

Commission of Inquiry into the Diaphragm Wall and Platform Slab Construction Works at the Hung Hom Station Extension under the Shatin to Central Link Project appointed

A Commission of Inquiry was appointed by the Chief Executive in Council today (July 10) to inquire into the steel reinforcement fixing works and any other works which raise concerns about public safety in respect of the diaphragm wall and platform slab construction works at the Hung Hom Station Extension under the Shatin to Central Link Project implemented by the MTR Corporation Limited. The Commission will also make recommendations on suitable measures with a view to promoting public safety and assurance on the quality of works.

"Public safety is of paramount importance," the Chief Executive, Mrs Carrie Lam, said. "A statutory commission equipped with the full range of powers under the Commissions of Inquiry Ordinance (Chapter 86) is called for to ascertain the facts and circumstances surrounding the alleged problems associated with these works and to recommend appropriate improvement measures."

Mr Michael John Hartmann, former Non-Permanent Judge of the Court of Final Appeal, has been appointed as Chairman and Commissioner of the Commission, and Professor Peter George Hansford, Professor of Construction and Infrastructure Policy at University College London, has been appointed as Commissioner.

Mr Hartmann served in the Judiciary in Hong Kong for over 20 years, retiring as Justice of Appeal in 2012. After retirement, he remained a Non-Permanent Judge of the Court of Final Appeal until 2016. He is currently Chairman of the Market Misconduct Tribunal, the Securities and Futures Appeals Tribunal and the Higher Rights Assessment Board. Mr Hartmann specialises in public and administrative law.

Professor Hansford, a Past President of the Institution of Civil Engineers and a Fellow of the Royal Academy of Engineering in the United Kingdom (UK), has over 40 years of experience in the delivery of major infrastructure projects. He was appointed as Chief Construction Adviser to the UK Government from 2012 to 2015, and is currently Professor of Construction and Infrastructure Policy at University College London.

Mr Hartmann was the Chairman of the Independent Expert Panel established by the Government in 2014 to examine the project management systems and cost control mechanisms of the MTR Corporation Limited in overseeing the project of the Hong Kong Section of the Guangzhou-Shenzhen-Hong Kong Express Rail

Link and the monitoring processes of the Government, and Professor Hansford was one of the experts on the Panel. Both are thus very familiar with the implementation of railway projects in Hong Kong under a concession approach.

The Terms of Reference of the Commission, as approved by the Chief Executive in Council, are as follows:

In respect of the diaphragm wall and platform slab construction works at the Hung Hom Station Extension under the MTR Corporation Limited (MTRCL)'s Contract No. 1112 (Contract) of the Shatin to Central Link Project,

(a) (i) to inquire into the facts and circumstances surrounding the steel reinforcement fixing works, including but not limited to those works at locations that have given rise to extensive public concern about their safety since May 2018;

(ii) to inquire into the facts and circumstances surrounding any other works which raise concerns about public safety; and

(iii) to ascertain whether the works in (i) and (ii) above were executed in accordance with the Contract. If not, the reasons therefore and whether steps for rectification have been taken;

(b) to review, in the light of (a) above,

(i) the adequacy of the relevant aspects of the MTRCL's project management and supervision system, quality assurance and quality control system, risk management system, site supervision and control system and processes, system on reporting to Government, system and processes for communication internally and with various stakeholders, and any other related systems, processes and practices, and the implementation thereof; and

(ii) the extent and adequacy of the monitoring and control mechanisms of the Government, and the implementation thereof; and

(c) in the light of (b) above, to make recommendations on suitable measures with a view to promoting public safety and assurance on quality of works.

The Commission will report to the Chief Executive within six months from the date of its appointment or such time as the Chief Executive in Council may allow.

The Commission of Inquiry was appointed under the Commissions of Inquiry Ordinance (Chapter 86) and the appointment will be published in the Gazette.

Mr Patrick Chan has been appointed as Secretary to the Commission.