

COMMISSION OF INQUIRY  
APPOINTED PURSUANT TO SECTION 2 OF THE COMMISSION OF  
INQUIRY ORDINANCE (CHAPTER 86) ON 22 OCTOBER 2012

**4<sup>th</sup> SUPPLEMENTAL WITNESS STATEMENT OF  
WONG WING CHUEN**

I, WONG WING CHUEN, Senior Surveyor of Ships, Local Vessels Safety Section, Marine Department, 23/F, Harbour Building, 38 Pier Road, Central, Hong Kong, do say as follows: -

1. I am a Senior Surveyor of Ships in the Local Vessels Safety Section (“LVS”), Shipping Division of the Marine Department (“Mardep”). I am the same Wong Wing Chuen who made the Witness Statement dated 14 January 2013, the Supplemental Witness Statement dated 23 January 2013, the 2<sup>nd</sup> Supplemental Witness Statement dated 8 February 2013 and the 3<sup>rd</sup> Supplemental Witness Statement dated 14 February 2013.
2. I make this 4<sup>th</sup> Supplemental Witness Statement on behalf of the Director of Marine (“Director”).
3. In this statement I wish to briefly address a few matters arising from Dr Armstrong’s testimony.
4. Firstly, Dr Armstrong testified that, in calculating the floodable length, “the tank room is considered on its own, and the length of the tank room is not less than 10 per cent L ... Therefore, a hole of 10 per cent L only damages the tank room under single-compartment subdivision”: see Day 28, page 97, line 3 to page 101, line 7. Although this is a question of interpretation of Regulation 6 of the Merchant Shipping (Passenger Ship Construction and Survey) 1984 (“the 1984 Regulations”), and Part II of Schedule 1 thereto, which have been incorporated into the Blue Book by


Instruction 15, I would like to put on record that Mardep does not agree with Dr Armstrong's interpretation and that the correct position is as put to Dr Armstrong by counsel at page 97 lines 17 to 24.

5. In other words, the floodable length calculation is carried out for the purpose of determining whether a particular vessel satisfies the watertight subdivision requirement set out in Regulation 6 of "the 1984 Regulations". One of the rules governing such calculation is the 0.1L rule as defined in paragraph 6(6) in Part II of Schedule 1 to "the 1984 Regulations". Mardep's understanding of that rule is that, where a bulkhead is disregarded under that rule because 0.1L is not satisfied, it is disregarded as a valid watertight subdivision for the purpose of Regulation 6. Thus, in the case of Lamma IV, the effect of the 0.1L is the same for such purpose whether or not one looks at it from the point of view of the tank room or from that of the steering gear compartment.
6. Secondly, Dr Armstrong also testified that the aft peak bulkhead should be located at a distance of about or less than 0.1L from the stern: see Day 28, page 61, line 25 to page 62, line 7. Dr Armstrong described this as a "practice", not a "rule", albeit one which is subject to exceptions. Again, for the record, Mardep knows of no such rule or practice. Since Dr Armstrong's said testimony, Mardep has found many cases of vessels where the aft peak bulkhead is located more than, and in some cases, much more than 0.1L from the stern. I now produced as "WWC-25" some examples of such vessels.
7. Thirdly, Dr Armstrong took the view that both the Blue Book and the 1995 Instructions were being applied at the construction stage of Lamma IV and that there was an element of negotiation going on: see Day 27, page 113, lines 13-16 (summary by the Chairman). To dispel any doubt on this matter, I would re-affirm what is stated in paragraphs

10 and 21 of the Witness Statement of Wong Chi Kin dated 14 January 2013 [Marine 11/3870, 3873], as reflected in the Comment No 2 on the approved “General Arrangement” plan, namely, that it was the guidelines in the Blue Book, and not the 1995 Instructions, which Mardep had applied in relation to the construction of Lamma IV as a new vessel, and that the plans Lamma IV were approved and the vessel was inspected in accordance with the Blue Book and not the 1995 Instructions. The same is also reinforced by paragraphs 18 and 46 of my earlier Witness Statement dated 14 January 2013 [Marine 11/3933, 3943]. For the avoidance of doubt, I wish to emphasize that none of the officers involved in the vetting of Lamma IV as a new vessel or its plans had provided any information or evidence to Mardep or the Commission that the 1995 Instructions were applied to Lamma IV as a new vessel.

8. Finally, I refer to Dr Armstrong’s comments regarding various measures which could be taken to make Lamma IV pass the margin line test after the ballast had been added. These measures included reducing the ballast, putting buoyancy boxes behind the transom or moving the ballast longitudinally to other parts of the ship in order to correct the position so that the margin line would not be immersed: Day 26, page 14, lines 14-20; Day 28, page 103, lines 3-19. Mardep agrees that such measures could be taken and confirm that, if any of such measures had been taken, so that the margin line would not be immersed, the ballast arrangement would have been approved in the case of the “Lamma IV” even though, had calculation been carried out in the damage stability booklet on the basis that the steering gear compartment and tank room were both flooded, the margin line would be immersed in the absence of the said measures.
9. I confirm the contents of this 4<sup>th</sup> Supplemental Witness Statement to be true to the best of my knowledge, information and belief.

Dated this 25<sup>th</sup> day of February 2013



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WONG WING CHUEN

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ORDINANCE (CHAPTER 86) ON 22  
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**4<sup>th</sup> SUPPLEMENTAL WITNESS  
STATEMENT OF WONG WING CHUEN**

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Dated the 25<sup>th</sup> day of February 2013

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