

COI into the Construction Works at and near the Hung Hom Station Extension under the Shatin to Central Link Project: expansion of terms of reference and further extension of time

The Chief Executive in Council approved today (February 19) the expansion of the terms of reference of the Commission of Inquiry appointed on July 10, 2018, into the diaphragm wall and platform slab construction works at the Hung Hom Station Extension under the Shatin to Central Link (SCL) Project.

It has recently come to light that in respect of the North Approach Tunnels (NAT), the South Approach Tunnels (SAT) and the Hung Hom Stabling Sidings (HHS) under Contract No. 1112 of the MTR Corporation Limited (MTRCL) under the SCL Project, some of the required works-related documentation has been found missing and some of the construction works involving deviations from the designs, plans or drawings accepted by the Highways Department or the Building Authority might have been carried out.

"The irregularities that have recently surfaced in the vicinity of the Hung Hom Station Extension under the SCL Project have given rise to wide public concern. The Government takes them very seriously. The Commission of Inquiry appointed last July under the chairmanship of Mr Michael Hartmann is best placed to ascertain the relevant facts and to recommend appropriate improvement measures," the Chief Executive, Mrs Carrie Lam, said.

The expanded terms of reference of the Commission of Inquiry, as approved by the Chief Executive in Council, are set out in Annex A.

The three works locations involved in the latest incident (viz the NAT, the SAT and the HHS) are covered by the same works contract (i.e. the MTRCL's Contract No. 1112 under the SCL Project) as the diaphragm wall and platform slab construction works at the Hung Hom Station Extension which are the subject of the Commission of Inquiry's ongoing inquiry. The irregularities that have surfaced to date point to the need to look into the same systemic issues that the Commission has been concerned with under part (b) of its original terms of reference (see Annex B).

Mr Michael Hartmann, Chairman and Commissioner of the Commission of Inquiry, and Professor Peter Hansford, Commissioner of the Commission, are both well qualified to take on the additional task as they are already very familiar with matters concerning the implementation of the works contract in

question as well as the overarching concession approach for the implementation of the SCL Project.

In view of the expanded scope of the inquiry, the Chief Executive in Council has approved a further extension of time for the Commission of Inquiry to submit its report to the Chief Executive by August 30, 2019, or such time as the Chief Executive in Council may allow. The Commission may submit interim reports on any aspects of the inquiry as it may see fit under the terms of its appointment.

"We look to the Commission of Inquiry to conduct a thorough inquiry in order to allay public concern. The Government attaches importance to ascertaining the facts and seeking substantive improvements. Public safety is our top priority," Mrs Lam said.

The Commission of Inquiry, when appointed on July 10, 2018, was required to report its findings and recommendations to the Chief Executive within six months from the date of appointment, i.e. by January 9, 2019, or such time as the Chief Executive in Council may allow. In view of the extensive scope of the inquiry, the complexity of the matters under examination and the large number of witnesses involved, at the request of the Commission, the Chief Executive in Council approved on December 4, 2018, an extension of time for the Commission to submit its report to the Chief Executive by February 26, 2019.