one of them. Jason Kong</p> <p>5 is you; right?</p> <p>6 MR KONG CHEUNG FAT: Yes.</p> <p>7 MR JEFFREY TAM: So you did come up with some suggestions</p> <p>8 saying that there should be a designated smoking area.</p> <p>9 MR KONG CHEUNG FAT: Yes.</p> <p>10 MR JEFFREY TAM: Was one set up?</p> <p>11 MR KONG CHEUNG FAT: Yes.</p> <p>12 MR JEFFREY TAM: Page 2021, paragraph 31. Here there were</p> <p>13 also some other complaints about smoking by you. I'm</p> <p>14 not going to go through each one. I see that there are</p> <p>15 quite some complaints on smoking made by you. I would</p> <p>16 like you to look at page 2041. This is what happened</p> <p>17 after the new MC came on board. Paragraph 58. So the</p> <p>18 new MC has already taken office.</p> <p>19 Page 2045. On 17 December 2024, you said that</p> <p>20 someone was caught smoking. We would see that in the</p> <p>21 footnotes.</p> <p>22 MR KONG CHEUNG FAT: Yes.</p> <p>23 MR JEFFREY TAM: So it was a photo of a worker smoking.</p> <p>24 18 October 2024, 1.12 pm in the afternoon, you</p> <p>25 mentioned an improvement plan; right.</p> | Page 79 | <p>1 station near the bus station and collect proxies. She</p> <p>2 said that she is trying to apply for the URA 2.0 subsidy</p> <p>3 and she said, "You only have to pay tens of thousands of</p> <p>4 dollars only". And some residents, after hearing that,</p> <p>5 would give her their proxies, but she didn't say that</p> <p>6 there would need to be some sort of means test,</p> <p>7 including age test, and not everyone would be eligible.</p> <p>8 She only talked about the benefits but she didn't talk</p> <p>9 about the requirements.</p> <p>10 MR JEFFREY TAM: Other than Wong Pik Kiu, who else was</p> <p>11 there?</p> <p>12 MR KONG CHEUNG FAT: Chan Tak Shing, the deputy chair, was</p> <p>13 also present. Mui Siu Fung also helped out. I remember</p> <p>14 very clearly because I -- my unit faces that street</p> <p>15 station. I would see them every day.</p> <p>16 MR JEFFREY TAM: Next question on Chan Kau Keung. In</p> <p>17 paragraphs 82 and 83 you mentioned Chan Kau Keung. We</p> <p>18 won't repeat previous questions. Can you tell us more</p> <p>19 about what happened in those paragraphs?</p> <p>20 MR KONG CHEUNG FAT: Well, that time was election day. We</p> <p>21 elected members and someone suggested Tang Kwok Kuen to</p> <p>22 be our chair because we're talking about a large-scale</p> <p>23 renovation work, and so I didn't nominate myself to be</p> <p>24 chairman. I only raised my hand to stand for deputy</p> <p>25 chair. After I raised my hand, Chan Tak Shing also</p> |
| Page 78 | <p>1 MR KONG CHEUNG FAT: Yes.</p> <p>2 MR JEFFREY TAM: In your reply to Mr Dawes, you did say you</p> <p>3 wanted to talk to PC&E to see whether improvements could</p> <p>4 be made.</p> <p>5 MR KONG CHEUNG FAT: Yes.</p> <p>6 MR JEFFREY TAM: Were any improvements made?</p> <p>7 MR KONG CHEUNG FAT: They just said they would educate their</p> <p>8 workers to tell them not to smoke on the scaffolding and</p> <p>9 they would hold morning briefings to remind them and</p> <p>10 tell them to smoke only in the designated area.</p> <p>11 MR JEFFREY TAM: In the same conversation, PC&E said that</p> <p>12 they would just dismiss the workers immediately if they</p> <p>13 are found smoking. And you said that:</p> <p>14 "Three phases of the scaffolding have already been</p> <p>15 built, but the workers are still not complying with</p> <p>16 safety issue, so we will have to think of a better way."</p> <p>17 MR KONG CHEUNG FAT: Yes.</p> <p>18 MR JEFFREY TAM: In your supplementary witness statement on</p> <p>19 page 2063, you mentioned Peggy Wong Pik Kiu.</p> <p>20 MR KONG CHEUNG FAT: Yes.</p> <p>21 MR JEFFREY TAM: I'm not going to repeat, but in</p> <p>22 paragraph 79, about this street station, what happened</p> <p>23 then?</p> <p>24 MR KONG CHEUNG FAT: In July, owners requested to hold an</p> <p>25 urgent meeting. Wong Pik Kiu would set up a street</p> | Page 80 | <p>1 raised his hand. So there were two candidates. Chan</p> <p>2 Kau Keung arranged number one to be Chan Tak Shing and</p> <p>3 number two to be me. I didn't think too much of that.</p> <p>4 And then we started voting. My neighbour monitored the</p> <p>5 votes. He told me afterwards that the votes were</p> <p>6 strange because many of the votes chose only number one.</p> <p>7 So regardless of which position, everything is ticked</p> <p>8 number one. So now I understand why I was put to be</p> <p>9 number two, because I think that all the votes have</p> <p>10 already been filled out previously.</p> <p>11 After a couple of days, I called the HAD to complain</p> <p>12 about this problem. Ms Or said they didn't notice it at</p> <p>13 the moment. Next time they would do something different</p> <p>14 or perhaps pick a lottery for the candidate number</p> <p>15 instead.</p> <p>16 MR JEFFREY TAM: Well, in paragraph 21 you found out that</p> <p>17 Shum Kui Chung already passed away in 2021, but you saw</p> <p>18 in a document that he was able to sign a document a few</p> <p>19 months after he has passed away and you suspected</p> <p>20 someone might have falsified his signature; right?</p> <p>21 MR KONG CHEUNG FAT: Yes.</p> <p>22 MR JEFFREY TAM: Let's look at O2/831.</p> <p>23 Here, Mr Shum passed away on 15 July 2022.</p> <p>24 Now let us look at E1-4/8579. And we see Mr Shum's</p> <p>25 signature.</p> |

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| Page 81 | Page 83 |
| <p>1 MR KONG CHEUNG FAT: Yes.</p> <p>2 MR JEFFREY TAM: The date is a bit small, but it's</p> <p>3 28 September 2022.</p> <p>4 MR KONG CHEUNG FAT: Yes.</p> <p>5 MR JEFFREY TAM: Chairman, members, I do not have any</p> <p>6 further questions.</p> <p>7 THE HON MR JUSTICE DAVID LOK: Any other questions?</p> <p>8 Re-examination by MR VICTOR DAWES</p> <p>9 MR VICTOR DAWES: I'd like to draw your attention to your</p> <p>10 supplemental witness statement, paragraph 79, page 2063.</p> <p>11 Just now you talked about Ms Peggy Wong staging street</p> <p>12 booths. I'd like you to give us further information.</p> <p>13 According to her reply to the Committee, Ms Peggy</p> <p>14 Wong said that she collected 20 proxies. Do you know</p> <p>15 how many proxy votes she collected?</p> <p>16 MR KONG CHEUNG FAT: I have reservations regarding what she</p> <p>17 said, but I'm not sure how many proxy votes she</p> <p>18 collected. She went to every floor. She brought a team</p> <p>19 of volunteers to knock on people's flats. Because you</p> <p>20 see residents complaining about Ms Peggy Wong knocking</p> <p>21 on their door asking their mother to sign proxies.</p> <p>22 MR VICTOR DAWES: Do you know how many proxy votes she</p> <p>23 collected? You said that you have reservations.</p> <p>24 MR KONG CHEUNG FAT: I do not have an exact figure that I</p> <p>25 can give you.</p> | <p>1 get the subsidy?</p> <p>2 MR KONG CHEUNG FAT: Correct.</p> <p>3 MR VICTOR DAWES: So according to what you said, you didn't</p> <p>4 agree with what she did in the sense that she shouldn't</p> <p>5 ask the residents to appoint her as a proxy at the same</p> <p>6 time when she offered help to residents with the subsidy</p> <p>7 scheme?</p> <p>8 MR KONG CHEUNG FAT: Correct.</p> <p>9 MR VICTOR DAWES: We have no further questions.</p> <p>10 THE HON MR JUSTICE DAVID LOK: Thank you.</p> <p>11 Thank you, Mr Kong.</p> <p>12 (The witness was released)</p> <p>13 (1.03 pm)</p> <p>14 MR VICTOR DAWES: Chairman, I'd like to report on the</p> <p>15 progress of the hearing. This week, other witnesses,</p> <p>16 say for example, for tomorrow we are going to have</p> <p>17 officers from the Labour Department, and after that</p> <p>18 we're going to have witnesses from the Fire Services</p> <p>19 Department here.</p> <p>20 Over the past two weeks, we received new witness</p> <p>21 statements and evidence. Due to the availability of new</p> <p>22 evidence and documents, we may arrange for some witness</p> <p>23 to give testimony in June.</p> <p>24 This afternoon we have no other witness. This week</p> <p>25 we may have some rescheduling of witnesses.</p> |
| Page 82 | Page 84 |
| <p>1 MR VICTOR DAWES: You said that she talked to residents,</p> <p>2 saying that she's going to help them with certain</p> <p>3 applications for subsidy. You said that she told</p> <p>4 residents that she could help them apply for subsidy,</p> <p>5 but she missed out the point that means test was</p> <p>6 required.</p> <p>7 MR KONG CHEUNG FAT: Yes.</p> <p>8 MR VICTOR DAWES: Do you have any information on what she</p> <p>9 said? Was there any other thing she told the residents</p> <p>10 was problematic?</p> <p>11 MR KONG CHEUNG FAT: She said that the cost of major</p> <p>12 renovations could be as high as \$1.6 million or</p> <p>13 \$1.8 million. She made the calculations for the</p> <p>14 residents. She said that if the residents apply for OVB</p> <p>15 to get a subsidy of \$80,000 coupled with the other form</p> <p>16 of subsidy from the URA of \$50,000, then they would get</p> <p>17 altogether a subsidy of \$130,000. If they fork out</p> <p>18 another few tens of thousands of dollars, then they will</p> <p>19 get all the money they need for the major renovations,</p> <p>20 and if they sign the proxies, then she would go ahead</p> <p>21 with applying for the subsidy on behalf of them.</p> <p>22 MR VICTOR DAWES: So was the amount of subsidy accurate?</p> <p>23 MR KONG CHEUNG FAT: That's accurate, but the \$80,000</p> <p>24 subsidy requires means test.</p> <p>25 MR VICTOR DAWES: So does that mean that not everyone would</p> | <p>1 THE HON MR JUSTICE DAVID LOK: This happens. If that's the</p> <p>2 case, we are going to conclude this hearing now.</p> <p>3 Tomorrow we will start at 10 am.</p> <p>4 Should we not arrange a hearing with more witnesses?</p> <p>5 MR VICTOR DAWES: We tried that, but we couldn't achieve</p> <p>6 that. But because the time we spent on questioning our</p> <p>7 witnesses may not be as long or short as expected and</p> <p>8 some witnesses were not available on certain days, so</p> <p>9 please bear with us. We may have to come every day, but</p> <p>10 the hearing per day may not be as long.</p> <p>11 THE HON MR JUSTICE DAVID LOK: Thank you for informing us of</p> <p>12 the progress. The hearing will proceed tomorrow</p> <p>13 10.00 am.</p> <p>14 (1.05 pm)</p> <p>15 (The hearing adjourned until 10.00 am</p> <p>16 on Tuesday, 21 April 2026)</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> |