

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 29
Thursday, 16 July 2026**

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

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

Mr Ross Yuen appeared on behalf of the Urban Renewal Authority

Representatives of Department of Justice

Representatives of Competition Commission

Mr Jeffrey Tam and Mr Colman Li appeared on behalf of residents of Wang Fuk Court

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

Page 1	Page 3
1 Thursday, 16 July 2026 2 (10.00 am) 3 THE HON MR JUSTICE DAVID LOK: Mr Tam. 4 (10.00 am) 5 Closing submissions by MR JEFFREY TAM 6 MR JEFFREY TAM: Thank you chairman, thank you, members. 7 Thank you for accommodating my diary. 8 I represent nine residents of Wang Fuk Court and 9 I am also representing eight family members of the 10 deceased. We have already submitted a closing address 11 as well as the recommendations. 12 Simply put, residents are of the view that this fire 13 is due to the accidents and mistakes or deficiencies of 14 multiple parties. We're going to briefly go over some 15 areas. We understand some legal proceedings are 16 underway. As we already set out in the written 17 submissions, we are not going to ask the Independent 18 Committee to handle these matters. 19 Regarding Prestige, obviously it has to do with the 20 non-fire-retardant scaffolding nets. While the ICU was 21 conducting inspections, we think that they deliberately 22 used deceptive tactics to cover up the situation, that 23 is they passed off non-fire-retardant materials as 24 fire-retardant materials, which has led to the rapid 25 spread of fire.	1 shutdown notices. In the initial price quote, the 2 system was already said to have to be switched off for 3 a year. Multiple applications were made, 80-odd times; 4 extension of 16 times for Wang Chi House and Wang Tai 5 House. China Status didn't send qualified professionals 6 to see the fire service water tanks were repaired, the 7 process, as well as other hose reel works. 8 I did read the transcript yesterday. I believed 9 Independent Committee already knows my submissions in 10 relation to rubberstamp. Mr Leung Ping Kay, I'd like to 11 reiterate, is a rubberstamp and I'm not going to repeat 12 the same point. 13 Regarding Victory Fire, simply put, they had 14 different opportunities. On 16 October, they already 15 knew that there were renovation works concerning the 16 eight blocks and they knew that the fire service water 17 system was not in proper working order. On 19 November 18 2025, it was found that the main switch of the fire 19 system of all eight blocks had been switched off. 20 However, they said that the industry practices don't 21 teach others how to do their jobs; they should stay in 22 their own lane. They are already meddling when they 23 inform the management office. They shouldn't be allowed 24 to pass the buck and there should be standardised 25 procedure in relation to such major renovation works.
Page 2	Page 4
1 Regarding the issue of smoking, residents made 2 complaints on a number of occasions, however Prestige 3 did not seriously handle these complaints. 4 Regarding Will Power and Mr Ng, Will Power is the 5 consultant concerned. It did not exercise its 6 supervisory capacity. Mr Ng Yeuk was not seen, 7 basically. Mr Ng Yeuk didn't visit Wang Fuk Court. He 8 was just a rubberstamp and signed some documents. 9 At least before the fire many parties, such as the 10 Urban Renewal Authority, relied on Will Power to 11 supervise the entire works. Therefore, when Will Power 12 failed to exercise its supervisory or monitoring 13 capacity, there would be issues you such as bid-rigging. 14 I'm going to touch upon this area in a moment. 15 Basically, in this situation, it betrayed the trust of 16 residents in the professional responsibilities of 17 Will Power. 18 We'd like to say that they deliberately concealed 19 the litigation records of Prestige, therefore Prestige 20 got the highest score and in the end won the bid. If 21 this were true, this would be indeed a case of 22 manipulation of the tender assessment process. 23 Therefore, we make recommendations as to how this 24 situation could improve. 25 Regarding China Status, it has to do with the SDN,	1 With regard to ISS, on the day in question, some 2 frontline workers tried their best to help residents 3 with evacuation, we are well aware of that. We 4 understand this. However, we'd like to focus on what 5 happened before the day in question, such as proxy 6 votes. Honestly, we think it is unacceptable to count 7 even a cross as a signature. Before the fire, there 8 were complaints concerning proxy votes. However, ISS 9 did not carry out any inspections regarding these votes. 10 At the meetings, residents already related concerns over 11 the hidden dangers of works. ISS had some guidelines. 12 To be fair, I mention this in my closing address; 13 however, frontline workers did not seem to know these 14 guidelines very well. I believe there's a lack of 15 monitoring regarding training. 16 As we mentioned from the outset, for some parties 17 involved, they misled the Government. We accepted this 18 and we also are aware of this. We believe Government 19 departments are responsible, including the Independent 20 Checking Unit of the Housing Bureau, that is for short 21 ICU. Mr Ng Yeuk is a rubberstamp but the ICU did not 22 contact Mr Ng Yeuk. We have seen some emails and 23 information yet these emails were only sent to the email 24 address of Will Power. We were concerned about making 25 advance notice which indirectly, although not

Page 5	Page 7
1 deliberately, allowed some parties involved to pass off 2 non-fire-retardant materials as fire-retardant 3 materials. In this regard, we believe the inspection 4 principles need to be amended. We have also made 5 a recommendation. There should be surprise checks. 6 Counsel for the Secretariat also said the same, there 7 should be surprise checks, save and except special 8 circumstances. 9 Another issue in our opinion is over-reliance on the 10 relevant certificates provided by contractors. This 11 doesn't just happen with the ICU but also with the 12 Labour Department, LD. The same certificates were once 13 again submitted; however, no one was there to check 14 whether these certificates were related to a certain 15 batch of scaffolding nets. 16 Regarding the handling of complaints by the ICU, one 17 of the residents, Mr Kong, related his concerns over 18 fire retardancy of scaffolding nets to the ICU. As 19 I understand, the ICU eventually carried out an 20 inspection, but in the email reply there was no mention, 21 nor any handling, of fire risks. So the ICU wasn't 22 really concerned about fire risks; otherwise, they would 23 not have forgotten this in the email. 24 On many occasions ICU only relied on desk duties. 25 They carried out inspections only when they received	1 Labour Department staff members did not see construction 2 workers smoking on the construction site, and this means 3 prosecutions could not be made, we believe this is not 4 acceptable. 5 Just yesterday at the Legislative Council there was 6 a related bill having been passed, and smoking should be 7 band on the construction sites across the board. I hope 8 this will help the Labour Department to conduct law 9 enforcement actions more easily. 10 In relation to inspections, our view is that if 11 on-ground site visits are the normal action and only 12 when it is necessary will officers go to the rooftop, 13 this may not be an effective inspection method. 14 Regarding referral, the FSD already said that they 15 would take the initiative to follow up on referrals. 16 This might be seen across different departments, so it 17 is hoped that different departments will also have the 18 same mechanism. I have already covered scaffolding nets 19 and it is unacceptable to find that the same certificate 20 is used in relation to different scaffolding nets. 21 The FSD, as I mentioned, Mr So and other residents 22 did make a call to the FSD to enquire about foam boards. 23 However, at that time no follow-up was conducted nor was 24 there any referral, and this is not ideal. 25 Regarding access openings in stairwells, there were
Page 6	Page 8
1 complaints from residents. This practice has been shown 2 to be not feasible. Regarding the link between the 3 Buildings Department and the ICU, Mr Yung Siu Lun said 4 it was discovered that Buildings Department already 5 amended the site monitoring section manual two years 6 before the fire, that is 20 per cent of the cases should 7 be selected for on-site visits and this is indeed 8 a significant loophole. We do have a recommendation. 9 I noticed that counsel for the Secretariat mentioned 10 there should be cross-departmental communication 11 guidelines. In our view, this is appropriate. However, 12 regarding the link between the Buildings Department and 13 the ICU, should they be seen as two different 14 departments, we do have our views. If there are issues 15 of coordination and communication, we suggest that one 16 single department should be responsible for this in 17 order to avoid any duplication of procedures. That is 18 because some officers from the Housing Bureau have to be 19 seconded to the Independent Checking Unit. So, to be 20 simple, this should be under the purview of the 21 Buildings Department. 22 Moving on to the Labour Department, mainly about 23 complaints regarding smoking. If there are clear 24 pictures or video clips of people smoking, these should 25 be sufficient for prosecutions to be initiated. If the	1 complaints, but then the FSD said that this was not 2 within the purview of the FSD. Once again, this is not 3 desirable. 4 Regarding FS251, that is the fire service 5 installation and equipment certificate, I believe the 6 FSD already accepted the fact that the practice at that 7 time was poor, so a change has been made. All these 8 have to be electronically provided. 9 We'd like to refer to another lapse of the FSD, that 10 is the monitoring of FSD. Wang Chi House and Wang Tai 11 House, for as long as seven months, they were switched 12 off. It seems that the mechanism places a lot of trust 13 in contractors. In this case of Wang Fuk Court, they 14 simply believed the contractor. However, there were 15 still clear risks of fire. 16 Turning to inspections and the contents of 17 inspections, no inspection of the fire alarm system was 18 made or in the upfeed pump there was no check. We also 19 believe this leaves much to be desired. 20 Next I'd like to move on to the Urban Renewal 21 Authority, the URA, after covering the Government 22 departments. Under section 5A and 6(1) of the URA 23 Ordinance, there is quite a wide scope of powers as 24 conferred by the Ordinance. One of the purposes is to 25 encourage, promote and facilitate urban renewal or

Page 9 1 anything that could be conducive to this purpose. 2 Regarding anti-bid-rigging, I'd like to say that the 3 Smart Tender scheme, we have this scheme because of the 4 Garden Vista incident. The Government needed to clamp 5 down on bid-rigging. This is the background of Smart 6 Tender. 7 We have heard some evidence some renovation 8 consultancy fees are exceptionally low. There's 9 a common anti-competitive practice in the building 10 maintenance sector. Engineering consultants win 11 contract with exceptionally low bids and then arrange 12 for conspiring contractors to secure the tenders at 13 a high price. 14 The URA thinks that Will Power won the bids at low 15 prices. In this case, shouldn't the Owners' Corporation 16 be informed? You're not going to influence their 17 decision but then you need to inform the Owners' 18 Corporation first. You need tell them about the 19 exceptionally low price. This would not directly 20 influence their decision but this is what we hope the 21 URA would do in the future. 22 Regarding bidders of Wang Fuk Court, any false 23 information, there is room for improvement on the part 24 of the URA. They do have means to check these records 25 but then they failed to do so. Also the URA would	Page 11 1 similar recommendations. If simultaneous erection of 2 the scaffolding and the nets, it would add to the 3 danger. 4 I mentioned the recommendation. I don't propose to 5 repeat it. There is another recommendation regarding 6 the proxy instruments. There should be signature 7 samples or specimen from the owners. There should also 8 be a limit, a cap on the number of proxies one can 9 gather. That would guard against the possibility of 10 someone getting too many proxies. 11 THE HON MR JUSTICE DAVID LOK: Mr Tam, the recommendation 12 you said, these are the recommendations you submitted 13 earlier; are you talking about them? 14 MR JEFFREY TAM: Yes. We made some recommendations before. 15 THE HON MR JUSTICE DAVID LOK: Yes. This can be posted on 16 the web. 17 MR JEFFREY TAM: Yes. Sure. Thank you, chair. 18 I believe I have covered most of the major 19 recommendations, except one, the RI and the consultant, 20 the relationship between them. The residents just know 21 about the consultant but not so much the RI. In the 22 contract it has to be spelt out clearly what the RI is. 23 Chairman, finally, very briefly, I'd like to 24 summarise. The fire occurred in November, the hearing 25 started in March. Many residents testified despite the
Page 10 1 receive complaints from time to time and they would ask 2 the complainant to get in touch with the relevant 3 department. Since the Government will refer the matters 4 and follow up, I hope the URA would do likewise. That 5 incident, they said that it's not hard to think of the 6 right department to take the complaint to. It would 7 present difficulties to the complainant. 8 I don't think they should just tell them the 9 department. They should, like the Government, make the 10 referral and make sure that there will be follow-up. 11 Obviously we believe that for Smart Tender the URA 12 should consider the role of the independent consultant. 13 There is RS Surveyors. RS acted as a referee in the 14 first contract. I'm not suggesting for one minute there 15 is anything wrong with RS, but this is just an analogy. 16 The issue is really obvious. In Smart Tender 2.0, 17 I hope that the URA will do something to address this 18 issue. 19 We have made 11 recommendations, one of which has to 20 do with the former chairman of the IO management 21 committee, Mr Tang Kwok Kuen. The fire spread like 22 a knock-on effect and there is evidence that Tang Kwok 23 Kuen agreed that scaffolding would go up for the eight 24 blocks. It was suggested earlier that there would be 25 two batches, four by four. The experts of the IC made	Page 12 1 distress, and many residents are coming here every 2 single time, and I believe that they are trying to hear 3 how the fire occurred and many of them lived through 4 this tragedy and they suffered from losing their family 5 members. This is a kind of trauma that I can hardly 6 begin to imagine. 7 Many witnesses tried to shirk responsibility. Not 8 all of them; some of them. I fully appreciate that the 9 residents are really getting a little bit worked up 10 about that. This kind of shirking of responsibilities 11 will not be helpful to our attempt to uncover the truth. 12 We are really incensed, we are really upset, but I'm 13 sure the Committee will be able to uncover the truth and 14 do justice to the victims, and there would be 15 practicable recommendations so that the stakeholders 16 would no longer have any more excuses. They should 17 reflect upon this and shoulder the responsibilities that 18 they should. 19 Thank you. 20 (10.26 am) 21 THE HON MR JUSTICE DAVID LOK: Thanks very much, Mr Tam. 22 Next, Mr Jenkin Suen, representing the Government. 23 Over to you, Mr Suen. 24 (10.27 am) 25 Closing submissions by MR JENKIN SUEN

Page 13	Page 15
1 MR JENKIN SUEN: Chairman and members, good morning. Today 2 I speak on behalf of the Government and the bureaus and 3 departments. I expect to take up the whole of today, 4 although we do have the morning break and the lunch 5 break. As per the instruction of the Committee, we have 6 submitted a very detailed submission in detail. We also 7 have prepared a summary of the submission in Chinese. 8 I understand that this has been posted on the IC web 9 this morning for access by the members of the public. 10 So I'm going to be covering every single minute point 11 today. 12 I go along with Mr Tam Senior Counsel that we really 13 need to uncover the truth, we have to examine the roles 14 played by all the different parties so that the members 15 of the public and the residents will get a full account 16 of what happened. 17 There are eight parts to my submission. First, the 18 introduction, the Government's stance, the spirit of 19 investigation and direction. Second, the background of 20 Wang Fuk Court and the relevant oversight mechanism. 21 Third, the causes of fire, the spread -- six factors 22 causing the rapid spread of the fire. Fourth, it is 23 also intertwined with the third, and that is all the 24 professionals and the private stakeholders, their abuse 25 of the system. Next, we will be covering the fire and	1 cross-departmental bureau. Very briefly, the first one 2 is headed up by the CS, the task force on investigation 3 and regulation responsible for coordinating the 4 investigation. There is a cross-departmental panel of 5 investigation being set up and to review the regulatory 6 mechanism. 7 The second one is headed up by the DCS, the task 8 force on emergency support and fundraising. The support 9 fund has been set up and each household is disbursed 10 \$10,000 and there one household/one social worker scheme 11 and social workers are responsible for the counselling 12 and the logistics support. 13 The third one is headed by the FS, the task force on 14 emergency accommodation, responsible for handling the 15 temporary accommodation for thousands of residents, the 16 youth hostels and also the housing society units. Lots 17 of supplies have been made available to the victims. 18 Since the blaze, the Hong Kong SAR Government has 19 set up the inter-departmental group, mobilising the 20 experts to investigate the causes of the fire and also 21 the rapid spread and the cause of the casualties. After 22 months of investigation and a whole series of 23 experiments, in May they already completed the report 24 and submitted it to the Committee. In June that was 25 covered in the testimony of the IC.
Page 14	Page 16
1 the rescue. Six, we will look at the regulatory 2 mechanism, other vulnerabilities that should be 3 improved. We will be looking at the recommendations 4 that will be put in place or already put in place and 5 then we will talk about a TOR2 and finally we will make 6 brief summary. 7 First off, introduction and the Government's stance. 8 There are six aspects in this regard. First, about the 9 spirit of investigation and the Government's 10 cooperation. At the very beginning, I already mentioned 11 these few points. I'd just like to revisit these here. 12 First, last year, after the November fire, very 13 quickly in December the Government set up the 14 Independent Committee to investigate the Wang Fuk fire. 15 This will be thoroughly investigated. Whenever people 16 are involved, there would be serious reform to uncover 17 the truth and to do justice and to let the deceased rest 18 in peace and to provide comfort to the living. 19 Since the work has started, the departments have 20 been working in collaboration, in cooperation. We have 21 been very forthcoming in answering questions and in 22 submitting evidence. Whatever the case or even the 23 evidence is favourable or unfavourable to the 24 departments, there is no holding back. On 2 December 25 2025, three task forces have been set up, the	1 For the various departments, in response to the 2 request, they have made available the witness 3 statements, there are six departments and groups, there 4 are 31 witnesses appearing in 13 hearing sessions. 5 There are other witnesses that also gave witness 6 statements. As of now, we have received more than 7 1 million documents to the tune of 2 TB in volume. It 8 shows that the Government is really working very hard to 9 tie in with the work of the Committee. 10 Without doubt, this fire has caused sorrow to the 11 whole of Hong Kong. We will be again extending our 12 sympathy to the family members and also our condolences 13 to the senior fireman Mr Ho Wai Ho, the highest regard, 14 and his family. 15 Second, about the fair and just investigation, the 16 Government is truly aware that for the -- not just for 17 the victims, the whole of Hong Kong would like to see 18 the Committee's inquiry reach a fruitful outcome. The 19 Chief Executive said this would be completed in nine 20 months' time, a report would become available, and this 21 hearing, our progress has been pretty rapid. We started 22 in March. Now it's been about four months. We have 23 covered so much evidence. The media are really 24 concerned about this. It is all understandable. 25 However, during the hearing, the chairman already

Page 17	Page 19
1 said that we have to be fair to all the involved 2 parties, we have to be fair to the victims and we have 3 to be fair to all the involved parties. The Committee, 4 as well as the whole of Hong Kong, should maintain an 5 impartial and fair attitude in looking at the evidence 6 and in dealing with the responses of the involved 7 parties and the roles that they play and the 8 responsibilities that they hold. 9 Now, at this home stretch, I believe that the 10 members of the public can see that the IC is really 11 completing this process in a very just and impartial 12 manner. We are confident that the Committee will, on 13 the basis of the evidence, work out the causes of the 14 fire and also the causes of the rapid spread. 15 Third, that the Committee decided not to convert the 16 Committee into a statutory committee or commission of 17 inquiry, the Government would like to state our stance 18 that the Committee decided not to seek endorsement of 19 the Chief Executive to convert the Committee into a 20 commission of inquiry. We understand this decision will 21 respect -- there's some involved parties, particularly 22 Prestige and Will Power, they refused or declined to 23 take part in the hearing. 24 However, the Committee, on the basis of the evidence 25 given by the other involved parties and the written	1 the entire timetable and this will make the members of 2 the public wait for months on end or years and in some 3 cases this may also affect the civil or criminal 4 proceedings, so the existing mode of operation will 5 certainly be offering us more flexibility in time. It 6 is really a good approach. 7 The chairman has already given us detailed 8 explanation. We don't propose to repeat it. We accept 9 and respect the decision. 10 The fourth point, direct accountability or division 11 of role in terms of supervision and oversight. In this 12 hearing, relevant Government departments proactively 13 assisted the Committee and attended the hearing. They 14 provided a large number of documents and information and 15 then many colleagues served as witness to give evidence. 16 Those involved are the relevant Government 17 departments in this hearing and so the public may focus 18 on these relevant departments and we appreciate that. 19 But because of that, the public then ignores other 20 involved parties, including those who did not attend the 21 hearing and ignored their responsibilities or focused 22 only on or target the Government or they believe that 23 the relevant Government departments are the culprit of 24 the fire, then to the Government or in terms of public 25 interest or even in terms of reviewing the whole
Page 18	Page 20
1 submissions as well as the counsel, the information 2 supplied by the counsel of various parties, we can come 3 to our views. 4 As the chairman said on 22 June, he explained that 5 despite the fact the involved parties chose not to 6 appear in public and offer their explanation, the 7 Committee can still, on the basis of the information, 8 make some adverse views against them. Despite the fact 9 that they are absent, it doesn't mean to say that the 10 Independent Committee cannot come to any judgment about 11 them. 12 Obviously, we noticed that the court and other 13 organisations will, in accordance with their established 14 procedures, whether it be civil or criminal, they will 15 be fulfilling their duties. The IC's investigation goes 16 in parallel with them and there is no conflict 17 whatsoever. They are fulfilling their respective roles. 18 The IC's role is to investigate into the causes and 19 identify the vulnerabilities of the system and come up 20 with recommendations. For other issues, depending on 21 the burden of proof, it will be dealt with in accordance 22 with the law. 23 Third of all, the administration understands that if 24 this Committee is converted into a statutory COI, there 25 would be procedural complexity that will be prolonging	1 incident, then such views would be partial and unfair. 2 It is exactly because Prestige and Will Power and 3 other major involved parties chose not to participate in 4 the hearing and then there's full cooperation of 5 Government departments on the other hand so that shows 6 those who should shoulder primary responsibility, such 7 as contractors and professionals, they chose to remain 8 silent, they chose to evade the hearing, and so we hope 9 the Committee and the public would be aware of such 10 a background. 11 Now, of course the Government does not wish to shirk 12 its responsibility in terms of its supervisory role. 13 During the opening address we made that point very 14 clear. We just want to emphasise that the Committee and 15 all sectors in the community should not, in terms of 16 direct responsibility or execution of certain mechanisms 17 and related weaknesses, these shouldn't be confused. 18 Some views believe that the Government is entirely 19 responsible for the fire. It's because of the 20 Government departments, that's why there's this tragedy. 21 Whether this is a fact or not, such a view is actually 22 confusing the two different levels of responsibility 23 because, in terms of the system and execution, there may 24 be weaknesses, but then they are turned into the direct 25 cause of the fire and that's not in line with the fact

Page 21	Page 23
1 and it's not fair. 2 We have reviewed the written closing submissions of 3 counsel of the Independent Committee. Of course they 4 offer views on different parties, including criticisms, 5 but then we note that in their closing address there is 6 no clear delineation of responsibility and also 7 supervisory role, so we must make this point therefore 8 to the public. 9 In terms of witnesses' evidence and experts' 10 evidence, we can see that there are two levels of 11 responsibility. Firstly, direct responsibility. That 12 means a direct cause of the fire or leading to its 13 spread and heavy casualties. These are mostly 14 contractors and professionals, that is what we term 15 private stakeholders. It's about their illegal and 16 irregular practices. 17 The other point is about the supervision or 18 oversight of these private stakeholders, because of 19 weaknesses, it may be the act of these private 20 stakeholders are not uncovered early and that may be an 21 indirect cause to the fire. 22 As in our closing submission, we would like to talk 23 about the different roles of departments. The 24 Committee's counsel's analysis is based on -- it is due 25 to the benefit of hindsight. The Government understands	1 important background. 2 Perhaps I could quote an example. In PNRC 85 the 3 latest version, that is the practice notes for 4 registered contractors 85, after a fire, now the latest 5 version says a contractor must collect samples of 6 scaffolding nets and there must be testing and 7 certification. So in terms of the cause of scaffolding 8 nets, that means that will go up, but after the fire the 9 public have lost confidence in contractors and 10 professionals and that's why circumstances, they come to 11 this decision. 12 If we go back to the stage when the system was 13 designed, at the time, members of the public believed 14 contractors and professionals could be relied upon. If 15 at the time we had this more stringent requirement as in 16 the current practice notes 85, then that could lead to 17 repercussions in the community or among the sectors 18 because the cost will eventually pass to the owners. 19 In paragraph 859 of the closing submission of the 20 Committee's counsel, there's a mention of fraudulent 21 acts. They succeeded in the fraudulent acts because of 22 the oversight mechanism that made it possible. 23 I believe this is unfair. If it's fraud, the nature is 24 such that it tries to circumvent the system. 25 I will come back to this point later to elaborate.
Page 22	Page 24
1 that with this form of analysis, it is a way to handle 2 the issues that we need to consider. So we note the 3 legal analysis of the legal team of the Committee. In 4 our closing submission we also point to various aspects 5 where there is room for improvement. But then, at the 6 same time, we hope that when the Committee comes to its 7 findings it will consider the following points. 8 Firstly, if we look at the matters with hindsight to 9 determine what should have happened, we have to be 10 cautious. With any systems or decisions, it's always 11 based on balance between risks and resources. 12 The chairman observed in the hearing, even if there 13 is a most perfect regulatory system, there could still 14 be a fire. And then the design or execution of 15 supervisory mechanism is based on the consensus of the 16 community and availability of resources and so on. Such 17 systems have worked effectively. 18 Now, a very important aspect of the background to 19 the Wang Fuk fire is that under the system there were 20 extreme elements. There were professionals and 21 contractors appointed with statutory powers and 22 obligations. They deliberately ignored their statutory 23 obligations, there was collusion, there were illegal 24 practices. And so, as we reviewed the entire system and 25 identified weaknesses, we have to bear in mind this	1 The Government put in place various improvement 2 measures after the fire. It shows that the Government, 3 the sectors, the public together want to come up with 4 a more comprehensive system. These improvement measures 5 should not be seen as that there were failures in the 6 system before the fire. When there is any major 7 incident, we always have to review and improve the 8 system. That is the right thing to do in terms of 9 governance. 10 In paragraphs 30 and 31 of the Committee's counsel's 11 closing submissions, especially in terms of the analysis 12 of firefighting rescue, the point is to identify lessons 13 which need to be learned for the future. It's not to 14 negate the efforts of the frontline staff. So I think 15 we could use the same logic as we consider the various 16 weaknesses of the systems of different departments. 17 Third point. In paragraph 13 of the closing 18 submission of the IC counsel, there are various direct 19 factors contributing to the fire and there are also 20 failures, in some way they especially name Prestige, 21 Will Power, registered inspector, that's Mr Ng Yeuk, 22 China Status, Victory Fire, ISS, as parties at fault. 23 The Government respects the analysis of the Committee, 24 but we must stress that the Committee must distinguish 25 between two different types of factors, that is acts

Page 25	Page 27
1 that directly caused the fire and its spread, that is 2 the deliberate, illegal acts of contractors and 3 professionals. The other aspect is failure to identify 4 issues in the oversight system. Both factors need to be 5 considered, but then we have to distinguish between the 6 different levels of responsibility and so they not be 7 given the same weight. 8 In paragraph 680 of the closing submission of the IC 9 counsel, the fraudulent acts and so on of the 10 contractors and professionals ought to be condemned by 11 the community. That is there is a whole host of actors 12 and every regulator and merit the Committee's strongest 13 condemnation. 14 Fifth point. I want to talk about the background to 15 the design of the oversight system. First, the policy 16 intention of this system. There are three points. 17 About the regulatory regimes, they originated from 18 positive evidence of many years ago. For example, fire 19 safety policies of the FSD, they were first put in place 20 in the 1960s. The Buildings Department and the 21 Independent Checking Unit, the arrangement started in 22 1992, so it's been in place for over 30 years. 23 Most of these regimes were considered carefully by 24 the then legislature and they evolved over the years. 25 So at the time, different sectors of the community and	1 As an example, the minor works control system, since 2 the implementation of the minor works control system, 3 the number of minor works increased from about 35,000 to 4 about 150,000 per year. That shows that when we first 5 implemented this system, the sector and the public 6 generally accepted the system and they used it. In most 7 circumstances, the system has worked well and it's been 8 functioning properly. But then when there is 9 a deliberate collusion or organised fraud, then it 10 exposes the weaknesses of the system that places trust 11 on the contractors and professionals. 12 I must stress that on the weaknesses of these 13 regulatory regimes, they should not be seen as the 14 direct cause of the fire. In the closing submission of 15 the IC counsel, the Government puts trust on contractors 16 and professionals and that's the reason why these people 17 are able to collude to defraud the Government. Yes, we 18 see the concern behind this viewpoint but I hope the 19 Committee will consider this point. 20 As I mentioned just earlier, with any regulatory 21 regime it's based on reasonable trust on the 22 stakeholders. If, as we design a system, we assume all 23 professionals will break the law or not governed by code 24 of conduct, then the whole basis for the design will be 25 different. But then at the time when these systems were
Page 26	Page 28
1 the Government arrived at this consensus and they 2 achieved a balance as manifested in these regimes. 3 Among different departments there is division of 4 responsibilities and there is nothing wrong with that. 5 As I mentioned in the opening address, the issue is not 6 about whether there should be or there is a need for 7 such division of responsibilities, it's really a matter 8 of how we could make sure the division of responsibility 9 works better and flexibly and so it's not rigid. Each 10 different departments, if they could each perform for 11 roles and complement each other. It's essential if we 12 want efficiency. 13 The third point is about the core design of the 14 regimes. In terms of the quality and safety of works, 15 the responsibility is placed on contractors and 16 professionals because there is a reasonable reason for 17 that. Because these professionals, they have the 18 expertise, they also should abide by professional 19 conduct, they are governed by professional code of 20 conduct. So therefore, we could reasonably rely upon 21 them to comply with the relevant rules and regulations. 22 In most cases, this works. In fact, when Government 23 formulates policy, there's no reason for it to assume 24 that the relevant stakeholders would deliberately break 25 the law or abuse the system.	1 designed we took into account various factors and we 2 tried to strike a proper balance. 3 And then the experts of the Committee pointed out we 4 cannot rely on Government interference for everything. 5 We also have to rely on the self-discipline and 6 self-regulation of professionals. Before each works 7 project commences there should be a suitable risk 8 assessment. We don't just look for compliance on the 9 surface while ignoring other risk assessments. Again, 10 that could lead to incidents. In other words, if we 11 just rely on supervision or just a checklist to see if 12 all the conditions are met, then that is not enough to 13 prevent incidents from recurring because every time the 14 circumstances may be different. 15 I said earlier the legal team of the Committee made 16 criticisms about the division of responsibilities among 17 departments. Some involve the interpretation of the 18 laws and regulations on the supervisory regime. There's 19 also criticism about referral of complaints among 20 departments. I agree departments could do better. 21 Senior Counsel Tam just mentioned the improvement 22 measures the Government put in place but I must stress 23 that it is important for the departments to take up 24 different roles. I will elaborate on that later. 25 Sixth point. The Government has already put in

Page 29	Page 31
1 place some improvement measures. After the fire 2 relevant departments have expeditiously reviewed the 3 whole system and identified weaknesses so that they 4 could put in place improvement measures in a timely 5 manner. 6 On 15 June the Government submitted a full list of 7 improvement measures that will be taken to the 8 Committee. Then during the hearing, there were 9 suggestions made and there's also mention of improvement 10 measures under consideration. In fact, many of these 11 measures have been implemented, as stated in the list we 12 submitted on 15 June. So we do not wait for the final 13 report of the Committee to take improvement measures. 14 Where we could put in place improvement measures, we did 15 so as soon as we could. 16 The fire showed up issues of smoking at the 17 construction site. The Labour and Welfare Bureau 18 immediately put forward legislative amendments and then 19 it proceeded full speed with the amendment exercise. 20 Before the summer break of the Legislative Council, the 21 relevant law was amended and in fact it was passed 22 yesterday. Starting from 17 July, that's tomorrow, 23 smoking ban will come into effect in construction sites. 24 The Government of course will also study all the 25 recommendations of the report and we will see if there	1 expert evidence, this structure directs uprising air or 2 air current which has contributed to the rapid spread of 3 the fire, affecting many floors of the buildings. When 4 the fire happened, all eight blocks of Wang Fuk Court 5 were undergoing facade renovation works. From bottom to 6 the top, scaffolding nets surrounded all eight blocks. 7 The construction cost totalled \$336 million. The 8 Building Authority has approved the project and 9 according to the Buildings Ordinance there were 10 supervision. Over 30 years of experience, as early as 11 in 1992, the Buildings Department gave the power over of 12 the HOS flats to the Housing Department. In the year 13 2000, ICU was set up, and in 2004, the power was 14 conferred to the ICU. ICU reports to the Permanent 15 Secretary of the Housing Bureau, so it has 30 years of 16 history. 17 Regarding the scope of authority, the power of the 18 ICU is identical to that of the Buildings Department. 19 That includes the handling of plans, structure plans, 20 including the submission, application and so on. MBIS, 21 Minor Works Control System, a balance has been struck 22 and they exercise identical powers. 23 In accordance with section 40 of the Buildings 24 Ordinance, there are law enforcement powers and there 25 are also other penalties/provisions under the Buildings
Page 30	Page 32
1 is a need to put this place further improvement 2 measures, especially measures that may have an impact on 3 construction cost, construction programme and so on. 4 The Government will consult the relevant stakeholders 5 as necessary so that we could reach a consensus. 6 Next, moving on to my second part. Afterwards, we 7 are going to take a break. 8 The second part concerns the background of the fire 9 of Wang Fuk Court as well as the background of Wang Fuk 10 Court. I'm also going to cover the regulatory system. 11 In my opening address, on behalf of the Government or 12 for the counsel of the IC in his opening address, he 13 touched upon this area as well. However, in order to 14 help members of the public to understand the background, 15 I'd like to give a brief explanation in this regard. 16 Wang Fuk Court is a HOS housing estate in Tai Po. 17 It was built in 1983 and it has a total of eight blocks. 18 It has 31 floors and it has a total of 1,184 units. 19 According to 2021 publishing census, about 4,600 20 residents, of whom over one-third of the residents are 21 aged above 65. This population structure had much of an 22 impact on the evacuation which was mentioned in the 23 expert report. Regarding the design of the buildings, 24 there are light wells or re-entrants from the 1st floor 25 all the way extending up to the rooftop. From the	1 Ordinance. They are still being exercised by the 2 Buildings Department; they have not been given to the 3 ICU. But of course if the ICU identifies any 4 non-compliance, they will conduct investigation and they 5 will also refer such cases to the Buildings Department 6 for the Buildings Department to consider prosecution and 7 penalty. Between the Buildings Department and the ICU 8 there's a regular communication mechanism including 9 every half a year a progress report is submitted to the 10 Buildings Department and meetings will also be held. 11 There is also a liaison meeting and the Buildings 12 Department second three members to the ICU and they act 13 as communication bridges. They help to interpret the 14 provisions of the Buildings Ordinance as well as 15 legislative requirements alongside the dissemination of 16 directions from the Buildings Department, that is to 17 make sure that the law enforcement standards of the ICU 18 are on a par with that of the BD. 19 There is the same authority/power. There is also 20 a regular liaison mechanism. So if the ICU follows the 21 practices of the Buildings Department, there is nothing 22 wrong about this. In fact, this should be the method 23 adopted. So I hope that the Independent Committee will 24 consider this case against this backdrop. 25 In paragraph 884 of the counsel for the IC,

Page 33	Page 35
1 criticism have been made. In the same paragraph of the 2 closing address, they criticise that the ICU followed 3 blindly the directions of the BD. They simply played by 4 the book. However, from paragraphs 903 to 928, the ICU 5 did not follow the methods adopted by the Buildings 6 Department. This seems to be double standards. So as I 7 mentioned, they should exercise the same power or 8 authority, hence the same inspection standards should be 9 upheld. 10 Wang Fuk Court, in 2014, was selected to be a target 11 under the MBIS. In January 2019, Will Power was 12 appointed to be the consultant of the inspection. 13 Starting from 2024, renovation works were conducted 14 under the Minor Works Control System. Advance approval 15 by the building authority is not required. That 16 concerns two systems: one, Minor Works Control System, 17 and the other is the MBIS. The common factors of these 18 two schemes are that they have been scrutinised and 19 deliberated by the Legislative Council, MBIS 2012 and 20 for the Minor Works Control System in 2010. Therefore, 21 the systems have been thoroughly considered. 22 At that time, the Legislative Council or the 23 community had reached a consensus to strike an 24 appropriate balance. This is a system relying on 25 professionals' self-compliance.	1 At the end of 2010 the Minor Works Control System 2 was implemented. It helped the members of the public to 3 implement or conduct minor works in a legal manner. 4 This is how we can improve the building safety in 5 a streamlined procedure. As I mentioned, the essence of 6 the system is to rely on self-compliance of 7 professionals to replace higher approval by the 8 Government. At that time, it is believed that this 9 could strike a balance between calls from the industry 10 and the public. At the same time, the MBIS was 11 implemented in full in 2012. Building dilapidation has 12 been a longstanding issue in Hong Kong. It aimed to 13 target aged buildings. There were hidden dangers and 14 risks to residents. Residents need to shoulder the 15 responsibility for ensuring the good condition of the 16 buildings, including financial burden. Likewise, it 17 relied on the examination and inspection by 18 professionals. 19 Chairman/members, after I have explained the 20 background of the system and before I start the third 21 part comprising six factors leading to the fire, I'd 22 like to briefly go over the roles of different 23 stakeholders. In the closing address F we have already 24 explained in detail. I'm just going to outline this 25 area.
Page 34	Page 36
1 There have been calls to simplify procedures in 2 order to lower the compliance cost. This is the 3 background of the two schemes. This is considered to be 4 an appropriate system. In other words, professionals 5 will abide by their professional conduct and 6 professional responsibilities and this is a sufficient 7 safeguard. 8 In the opening address of the Government, I already 9 explained in detail the background of the Minor Works 10 Control System as well as its purpose. I'm not going to 11 repeat the same point. Simply put, they target works of 12 a minor nature. It aims to provide a streamlined 13 procedure. The core of the system is self-compliance of 14 professionals in order to reduce intervention of the 15 Government. There was a consensus among the public. 16 Before the rollout of the scheme, under the 17 Buildings Ordinance, buildings management system was 18 applicable to all construction works, irrespective of 19 the complexity thereof. And on many occasions, the cost 20 and the -- they are not in proportion so many minor 21 works did not comply with the Buildings Ordinance, 22 rendering them illegal. This is what happened in 23 reality. Some were against the law. It is not the case 24 that professionals did not comply with the law. But 25 then there was an issue of not in proportion.	1 The main responsibility rests with the professionals 2 engaged by residents as well as contractors. The role 3 of the Government is to facilitate or supervise the 4 works. This is the tier 2 role and this is the 5 fundamental logic of the system. For instance, on four 6 fronts, on the first front, under the Minor Works 7 Control System, registered contractors have legal 8 statutory responsibility to make sure that the 9 construction materials are safe and compliant. 10 Next, under the MBIS, registered inspectors have the 11 statutory responsibility for monitoring and overseeing 12 the conduct of the projects and make sure that the 13 materials are compliant. As for registered fire 14 services installation contractors, they also bear 15 responsibilities for the fire service installations. 16 Property management companies need to abide by the 17 relevant guidelines and the Property Management 18 Ordinance. They need to help owners as well as the 19 Owners' Corporations to make sure that the fire service 20 installations work in good order, including overseeing 21 the work of the RFSIC as well as the storage of such 22 documents. 23 There is an oversight responsibility in relation to 24 this. I'd like to add something to the role of 25 stakeholders. I'd like to divide it into five main

Page 37	Page 39
1 areas: one, on fire risks and fire service installation 2 maintenance, the oversight mechanism can broadly be 3 divided into passive FSI and active FSI. For passive 4 FSI, that includes means of escape, fire-rated door. 5 Mainly they are one of the purview of the BD and the 6 ICU. Whereas for active FSI such as fire alarm, hose 7 reel system, sprinkler system, mainly they are within 8 the purview of the FSD. 9 This is not a case of pass being the buck. Instead, 10 this division of work reflects the fact that different 11 Government departments have different professional areas 12 respectively. This makes sure that the departments 13 having the most expertise will be responsible for their 14 respective areas. This division of works is flexible. 15 As the Director of Fire Services said, the statutory 16 powers of the FSD is not just confined to active FSIs. 17 In accordance with section 7(c) of the Fire Services 18 Ordinance, the FSD is responsible for providing comments 19 or views in relation to fire risks and fire service 20 installations. In relation to the ownership and the 21 maintenance responsibilities of FSI, in accordance with 22 section 8 of the relevant regulation, the owners of FSI 23 does have the responsibility for making sure that the 24 relevant FSIs are kept in good working order at all 25 times. "Owners" mean the owners as well as Owners'	1 contractors or property management company did not fully 2 exercise their responsibilities. So Wang Fuk Court was 3 under the situation of a fire alarm system which was not 4 activated. 5 Section 3 of the Buildings Ordinance or regulation, 6 all construction materials must meet the requirements in 7 relation to purpose, quality and so on. They also need 8 to be tested fully. Section 16 of the Buildings 9 Ordinance also makes sure that during the conduct of 10 construction works, appropriate methods and procedures 11 need to be implemented alongside preventive measures. 12 These are general provisions and they are applicable to 13 the materials of construction works. 14 Under section 30D of the relevant ordinance, the 15 registered inspectors have the statutory responsibility 16 for making sure that the construction materials are 17 compliant and they meet all relevant legal requirements. 18 Five, regarding occupational safety and health, the 19 Labour Department makes sure that the occupational 20 health of workers is safeguarded, including the risk of 21 falling from height, scaffolding net safety, as well as 22 the use of safety harnesses. The Labour Department also 23 conducts relevant inspections. 24 Five areas I mentioned, the logic and the essence 25 are that the Government set down relevant standards,
Page 38	Page 40
1 Corporation. They need make sure that they will 2 arrange -- at least RFSIC will conduct on inspection 3 every 12 months at least. The responsibility rests on 4 owners. 5 Property management companies, in compliance with 6 the relevant guidelines and manual, have the 7 responsibility for monitoring the conduct of the 8 projects, following up on defects and they also need to 9 make sure whether the system will have to be reported to 10 the FSD when they are not activated. 11 The FSD adopts a policy that they gave priority to 12 FSIs not subject to annual inspections or when they were 13 aware that some FSIs had defects but then they were not 14 followed up on by RFSIC. That is because these 15 buildings are subject to greater risks. As for RFSIC, 16 some buildings are checked by RFSIC and, according to 17 the FSD, they carry lower risks. That is because they 18 believe RFSICs should have exercised their statutory 19 responsibilities. When they identify any issues they 20 need to make report according to the existing mechanism. 21 In other words, the FSD relies on RFSIC as well as 22 property management companies to exercise their 23 professional and statutory responsibilities, and this is 24 part of the oversight mechanism. 25 In the case of Wang Fuk Court, however, some	1 keep registers or lists, and inspections or surprise 2 checks will also be conducted. The handling of 3 complaints and enquiries is also involved. Whenever 4 there is any non-compliance, law enforcement actions 5 will be taken. The overarching responsibility is to 6 make sure that construction materials are compliant, 7 fire alarm system works in good order and the projects 8 are safe. 9 The responsibility rests on contractors and 10 professionals appointed and engaged by Owners' 11 Corporation and owners. This is the design of the 12 mechanism. 13 Against this backdrop, before the fire at Wang Fuk 14 Court, in 2023 there was a major fire in the 15 Mariners' Club as well as that that happened in 16 Chinachem Tower in Central. At the time, the same logic 17 was adopted. Some measures have been put in place. Say 18 in the case of Mariners' Club, after the fire, the 19 Buildings Department on 21 March 2023, all authorised 20 persons, including architects, structural engineers as 21 well as registered contractors, they were issued 22 a circular. It set out clearly that they needed to 23 install protective screens/nets as well as plastic 24 canvas. All these need to meet the relevant fire 25 retardancy requirements. Three standards or examples

Page 41	Page 43
1 have been provided, including Guobiao, that is national 2 standards GB 5725 in 2009. There are also UK standards 3 5867 and 20082 and another standard in 2019. 4 In March 2024 the FSD issued a circular. It 5 introduced a requirement for buildings taller than 6 30 metres, some fire service measures will have to be 7 taken. In Chinachem Tower, after the fire that happened 8 at that time, on 21 October the Buildings Department 9 issued a circular. It requested authorised 10 professionals/registered contractors to take actions 11 immediately to carry out inspections and to confirm that 12 the facade had fire-retardant materials. 13 The ICU, on 23 October and 27 October, in connection 14 with five housing estates under renovation, including 15 Wang Fuk Court, issued reminder emails to remind them of 16 the importance of keeping the nets safe and they should 17 be FR-certified. 18 ICU on 28 October visited Wang Fuk Court for a visit 19 and conducted a fire test on the scaffolding nets. For 20 all these visits and reminders, they all show that, very 21 specifically, in connection with the relevant 22 contractors and professionals, the visits and the 23 reminders are intended to heighten the awareness and the 24 concerns on the part of the relevant parties to enhance 25 the safety awareness.	1 investigation. In their evidence, they mentioned that 2 the task force made reference to international 3 standards, that's the NFPA 921 guide for fire and 4 explosion investigations and so on. They collected 5 samples and sent it this accredited laboratories for 6 chemical analysis, material testing and testing on fire 7 properties. They also conducted bench-scale 8 experiments, computational fluid dynamics modelling, and 9 also there's a full-scale fire test in Sichuan. 10 Prof Yuen, in his evidence, explained that the scene 11 was erected in accordance with the actual dimensions of 12 the re-entrant of Wang Fuk Court. There were different 13 combinations of scaffolding nets. Some may be 14 fire-retardant; others not. There were also different 15 samples of canvas used for the fire test. They adopted 16 a scientific approach to confirm the task force's 17 assumptions of the mechanism of the fire spread. The 18 test was comprehensive. It also confirmed some of the 19 analysis of the task force. So it's not just about 20 presumption of certain conclusions, but rather the 21 conclusions are confirmed by stringent scientific tests. 22 The conclusions are that it's very likely the fire 23 was an accident. There's a heat source, perhaps 24 a detected burning cigarette end that ignited the 25 combustible materials outside flats 104 and 105 of
Page 42	Page 44
1 So before we take a break, the second part will 2 cover the points raised by the involved parties. In 3 page 885, these people managed to pull off their 4 deception because of the fact that the regulators 5 allowed them to do so. In this regard we think this 6 assertion is not sufficiently fair. 7 Perhaps we take a break before I continue with the 8 rest of my submission. 9 THE HON MR JUSTICE DAVID LOK: We will take a break for 10 15 minutes. 11 (11.24 am) 12 (A short adjournment) 13 (11.39 am) 14 THE HON MR JUSTICE DAVID LOK: Yes, Senior Counsel Suen. 15 MR JENKIN SUEN: Yes, chairman/members, I will now go to 16 part 3 and that is a key part: the cause of the fire and 17 its spread and the six contributing factors also to the 18 fire, the spread and the heavy casualties. 19 Before I come to the six factors, I would like to 20 give some background to the fire. 21 The Inter-departmental Fire Investigation Task 22 Force, the one I mentioned earlier, is formed by the 23 FSD, police, Buildings Department, EMSD, ICU, Labour 24 Department, Government Laboratory and Prof Richard Yuen. 25 They adopt stringent approach in conducting the	1 Wang Cheong House, for example, cardboard paper. 2 And then after the fire developed, because it took 3 time for the fire to develop, after that maybe other 4 scaffolding net was ignited, then there was rapid 5 vertical spread along the re-entrant, because the 6 re-entrant gave a chimney effect. 7 According to the expert report, there are five key 8 factors contributing to the heavy casualties. First of 9 all, the rapid spread of fire, so there's a very limited 10 window for escape. Secondly, there's burning 11 combustible materials, especially bamboo sticks, they 12 collapsed, blocking the exit. Thirdly, the failure of 13 the fire alarm system, so residents were unaware there 14 was a fire. 15 Fourth reason, the foam covering windows. It 16 blocked the sight of residents and delayed their 17 response. Of course the styrofoam also contributed to 18 the spread of the fire. 19 Fifthly, the means of escape along the staircases, 20 because of access openings, whether it is access 21 openings were covered by wooden boards or aluminium 22 composite boards, it caused the staircases to lose its 23 function as a means of escape. 24 The Independent Committee appointed two experts. 25 The experts of the task force and the experts of the

Page 45	Page 47
1 Independent Committee did separate studies. They used 2 different methods for their test and experiments but 3 then what is important is that on critical issues they 4 arrived at more or less identical findings that shows 5 that the two teams of experts have come to rather 6 reliable findings. 7 Both teams agree that if there is a lack of 8 fire-retardant properties of the scaffolding nets and 9 canvas, that is an important contributing factor to the 10 spread of the fire. If fire-retardant scaffolding nets 11 were used, before the fire spread wildly, the fire could 12 have become extinguished on its own. 13 Now I would also like to talk about the actual 14 spread of the fire because that helps to explain why 15 there were heavy casualties. 16 On 26 November 2025 at 14:51 there was the first 17 call to the emergency number. Then the first fire 18 engine arrived at 14:56. At that time, already there 19 was serious fire along the scaffolding at Wang Cheong 20 House. In fact, the fire spread really quickly. After 21 the first fire engine arrived, people immediately took 22 firemen to the back of Wang Cheong House. When firemen 23 arrived at the back of Wang Cheong House, the fire had 24 already spread to the 8th and 9th floors of Wang Cheong 25 House.	1 Sichuan, the peak heat release rate was already 2 29 megawatts. That's equivalent to a tunnel fire 3 involving a bus or a heavy vehicle. 4 There are 31 floors of course for each Wang Fuk 5 Court block along the re-entrant and there's also many 6 times more of combustible materials than in Sichuan, so 7 the heat release rate would be much higher. The 8 computer modelling of the two teams independently 9 confirmed that if it's a 31-floor block, the heat 10 release rate could reach 700 to 834 megawatts. So that 11 means 20 to 30 times that of 29 megawatts. 12 So these figures allow us to see why, after the fire 13 developed, it's actually impossible to control it. 14 I mentioned six figures contributing to the fire. 15 I will talk about each factor one by one. 16 First, workers smoking in construction sites; 17 second, non-fire-retardant scaffolding and protective 18 nets; third, the use of styrofoam boards to cover 19 windows; fourth, other non-fire-retardant structural 20 materials; fifth, access openings in staircases; and, 21 six, failure of the fire alarm system. 22 Chairman and members, I'm sure you have good 23 understanding of the cause of the fire after sitting 24 through all the hearings. As the counsel representing 25 the Government, I would like to speak on the evidence in
Page 46	Page 48
1 Three minutes later, that means at 14:59, the fire 2 had spread to the western facade of Wang Cheong House. 3 At 15:00, that means four minutes after the first fire 4 engine arrived, the fire had spread from Wang Cheong 5 House to the eastern facade of Wang Tai House. Through 6 various means, the fire spread. For example, along the 7 light well there was a rapid vertical spread or through 8 windows and openings the exterior fire became interior 9 fire, that is, window glasses broke because of the high 10 temperature and then flames moved inside. There's also 11 wind carried embers and ignited scaffolding nets or foam 12 that caused secondary ignition. 13 These are not independent factors; rather, these 14 factors compounded the effect and then they became 15 a self-ignition cycle. 16 So exterior fire became interior fire because of 17 heat and so on and then when fire reached inside, the 18 internal fire ignited other parts of the exterior that 19 were not yet ignited. There were also burning debris 20 that were generated and then they caused ignition to 21 other materials, starting another round of fire. 22 The firemen tried to control a very challenging 23 self-reinforcing cycle of fire spread. That's why there 24 were 12 vertical fire spread instances. The analysis 25 showed that even with the three-storey model set up in	1 relation to the cause of the fire because the members of 2 the public may have been following the hearing for all 3 these days and so I want to give them a summary. 4 First, smoking in construction sites. The task 5 force believes that the cause of fire was very likely 6 heating source such as a lit cigarette end that burned 7 combustible materials such as cardboard paper. Other 8 possible causes were ruled out such as deliberate act of 9 arson, electrical fault, and so on. At the point of 10 origin, that is the flat roof of Wang Cheong House 11 outside flats 105 and 104, cigarette ends were actually 12 uncovered. So that confirmed the presumption. 13 There is also sufficient evidence pointing to 14 smoking by workers on site. For example, residents 15 lodged many complaints and property management company 16 or the security guards witnessed workers smoking. Then 17 some residents actually witnessed workers smoking on 18 scaffolding and CCTV also captured workers smoking on 19 construction site. Even at works meeting there was 20 record of the issue of smoking raised. 21 Now, the contractor, Prestige, without a doubt 22 carried more primary responsibility. In accordance with 23 Factories and Industrial Undertakings Ordinance 24 section 6A and 6(1) of the Occupational Safety and 25 Health Ordinance, Prestige, as the principal contractor,

Page 49	Page 51
1 bears primary responsibility for the safety of workers. 2 Whether the workers are their own works or their 3 sub-contractors, it's the same. 4 Residents have been complaining all the time and 5 there are also minutes of works meetings. This issue 6 was raised but still the problem was not stopped. In 7 February or March 2025 owners gave Prestige a month to 8 improve the situation, but then not much improvement was 9 seen since then. So it seems from evidence it shows 10 that it's not just occasional mishap but rather there's 11 been dereliction of duties during the works until the 12 fire broke out. 13 Prestige did not perform its duties not just with 14 controlling the smoking problem on site. From expert 15 evidence, we see cigarette ends may not cause such 16 a major fire. It really depends whether there are 17 combustible materials nearby. There's evidence to show 18 that on the flat roof outside flats 104 and 105 of 19 Wang Cheong House there's an accumulation of large 20 combustible debris such as cardboard boxes or backing 21 paper from mosaic tiles, styrofoam boards, scaffolding 22 nets, protective nets, and so on. All these were 23 a hidden danger for fire. 24 Prestige, as the principal contractor, has the duty 25 to frequently clear such debris so that it won't	1 usual. The Labour Department issued a number of site 2 inspection reports to remind the contractor, that is 3 Prestige. In those surprise inspections the Labour 4 Department did not carry out law enforcement actions 5 against the problem of smoking. 6 During the inspections, that's because the Labour 7 Department did not witness any workers smoking, that's 8 one reason. The more important reason is that the 9 Labour Department was limited by the supervisory 10 framework. According to section 53, if there's use of 11 combustible materials on site, then the Director of 12 Labour could issue an order to ban smoking. In 13 construction sites where there is a smoking ban, then 14 smoking is not allowed, but otherwise, if workers smoke 15 on site, it's not subject to the restriction under the 16 OSHO. That's why after the fire there was a legislative 17 amendment to the relevant ordinance and that amendment 18 will come into effect tomorrow. 19 Moving on to another factor causing the fire or its 20 spread. It has to do with non-fire-retardant 21 scaffolding nets. This is the reason causing the fire, 22 or the major reason causing the spread of the fire. IC 23 experts or the experts on the IFITF also believe that if 24 the scaffolding nets had been made of fire-retardant 25 materials, the fire might not have spread to such
Page 50	Page 52
1 accumulate, but evidence shows that they did not do so. 2 The accumulation of combustible materials combined with 3 the problem of smoking, that means there will be 4 a continuous source of fuel with the combustible 5 materials. So improper management of the construction 6 site is a problem; it's not just about smoking of 7 workers but also because of accumulation of combustible 8 debris. 9 There were prosecution records by the Labour 10 Department that show Prestige did not manage this site 11 properly. 12 Then the scaffold sub-contractor. First, Prestige 13 was convicted on 3 October 2025 and its sub-contractor 14 was also prosecuted, Gain Profit Shed Industry. ISS 15 also played a role. It only referred complaints to 16 Prestige and that's how it followed up on the 17 complaints. It did not take further actions. The 18 security guards confirmed that the management office 19 only played a role of passing on messages. In the 20 property management agreement of ISS, it actually has 21 the duty to follow up on complaints in relation to fire 22 risks. So the Committee could bear that in mind. 23 In between July and November 2024, the Labour 24 Department conducted 16 surprise inspections and 25 surprise monitoring. The scaffolds are higher than	1 a scale, whether for Wang Cheong House or for the other 2 six buildings. I want to emphasise here it's not just 3 a mistake or a different understanding in relation to 4 standards. It's not really a case of negligence. It is 5 an organised planned act. It is a deliberate act. It 6 comprised the safety of hundreds of residents just 7 because of lower costs. 8 The submissions of the counsel for the Secretariat 9 has given a very detailed explanation so I'd like to 10 focus on some salient points. 11 In two main incidents, say in July 2025, you may 12 remember Typhoon Wipha struck Hong Kong, damaging a lot 13 of scaffolding nets. At that time, there was evidence 14 showing that Prestige director Mr Ho Kin Yip instructed 15 Mr Chan Yu Fai to buy non-fire-retardant scaffolding 16 nets. In the witness statement of Mr Chan Yu Fai the 17 conversation was recorded verbatim. In the opening 18 address for the counsel for the Secretariat, this was 19 covered. "Just order when I ask you to do so, don't say 20 anything more. If you order fire-retardant materials or 21 scaffolding nets, money would not be paid to you." 22 This clearly shows Mr Ho Kin Yip knew very well it 23 was the statutory requirement to use fire-retardant 24 materials. He knew the differences between the two. 25 However, so as to lower costs, they ran the risk and

Page 53 1 selected non-fire-retardant scaffolding nets. Mr Hau 2 Wa Kin and other directors also asked him to follow the 3 direction of Mr Ho Kin Yip. This is not an isolated 4 incident. That is because two months later, in 5 September 2025 another typhoon, Ragasa, struck 6 Hong Kong. There was a need to replace the scaffolding 7 nets again. 8 Mr Ho Kin Yip once again directed that 4,500 9 non-fire-retardant scaffolding nets were to be 10 purchased. Mr Chan once again explained to Mr Ho the 11 price of fire-retardant materials, fire-retardant 12 scaffolding nets wasn't much different from the 13 non-fire-retardant ones. However, Mr Ho still insisted 14 on going for the non-fire-retardant scaffolding nets. 15 This shows this is not a case of negligence. 16 Mr Ho submitted another witness statement to the 17 Independent Committee, however he didn't give any 18 straight explanation or answer. Mr Ho didn't testify at 19 the evidential hearings. What is more serious is that 20 Prestige implemented these deliberate acts in order to 21 deceive the regulating authorities. 22 On 27 December 2025, not -- ICU will go to the 23 construction site to check which scaffolding nets met 24 the requirements. This is a clear message. Prestige 25 knew that the scaffolding nets on the site were not	Page 55 1 performance was compared. It was shown the samples of 2 scaffolding nets of Wang Chi House, the spread of the 3 fire was even faster than the non-fire-retardant 4 scaffolding nets. At the end of the test they were 5 burned fully. This shows the issue once again of the 6 fire retardancy of the scaffolding nets. 7 THE HON MR JUSTICE DAVID LOK: Mr Suen, this is a case of 8 deliberate deception with advance notice of inspections. 9 Are you going to cover this? 10 MR JENKIN SUEN: Yes. Yes, I will. Thank you, chairman. 11 I will continue to speak on the causal relationship 12 concerning fire retardancy. I'd like to cite the report 13 of the experts as well as that of the IFITF. If 14 fire-retardant materials had been used, the fire would 15 have extinguished on its own. Fire would not be able to 16 sustain in a case of a fire-retardant scaffolding net. 17 However, for non-fire-retardant scaffolding net, fire 18 would spread. 19 There were two sections under the Construction Sites 20 (Safety) Regulations, that is section 3 and section 16. 21 All the construction materials must pass the relevant 22 test and meet the standards. There were also other 23 codes of practice providing for the fire retardancy of 24 scaffolding nets. Buildings Ordinance section 30D, 25 registered inspectors have the responsibility for making
Page 54 1 fire-retardant, therefore checks would have to be 2 conducted before the inspection to see which scaffolding 3 nets would pass the test. It was later found that 4 Mr Chan needed to buy fire-retardant scaffolding nets 5 and to replace some of the scaffolding nets with the 6 fire-retardant ones before the inspection of the ICU. 7 This is direct evidence showing the fact that they 8 deceived the authorities. 9 Dr Lee Wing Man collected five samples to conduct 10 the test, four of which, that is 80 per cent, failed to 11 pass the national standards of four seconds. Dr Lee 12 also explained these non-fire-retardant scaffolding nets 13 would be prone to complete combustion or complete 14 ignition. 15 So, for non-fire-retardant scaffolding nets, most of 16 them had already been burned off in the fire. So for 17 the remaining samples, there's a higher chance that 18 they would pass the test. That is what we call a bias. 19 That means if some scaffolding nets were not 20 fire-retardant, they would have been burned off already, 21 completely, in the fire. Therefore, the ratio of non -- 22 the fire-retardant scaffolding nets would be higher. 23 Prof Yuen from the task force also conducted a test. 24 For Wang Chi House, which was not affected by the fire, 25 scaffolding net samples were collected. The ignition	Page 56 1 sure that all the materials meet the relevant legal 2 requirements. In the code of practice I referred to 3 just now it sets out some examples, including three 4 recognised standards. They provide convenience for 5 contractors and building professionals to follow. 6 However, Prestige could be seen to deliberately use 7 non-fire-retardant scaffolding nets and provide 8 unreliable testing certificates. They cover up their 9 non-compliance by passing off some non-fire-retardant 10 materials with fire-retardant materials. It is not 11 a case of negligence. They deceived a regulator using 12 this practice. 13 Mr Ng Yeuk or Prestige or Will Power did not take 14 any steps to verify the fire retardancy of the 15 scaffolding nets to check whether they meet the 16 requirements of the circular as well as the code of 17 practice of the Labour Department. They neglected their 18 supervisory capacities. 19 In 2023 and 2025, there were two other fires, that 20 is one at the Mariners' Club and the other one at 21 Chinachem Tower. The Buildings Department targeting 22 these contractors or inspectors issued letters or 23 circulars to follow up. Obviously it could be seen they 24 did not comply with this; they didn't discharge their 25 responsibilities fully.

Page 57	Page 59
1 Regarding the third cause leading to the fire, that 2 is the use of foam boards to cover the windows. 3 During the construction projects, in order to 4 protect windows of residents from chiselling, the 5 contractor used temporary protective materials, but the 6 key of course is what materials to use to act as 7 temporary protection. The scope of the protection as 8 well as the duration will also be factors at play. 9 In June 2024, at the works meeting, at that time 10 there was already a warning as to the fact that foam 11 boards of flammable or combustible materials, but then 12 Prestige still decided -- continued to use it. Mr Ho 13 Kin Yip gave oral directions. He said that foam boards 14 were to be used to cover the windows and these foam 15 boards were not fire-retardant. Directors also directed 16 that all windows be covered by foam boards before the 17 projects. 18 In September 2024, contractors ordered the foam 19 boards which were non-fire-retardant. During the -- 20 I mean in the WhatsApp conversations in phase 1, the 21 foam boards were not fire-retardant. Despite this, they 22 said that they would continue to use the purchased foam 23 boards which are not fire-retardant. 24 Another material fact is on 28 October 2024, the ICU 25 officers went to Wang Fuk Court to conduct an on-site	1 Foam boards emit hazardous gases. They would cause 2 windows to crack and burst and these fire droplets would 3 also enter the flats. Secondary ignition would cause 4 fire to further spread, and carbon monoxide emitted from 5 foam boards is also fatal. For primary responsibility, 6 Prestige made false statements to the ICU, completely 7 false. They misled the regulatory authority. 8 Will Power is the consultant of the engineering 9 works. In June 2024, as early as at that time, they 10 already knew that the foam boards were combustible. And 11 they also talked to Prestige. However, afterwards, 12 regarding the widespread and long-time use of foam 13 boards, they did not raise any concerns, nor did they 14 take any regulatory action. Registered inspector 15 Ng Yeuk didn't follow up on this case at all. This 16 shows that they neglected their supervisory or oversight 17 responsibilities regarding the -- 18 THE HON MR JUSTICE DAVID LOK: Mr Suen, speaking of foam 19 boards, do we have any standards in relation to the 20 retardancy or the extent of combustion or whether they 21 could be ignited? 22 MR JENKIN SUEN: In the market there are indeed some foam 23 boards less likely to cause fire. 24 THE HON MR JUSTICE DAVID LOK: I thought that all foam 25 boards could be ignited.
Page 58	Page 60
1 inspection. At that time ICU told the contractor about 2 the concerns over fire. However, they told the ICU that 3 they would, first of all, use non-flammable foam boards 4 and they would also carry out chiselling works every two 5 to three floors and upon completion they would 6 immediately remove the foam boards. However, these 7 contentions are false. In fact, Prestige used 8 non-fire-retardant foam boards and they were used on 9 a massive scale for over a year. Unlike what they told 10 the ICU, chiselling works would be conducted every two 11 to three floors. 12 Regarding the impact of foam boards, there is indeed 13 a causal link. One, as I mentioned, they would restrict 14 the vision of residents and they would also make it more 15 difficult for residents to evacuate. In 291 witness 16 statements, only 43 people, that is about 14.7 per cent, 17 which is unexpectedly low percentage, said that they saw 18 fire or smoke. And in 579 surveys, only 19 48 interviewees, that is about 8.3 per cent, less than 20 10 per cent, said that they witnessed the fire. For 21 fire affecting seven blocks lasting 43 hours, this 22 number is unexpectedly low. The task force finding is 23 that the foam boards seriously affected the capability 24 for residents to be alive to the fire outside, which 25 affected their evacuation.	1 MR JENKIN SUEN: Yes, that is the case. However, after the 2 fire, Dr Lee found that at the site there were two types 3 of foam boards. For the rhombus-shaped foam boards, 4 once they are ignited, they would be set to fire as 5 well. There is another type of foam boards with the 6 Chinese character "wui". The amended guideline is that 7 foam boards would not be allowed to be used whether they 8 are fire-retardant or not. There might be a difference 9 in the speed of combustion, or ignition, rather, but 10 they would not be allowed to be used. 11 At that time, more fire-retardant foam boards were 12 used every three floors. If these had been used, 13 definitely the fire would not have become this serious. 14 Moving on to the fourth factor, which is other 15 non-fire-retardant construction materials, in addition 16 to scaffolding nets, there is plastic canvas as well as 17 toe-board. They're made of plastic, orange in colour. 18 There are also wooden boards and nylon strings. They 19 are plastic, black in colour. They are used to tie the 20 bamboo sticks. With reference to the experts' report, 21 as they are inflammable, once they are ignited, they can 22 no longer tie the bamboo sticks together, causing the 23 collapse of the bamboo sticks which then obstructed the 24 means of escape or the exits. For these 25 non-fire-retardant construction materials, they caused

Page 61	Page 63
1 different materials to be set to fire in Wang Fuk Court. 2 Dr Lee from the Government Laboratory, as I said, 3 analysed during the tests in the laboratory, for the two 4 types of canvas used at Wang Fuk Court, they are made of 5 plastic or PVC composite, they are even more prone to 6 ignition or continuous ignition comparing with 7 scaffolding nets. 8 Dr Lee said that the danger of ignition is serious. 9 Even if the source of the fire is removed, it will 10 continue to ignite and it will spread vertically and 11 latterly. It could be seen that the flames and the heat 12 will continue to drop until the canvas is totally burnt. 13 The IFITF test in Sichuan also showed the function 14 of the canvas. They used the canvas -- or the net 15 circulated in Wang Chi House, test 12, using the FR 16 canvas, and in test 13 they used non-FR canvas. They 17 produced very different results. With FR canvas, 18 test 12, the heat release rate is 0.262 MW and the 19 bamboo sticks were unaffected. In test 13 they used the 20 non-FR canvas and the HRR reached 11.58 MW and the 21 bamboo sticks were ignited. It shows that the non-FR 22 canvas were the contributory cause to the fire. Also, 23 the toe-boards, wooden planks and so on, they may not be 24 the main burning materials. Compared with HRR, the HRR 25 is 78, but they burned for a very period of time and	1 For canvas, let's focus on canvas. I'm interested 2 to know about the Government's position. We see this 3 quite a lot, the blue and white ones, and they're put on 4 the bamboo scaffolding. Is it in accordance with CoP 70 5 that they must be fire-retardant, you have to follow the 6 Guobiao, the UK standard and so on? 7 When the canvas is used, not so much on the 8 scaffolding, they may be using the canvas to cover the 9 building materials, would that be following our side, 10 the purview of the code of practice? Can you clarify 11 section 70 of the CoP, the three standards? Did they 12 cover the canvas? What is the scope of applicability? 13 Are you talking about the catch fans canvas? Or if I 14 use the canvas to cover the debris, would that be also 15 covered by the code of practice? I appreciate some 16 clarification there, please. 17 MR JENKIN SUEN: First of all, thank you very much, 18 chairman. I understand the practice note in B2/1332 -- 19 chairman raised the question arising from the practice 20 note. B2, page 1332. 21 We can see that, if we refer to section 4 there, 22 paragraph 4 there, it says: 23 "You are advised therefore to take the following 24 precautionary measures when plastic sheeting is used to 25 cover scaffolding erected around the walls of buildings:
Page 62	Page 64
1 they got ignited earlier than the bamboo sticks. 2 They would produce a sufficiently high temperature and 3 make the bamboo sticks ignitable eventually. 4 Bamboo sticks, by comparison with other materials, 5 are not so ignitable. As to the primary responsibility, 6 again it is Prestige and Will Power and RI Ng Yeuk. 7 They do bear the responsibility to make sure the 8 materials are in compliance with section 3 and 16 of the 9 Ordinance. The practice note and the circulars also 10 require that all the plastic canvas on the external wall 11 should be sufficiently FR; they must have the FR 12 properties. In Wang Fuk Court they are using the non-FR 13 canvas. This is in breach of this requirement. 14 The fifth factor -- 15 THE HON MR JUSTICE DAVID LOK: Mr Suen, before you go on, 16 with canvas, towards the end of the hearing we focused 17 our attention on the canvas. We highlighted this issue. 18 The Buildings Department and the ICU's testimony also 19 covered this. We may not need further testimony, but in 20 paragraph 47 you have stated your stance. 21 My question is the Development Bureau replied to us 22 that for the toe-boards, bamboo sticks or the nylon 23 strips, there are no specific requirements. We counted 24 on sections 3 and 16 which says we have to use safe 25 building materials.	1 (a) flame-retardant sheeting should be used ..." 2 In Chinese it means that if plastic sheeting is 3 used, or canvas, to cover the scaffolding, then sheeting 4 of canvas with FR properties should be used. The 5 Government's understanding is that within the area of 6 scaffolding, if canvas are used, whether you are using 7 this to cover the scaffolding or whether you're using to 8 this to cover any materials on the scaffolding, then it 9 would be caught by the practice note. So that's point 10 number one. 11 Second, whether the -- discounting the position 12 I mentioned, Mr Chairman, you said the practice note. 13 Other than the practice note, there is also the 14 Buildings Ordinance section 10 that requires specific 15 measures. 16 For the building materials like canvas, if there are 17 some building materials and you're using the canvas to 18 cover that, whether this is FR, it should be caught by 19 section 16. So our position is that as long as they are 20 on the external wall on the scaffolding, they are 21 enveloping the building. The spirit is that if it is 22 enveloping the building, then it must contain the FR 23 properties. So the building materials that are 24 enveloping the building that would be liable to cause 25 any fire hazard, they must be subject to specific

Page 65 1 requirements. From this perspective, whether section 16 2 or whether practice note, they should cover the canvas 3 use -- enveloping the building, you may be using the 4 canvas to cover building materials -- basically they are 5 enveloping the building. 6 THE HON MR JUSTICE DAVID LOK: So the three standards, 85, 7 isn't it? There are three criteria, 2023? 8 MR JENKIN SUEN: Yes, indeed, chairman. They should include 9 the canvas. They will apply to that as well. 10 THE HON MR JUSTICE DAVID LOK: Can you display this for us 11 for our benefit, please. 12 MR JENKIN SUEN: Bear with us. 13 B2/1326. 14 THE HON MR JUSTICE DAVID LOK: This is APP-70, isn't it, 15 APP-70 standard? 16 MR JENKIN SUEN: Yes, indeed, chairman. There are three 17 standards that are applicable. Although they are not 18 confined to these three, we are enumerating these to 19 facilitate the trade to follow. 20 THE HON MR JUSTICE DAVID LOK: I think this is not 21 sufficiently clear to cover the building under 22 construction. It may not be covering the building. It 23 may be just put there or it may be on the scaffolding, 24 not covering the scaffolding, or just left on the 25 scaffolding.	Page 67 1 hazard. So this is something that we should pay 2 particular attention to. 3 MR JENKIN SUEN: Thanks very much, sir. 4 A moment ago I talked about the fifth factor, that's 5 the access openings. The seriousness after hearing so 6 much evidence has really sunk down to members because 7 this represents the last means of escape. In the case 8 of a fire, the staircases should be made safe. With 9 good fire installations, this would keep out the smoke. 10 Before the Wang Fuk Court blaze, the means of 11 escape, the staircases, for the fire that happened 12 inside the building we can see that if a fire starts on 13 the external wall, how much can we maintain the 14 integrity of the staircase? This is a very important 15 point. 16 Prestige, in the six blocks, every five floors they 17 have systematically created access openings and they 18 have really undermined the tenability of the means of 19 escape. Every five floors they are doing this. They 20 are doing this across all the eight blocks. 21 Prestige, as the principal contractor, must have 22 given the instruction that these access openings, it is 23 said that it is intended to facilitate the access of the 24 workers. But I don't think this should override the 25 importance of the staircases being the means of escape.
Page 66 1 MR JENKIN SUEN: Understood, chairman. It would be better 2 if this is spelt out more clearly. 3 Chairman, you asked me about the Government's 4 position. I feel that in terms of the spirit, we should 5 not be looking at this on the surface because we are 6 talking about the materials outside the wall. You said 7 that this is just put there. By the same token, the 8 toe-boards, they may not be enveloping the building, 9 they may just be on the side of the scaffolding. 10 I think if we are so pedantic, I don't think we can 11 subscribe to that. 12 But I agree that if this is made clear, if it is 13 more foolproof, it would be better. 14 THE HON MR JUSTICE DAVID LOK: We are concerned about the 15 blue and white canvas. They are lying around, all over 16 the place. I have seen them in buildings. This is 17 something that is common occurrence, but this is really 18 dangerous. So I think there should be more clearer 19 guidelines. 20 MR JENKIN SUEN: Yes, chairman, I welcome further 21 consideration of this. Chairman, we don't have to wait 22 until the report is published. This is a useful point. 23 THE HON MR JUSTICE DAVID LOK: I think we should highlight 24 this issue. These blue and white canvas are indeed 25 dangerous. Wherever they are, there would be a fire	Page 68 1 There must be a function served there. 2 As regards the access openings, the consequences are 3 really severe. In Wang Tai House, a lot of residents 4 were killed in the staircases and corridors. So the 5 integrity of the means of escape would be important. 6 I mentioned there were so many casualties in the 7 staircases. The IFITF referred to the access openings 8 being one of the causes. In the staircases, there were 9 no combustibles, per se. The Buildings Department has 10 also confirmed that the access openings on the 11 staircases are in breach of the requirements of many 12 ordinances, like section 16 of the CSSR and also 5.6(a) 13 of the code of practice regarding means of escape, which 14 provides that the means of escape should be kept free 15 from any obstruction. 16 In the code of practice of MBIS and MWCS, it 17 requires the professionals to report to the Building 18 Authority any issues in the means of escape. If there 19 are openings in the means of escape, they have an 20 obligation to report to the Building Authority. 21 Prestige and RI Ng Yeuk from WP failed to discharge this 22 duty and therefore they are in breach of the legal 23 obligation to make the declaration. 24 The final contributory factor is the failure of the 25 fire alarm. The fire hydrant and the hose reel and FAS

Page 69	Page 71
1 of Wang Fuk Court shared the same power source, and that 2 is the lever switch. The switching off of the switch 3 would render the systems inoperable. More importantly, 4 if you want to drain the FS water tank, there is no need 5 to switch off this lever. All you need do is to turn 6 off the outlet valve. Or if you are concerned about the 7 operation of the pump and therefore you want to turn off 8 the fire hydrant, there is a switch panel and there is 9 an isolator for you to do so. There is no need for you 10 to switch off the main switch altogether. 11 So I must point out here that for the shutdown 12 notice, SDN, for the FSD, if it involves the FAS, the 13 fire alarm system. The form is left blank without any 14 tick put there, there is never any declaration to say 15 that the fire alarm system has been suspended. So in 16 the forms sent to the FSD, they only knew that the fire 17 hydrant and hose reel systems were suspended. They 18 never knew that the FAS has also become inoperable. 19 Therefore, the FSD could not take any extra measure in 20 this regard and the residents did not know that the FAS 21 was rendered inoperable either. 22 Here from the evidence we can see that China Status 23 and Prestige do need to bear the responsibility because 24 China Status is submitting the SDN at the request of 25 Prestige, but both Prestige and China Status must know	1 Also, the FSD has pointed out that for an RFSIC to 2 sign SDN and another RFSIC to undertake the work, this 3 is not acceptable. Not to mention, in effect, Prestige 4 has not hired an RFSIC to carry out the operation to 5 switch off the main switch. 6 We must emphasise that all the operation to do with 7 fire installation, the repair and maintenance, it should 8 be undertaken by an RFSIC, and China Status all along 9 has never turned up on site to inspect and verify the 10 situation before signing all this whole series of SDN 11 and FS 251 form. 12 Even if, as China Status explained, it relied only 13 on the representations of Prestige, but then Prestige is 14 not an RFSIC. So the proper approach is for 15 China Status to attend the site for inspection and to 16 check the relevant FSIs. It should not leave it to 17 other parties. 18 The role of Prestige also matters here. Prestige 19 knows it is not an RFSIC, but still it directed other 20 non-RFSICs to carry out FSI works, including draining 21 the FS water tanks. Prestige knew that China Status, 22 that it appointed, would only be a rubberstamp to submit 23 documents. This is to present a false picture of 24 compliance. 25 Victory Fire also had an important role. According
Page 70	Page 72
1 that China Status is responsible for submitting the 2 form. It never showed up on site to verify the 3 consequences, neither have they carried out the 4 switch-off operation. 5 We have heard the evidence from Mr Leung Ping Kay, 6 director from China Status. He said he was acting like 7 a rubberstamp. His counsel, in his oral submission, 8 also said objectively China Status in fact essentially 9 was a rubberstamp. 10 Here, very briefly, China Status has made the 11 submission. I'd like to make some response. 12 In the final submission of Mr Leung Ping Kay, it is 13 said that the FSD would accept an RFSIC to sign the SDN, 14 and he genuinely believed that Prestige is an RFSIC. 15 I'd like to make a response here. 16 First, in our submission, we said we doubt the 17 credibility of this statement because, in the first and 18 second statement, there is a lot of discrepancy there. 19 I don't propose to go into detail about it. But in any 20 case, under section 95A, an RFSIC, if he is to undertake 21 the work on behalf of someone else, it is only because 22 the latter has taken ill or is out of town that he can 23 do it. So it is very clear China Status is submitting 24 the SDN on behalf of someone. In this scenario, it is 25 not in line with the legislative provision.	1 to the FSD circular letter 1/2021, Victory Fire, as the 2 engaged RFSIC for the maintenance of FSI works, in 3 October 2025 or November 2025, found that the FS water 4 tanks were empty. It also found that the main power 5 switch of the FSI system was turned off. So that means 6 it knew that the fire alarm system had stopped operation 7 for maybe a month. But then it did not notify the FSD 8 or enquire with China Status. We believe this is not 9 acceptable. That's the first point. 10 Second point. In the closing submission of 11 Victory Fire, it claimed that circular letter 1/2021 12 does not impose duty on one RFSIC to inform FSD of the 13 actions of another RFSIC. Our response is if, according 14 to the circular letter, the RFSIC is appointed to check, 15 improve or repair FSI works facilities, and if it goes 16 on for more than 24 hours, then the RFSIC must inform 17 FSD as soon as possible and it must do so within 18 24 hours. 19 Victory Fire was engaged as the contractor to carry 20 out FAS maintenance and repair, so during the works if 21 there's a need -- it knew that there was a need to turn 22 off the main power switch and Victory Fire knew that the 23 switch was switched off by a third party, so it actually 24 had a duty to inform FSD because Victory Fire is also 25 the contractor for the FAS.

Page 73	Page 75
1 Victory Fire did not confirm that the works were 2 completed in the FSN because on the day of the fire, 3 26 November 2025, the works were still being carried 4 out. So according to the requirements of the circular 5 letter, as Victory Fire is the appointed RFSIC of the 6 FAS, it knew that the relevant works were not completed. 7 It knew at the same time that the FAS was shut off or 8 was not operative. So it doesn't matter what the 9 responsibility of the third party is. Victory Fire 10 definitely has the responsibility to submit an SDN or 11 inform the FSD appropriately. 12 In its submission, Victory Fire said there's no 13 channel to report to FSD about the switching off of FAS 14 by another party. That's not really the point. The 15 point is not who switched off the system but 16 Victory Fire, as the RFSIC, engaged. Now, if during the 17 works the power switch was turned off so the FAS was no 18 longer in operation, then that already meant Victory 19 Fire had the duty to report the case. It must not shirk 20 its responsibility. It could either call or write or 21 use any other reasonable means to FSD. Saying that 22 there is no appropriate channel to do so is 23 unacceptable. 24 The FSD witnesses' evidence shows that the RFSIC 25 have the professional knowledge, then they have	1 respond. So that's why we cannot agree with 2 Victory Fire. 3 Finally, about the failure of FAS during the fire. 4 ISS also had a certain duty there. ISS admitted that 5 their staff, in particular Mr Law, even though he's not 6 a registered FS contractor, but they tried to assist in 7 the water tank works of Prestige and they switched off 8 the main power switch, so at the same time, the FAS was 9 switched off. That's why during the fire, FAS could not 10 perform its intended function. So the legal liability 11 here is clear. So apart from RFSIC, no other parties 12 should operate any FSIs. ISS may have come up with 13 various defences, but there's no denying that it 14 breached the relevant legal requirement. 15 Of course in the closing submission of ISS it 16 referred to the point about the version of the code of 17 practice applicable to Wang Fuk Court. While there may 18 be different interpretations or room for different 19 interpretations, first of all, the fact that ISS is not 20 an RFSIC, therefore it should not operate any FAS and 21 that has to be most important principle. Of course we 22 do not deny the fact that if there are newer versions of 23 the code of practice that are applicable and if there's 24 room for review, definitely it may help the case. So we 25 have mentioned that in other improvement measures.
Page 74	Page 76
1 professional duties, if they find any problems with 2 FSIs. 3 Victory Fire said that even if it had informed FSD, 4 FSD would only place additional fire extinguishers. 5 According to the IFITF report, placing additional fire 6 extinguishers would not make a material difference. 7 I must respond to that. 8 First of all, Victory Fire did not submit any SDN in 9 relation to the shutting down of FAS. So the FSD or 10 property management company, so on, did not have the 11 chance to be informed that the FSI was not working 12 properly, apart from the fact that the fire hydrant was 13 switched off. Then it's more than about placing 14 additional fire extinguishers, because the placing of 15 additional fire extinguishers had to do with the 16 shutting off of the fire hydrant and hose reel system. 17 It's a replacement measure for the HR system, it's not 18 replacement measure for shutting off of the FAS. 19 If relevant parties had been informed about the 20 shutting down of the FAS, there would be different 21 considerations for replacement measures. Apart from 22 FSD, it's about whether residents would be informed in 23 a timely manner about risks and then take protection 24 measures. If FAS is not working properly, then before 25 the fire or during the fire it will affect how they	1 So whether there is a label or not on the main power 2 switch, we must stress that there has to be an RFSIC to 3 operate FSI. That's the foolproof approach. And then 4 ISS or other, such as China Status, in the closing 5 submissions claim that even though if the lever switch, 6 that is the main power switch, was on the "on" position, 7 the FAS may not necessarily have operated normally 8 because there was evidence post-fire that some of the 9 fuses were blown. That's why the FAS could not be 10 activated. 11 At least at the scene we note that Mr Lam Man Yan of 12 ISS checked the lever switch. At least for two blocks, 13 he was able to activate the FAS. As for blown fuses, 14 could it be due to the fire? That's one of the 15 possibilities. But then we must not overlook the fact 16 the importance of the FAS even because of these 17 conditions because FAS serves a very important, 18 significant function. It can't be because of other 19 factors? Well, yes, it's possible other factors may 20 lead to the failure of FAS, but it doesn't mean that the 21 relevant parties could then be ignored. 22 So I mentioned the six contributing factors to the 23 fire. The Government believes that the relevant 24 contractors and professionals have breached or have not 25 discharged their statutory applications. And then there

Page 77	Page 79
1 are PMC staff operating the FSI when they're not 2 supposed to and that's why the fire happened and it 3 spread so quickly. That's the third part. I note the 4 time. 5 THE HON MR JUSTICE DAVID LOK: We are now on page 17. 6 MR JENKIN SUEN: There are still several parts, but they 7 will be shorter. 8 THE HON MR JUSTICE DAVID LOK: So we could finish today? 9 MR JENKIN SUEN: Yes. Perhaps it's a good juncture for us 10 to take the lunch break. 11 THE HON MR JUSTICE DAVID LOK: So we resume at 2.15 pm. 12 (12.54 pm) 13 (The luncheon adjournment) 14 (2.15 pm) 15 THE HON MR JUSTICE DAVID LOK: Mr Suen. 16 MR JENKIN SUEN: Thank you. Before the lunch break, 17 I touched upon the six factors leading to the fire. 18 Now, on to the fourth area. I'm going to speak on how 19 these six factors have led to the abuse of the 20 mechanism. 21 This fire is not a case of one-off negligence or 22 system defect. Multiple stakeholders have illegal acts 23 leading to this. Prestige acts straddled six factors I 24 mentioned. They were involved. This is a full-scale 25 failure of exercising responsibilities. Will Power also	1 self-compliance and peer monitoring. However, in this 2 case, they did not exercise peer oversight. When these 3 registered professionals have become parties in 4 collusion, or when the RFSIC is involved in collusion, 5 the whole checks and balances system will not be able to 6 function. This has undermined the mechanism for 7 protecting the public. The consequences are dire. As 8 analysed by the task force, because these circumstances, 9 as well as the six factors I touched upon before the 10 lunch break, significantly reduced the time of escape of 11 residents, coupled with the fact that RSET, residents 12 need more required safe egress time. That is especially 13 true for Wang Cheong House and Wang Tai House. 14 In the initial phase of the fire, residents could no 15 longer escape. In light of the seriousness of the 16 matter, on 10 June the police together with the ICAC 17 took legal action, instigating 25 counts of prosecution 18 against the serious criminal acts. They include 19 manslaughter, collusion to defraud, and also dealing 20 with asset believed to be from indictable offence and 21 tax evasion. There were seven individuals involved and 22 two companies, including Prestige, Will Power, the 23 directors thereof, and also RI Ng Yeuk. 24 If convicted, it would really be a matter for the 25 court. But the prosecution means that there is at least
Page 78	Page 80
1 failed in its supervisory duties. 2 Mr Ng Yeuk was only responsible for signing 3 documents. In one month and a half he signed a total of 4 84 documents over 56 projects. As for China Status, 5 Victory Fire, ISS, in different ways they were involved 6 in the failure of the fire alarm system. The acts or 7 the non-acts of the private sector were involved. They 8 circumvented the existing framework which undermined the 9 oversight of the Government or obstructed the oversight 10 of the Government. 11 I need to emphasise two main points. 12 One, financial incentive scope. \$336 million for 13 the renovation works of Wang Fuk Court. The maximum 14 penalty under the relevant legislation or the 15 disciplinary actions of the relevant ordinance or 16 offences under the OSHO, comparing with the financial 17 gains one can receive, the penalty actually is bluffed 18 by the financial gains. The abusers will reap 19 significant financial gains at the expense of public 20 safety. 21 The other main point is for such abusive acts an 22 element of collusion was involved. It involved not just 23 one single party, it involved multiple parties instead. 24 They colluded with one another to break the law. 25 This system actually heavily relies on	1 prima facie evidence regarding the criminal wrongdoing. 2 The Government is aware that the proceedings are 3 continuing. I don't propose to go into many details 4 about that. 5 Moving on now to part 5, firefighting and rescue. 6 The Government's position is that the firefighting and 7 rescue are undertaken professionally in an unprecedented 8 way. It goes to show the professionalism and the 9 selflessness of the frontline officers. At the opening 10 submission, I have already touch on this. I don't want 11 propose to repeat them here except to highlight a couple 12 of points. 13 First, the deployment is really unprecedented. 174 14 fire engines, 890 firemen at the peak; cumulatively, 581 15 fire engines, 270 ambulances and 3,000 or so 16 firefighters. 100 people have been rescued and the FSCC 17 has issued 1,500 return calls, giving guidelines and 18 updates to the residents. I'm sure chairman and members 19 have heard evidence in this regard throughout the 20 hearing and the chairman gave positive comments on the 21 call-back system. In fact, the FSD is really ahead of 22 the circumstances in deployment. 23 I already mentioned the numbers. When No. 3 alarm 24 was raised, the deployment is 80 per cent of that before 25 No. 3. And No. 4 alarm, the deployment is twice the

Page 81	Page 83
1 deployment for a No. 5 alarm. And at 10 pm, the 2 deployment was 989 firefighters for No. 5 alarm. 3 The firefighters faced considerable challenges. 4 I don't go into detail, but there are four aspects. The 5 first challenge is the collapsing burning bamboo sticks 6 blocking the EVA. The firemen and the residents faced 7 difficulty, in particular evacuation for residents. 8 There are firemen who were hit by the falling objects 9 and had to be taken to hospital for treatment. 10 Second, the smoke and the intense heat infiltrating 11 the staircases through the access openings. Again, 12 these would also affect the evacuation and the 13 firefighting operations. There is evidence to show some 14 of the burning staircases and units, the temperature is 15 as much as 800 degrees and in the corridor it's 16 400 degrees Celsius. These present considerable 17 challenge. 18 The third challenge is the fire hydrant and hose 19 reel systems malfunctioned. Of course they can use the 20 water from outside and the water pressure could only 21 reach the 20th storey. Anything beyond that, they would 22 have to use the mobile system to boost the water 23 pressure. That also caused impediment to the 24 firefighting operation. 25 The other thing is the scale of the fire. In an	1 fight the blaze and the police also helped with the 2 evacuation. That's the long-established coordination 3 between the police and the FSD. The police need use 4 loudhailers to help with the evacuation. The PTU also 5 entered Wang Chi and Wang Yan Houses to evacuate the 6 residents. 7 Obviously we notice that at that time the 8 firefighters faced two difficulties. First, they are 9 focusing the resources on firefighting, leaving 10 evacuation to the police; second, they deployed some 11 firemen to evacuate the residents but the price they pay 12 is the fire is spreading really more rapidly at that 13 very time, and this is a really difficult decision to 14 make. We appreciate that the FSD at that time did their 15 level best to take the decision that they considered to 16 be the best. 17 Second, the escalation of the fire alarms. Every 18 escalation means that the deployment is actually more 19 than the usual deployment. For the escalation earlier, 20 the escalation of No. 4 alarm to No. 5 would have been 21 helpful, but there is no indication as to when the 22 elevation should take place. The elevation means that 23 there would be more firefighters deployed, but in this 24 particular incident, all the field of commanders can ask 25 for more resources and they have already done so, in
Page 82	Page 84
1 unprecedented way, across so many blocks, they were 2 alight and it's really unprecedented in Hong Kong. So 3 with all these four challenges in this firefighting 4 operation, the Fire Services Department experienced 5 unprecedented challenge: the narrow staircase, intense 6 heat, smoke and a lot of burning debris coming crashing 7 down, blocking the entrances. All these contributed to 8 the difficulties of rescue and firefighting operation. 9 I mentioned the six contributory factors that caused 10 the rapid speed and seriousness of the fire. In our 11 written submission, we have already given an account of 12 the firefighting operation and the work of the police, 13 including the DVIU, Disaster Victim Identification Unit, 14 and also the enquiry unit, and also the tactical unit 15 and emergency unit on the part of the police. 16 Obviously the Government realises that after the 17 fire disaster, the IC would like to examine the 18 firefighting, the rescue operation to see if there is 19 any room for improvement. In the course of the hearing 20 there are some questions dear to our heart. I'd like to 21 summarise the Government's position and respond here. 22 There are a total of eight aspects. First, we focus 23 our manpower on controlling the fire instead of 24 evacuation. At the beginning of the fire, the FSD 25 focuses attention on Wang Cheong and Wang Tai Houses to	1 fact. 2 Going forward, there should be a review. It's only 3 right for a review to be undertaken. 4 Third, about the 999 calls handling. At that time 5 the FSCC has set up a support centre and within one 6 minute they take the referred calls between the police 7 and the FSD. There are some situations where they faxed 8 some of the information. The Government admits that 9 this is not good enough to handle large-scale incidents. 10 The FSD and the police have already conducted a joint 11 review about how the information is handled. 12 EAS, the evidence shows that it was considered, but 13 it wasn't used. The system was not equipped to be 14 applied on a local basis and the residents might be at 15 a loss what they should do once the EAS is activated. 16 If they try to flee but the means of escape is blocked, 17 then this might land them in even greater danger; this 18 is one the considerations. The Government has already 19 activated the localised use of the EAS, and this can be 20 used in a swift manner and there is plan to mount proper 21 education in this regard. 22 Fifth, about the safety of the firefighters. The 23 positioning system of the firefighters, if it is higher 24 than 23rd floor, the receiver will not be able to 25 receive the signal because of the barrier. The new

Page 85	Page 87
1 system which is under procurement, and also the 2 breathing apparatus, has been put in operation January 3 2026. In terms of hardware, the FSD has already or it 4 will upgrade the systems. 5 There are three more points of concern to the 6 public. Number 6, some concerns centre around the 7 dismantling of the scaffolding. According to the 8 professional judgment of FSD, operationally this is not 9 possible or it may be counterproductive. It may cause 10 debris falling down to the detriment of the evacuating 11 residents. If the flaming bamboo sticks are falling 12 down, it may cause obstruction so they would do as much 13 as they do under the circumstances. 14 Seventh, whether we should use helicopter to douse 15 water. The FSD gave evidence that the water showering 16 from above by helicopter will not be able to reach the 17 designated spot and there is also downdraft by the 18 helicopter that would force the smoke back into the 19 building and this would provide additional oxygen to the 20 fire. Water bomb released from on high might damage the 21 temporary structures. 22 Eighth, whether we should accept assistance from the 23 mainland. The FSD explained that given the site 24 constraint and also the incompatibility of the operation 25 system, like the procedure for the breathing apparatus,	1 committee on major fire incident to review the 2 strategies, equipment and technology deployment in case 3 of major fire. At the same time, the Government would 4 like to emphasise that the IC experts' conclusion is 5 that, at that time, there was limited extra action that 6 could be taken to make any difference and the reason for 7 the casualties, like I said, is the six contributory 8 factors I mentioned this morning. 9 We notice that the legal team of the Committee, 10 regarding the analysis of the firefighting and rescue 11 operation, share the same views as the Government. The 12 legal team is also of the view that the firefighters are 13 facing unprecedented fire, as paragraph 582 said in 14 their submission. In relation to the operation -- the 15 review of the operation doesn't diminish in any way or 16 detract from a collective gratitude to the gallantry and 17 dedication and personal sacrifice of the firefighters. 18 The Government is complete agreement with this. 19 Turning now to part 6, the weaknesses of the 20 regulatory system and improvement measures. The 21 Government will face honestly all the issues in the 22 system. In our submission, we have already devoted 23 coverage to this. In summation, there are five major 24 points regarding the systemic weaknesses. 25 First, the design of the system is predicated on the
Page 86	Page 88
1 the connection of the fire hydrant, the mobile water 2 pump, all these incompatibilities exist. But there are 3 10 drones and 20 exoskeleton systems that indeed have 4 been accepted on site for use. 5 Also, a senior fireman, Mr Ho Wai Ho, passed away 6 and according to evidence he was sent to Wang Cheong 7 House 2701, but on the way he was trying to assist 8 someone, in fact a wheelchair-bound elderly person, and 9 he was separated from his colleague and he went into 10 Wang Tai House by mistake. At 15:16 he went into 11 Wang Tai and he issued mayday and eventually he was 12 found to be lying on the burning debris outside Wang Tai 13 House. 14 The IFITF is of the view that Mr Ho was fully 15 equipped. He could have escaped from Wang Tai House. 16 So there is evidence to show that he stayed in Wang Tai 17 House in order to continue with the rescue operation, 18 and the Government agrees with the IFITF that Mr Ho 19 displayed extraordinary heroism and professional. 20 Despite all the odds, he still prioritised others' 21 safety over his own safety. This is really a testament 22 of selfless dedication to his duty. 23 Having said that, chairman/members, with the benefit 24 of hindsight, indeed there is always room for 25 improvement. The FSD has already set up a steering	1 professional ethics of professionals and is not enough 2 to guard against the collaborative collusion or the 3 deception. As the BD's manual said, this is very much 4 an honour system. It is designed on the assumption that 5 the registered professionals will be acting in 6 accordance with professional ethics. In most 7 circumstances, this assumption works. But given the 8 Wang Fuk Court case, the registered professionals tried 9 to circumvent the law and the -- some of them became 10 collaborators and this is an abuse of the system and it 11 is difficult to be picked up by the authorities. So 12 this self-governance is not enough to protect the 13 public. 14 Some of the inspection, on the basis of random 15 sampling, it's not enough. This is supposed to be 16 a good system to ensure quality, but in the face of 17 organised deception, like Prestige tried to replace some 18 of the nets to evade the inspection, this is not really 19 good enough. We cannot imagine the contractors would 20 deceive the Government and pass off the fake one as the 21 good one in terms nets and we wouldn't anticipate that 22 they would do this. According to the evidence we get, 23 it is clear that we cannot prove that Government 24 officials have any collusion with the contractors. 25 At the beginning of the hearing, this was hyped up

Page 89	Page 91
1 as one of the scenarios, but there is nothing to support 2 that. On the contrary, we can see that the Government 3 has conducted rapid tests and they have also checked the 4 certificates. After the Chinachem fire, we have issued 5 reminder emails. All this goes to show the Government 6 is proactively undertaking the supervisory duties. For 7 the deliberate deception, the existing mechanism is not 8 enough to detect this kind of behaviour. 9 Thirdly, in the relevant procedural guidelines and 10 codes of practice, there is room for improvement. For 11 instance, before the fire, there were no specific 12 legislation, codes of practice or practice notes in 13 relation to temporary protective materials for windows, 14 for example, styrofoam board or toe-boards and so on; 15 there is no requirement on fire-retardant properties. 16 So for the regulatory bodies, it's difficult for them 17 therefore to take decisive and immediate enforcement 18 actions. 19 Fourthly, there are weaknesses in the communications 20 mechanism among departments. Between the Housing 21 Department and the ICU, the system did not allow for 22 timely transmission of the latest standards adopted. 23 There's also room for improvement on coordination among 24 departments. When different departments handled 25 complaints, there's not a central coordination mechanism	1 well-considered decision having consulted various 2 parties or stakeholders. So it's not that the system 3 were not designed properly. It's rather at the time it 4 was on the basis that professionals would abide by the 5 relevant professional code of conduct. 6 Another point is now firefighters might have the 7 most efficient response. Still, that would not be 8 enough to make up for weaknesses in building design, 9 maintenance and other measures. So that's why the core 10 of improvement measures should be on preventing fire or 11 restricting the development of fire at the incipient 12 stage. 13 Third point, as the chairman observed in the 14 hearing, even though there are perfect regulatory 15 regimes, incidents might still happen. The Grenfell 16 fire is a lesson that confirms this point. This lesson 17 also applies to Wang Fuk Court fire. We can't just rely 18 on compliance alone. In every aspect of the works, the 19 projects and so on, there must be risk assessment. In 20 the Wang Fuk case, in fact, many of the relevant 21 regulations were breached. 22 Fourthly, among the different weaknesses, they were 23 all interconnected, so the compound effect is if someone 24 deliberately colludes to not comply with the relevant 25 regulatory regime, then it's not possible for regulators
Page 90	Page 92
1 so complaints could not be referred to the most 2 appropriate department for follow-up. 3 And then there's also room for improvement in 4 external communication. Residents have been complaining 5 about safety over the many months but then they did not 6 receive a proper response from Government departments. 7 This is one area where the Government is continuing to 8 review and there will be improvement measures to be 9 imposed. 10 Fifthly, in terms of hardware or technology, there 11 is lagging behind. For example, the supervision of 12 FSIs, the testing or certification of building materials 13 and so on, there's room for improvement. 14 Now, before I put forward improvement measures 15 targeting those weaknesses, I would like to make some 16 observations. There are four points. 17 First, for the systemic weaknesses we have to look 18 at their historical background to get a fair and proper 19 understanding. For example, the regulation of FSIs, the 20 regulatory regime started in 1960 and ICU mechanism came 21 in place in 1992. Minor Works Control System, that was 22 implemented in 2010. And the Mandatory Building 23 Inspection Scheme came about in 2012. They were all 24 formulated after careful consideration and most were 25 scrutinised by the Legislative Council and so it's a	1 to detect such illegal practices within a reasonable 2 timeframe. 3 Now, of course, policies are to be implemented by 4 people. As I mentioned, there are professionals and 5 private actors. If they call comply with the 6 regulations, there wouldn't be a problem. Among 7 departments and the division of responsibilities, yes, 8 there are weaknesses, but the weakness is mostly that 9 there is an absence of a mechanism that could handle 10 deliberate collusion, illegal practices or abuses of the 11 regulatory regime. In targeting these five weaknesses, 12 the Government has introduced a comprehensive set of 13 improvement measures. 14 The Government submitted a list of improvement 15 measures on 15 June 2026. I will now go through the 16 list briefly so the public will know what this is about. 17 There are seven aspects. 18 First one, FSIs. The main improvement measures are 19 first SDN, that is the shutdown notice. Instead of 20 a notification system, it is to be changed to an 21 approval system. That means there must be pre-approval, 22 it's not just giving prior notice. Then FSD strictly 23 enforces the 60-day cap. That means once that cap is 24 exceeded, there will be -- the FSD will issue the fire 25 risk abatement notice. This arrangement was gazetted on

Page 93	Page 95
1 26 May and there would be public consultation. 2 During major renovation works, there should be an 3 RFSIC appointed. There should be just one RFSIC instead 4 of having more than one that will lead to 5 miscommunication issues. So the reform of the SDN 6 mechanism and the other improvement measures together 7 will effectively avoid risk of miscommunication when 8 there are more than one RFSIC appointed. So it may not 9 be necessary just to require the appointment of a single 10 RFSIC. But of course we will leave it to the Committee 11 to decide on that. 12 The other is the mandatory electronic submission of 13 FS 251. It is to prevent delay. It already came in to 14 operation on 1 July this year. 15 And the third improvement measure is introduction of 16 statutory management obligations of property management 17 companies. 18 Fourthly, registered FSI contractors will see the 19 registration system change from permanent registration 20 to one that requires renewal. So we could then review 21 qualifications. We also substantially increased the 22 penalties in relation to FSI non-compliance. 23 And then Buildings Department, on building 24 materials, in PNRC 85 issued by the Buildings 25 Department, there are new measures to put in place	1 same as that of the Buildings Department. It's not in 2 line with the requirements under the MOU. In fact, it 3 creates room for the contractors to replace the 4 non-compliant materials. The ICU explained why they had 5 this practice, because they wanted the contractor to be 6 present. It's also because they had trust in the 7 registered inspector. But after this incident, ICU has 8 changed its practice. It no longer pre-announces its 9 inspection. This is to plug the loophole and prevent 10 abuse. 11 And then, fourthly, the Buildings Department has 12 also stepped up inspection of major renovation works 13 site at least once every six months and it also looked 14 into the separation requirement of scaffolds. And then 15 for departments under ICU, when they follow up on 16 contractor issues, for example the use of foam boards to 17 cover windows and how they conduct rapid tests or if 18 there are questions about the test results, if they vet 19 documents like AFC and how stringent they do the 20 monitoring and so on, there will be a need to follow up 21 on this and the Government recognises that. 22 The fourth aspect, regulation of professionals. 23 First, we will review the Buildings Ordinance to enhance 24 disciplinary penalties and considerations for renewal. 25 And if there's any breach of the Prevention of Bribery
Page 94	Page 96
1 a random sampling system and so on. So for all 2 departments that need to refer to certificates, there 3 will be a standard flow of procedures for checking 4 certificates. 5 And then in the circular letter in March 2026, there 6 is now a ban on the use of combustible materials on 7 external walls or outside windows. So it's not just 8 about being fire-retardant, but combustible materials 9 will no longer be allowed. We will consider amending 10 the Buildings Ordinance to require that building 11 materials must submit the prescribed safety standards. 12 On the Mandatory Building Inspection Scheme and 13 the Minor Works Control System, the ICU will carry out 14 a site inspection at least once every four months in 15 major repair and maintenance works. There will also be 16 risk assessment on major renovation works. 17 The legal team of the IC mentioned that the ICU 18 could only do very little in handling complaints or in 19 site inspection. For example, on the actual 20 communication with contractors, what certificates were 21 reviewed and so on, there's no record. So there is now 22 an additional requirement to make sure there will be 23 written records of all site inspections. 24 Third point, ICU making appointment for inspections. 25 From evidence, we see that the ICU's practice is not the	1 Ordinance or Competition Ordinance, the relevant 2 professionals will be deregistered at once. Then the 3 ICU will require the registered inspectors to submit 4 regular site inspection records and then there must be 5 meetings between registered inspectors and contractors 6 on a regular basis to make sure RIs perform their 7 duties. 8 On departmental communications, especially between 9 the ICU and Buildings Department, first, the ICU and 10 Buildings Department will enhance their communication 11 mechanism from meeting. For example, there will be 12 quarterly meetings instead of annual meetings and they 13 will designate senior staff as a point of communication. 14 They will also have a common mechanism in place. So it 15 won't happen again that the ICU will only know after 16 some time that there was updating of any practice of the 17 BD. This is of course not desirable, and so the 18 improvement will make that not possible. 19 Then there must be mechanisms to keep a record of 20 conversations, for example. And then the ICU and FSD 21 will set up a communication mechanism. Labour 22 Department, Buildings Department and FSD will develop 23 arrangements for joint inspection and then FSD will 24 proactively refer cases to the relevant department. If 25 there are disputes among departments, then the matter

Page 97	Page 99
1 will be elevated to the level of the deputy director or 2 director to work out the issues. 3 Now, we believe if the FSD enhances the case 4 referral mechanism, then that should address the concern 5 raised in the closing submissions of the IC counsel. 6 And then it will be made sure that complaints will be 7 properly followed, even if there's division of 8 responsibilities among departments. 9 On site safety, first there is a complete ban of 10 smoking in construction site. There's a bill submitted 11 to LegCo on 19 May as to amend the Smoking (Public 12 Health) Ordinance. There will be a fixed penalty for 13 smoking on site, of \$3,000. There's also amendment of 14 section 53 of the Construction Sites (Safety) 15 Regulation. That means even if -- and we could rely on 16 photos to confirm if there's smoking on site. So even 17 if LD staff do not witness smoking on site, they could 18 rely on complaints and reference materials to confirm 19 the case. The amendments will come into effect 20 tomorrow. 21 Codes of practice are also amended, such as imposing 22 requirements on toe-boards and so on. 23 The seventh aspect: technology. The FSD is 24 developing its 4th generation deployment system. There 25 will be 100 lines and then there will be simultaneous	1 Independent Committee gave an analysis on three issues. 2 We would just like to provide some background and 3 clarifications so that the Committee will have the full 4 picture. 5 First, the legal team of IC has this theme, that is 6 the Government departments accepted representations, 7 documents and certificates from regulated parties and 8 they did not verify such documents. For example, ICU 9 just accepted the scaffolding certificates of the 10 contractor but they did not verify the certificate. The 11 FSD received SDN, that is shutdown notice, and accepted 12 content of the SDN but the FSD did not go to the pump 13 room to verify the SDN content or LD just accepted the 14 certificates of the scaffolding net. They did not ask 15 for any other documentation or verify the certificate. 16 So these are areas for improvement. We invite the 17 Committee to consider the following background. 18 Just now, as I mentioned, to a certain extent 19 regulators need to rely on the regulated parties to 20 provide information. This is not something that we can 21 do away with. This is actually a fundamental operation 22 principle of a regulatory system. This is a reasonable 23 prerequisite. It is also subject to law. 24 For professionals who are subject to disciplinary 25 sanctions, they should report based on the facts.
Page 98	Page 100
1 uploading of information and then they will have 2 portable devices with a stronger transmissibility that 3 goes through concrete. So signals could still be 4 received above 23 floors. There will be an electronic 5 recording system instead of paper-based resource system 6 about firefighters at the scene. Also, there will be a 7 system to send warnings to residents at the specific 8 locations. It is hoped that all these improvements will 9 prevent collusion or other illegal practices. At the 10 same time, we could enhance the building safety 11 management mechanism as well at same time keep to the 12 principle of properties being the responsibilities of 13 owners. 14 I talked about the causes of the fire. I talked 15 about reviews on firefighting and rescue operations. 16 I addressed systemic weaknesses in the regulatory 17 regime. Now, chapter 7 of our closing submission, 18 I would like to -- or, rather, chapter 7 of the closing 19 submission of the IC counsel, I would like to give 20 a quick response. 21 The ICU, Buildings Department, FSD and Labour 22 Department, there were criticisms levelled at them in 23 the IC counsel's closing submission, but I won't propose 24 to repeat all of them because we agree there's room for 25 improvement in some aspects. The legal team of the	1 However, in the case of Wang Fuk Court, this mechanism 2 was not followed. Now that a lesson has been learned, 3 we need a better mechanism with verification. 4 As I mentioned, CoP 85, random checks should be 5 conducted in laboratories, notification mechanism should 6 be changed to an approval mechanism, and so on. 7 Many Government departments, as criticised by the 8 counsel for the IC -- said that resident complaints were 9 not followed up on. Some complaints were simply 10 circulated among Government departments but were not 11 properly followed up on. 12 Among departments, there is a division of work. 13 Each of the departments has their own professional scope 14 of duties. This is inherently not an issue. The FSD 15 passed or referred structural issues to the Buildings 16 Department. The Labour Department, on the other hand, 17 referred complaints of construction materials to the 18 ICU, Independent Checking Unit. To a certain degree, 19 this is a division of work based on the professional 20 knowledge or technical know-how. 21 However, when a complaint straddles different 22 departments or when we need a more effective mechanism 23 to ensure the complaints will be referred to the most 24 appropriate department and will be followed up on 25 properly, this is exactly what I said the Government has

Page 101 1 implemented measures to target this issue. The 2 Government is no longer telling members of the public 3 which department they should turn to. Instead, it is 4 similar to the mechanism in place by the FSD. We need 5 to make sure that complaints will be properly followed 6 up on by the relevant departments. They will also join 7 up inspections to make sure that the procedures will be 8 properly implemented or conducted. 9 The division of work among departments was such that 10 no one single department has a full grasp of situation 11 in Wang Fuk Court. This risk should have been foreseen. 12 Take the Grenfell Tower fire as an example. Hong Kong, 13 in response to this case, inspected and removed the film 14 or the screen and the FSD already made the relevant 15 arrangements after the fire that took place at the 16 Mariners' Club and the Chinachem Tower, the Government 17 has already responded accordingly. Counsel for the IC 18 said that the division of work across different 19 departments, that is whether it will allow departments 20 to have a full picture of the situation, when it comes 21 to operation in reality, an effective division of work 22 is actually a feature of all effective administrative 23 mechanisms. We need a smooth referral mechanism. We 24 need to have a communication mechanism. And when issues 25 are identified, we need to make sure that the issue	Page 103 1 is a factor at play. You cannot say that the 2 probability has been reduced, hence no risks or the 3 risks have been reduced. 4 It's all about reducing the probability of incidents 5 as well as reviewing the cases in order to prevent 6 similar incidents from happening again. We need to 7 reduce the likelihood of such incidents. 8 The Government understands that the recommendations 9 or the mechanisms should not be detached from the 10 reality. We need to be pragmatic. We need to be down 11 to earth. This should be a basis. Also, we need to be 12 well aware of the risks exposed by this fire. We will 13 research into and study the recommendations that will be 14 set out in the report of the IC. Experts also made some 15 recommendations whose directions are in line with the 16 measures the Government has implemented or will 17 implement, such as inter-departmental communication, 18 enhancement of inspections on construction sites and so 19 on. 20 For measures affecting different stakeholders, the 21 Government will carry out the review as soon as the 22 report is released. 23 In addition to the recommendations of the experts of 24 the IC, it's come to my attention that in another 25 closing address, immediate and long-term recommendations
Page 102 1 concerned will be followed up on until it is resolved. 2 The Government has already rolled out coordination 3 mechanism across different departments. We hope to 4 improve the situation by addressing the systemic 5 deficiencies. Overall, when the Independent Committee 6 makes its judgment, it is hoped that the Independent 7 Committee will take into account the cases as well as 8 the illegal acts behind the incident and the regulatory 9 deficiencies and loopholes. 10 Before I wrap up section 6, I'd like to address on 11 the recommendations made by experts. In fact, they 12 resolved around one single issue: risk assessment should 13 be made an important principle in residential units. 14 There should be a well thought-out mechanism that is 15 predicated on risks. This should be adopted to approve 16 all renovation and rehabilitation projects of buildings 17 in Hong Kong. Temporary proposals need to be 18 tailor-made based on each case. 19 Prof Yuen agreed to this principle as well. He 20 believes that this should be made part of the mechanism 21 so that all parties will be alive to the risks in order 22 to prevent similar incidents from happening. As 23 observed by the chairman, there is never any end to 24 regulation or oversight. There is always a risk of 25 accidents. Therefore, Prof Usmani said that probability	Page 104 1 have been included which covered a wide area and which 2 are targeted. 3 We also welcome the recommendations to be made by 4 the IC. At the same time, the recommendations to be 5 made by the IC will be more about directions. We will 6 need to take into account the operability, public 7 acceptance, resources, as well as market circumstances. 8 I suggest that we have a break, after which I will 9 wrap up terms of reference 2. 10 THE HON MR JUSTICE DAVID LOK: Thank you. Mr Suen, 11 you should take a break as well. 12 (3.10 pm) 13 (A short adjournment) 14 (3.20 pm) 15 THE HON MR JUSTICE DAVID LOK: Senior Counsel Mr Suen. 16 MR JENKIN SUEN: Chairman/members, a moment ago I have 17 already covered TOR1, six aspects. I have done the oral 18 submission. Coming up now is more straightforward, 19 TOR2, as part of part 7, and then there will be a 20 summary. 21 TOR2 regards the Competition Commission, the ICAC 22 and the police evidence all show that for large-scale 23 building maintenance and repair, bid-rigging is pretty 24 common. We have heard the oral submission from the 25 Competition Commission yesterday and we'd like to

Page 105	Page 107
1 reiterate that this is a systemic issue. 2 The CC report shows that between the contractors 3 there is an extensive systemic and long-term practice or 4 malpractice that affects the outcome of the bidding and 5 there are many different ways, like the CC mentioned, 6 there is bid suppression. The bidders are not putting 7 in a bid. There is also the cover bidding. There is a 8 designated winner which is supported by deliberately 9 less attractive bids. There is also the bid rotation, 10 market-sharing and information exchange, credential 11 sharing, that is the template of the documents would be 12 shared with others to create a false phenomenon of 13 bidding. There is also the phantom bidding in which 14 different bidders are trying to bid to create a 15 situation. 16 And there is bribery and conflict of interest. They 17 are trying to make inroads into the market. The 18 evidence shows that there is a high level of 19 organisation. They have the ring leaders, the 20 mastermind. They also have the homework distribution or 21 price instruction system. If they spot a project that 22 they desire, then they will arrange the contractors 23 under the syndicate to act on instruction to put in the 24 bid to make sure that the designated winner will come 25 through. There is also mutual cooperation among the	1 in limiting the choice of the owners and the dodgy 2 characters are playing the dominant role. 3 This vicious circle, unless intervened, will not be 4 reversed. In light of this, the Government and the 5 relevant organisations have their respective roles and 6 their measures for improvement. 7 In summary, there are six aspects. First, the URA 8 in 2016, they launched the Smart Tender system in order 9 to minimise the risk of bid-rigging. After the fire, we 10 heard the URA say counsel's submission that they are 11 rolling out the Smart Tender 2.0. 12 The Competition Commission, since 2022, they have 13 got five cases of investigation regarding 68 housing 14 estates and 64 companies. In March 2026 they have 15 submitted to the Competition Tribunal cases of 16 bid-rigging. 17 Third, the ICAC, over the past three years, received 18 239 cases of corruption regarding building maintenance. 19 There are 200 or so, or 92 per cent, that received 20 formal investigation. 137 arrests were made. Other 21 than law enforcement, the ICAC took the initiative to 22 alert the owners to the risks. Over the past three 23 years they have had 20-odd such action, covering 24 32 housing estates. 25 Fourth, the police. The police, through the
Page 106	Page 108
1 bid-rigging contractors and they will be using one 2 another. This is not a phenomena that happened 3 recently. It has been happening for quite some time. 4 For Wang Fuk Court, in March 2026, there is a proceeding 5 submitted to the tribunal. This the one of the 11, with 6 the total value to the tune of \$700 million. 7 During the tendering exercise, it was April 2022 to 8 September 2023, and that actually corresponds with the 9 period in which Wang Fuk Court called for tender. The 10 roles of the contractors are also important. The ICAC 11 and the police evidence show that the consultant would 12 be bidding on the cheap in order to get the foot in the 13 door, and then they steer the renovation to the 14 affiliated contractor at an inflated price and they will 15 be getting kickback out of it. 16 The ICAC confirms that in the investigated cases, 17 the RIs are merely a shell company, they don't really 18 exercise any supervision, just in order to measure up to 19 the statutory obligations. 20 The ICAC is of the view that for these large-scale 21 building maintenance, it is basically an honour system, 22 and there are vulnerabilities and they perpetuate 23 a vicious cycle. 24 There are ethical professionals that are withdrawing 25 from the system, and this distorts the whole ecosystem	1 RenoSafe Scheme, since 2013, have mounted education and 2 publicity work. As of January 2026, they visited 7,100 3 blocks. They have also enhanced the information sharing 4 and the dedicated legislative provision to protect the 5 informants. 6 Fifth, the HAD. In terms of building management, 7 the HAD is to facilitate. They act in accordance with 8 the BMO and that doesn't extend the authority to the 9 monitoring, the monitoring of the building materials. 10 The Tai Po DO handled 40-odd cases of complaint. 11 They have also issued a lot of reminder letters. They 12 have also attended the owners' committee meetings and 13 offered advice regarding the building renovation. 14 In 2024, 6 September at the EGM, the chairman left 15 the meeting and tried to bring the meeting to a halt. 16 The HAD intervened and explained to the owners that 17 under the BMO they do enjoy certain rights to make sure 18 that the meeting could continue. That goes to show that 19 the HAD, in relation to some difficult situations, have 20 played the role of a facilitator. 21 Regarding the BMO amendment, the HYAB is in the 22 process of amending five different areas. In February 23 2026, they consulted the LegCo, and public consultation 24 will be mounted in the middle part of this year. 25 There are a number of areas. First, for large-scale

Page 109	Page 111
1 renovation and high-value procurement, the threshold 2 will be higher. Before the owners' meeting is held, 3 there should be a briefing session to brief the owners 4 of all the details of the work. Second, the proxy 5 instruments that will be enhancing the system. They 6 will be designating a cap on the number of proxies an 7 individual may hold. They will display the list of 8 signed proxies and there is declaration to be added 9 regarding this proxy system. This is intended to 10 improve the proxy instruments' utilisation. 11 Third, interest declaration. They will improve the 12 system, particularly, the consultants. The contractors, 13 they have to declare their conflict of interest. If 14 they make a false representation, this will amount to 15 criminal offence. 16 Fourth, to protect the owners' right to have owners' 17 meetings and to make sure that the IO will act in 18 accordance with the law, the SHYA will be empowered to 19 direct a meeting to be convened. This would avoid the 20 situation where the meetings can be delayed. 21 Fifth, the authorities' power will be enhanced to 22 intervene in certain circumstances. 23 Sixth, the CEDB, together with the Competition 24 Commission, are looking into the amendments to the 25 Competition Ordinance. Yesterday, in oral submission of	1 acts that frustrate the entire system that is supposed 2 to protect the public. The existing regulatory system 3 should be strengthened. There should be a step-up of 4 the system. Between this and the streamlining of the 5 regulatory system, we have to strike a proper balance 6 and there are vulnerabilities in the system. There is 7 room for improvement. In particular, in terms of the 8 professional self-regulation, the spot checks should be 9 stepped up, the code of practice, the guidelines should 10 be stepped up, and also the deployment of technology. 11 The two teams of IC experts and the IFITF experts 12 also said that risk assessment should be taken into 13 account. After the fire, the Government has swiftly 14 taken action to review the measures in the critical 15 areas to improve all the existing measures. On top of 16 that, the Government will act robustly to review and 17 come up with improvement measures to address the issues 18 identified by the Independent Committee. 19 We know that the legal team of the IC recommends 20 that we have to be pragmatic. The Government will look 21 at all these considerations. And by the time we receive 22 the recommendations and IC report, we will be acting 23 robustly to consider them. 24 Finally, the Government urges the IC to come to 25 a verdict on the basis of the facts and evidence. The
Page 110	Page 112
1 the CC, there was mention of that. I don't propose to 2 go into detail here, like they mentioned that some of 3 the behaviours will be considered to be criminalised and 4 some civil procedures and the burden of proof for 5 pecuniary fines will be on the basis of civil 6 proceedings to enhance the deterring effect and so on. 7 Also, the CIC is also putting together a good practice 8 guide. In 2026 this will be published. 9 All of these are intended to tackle all these issues 10 in relation to TOR2, to stamp them out or to rid them 11 out altogether. 12 So much is a response in relation to TOR. For the 13 rest of them, you can rely on the written submission. 14 Part 8, summary. First of all, I can say here that 15 regarding the professionals and contractors, I can say 16 that there is cogent evidence generated from these 17 hearings. We have copious amount of documents and oral 18 evidence. All these show that the professionals reposed 19 with the primary responsibility have abused the system 20 which is intended to protect public safety. They have 21 let down the Government, they have betrayed the trust of 22 the regulatory authorities and the members of the public 23 and through the deliberate illegal acts and negligence, 24 they have created this disaster. 25 The behaviours of the parties have become illegal	1 Government will be making response and taking follow-up 2 action accordingly. 3 Once again, on behalf of the Government, to those 4 who lost their loved ones, we extend our sympathy to 5 them. 6 Once again, chairman, thank you, and members. 7 (3.36 pm) 8 THE HON MR JUSTICE DAVID LOK: Thank you very much, Mr Suen, 9 Senior Counsel. That is the end of today's submission. 10 Tomorrow we will be hearing from the IC counsel. We 11 will be resuming at 10.00 tomorrow morning. 12 (3.36 pm) 13 (The hearing adjourned until 10.00 am Friday, 17 July 2026) 14 15 16 17 18 19 20 21 22 23 24 25