

# 立法會

## 調查有關梁展文先生 離職後從事工作的事宜專責委員會

---

第十八次研訊的逐字紀錄本

日期： 2009年6月11日(星期四)

時間： 下午2時30分

地點： 立法會會議廳

---

### 出席委員

李鳳英議員, BBS, JP (主席)

李永達議員(副主席)

吳靄儀議員

梁劉柔芬議員, GBS, JP

黃宜弘議員, GBS

劉江華議員, JP

梁國雄議員

湯家驊議員, SC

何秀蘭議員

林大輝議員, BBS, JP

潘佩璆議員

譚偉豪議員, JP

### 證人

*公開研訊*

前任地政總署副署長(專業事務)

郭理高先生

# Legislative Council

## Select Committee to Inquire into Matters Relating to the Post-service Work of Mr LEUNG Chin-man

---

---

Verbatim Transcript of the Eighteenth Hearing  
held on Thursday, 11 June 2009, at 2:30 pm  
in the Chamber of the Legislative Council Building

---

---

### **Members present**

Hon LI Fung-ying, BBS, JP (Chairman)  
Hon LEE Wing-tat (Deputy Chairman)  
Dr Hon Margaret NG  
Hon Mrs Sophie LEUNG LAU Yau-fun, GBS, JP  
Dr Hon Philip WONG Yu-hong, GBS  
Hon LAU Kong-wah, JP  
Hon LEUNG Kwok-hung  
Hon Ronny TONG Ka-wah, SC  
Hon Cyd HO Sau-lan  
Dr Hon LAM Tai-fai, BBS, JP  
Dr Hon PAN Pey-chyou  
Dr Hon Samson TAM Wai-ho, JP

### **Witness**

#### *Public hearing*

Mr John Stanley CORRIGALL  
Former Deputy Director (Specialist)  
Lands Department

**主席：**

開會時間到了，又有足夠的法定人數，宣布開會了。

首先，歡迎各位出席調查有關梁展文先生離職後從事工作的事宜專責委員會第十八次公開研訊。今天的研訊是就紅灣半島私人機構參建居屋計劃單位的處理事宜向有關證人取證，從而調查梁展文先生於有關事宜的參與角色，與梁展文先生離職後到新世界中國地產有限公司工作，是否有任何潛在或實質利益衝突；而專責委員會在執行其職務時獲立法會授權，根據《立法會(權力及特權)條例》(第382章)第9(2)條，行使該條例第9(1)條所賦予的權力。我請委員留意，整個研訊的過程必須保持足夠的法定人數，即主席另加3名委員。

今天的研訊預計在下午6時30分結束，我在這裏特別提出，《立法會(權力及特權)條例》所賦予的特權只適用於研訊的過程，所有議員，包括非專責委員會的議員，都應該避免在研訊過程以外的場合發表與研訊有關的意見。此外，旁聽今天研訊的公眾人士及傳媒亦都應該注意，在研訊過程以外的場合披露研訊中提供的證供，將不受《立法會(權力及特權)條例》所保障。因此，如有需要，各位列席人士和傳媒應就他們的法律責任徵詢法律意見。

運輸及房屋局曾就紅灣半島私人機構參建居屋計劃單位的處理事宜，向專責委員會提交了多份文件，專責委員會已將該等文件納入為證據。為方便證人作證，有關文件現已收納於證人文件夾內，供證人參考。

我現在宣布研訊開始，專責委員會將向前任地政總署副署長(專業事務)郭理高先生取證。專責委員會較早前已經同意，郭理高先生由律政司高級助理民事法律專員陳佩珊女士陪同出席研訊，但根據專責委員會的工作方式及程序，陳女士不可向專責委員會發言。

郭理高先生，我現在以專責委員會主席的身分負責為你監誓，你可以選擇以手按聖經，以宗教的形式宣誓，或者以非宗教的形式宣誓。請你站立，並依照放在你面前的誓詞宣誓。郭先生。

**Mr John Stanley CORRIGALL, Former Deputy Director (Specialist), Lands Department:**

Thank you, Madam Chairman. I will affirm I, John Stanley CORRIGALL, solemnly, sincerely and truly declare and affirm that the evidence I shall give shall be the truth, the whole truth and nothing but the truth.

**主席：**

謝謝，郭理高先生。你曾於4月27日及6月3日向專責委員會秘書分別提供一份證人陳述書及一份補充陳述書，即專責委員會W30(C)及W35(C)的文件。你現在是否正式向專責委員會出示該兩份陳述書作為證據，郭先生？

**Mr John Stanley CORRIGALL:**

Yes, Madam Chairman, I do. My 27th of April statement as supplemented by my letter of the 3rd of June.

**主席：**

專責委員會已經同意，為方便在場的公眾人士及傳媒跟隨研訊及程序，在證人向專責委員會正式出示他的陳述書之後，我們會向在場的人士公開陳述書。郭理高先生，你對你的兩份陳述書有沒有即時的補充？郭先生。

**Mr John Stanley CORRIGALL:**

Nothing to add to those two documents that I referred to.

**主席：**

好，今次研訊就請委員提問。何秀蘭議員還是……請潘佩璆議員。

**潘佩璆議員：**

多謝主席。我想首先有些東西想與郭理高先生確定一下，弄清楚一些日子。請問郭先生，政府是何時開始跟新世界發展就紅灣半島補地價問題展開談判？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Sorry, I didn't catch the first – over the something and over the premium; I didn't catch.

**主席：**

潘佩璆議員。

**潘佩璆議員：**

是。我想確定何時開始，政府就紅灣半島補地價問題跟新世界發展展開談判？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

It was in January 03.

**主席：**

1月。潘醫生。

**潘佩璆議員：**

我想知道，另外這個談判暫停的時間是何時呢？即談判曾經一度中斷的。

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

I wrote a memo proposing, suggesting halting the negotiations towards the end of March, 25th of March, I think.

**潘佩璆議員：**

在你提供的文件，在政府提供的文件，我們看到在3月25日你提出建議終止談判。請問你有沒有收到正式的政府通知，表示現在可以正式終止談判，還是你提出意見之後，就沒有再約見對方繼續談判？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

As I recall, the recommendation came out of my own thinking.

**主席：**

是不是政府都接納你這個建議呢，郭先生？

**Mr John Stanley CORRIGALL:**

Yes.

**主席：**

潘佩璆議員。

**潘佩璆議員：**

另外，再次重開談判的時間大概是何時呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Well, the negotiation, as such, was not reopened until the mediation session in December of 2003.

**潘佩璆議員：**

換言之，是不是由3月底至大概12月11日之間，談判是完全終止了？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

That's correct. That's certainly my recollection. There was certainly no discussion about premium with First Star.

**主席：**

潘佩璆議員。

**潘佩璆議員：**

是。我想問一問郭先生，就是當最初展開談判的時候，當時你代表政府提出的數目是25億港元，大約是25億港元，但我亦看過另外一個數字是2,394，應該是239,400萬港元。其實哪一個數是你當時提出的數字？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

We put forward two thousand five hundred. It was a bit higher than the figure that we had actually assessed.

**潘佩璆議員：**

明白。換言之，23億9,400萬這個數字是政府內部的評估，不過當時談判的時候提出的是25億。是不是這樣呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Yes.

**潘佩璆議員：**

我想請你解釋一下你的評估，即239,400萬這個數字是怎樣得來的呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

We adopted the normal approach to lease modification premiums. One does two valuations: one evaluation under the lease conditions as they currently are and the second - we call it the "after" value - with the lease conditions as they are proposed to be. And the premium is the difference between the two.

**主席：**

潘佩璆議員。

**潘佩璆議員：**

是。想請問，當你考慮到將土地契約改變之後那個，即你所指的"之後"的價值，那個是怎樣計算出來的呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Well, I think I've already explained that, Madam Chairman.

**主席：**

你可不可以重複一遍，讓委員更掌握你當中如何計算？

**Mr John Stanley CORRIGALL:**

Do you mean the "before" value and the "after" value and how we...? I'm sorry, I .....



**潘佩璆議員：**

或者我再解釋，慢慢解釋一次。我想問郭先生，就是他當時……即你剛才的答案說要補的地價，是由土地現時的價值再計算它改變用途之後的價值，然後將後一個數減前一個數。我想問，在它改變了用途之後，那個價值——在這個情況之下，在紅灣半島這個情況之下——他可不可以解釋一下是怎樣計算出來的呢？考慮了哪些因素呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Well, first of all, Madam Chairman, it wasn't the land value that we were looking at; it was the value of the land and buildings. Secondly, in the case of the "before" value, we looked at the amount that the grantee was due to obtain under the existing lease conditions, the so-called guaranteed sale price, and that formed the basis of the "before" value. And, in the "after" value, we estimated how much the flats would sell for in the open market and we made an allowance for the cost of their being upgraded to make them more marketable. There were various deferments of the amounts involved to take account of the expected timing of those income and outgoing flows.

And the result of those assessments was the value.

**主席：**

潘佩璆議員。

**潘佩璆議員：**

是。主席，當時將一個原本建作居屋用途的屋苑在私人市場上發售，是一件史無前例的事。我相信要評估價值，即土地及建築物的價值，作為改變用途之後，一定有相當大的困難。我看見在郭先生提供的文件中，他有將這個價值與附近同區的一些屋苑的售價作比較，但是，以我們常識判斷，其實這兩種樓宇本身來說，應該是有好大的分別的。我想問一問郭先生，他怎樣就一個沒有先例可言的物業定出價值呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

This is not an uncommon problem for valuers. One is, as a valuer, dependent upon comparable sales evidence. Sometimes, very often, the available sales evidence is not directly comparable. One has to make adjustments.

In considering the sale price of the units in the open market, the "after" value, we looked at a nearby new development and what that was selling for and we also looked at flats in the nearby Whampoa Sun Chuen which were, I think, built in the 80s. There was a differential between the two, obviously, and the figure that we ended up with was our considered opinion as to what the subject flats would fetch, bearing in mind those numbers.

**潘佩璆議員：**

主席，我想……

**主席：**

潘佩璆議員。

**潘佩璆議員：**

是。我想問一問郭先生，你有沒有——當你作出這個評估的時候——有沒有請教，或者向一些其他的、或者不是你的部門、或者在其他部門、或者是在政府以外的評估專家，聽取他們的意見呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Well, Madam Chairman, without appearing to seem arrogant, I am an expert and my staff were also experts. They were all qualified valuers and that is the extent to which advice was taken.

**潘佩璆議員：**

我想說一說，我絕對無意……

**主席：**

潘佩璆議員。

**潘佩璆議員：**

……無意貶低郭先生及他之前部門同事的專業水平。我只是問有沒有向郭先生的部門以外的——我相信香港也有一些其他的專家，即評估這個，譬如銀行的評價的部門等等——有沒有向他們尋求意見？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

No. No, Madam Chair.

**潘佩璆議員：**

好。

**主席：**

潘佩璆議員。

**潘佩璆議員：**

是。我留意到到在3月的時候，郭先生其實將提議的補地價價格下調至17億5,000萬元。我想問一下——這個差距是相當之大的，其實大概是兩個月之間的事——請問為甚麼會作出如此大的調整呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

The market was falling.

**潘佩璆議員：**

請問這是不是全部的原因呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

There might have been other factors. I do recall, at one point, making a concession on the bulk discount. By that, I mean for the fact that here we had two thousand four hundred and, I think, seventy flats which were being valued as one and one would, in those circumstances, expect some sort of bulk discount. Of course, that was, I have to acknowledge, is a subjective figure because one hasn't got any evidence as to how the market would treat a one lot of 2 470 flats.

I think we might have also made some concessions on the estimated cost of upgrading but that was a relatively minor sum compared with the others.

**主席：**

潘佩璆議員。

**潘佩璆議員：**

是。主要就是，郭先生，你是不是說，其實那個，即你加了一個新的因素，就是你考慮到是將2 470個單位一次過賣給發展商，因為是大批購買，所以你就給他一個大的折讓，而這個折讓在市場上是沒有一個先例的，是不是呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

It wasn't a new factor. This factor had been in our minds from day one, from the first valuation. And, yes, that's correct that I'm not aware and neither were my staff aware of any transaction in Hong Kong involving the bulk purchase of 2 470 flats or a similar number.

**潘佩璆議員：**

郭先生，我同意一般人都會認同，大量購買是應該有一個折讓的。不過，在這個情況之下，究竟折讓的百分比，折扣率似乎都是一個，可不可以叫做一個，都是有一些隨意性的呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Well, I have agreed that it was subjective because we hadn't got any evidence to go on. I wouldn't say, I don't think "arbitrary" is the right word. As valuers, one has certain - what shall I say? - perhaps, preconceived ideas but they're based on one's knowledge of the market generally. So I wouldn't call it "arbitrary" but I would acknowledge that it's subjective.

**主席：**

潘佩璆議員。

**潘佩璆議員：**

或者，"直覺"這個用詞會不會是一個比較適合的名詞、形容詞呢？

**Mr John Stanley CORRIGALL:**

Intuition.

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Yes. Yes, valuer's intuition.

**主席：**

潘佩璆議員。

**潘佩璆議員：**

是。我留意到在談判中斷的時候，其實討論怎樣去處理這2 470個單位，都是一直在政府內部進行，而有一個期間你就反映，表示想起其實在計算補地價的時候，是可以考慮政府取回百分之五十的。我想知道——你也說有一些其他例子有這樣的做法——你可不可以簡單說一說，在你所講的那兩個其他例子之中，有關情況是怎樣？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Well, I think I've mentioned this in A6 in my written statement but, just to recap, the circumstances in those two cases, in fact, as supplemented by my 3rd of June letter, three cases, although the third one was not a modification, it was a land exchange - that's a bit of a technicality - the circumstances in those cases were that the need for a lease modification or a land exchange were arguable. And, as I say in A16 and in my 3rd of June letter, it was determined within the Government that to accept 50% of the premium was a better option, a better option for the taxpayer, than to go to litigation and risk getting nothing, not only nothing but also being landed with the other side's costs.

**主席：**

潘佩璆議員。

**潘佩璆議員：**

或者，因為我在看這裏的時候，我有看過你的供詞，不過我就不太明白那兩個事例，即我們或者只看福佬村道及德豐街這兩個事例。你可不可以提供一些背景的資料，讓我們及在這裏聽今天聆訊的人可以多瞭解一些？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Well, I'm afraid I can't refer you to the precise special conditions of the terms of grant. I do know that the dispute at Fuk Lo Tsun was as to whether the existing lease conditions restricted any development on the site to a domestic building together with a cinema, whereas the other side maintained that a commercial/residential building without restriction as to the non-domestic could be built. And, at Tak Fung Street in Hunghom, the argument turned on whether the conditions of grant allowed for or did not allow for the extra GFA (gross floor area) that the developer had obtained as a result of a Building Authority concession in respect of the curtain walls that were to be built.

**主席：**

潘佩璆議員。

**潘佩璆議員：**

是，主席。想問一問郭先生，在這兩個例子中，是不是都是政府主動提出需要更改土地用途？

**Mr John Stanley CORRIGALL:**

No.

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

It never is, except in the subject, in the Hunghom case.

**潘佩璆議員：**

換言之，紅灣半島個案跟你所講的兩個例子相當不同，就是紅灣半島是政府由於政策的需要而要改變土地用途，是不是這樣理解呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

The Government sought to modify. Of course, one can't unilaterally modify a lease. It's a contract: one has to get the agreement of the other side.

Just to clarify on the two other cases - Fuk Lo Tsun and Tak Fung Street - I have never suggested that the circumstances of those cases were comparable with the subject case. The reason I quoted them, and the third case which I mentioned in my 3rd of June letter, was because they represented a departure from the normal policy of charging 100% of the increase in value. That was their sole relevance.

**主席：**

潘佩璆議員。

**潘佩璆議員：**

是。在行政會議的會議中，我記得應該是未開始重開談判之前，曾經提出一個數字，就是行政會議接受百分之三十的折扣，即減少補地價。我想問一問郭先生，在你的經驗中，有沒有一些以前的例子是補地價款額減少百分之三十的？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

No.

**主席：**

潘佩璆議員。

**潘佩璆議員：**

或者，有沒有一些其他的數字，其他百分比的折扣，是你記得曾見過？

**Mr John Stanley CORRIGALL:**

Sorry, you mean other than 50-50 and 70-30?



**潘佩璆議員：**

沒錯。

**Mr John Stanley CORRIGALL:**

No. Not that I am aware of.

**主席：**

潘佩璆議員。

**潘佩璆議員：**

好，想問一問，其實就補地價提出一個折扣收取，這種例子究竟有多普遍呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Well, no, I've just said there were only three cases.

**潘佩璆議員：**

就你所知道，就只有這3宗？這3宗個案，再加上……

**Mr John Stanley CORRIGALL:**

Correct but, as I've said, again, in my written statement, shortly, well, some time before I joined the Government, it was the general rule to only charge 50%.

**主席：**

潘佩璆議員。

**潘佩璆議員：**

對不起，你的意思是不是那個規律是要收取100%，因為我剛剛聽你講是50%？

**Mr John Stanley CORRIGALL:**

No, the rule was to charge 50% of the assessed increase in value.

**主席：**

潘佩璆議員。

**潘佩璆議員：**

你說這是一個規則，是甚麼規則呢？是在甚麼情況之下的規則呢？我不太明白。

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Under all circumstances, all lease modifications and land exchanges. I think, latterly, it was restricted to cases involving pre-war grant lots.

**主席：**

潘佩璆議員。

**潘佩璆議員：**

你的意思是不是，在這種情況下，補地價一定是50%？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

It wasn't such a circumstance. It was under the policy at the time.

**主席：**

潘佩璆議員。

**潘佩璆議員：**

想問一問，是何時開始改變了這個政策？你講是在你加入這個部門之前，是不是？你加入了這個部門之後，何時改變了這個政策，是要收百分之一百呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

It wasn't changed. It wasn't changed after I joined, since I've been a member of the Government, or since I was a member of the Government, since I joined in 1973. The policy had always been to charge 100% but, some time before I joined, it had been the policy.....

**潘佩璆議員：**

OK。

**Mr John Stanley CORRIGALL:**

.....to charge 50%. I don't know exactly when that policy was changed.

**潘佩璆議員：**

你講得很清楚，我明白了。

**主席：**

潘佩璆議員。

**潘佩璆議員：**

好，我也想知道.....你在談判過程，我知道到了後期的時候，有一個決定，因為添星公司提出因政府這項政策而在紅灣半島發展計劃中蒙受損失，於是就提出訴訟，而它在這宗訴訟中提出了它蒙受損失的理由。我想這個我們可以在T56(C)文件中看到。

**主席：**

是，潘佩璆議員，文件T56(C)，哪.....

**潘佩璆議員：**

對不起，這裏面就是……對了，其中有一封信件是由梁志堅先生發出的。

**主席：**

哪一頁呀，潘佩璆議員？

**潘佩璆議員：**

我先看看，應該是寫着annex的，其中列了幾個計算價值的方法。它計算——即後面有些很細小的字，一共有4，1、2、3，共有3頁紙——其中我看到提出一些額外的支出，而這些額外的支出包括很多項目，譬如要交政府的地租，即Government rates and rents，以及一些為了保持或者令地方運作、管理等等，以及保險等等，它計入了一些費用。這些計入的費用，我見到你其中一份早期的文件，當你計算補地價的時候，也曾經提過這些數字。我想請問，這是不是正常的情況，就是應該計算進去呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

No, it's not normal. First Star included these costs because they maintained that the Government had failed not in its obligation but failed to nominate purchasers in accordance with their legitimate expectancy and this was part of their claim against the Government. And I have to say, Madam Chairman, it seems to me we're wandering into areas which affect the uncompleted litigation in this matter here.

**主席：**

潘佩璆議員。

**潘佩璆議員：**

是。我提出這個原因，並不是想干涉這宗訴訟，因為我想知道一下，當最後的談判，即價錢達致的時候，有沒有將這些添星公司認為在這件事上蒙受的損失計入補地價，還是已經將它們扣除出來呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Well, if you're talking about the \$864 million which was the finally paid premium, that was First Star's figure and, if you really want chapter and verse on that, you'd have to ask First Star but I can say that those costs to which the Honourable Member has just referred were part and parcel not of the litigation, sorry, not of the lease modification but of their case against the Government for allegedly having been late in nominating purchasers for the flats.

**主席：**

潘佩璆議員。

**潘佩璆議員：**

所以，我可不可以或者再說一說，看看郭先生認為我的理解有沒有錯。換言之，最後補價達致的這個數目，是8億多元的這個數目，8億6,400萬元這個數目，純粹是計算了改變土地及建築用途而作出的一個收費，而其中並沒有計算添星公司所提出其認為的所有損失。我的理解有沒有錯呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Well, I've already said, Madam Chairman, I don't know what the basis of New World or First Star/New World's figure was. All I know is 864 million. Logic tells me that they shouldn't have taken these costs into account because that was part and parcel of the litigation, not the lease modification.

**主席：**

潘佩璆議員。

**潘佩璆議員：**

我正正想問，在談判過程中，這點有沒有確定？換言之，你作為政府的談判代表，有沒有跟添星公司或者新世界發展公司確定，它們提出訴訟的那個東西，是從這個補地價行動中撇除出來？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

The settlement that we reached was for the lease modification alone. The question of any damages, which is essentially what these numbers relate to, was left aside. So, as I say, logic dictated that they were not included by New World in their 864. In fact, all the discussions on the lease modification in the mediation, I think, in one of my answers, I tell you that the strategy in the mediation process was to discuss first the lease modification and then the question of any damages. We failed to reach any agreement on the question of damages. The offer that New World made of 864 we understood to be exclusive of those damages because that was to be left to litigation in the end.

**主席：**

潘佩璆議員。

**潘佩璆議員：**

是。主席，我想問一問郭先生，另外一樣就是，你在中途的時候提出5折收取補地價，我想問一下，你提出5折收費這點，其實在談判的過程有沒有讓新世界發展知悉呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

No.

**潘佩璆議員：**

好，另外一樣我想問一問，就是在談判的過程，我想你也解釋得很清楚有甚麼人參與，以及你的角色是甚麼，你是領導談判

小組的。但是，我想知道一下，在你這個小組中，你作為領導人，是否由你向你的上級報告，而其他人是不會各自向其他的人報告呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Yes.

**潘佩璆議員：**

好。

**主席：**

潘佩璆議員。

**Mr John Stanley CORRIGALL:**

Perhaps, I could just expand on that a little. I made the reports but, prior to making each report, I discussed how I was going to report with the other members of the team.

**潘佩璆議員：**

OK。

**主席：**

潘佩璆議員。

**潘佩璆議員：**

是。我想知道，以你的理解，你是直接向哪一位官員匯報呢？你主要匯報的對象是哪一位？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Sorry, I didn't catch the last question. Who may...what?

**主席：**

潘議員，你要重複一下。

**潘佩璆議員：**

好。你作為這個談判小組.....我相信你是代表政府去談判的，但你在每個階段作出匯報的時候，你是向哪一位官員作主要的匯報？或者哪幾位？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Mr LEUNG Chin-man.

**主席：**

潘佩璆議員。

**潘佩璆議員：**

你有沒有.....是。

**Mr John Stanley CORRIGALL:**

I copied my reports to other people.

**潘佩璆議員：**

明白。所以，換言之，梁展文先生是你主要匯報的對象，你的部門的，即政府的那個官員；而我亦想了解一下，在這個過程中，你有沒有接受一些指令呢？

**主席：**

郭先生。



**Mr John Stanley CORRIGALL:**

Well, first of all, I didn't know Mr LEUNG Chin-man had a doctorate. Sorry, over the SI, it was "Dr LEUNG Chin-man".

**潘佩璆議員：**

梁先生。

**Mr John Stanley CORRIGALL:**

I presume we're referring to Mr LEUNG Chin-man.

**潘佩璆議員：**

Yeah，梁先生。

**Mr John Stanley CORRIGALL:**

Yes, it's Mr LEUNG, yes, as far as I'm aware. He may have got a doctorate since he retired. Sorry, could I have the rest of the question again, please?

**潘佩璆議員：**

我想問的就是，你有沒有從梁先生或者其他官員那裏直接接受指令呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Well, I think, in my answers, I've referred to one particular discussion I had with Mr LEUNG and I referred to another point where the tactics in the mediation - I'd like to call it, I'd like to separate the January, the early 2003 and the late 2003 discussions and I label them "negotiation" for the first part and "mediation" for the second. But, in the mediation, yes, there were those two instances where the way forward in the mediation process was the subject of some discussion between me, in one case, with Mr LEUNG and, in the other case, Mr SUEN. But, apart from that, there was no discussion that I can recall as to the way in which the mediation should be conducted or the way in which my report should be framed.

**潘佩璆議員：**

主席，我們在政府交來的文件中見到你有一些電郵，與部門的來往。我想問，除這些電郵外，你有否跟梁展文先生譬如通過電話，或者面對面傾談？即沒有實際的文字紀錄，不過事實上就怎樣處理這個談判，而直接與梁展文先生商討？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

I don't recall any at all.

**潘佩璆議員：**

好，那如果……

**主席：**

潘佩璆議員。

**潘佩璆議員：**

是。在你的記憶中，梁先生有否發出一些意見或者指示告訴你，他認為那個價錢應該是多少，或者折扣應該是多少？他有沒有向你作出一些這樣的意見或者指示呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Certainly not. That was not his area of expertise. He would not, he never did anything, never made any such suggestion to me.

**主席：**

潘佩璆議員。

**潘佩璆議員：**

我也想請問，梁展文先生有沒有要求你去向甚麼人索取這些意見，或者他安排另外一些人跟你傾關於這件事呢？有否做過這些事情呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

No.

**潘佩璆議員：**

好，我想問的就是這麼多。

**主席：**

何秀蘭議員。

**何秀蘭議員：**

多謝郭理高先生出席我們這次聆訊。我想先問一些背景資料，我想問郭理高先生，他是何時開始在香港政府服務，以及來香港住了多久呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

I commenced service with the Hong Kong Government Crown Lands and Survey Office of the Public Works Department in January 1973. I have been resident in Hong Kong ever since - 36 years.

**何秀蘭議員：**

郭理高先生，其實他對廣東話的掌握是不是可以聽到百分之一百呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Sorry? To 100% what?

**何秀蘭議員：**

是不是可以百分之一百聽得明白廣東話呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

No. I have some basic Cantonese, that's all.

**何秀蘭議員：**

譬如說三成？四成？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

That's.....you really need to ask somebody else that.

**何秀蘭議員：**

是的，因為我希望知道在你與發展商進行會議的時候，是否同樣有即時傳譯，抑或是全部英文，或者是中英夾雜？我希望明白你對那個會議的掌握有多少。

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

The vast bulk of the discussions, especially when the teams were talking to each other, that was all in English. Occasionally, some people would discuss something in Cantonese. My team, there was, I think.....there were plenty of native Cantonese speakers in my team who, if it were audible, if what the other side was saying was audible, would pick up and notify me.

**主席：**

何秀蘭議員。

**何秀蘭議員：**

是。郭先生於73年開始在政府工作，他其實是看到香港房地產物業市場的那個趨勢——由70年代到紅灣的討價還價那時候，這個理解對不對呢？即郭先生是很明白這個房地產市場的走勢的。

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Yes. There's no one particular trend. It's been cyclical. But, yes, I understood it, I followed it. That was my job.

**何秀蘭議員：**

在1988年的時候，黃埔花園是一個新落成的樓盤，當時的平均呎價已經是3,000元了，1988年的時候，黃埔花園3,000元一呎，新樓盤開賣；到了2003年，黃埔花園那個樓盤仍然有5,000元平均呎價。在同區裏，一個新的屋苑——紅灣，地產商說這些呎價只可以去到2,600元、2,800元的時候，郭先生，你覺得是合理還是不合理呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Well, to be perfectly honest, Madam Chairman, I can't put my finger on the numbers for Whampoa Sun Chuen and the dates that the Honourable Member referred to, but it's a fact that we did find First Star's proposals for the unrestricted sale value of the flats low.

**主席：**

何秀蘭議員。

**何秀蘭議員：**

是，主席。我亦理解到，政府一開始與地產商大家討價還價的時候，那個估值是由19.5億元去到25億元，那當然就是郭先生部門內的同事大家一起做出來。我想瞭解19.5億元到25億元這個數字，是否集體商談過？中間有些甚麼考慮的因素去達到這個結論呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Well, the way in which valuations are done, or at least in my time were done, in the Lands Department was that professional officers in the valuation section would put.....together with their technical assistants, would put together a proposed valuation, and then it would be signed off by the Chief Estate Surveyor and put forward for my consideration. That is the way the valuations were done. That was the process.

**何秀蘭議員：**

而當時這個數字亦得到其他部門的官員同意，是嗎？例如好像梁展文先生和曹萬泰先生，他們都沒有反對這個估價的，對嗎？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Well, they had no jurisdiction to disagree with it. This was a Lands Department responsibility and a Lands Department responsibility alone.

**主席：**

何秀蘭議員。

**何秀蘭議員：**

是。然後，大家的那個商討就開始了。一開始的時候，新世界已經是還一個很低的價錢，大概是7億多元左右的價錢。郭理高先生就認為這個還價對新世界來說是完全絕對沒有風險的，是嗎？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

That's not.....

**何秀蘭議員：**

主席.....

**Mr John Stanley CORRIGALL:**

.....a correct statement, Chairman. It's my understanding that New World were seeking to have something that was risk-free. They were maintaining that their existing contract, existing lease conditions, was a virtually risk-free.....

**主席：**

何秀蘭議員。

**Mr John Stanley CORRIGALL:**

.....investment. That's not altogether.....it wasn't completely risk-free, of course, but it was essentially a building contract. PSPS was essentially a building contract. And, they were saying, "we don't want to take on board further risk. That was not the deal we entered into."

**何秀蘭議員：**

是，主席，或者我幫一幫郭先生，因為在文件T5(C)那裏，是一個郭先生給曹萬泰先生及梁展文先生的Memo、便條，他在第3段那裏提到他覺得房地產商這個建議基本上是一個絕無風險的投資。即我希望對郭先生公道一點，讓他再看看，可以記得好些。

**Mr John Stanley CORRIGALL:**

Yes.

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Yes, that's what I said. That's my Memo.

**何秀蘭議員：**

後來，結果兜兜轉轉去到04年2月2日，最後大家商討出來的價錢與新世界一開始提出的那個價錢其實是相距無幾的。郭先生覺得這個價錢到最後仍然對新世界來說是一個絕無風險的作價，其實是否合理呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Well, that wasn't my concern, Madam Chairman. My concern was whether it was the best deal we could strike for the Government and the taxpayer, and I fervently believe that it was.

**何秀蘭議員：**

主席。我理解的，因為可能後面那個訴訟的壓力會很大，但我是在問一個數字上的問題。我們撥開這些訴訟壓力，或者其後政府要付的損失，但是單看這個作價，2003年3月25日的時候，郭先生覺得這個作價是絕無風險，去到04年2月2日的時候都是差不多。那麼，這是不是一個合理的價錢呢？



**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Yes. It wasn't a question of what New World felt it to be. It was a question of is this the best deal that the Government can strike in the interests of the taxpayer. It didn't matter a jot what it was to New World. The only important thing was what it was to Hong Kong Government and the taxpayer. And, my recommendation to Mr C M LEUNG on Christmas Eve of 03 made that clear and it set out very clearly the reasons for making that recommendation. And, when I re-read it, I think it was a damn good recommendation.

**何秀蘭議員：**

或者我可不可以.....

**主席：**

何秀蘭議員。

**何秀蘭議員：**

是，主席。或者我可否反過來問，其實就這個作價而言，房地產商是會賺到錢，是一定會賺到錢，因為它是無風險的？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Yes.

**何秀蘭議員：**

好。接着到了談判的第二階段，郭理高先生在3月25日就叫停，因為覺得大家不能談下去了，那個距離是非常之遠，然後我們從文件中看到，梁志堅先生在3月27日去找孫明揚局長。郭理高先生可否告訴我們，在你3月25日叫停之前，那個談判的氣氛其實是怎樣的？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

What was the atmosphere? Well, it was all very calm, collected and civilised. There was no acrimony. We didn't get our jackets off and do it Taiwan-style.

**何秀蘭議員：**

但是郭先生在……

**主席：**

何秀蘭議員。

**何秀蘭議員：**

是，殺傷力不用捲起衣袖的，主席。郭先生在會上有沒有表示，即向談判對手表示他會停止談判呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

I don't exactly recall, but I think it was quite likely that I put that to Mr LEUNG and I think Mr LEUNG felt the same. I think it was Mr LEUNG might have even suggested that the Government considers alternative solutions to the problem in the light of our big differences on the numbers.

**何秀蘭議員：**

但是，主席，我就……

**主席：**

或者先請郭先生澄清一下，你講的梁先生是梁志堅先生，還是梁展文先生？讓我們秘書記錄的時候可以清晰一點。

**Mr John Stanley CORRIGALL:**

Sorry, yes, sorry, Mr Stewart LEUNG. Yes.

**主席：**

何秀蘭議員。

**何秀蘭議員：**

是，主席。我就想問，其實當郭先生代表政府去做談判的時候，是否預先得到授權，是隨時可以在談判桌上說拉倒不談的呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

No.

**主席：**

何秀蘭議員。

**何秀蘭議員：**

那當時在那個談判桌上說拉倒不談，其實是一個很明確的表示，抑或是一種情緒上的表示呢——是作為談判策略的一種？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

I didn't regard it as a tactic. I regarded it as a sensible thing to do because of the huge gap that we should.....that appeared to me, at that time, to be no possible chance of settlement. It was important that the matter be resolved and I thought it was the best thing for the Government to look at alternatives in the light of that fact. And, that's why I wrote that Memo on the 25th of March - T5(C).

**何秀蘭議員：**

那麼，其實梁志堅先生在談判的時候有沒有表示，如果你要拉倒不談，他就會找你的上司去談呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Sorry, could I have that? I didn't quite catch that.

**主席：**

何秀蘭議員。

**何秀蘭議員：**

在談判桌上，當郭先生說不再談下去的時候，他的談判對手梁志堅先生有沒有表示他會找郭先生的上司談呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

I don't believe he did.

**何秀蘭議員：**

現在回頭看，即我們這個聆訊也顯示到，在3月27日的時候，梁志堅先生曾找過孫明揚局長。其實，新世界的梁先生直接找你的上司去談一些新發展的時候，有否影響你在那個談判中的進度，或者是一些策略性的方式呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Sorry, what was the date of this meeting with Mr SUEN?

**何秀蘭議員：**

3月27日。

**主席：**

3月27日梁志堅先生去找孫明揚局長。

**Mr John Stanley CORRIGALL:**

Well, by that date, I'd already made my recommendation to halt negotiations, so that event did not affect my recommendation or my thoughts on the matter.

**何秀蘭議員：**

其實，你的談判對手去找你的上司談，這個是否唯一的一次，以及你知不知道的？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

I don't know if it was the first time it happened. Did I know about Stewart LEUNG visiting Michael SUEN? I believe I was told subsequently.

**主席：**

何秀蘭議員。

**何秀蘭議員：**

OK，是，主席。接着，我就去到談判的稍後階段，其間在6月9日就提出要.....梁展文先生提出要找3個獨立的測量員作一個估價，然後取一個平均價。郭先生是否知悉這件事，以及這個建議是由誰提出的呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Sorry, who made this suggestion about the three valuers and the average price?

**何秀蘭議員：**

是，我正想問是誰提出這個建議？因為看文件就是梁展文先生提到，但究竟是誰提這個建議出來呢，文件裏並無顯示。

**Mr John Stanley CORRIGALL:**

I think.....I'm pretty sure it went this way. Mr LEUNG had suggested that each side appointed an independent valuer to make an assessment and I said, "what would be the point of that if it were not binding?", and I suggested, as I recall, that if First Star were prepared to, jointly with the Government, appoint three independent valuers and agreed to be bound by.....to settle the lease modification at the average of those figures, then I could go along with that, but I said, "I'm pretty damn sure that New World won't go along with it." And, when I put it to them, I was right.

**何秀蘭議員：**

是，這個建議.....

**主席：**

不好意思，何秀蘭議員，我想請郭理高先生澄清一下，你剛才講的那位梁先生應該是梁展文先生，對嗎？還是梁志堅先生？

**Mr John Stanley CORRIGALL:**

Sorry, I will try, in future, to differentiate. The LEUNG that made the proposal for each side to appoint its own independent valuers, without being bound by anything, was Stewart LEUNG.

**何秀蘭議員：**

主席。

**主席：**

何秀蘭議員。

**何秀蘭議員：**

這個找獨立測量員作估價的建議是否曾經在談判桌上正式提過出來呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Not that I recall. Stewart LEUNG may have mentioned it in one of our meetings. I really can't remember.

**何秀蘭議員：**

這點我真的希望郭理高先生可以記得清楚一些，可否再真的想一想，在談判桌上有否正式提過出來呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

I'm sorry, Madam Chair, really can't remember. It's six years ago. We did talk about the values. Whether Mr Stewart LEUNG made that suggestion over the negotiating table or whether he made it subsequently, I really can't remember.

**主席：**

何秀蘭議員。

**何秀蘭議員：**

或者我這樣問，郭先生，你自己覺得這個建議可行還是不可行？合理還是不合理呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

No, I thought it was a daft idea.

**主席：**

何秀蘭議員。

**何秀蘭議員：**

你何時知悉你的談判對手是不接受這個建議呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Didn't accept what proposal, sorry, Madam Chair?

**何秀蘭議員：**

找一個獨立的專業人員去估價。

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Well, there were two suggestions for independent valuers. One was Mr Stewart LEUNG's that each side should appoint its own single valuer to give an opinion, which would not in any way be binding on anybody, which I thought was a daft idea; and then, there was my proposal that we agree with New World on three independent valuers, or possibly get the Chairman of the Hong Kong Institute of Surveyors to appoint three or something like that, and we agree to be bound by whatever number is the average of their assessments. I put that - my idea - to Mr Stewart LEUNG and he rejected it.

**主席：**

何秀蘭議員。



**何秀蘭議員：**

OK，是，這就清楚了。主席，我想轉到地價作一個50/50的折讓那方面，在03年9月15日，郭理高先生與陳美寶小姐有一些電郵聯絡，在T51(C)，或者郭先生也看一看。

**主席：**

T50(C)？

**何秀蘭議員：**

T51(C)。

**Mr John Stanley CORRIGALL:**

I have it, Madam Chair.

**何秀蘭議員：**

是。在9月15日，陳美寶小姐發電郵給公務員，包括郭理高先生，當中有3點：第一點是提到行政長官希望知道，如果將那個地價折讓到50/50的時候，會否引起審計署很強烈的質疑；而在郭理高先生回覆陳美寶小姐的電郵中，在第2段那裏，郭先生覺得他不是很肯定行政會議的決定是否可以應該由審計署去審計的。郭先生，看到這一段，是嗎？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

I've got it, yes.

**何秀蘭議員：**

是，但當同事剛才問到這個50/50的地價折讓時，其實郭先生告訴我們，這個在地政署裏是有先例，亦有這個政策的。那我會問郭先生，當他回覆陳美寶小姐這封電郵的時候，他為何不記得這個已經是地政署的政策，不是這樣回答陳小姐，而是說審計署是沒有權力，未必有權力去質疑行政會議的決定呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

I'm not sure if I'm getting this right, this question right, Madam Chairman. There was at the time of writing and, indeed, throughout my career with the Hong Kong Government, the policy on lease modification premiums was to charge 100 per cent. The previous policy to which we.....which I mentioned in one of my answers in A6.....was before my time. The proposal that I made to split the premium 50/50 in the subject case did not accord with policy and, as such, it would have needed, in my opinion, the approval of ExCo. And, indeed, the matter did go to ExCo subsequently.

**何秀蘭議員：**

是，主席。

**主席：**

何秀蘭議員。

**何秀蘭議員：**

其實在地政署以前過去有兩個例子都用了50/50的折讓地價，當時它做這兩個.....地政署做這兩個決定的時候，又有否考慮到審計署是有權力質疑，還是沒權力質疑呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

I think we must have done, but we considered that the settlement that we ended up with was eminently justifiable, and we would have been prepared to defend it in the PAC should the Director of Audit had criticised us for it.

**何秀蘭議員：**

好的，主席，接着我.....

**主席：**

何秀蘭議員。

**何秀蘭議員：**

是，接着我問最後一份電郵，這個就是我們的T29(C)。

**Mr John Stanley CORRIGALL:**

Sorry, Madam Chair, the Honourable Member referred to two cases but, as a matter of fact, in my 3rd of June letter, I did refer you to a third, so there were three.

**主席：**

補充了多一個。

**何秀蘭議員：**

是，記得。主席，最後我問最後一份電郵，是T29(C)。

**主席：**

是。

**何秀蘭議員：**

這個電郵就是梁展文根據郭先生所做的報告，向孫明揚局長作出一個推介說接受這個8.6億元的補地價。

**主席：**

T29(C)。

**Mr John Stanley CORRIGALL:**

I have it now, thank you.

**主席：**

何秀蘭議員。

**何秀蘭議員：**

在梁展文先生給孫明揚局長那個電郵中，是12月27日那個電郵，在第1段那裏，他說今次這個談判其實是任由地產商魚肉。我相信……或者郭先生要看回第1段最尾那兩、三行，我要用英文讀出來，讓郭先生可以知道，在第1段最尾那裏："the disposal of which is entirely at their mercy. In fact, I find it rather amazing that the developer is prepared to come this far." 我想問問郭先生，這個描述是不是你報告給梁先生的呢？抑或是他自己主觀的描述呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

It was Mr LEUNG Chin-man's.

**何秀蘭議員：**

你同不同意這是一個公正的描述呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Yes.

**主席：**

何秀蘭議員。

**何秀蘭議員：**

謝謝主席，我暫時做完我的提問。

**主席：**

李永達議員。

**李永達議員：**

主席，我想先問一個問題，就是剛才郭先生回答何秀蘭的一個資料，就說在整個紅灣半島的事件中是有一次郭先生與梁先生討論過這件事，好像是03年較後期，他剛才說有一個與梁展文的討論、discussion，討論的，我記得。我想問，第一，我想確定郭先生是否有一次在03年年底，你與梁展文先生有直接討論關於紅灣半島這件事？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

During the mediation process, Madam Chair, I had occasion to speak to Mr LEUNG Chin-man on telephone regarding the question of whether or not we should divulge the 11.50 million - I think that was the number - figure to First Star. So, I think that is what the Honourable Member's referring to.

**李永達議員：**

是，我都是指這一點，你提出是否應該向進行調解的對方公開行政會議其實有一個決定，就是希望能夠取得11億元這個價錢，你提出應該將這個資料向對方公開，但梁展文先生那時候跟你對話，他怎麼說呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

I didn't suggest disclosure; quite the opposite, I suggested that we didn't disclose it. And, Mr LEUNG Chin-man agreed.

**主席：**

李永達議員。

**李永達議員：**

主席。即是說，你那次討論只是與他討論在調解過程會否將行政會議這個價錢公開，只是這一點而已，有沒有討論過其他事情？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

No. Not as far as I recall.

**主席：**

李永達議員。

**Mr John Stanley CORRIGALL:**

It was a telephone call to him in a brief recess in the mediation proceedings and I don't recall any.....that was the sole issue that I wished to discuss with him.

**主席：**

李永達議員。

**李永達議員：**

OK。主席，我想問問郭先生，為何要與梁展文先生商討這一點呢？因為調解過程其實不需要你公開行政會議那個底線的。

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

No, I wasn't required to, Madam Chairman, but it seemed to me that if we were not going to disclose it, it would be reasonable, sensible to clear that idea with Mr LEUNG Chin-man. He was the person I was reporting to. It was the Government's bottom line and I just wanted to confirm with him that he agreed with me as to the wisdom of not disclosing it.

**主席：**

李永達議員。

**李永達議員：**

主席。我不太明白，因為地政署……你在這個談判中作為地政署首席的同事，我瞭解這是一個專業的決定。其實，正如你剛才回答我們的同事問題時也講了，關於地價也好，或者調解結果也好，這個都是專業決定來的，其實是不需要得到梁先生的同意或不同意。為何你要在電話中與他談論這個問題呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

I didn't need to discuss it with him. I could have taken that responsibility on my own shoulders. However, it was the figure that ExCo had given to Mr SUEN, given to us, as the so-called bottom line, and I wanted to.....I felt it appropriate, I wanted corroboration of, as I said before, the wisdom of not disclosing it.

**主席：**

李永達議員。

**李永達議員：**

主席，會不會一個原因就是因為即使在最初期的地價談判，你發覺地產商在價錢方面其實"企得很硬"，所以其實即使在03年後階段，當那個所謂調解mediation開始時，其實你是沒甚麼信心取11億元回來的，是嗎？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

I knew we wouldn't get it. The other side had already told us to get lost on 955.5 or 955.8, whatever the figure was. That's why I didn't consider it. In fact, I considered it would have a negative impact if we were to, subsequently,

having had 995.5, I think, knocked back by the other side, it would have made us look stupid, would it not, to have said, "All right, well, how about 1,150?" I was afraid that that might cause First Star/New World to say, "These guys aren't serious. Let's go home."

**主席：**

李永達議員。

**李永達議員：**

主席。我看那些談判過程其實就.....我不知道我用這個字形容你當時的情況是否適合，就是你在談判中作為首席，因為由開始那兩、三個月，新世界對談判那個價錢是沒甚麼退讓的，政府曾有少許退讓，但是在那三個月的談判，我指的是03年頭三個月，其實都是沒有協議的。你覺得你自己在談判中是否很frustrated，即一個很沮喪的情況呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Yes, I did get frustrated, I think. In fact, during the mediation, I think one of my reports to Mr LEUNG Chin-man said we had a frustrating day - "another frustrating day" - I think was my term. So, yes, I did find it frustrating.

**李永達議員：**

主席。你是否曾經建議過兩次，我不記得一次還是兩次，就由你主動建議跟你上面的同事即梁展文講，其實應該停止談判。你是否曾經一次或兩次主動提出過呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

I think I only raised it once.



**主席：**

李永達議員。

**李永達議員：**

主席，我想多問另一個範圍，就是關於那個所謂談判進行到一個階段，去到最後階段的時候就有一個調解。我想你看看一份文件，是T28(C)。這份文件是郭先生你撰寫的。

**Mr John Stanley CORRIGALL:**

I have it.

**李永達議員：**

這份電郵是你寫給梁先生及cc給其他同事的。你看這個電郵的後一頁的第8段，那裏你講到在那個階段，你有兩個選擇——這個是03年12月18日的電郵——一個選擇是(a)："go through their damages claim with them to see what reductions we can achieve"; (b)就是："break off the mediation and let the litigation takes its course"。其實，因為你寫這個是option即選擇來的，換句話說，郭先生你覺得(b)都是一個選擇，即"break off mediation and let the litigation take its course"。那麼，我想問問郭先生，那時候你為甚麼會這樣想呢？因為那時候是叫做調解的……我不知道是不是初、中段，為何你有(b)這個option呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Sorry, why did I have what option? I didn't catch that, the penultimate word.

**李永達議員：**

我簡單問就是在第8段，這個時間應該是調解好像開始了……我不記得……好像開始了，那你就有兩個選擇：(a)是一個；(b)那個選擇、那個option就是"break off the mediation and let the litigation takes its course"，即是說你不如終止那個調解，讓訴訟

自己跟着途徑去做吧。我想問問，當你寫這個電郵的(b)的時候，為何你會有(b)這個選擇與梁先生討論的呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

That's a fact. But I have to say that these were conditional options because, if you look at the second sentence of the first part of the paragraph above (a) - "If, as we expect, they insist on a global settlement" - as it turned out, they didn't, but had they insisted on a global settlement, then these were the two options. This is a statement of fact.

**主席：**

李永達議員。

**李永達議員：**

OK，主席。我繼續想你看，同一個問題，不過我看另一份文件，讓你知道一下那個情況，就是T29(C)。T29(C)有一份是Mr CM LEUNG在12月27日發出的電郵，你是其中一個收到的。這個電郵後一頁的第1、第2、第3、第4.....我想應該是第4段，它在這裏的寫法是："I must say I am horrified at the thought that we should leave the door open for the developer to sue HA for damages resulting from its failure to nominate the PSPS purchasers." 我想問問郭先生，你覺得這一段文字，它是否指你剛才講的Option (b)這個選擇呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

I'm sorry, Madam Chairman, I'm a little bit lost. When you say the fourth paragraph, you mean the penultimate paragraph, the one that starts "I must say I am horrified"?

**李永達議員：**

我所指的是Mr CM LEUNG在12月27日發出的電郵，收件人是孫明揚先生，"To: Michael MY SUEN"。

**Mr John Stanley CORRIGALL:**

Yes, I've got that.

**李永達議員：**

是的。那裏有cc，其中一個是你，我剛才只是數，所以我不.....它沒寫到第幾段，我想應該看到就是.....

**Mr John Stanley CORRIGALL:**

Yes.

**李永達議員：**

....."I must say"那裏，你看到這段嗎？

**Mr John Stanley CORRIGALL:**

Right. And, can you just guide me to the specific statement that you referred to? Could you say it again, please?

**李永達議員：**

我就問它這一段的寫法："I must say I am horrified at the thought that we should leave the door open"這一句，它是否指你所建議的(b)那個option，即是說"break off the mediation and let the litigation take its course"這個反應呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

I'm reading this paragraph and trying to find the relevant bit. Please give me a minute or two.

**李永達議員：**

Yes。

**Mr John Stanley CORRIGALL:**

No, I'm sorry, Madam Chairman, I don't seem to be able to find words that tally with the words that the Honourable Member has mentioned to me. It's the first sentence, is it? Oh, beg your pardon.

**主席：**

李永達議員。

**Mr John Stanley CORRIGALL:**

Right, I now have that question. I apologise. I must have skipped it over. And the question to me on this is what, please?

**李永達議員：**

我的問題就是，在你12月18日發出的電郵的第8段Option (b)，即是說"break off the mediation"，在12月27日，梁先生說——我剛才講那一段——"I must say I am horrified at the thought"，你覺得這一句是不是對你第8段的(b)那個選擇的一個回應呢？

**Mr John Stanley CORRIGALL:**

It appears to be, yes.

**李永達議員：**

你怎麼看啊？他覺得你很恐怖，你這個想法。

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Well, Madam Chair, I put it to you that we're venturing into matters which are *sub judice* under the litigation which is, as you're aware, yet to be completed. I don't think it's appropriate for me to answer this.

**李永達議員：**

主席，我見到郭先生在由談判地價到.....即使是調解，你似乎對地產商在這個談判的誠意都不是很正面，可不可以這樣說呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Negative as to the sincerity of the developer? The developer was trying to get the best deal he could. He was very sincere in that.

**主席：**

李永達議員。

**Mr John Stanley CORRIGALL:**

That's what I would have done.

**李永達議員：**

但是，主席，我想問郭先生的意思就是，在談判到調解這個過程中，你們有否討論過其實你們可以有多少籌碼，可以令對方有少許退讓，而令到與你們要求的價錢是比較相近的呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Yes, we did consider that, of course.

**李永達議員：**

例如有甚麼籌碼呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Well, again, Madam Chairman, I'm sorry, I think we're venturing into matters which are *sub judice*. This could possibly affect the Government's case in the litigation if I were to answer this.

**李永達議員：**

我不明白為何這個是 *sub judice*，這個是……我只是問你談判的籌碼，以及與現在可能會出現那個……

**主席：**

索償。

**李永達議員：**

……索償有甚麼關係呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

But, Madam Chairman, the strength of the Government's case depended, in part, upon its assessment of the strength of its case in the litigation. That's my point. And, this sentence in Mr LEUNG Chin-man's e-mail clearly goes to the strength of the Government's case in the litigation.

**李永達議員：**

主席，我保留，我稍後問問法律顧問這點是否可以提問。不過，我想問另一點就是，郭先生你有一個階段，當梁志堅先生提過是否應該每一方——即政府這一方及新世界一方——各自提出找一個獨立的測量師進行估價，你的反應似乎不是很贊成這一點，是嗎？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

It was negative.

**主席：**

李永達議員。

**李永達議員：**

主席，你可不可以叫郭先生看文件T56(C)？

**主席：**

是，郭先生，請你看T56(C)的文件。李永達議員。

**李永達議員：**

這份文件內有一封電郵，是郭先生發給Patrick LAU，即劉勵超署長的。你是否找到這封電郵？

**Mr John Stanley CORRIGALL:**

I have it. Timed at 16:34.

**李永達議員：**

那是3月27日16時34分發出的。你看看(b)那段，你是這樣寫的：  
"I don't see any point in getting 'independent' surveyors to assess as a basis for further discussion. New World will simply tell their appointed surveyor what they are thinking of." 你的意思是，你找不到任何理由找一些所謂獨立的測量師去估價，以作為進一步談判的基礎，因為新世界很簡單只會告訴它委任的測量師，那些新世界……即他們的想法是甚麼。你的意思是，其實這些地產商聘請的所謂獨立測量師，是由它聘請的，便都不是獨立的了，都是聽從老闆指使他們說甚麼就說甚麼。你是否這個意思？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

I'm not saying they would just listen to New World but I'm saying that it's not beyond the bounds of possibility that New World would influence them.

**李永達議員：**

主席，我認為這段的意思，即 "New World will simply tell the appointed surveyor what they are thinking of" 的意思是，對那些他們聘請的測量師而言，都是老闆 —— 即新世界吩咐他們說甚麼，他們就測量怎樣的價值。你是否同意此看法？意思就是，他聘請的所謂測量師都不是獨立的。意思是否這樣？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

That's why I put "independent" in inverted commas.

**李永達議員：**

所以，你的意思是，那些由地產商聘請的測量師根本都不是獨立的。是嗎？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Yes.

**主席：**

李永達議員。

**李永達議員：**

我進一步希望郭先生看看這份文件的 Annex，即附件，就是 "First Star Development Limited".



**Mr John Stanley CORRIGALL:**

Sorry, the Annex to this .....

**李永達議員：**

是Annex，梁志堅先生寫給Lands Department的。

**Mr John Stanley CORRIGALL:**

Yes, right.

**李永達議員：**

也是T56(C)，是在這疊文件內的。

**Mr John Stanley CORRIGALL:**

Yes, got it.

**李永達議員：**

他在這裏寫給地政總署，其實就是寫給你的，郭先生。此處作出一個分析，在第二段表示，"Please again be advised that, to the best of our estimation....."，即按梁志堅先生那個估計，".....the sales price of the captioned development", dah, dah, dah, dah, dah, 是介乎2,600元至2,800元。換言之，他寫信給你，表示在那時候，他們新世界就那裏的售價所作的估計，即在樓宇落成後，樓宇的售價是每平方呎介乎2,600元至2,800元。當時你看到這個價錢，你覺得他所作的是否一個客觀的估量呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

It seemed low to us.

**李永達議員：**

即你覺得是很低吧？

**主席：**

李永達議員。

**李永達議員：**

郭先生，你有沒有留意，雖然……

**Mr John Stanley CORRIGALL:**

Yes.

**李永達議員**

……你已退休，當這個樓盤於去年08年開售的時候，你知不知道售價高達多少錢一呎？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

No.

**李永達議員：**

售價大概是9,000元至1萬元一呎。

**主席：**

李永達議員。

**Mr John Stanley CORRIGALL:**

Well, that's very interesting but it's hardly relevant, Madam Chair.

**李永達議員：**

在今年年初，他們再將一部分尚未售出的單位再出售，售價是5,000元至6,000元一呎。你有否留意有關的新聞？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

No.

**李永達議員：**

主席，我想問的一組問題是，郭先生曾經……我記不起是……最少有一次，你曾向你的上司提出建議，表示為何不是由政府把它們全部買回來，然後於稍後再出售。你是否曾經提出此建議？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

I don't think I had such a suggestion, Madam Chair.

**李永達議員：**

所以當郭先生你建議停止談判的時候，你所想的後着是怎樣的？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

That the policy people should consider further options.

**主席：**

李永達議員。

**李永達議員：**

所以，主席，郭先生那一次建議停止談判，你沒有進一步建議，在那些選擇當中哪一個是較為……是你認為是較可取的，你是沒有建議過的吧？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

That's right.

**李永達議員：**

OK。主席，最後一組問題我想問的是，行政會議提出一個要求，是向政府方面的談判代表提出的，就是要盡量在談判中爭取到11億元這個談判價錢。是否曾向談判隊伍作出這樣的指示呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

It wasn't as clear-cut as that, Madam Chairman.

**李永達議員：**

那麼，其實是怎樣？即11億元這個數字是指甚麼？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

The 1.1.....I think it was 1.15, was it not?

**李永達議員：**

Yes。

**Mr John Stanley CORRIGALL:**

The 1.15 was a number which the ExCo would have been perfectly happy with, but I recall that the final decision was to give scope to settle at a lower number than that if Mr SUEN was satisfied as to its acceptability.

**主席：**

李永達議員。

**李永達議員：**

所以，主席，當你們在03年12月再重新調解，以你的感覺，一開始調解，其實11億元這個數字是否其實很困難，甚至是不可能達到的數字？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Sorry, the 1.15 we're talking about, are we?

**李永達議員：**

Yes。

**Mr John Stanley CORRIGALL:**

Yes, this so-called "bottom line". Yes, I was convinced that we couldn't get it.

**李永達議員：**

所以，主席，我想問的是，你們既然一開始已經知道這個11億……11.5億元的數字很難取得，其實你和你的上司有否重新討論有何策略，或有何方法，可以令行政會議給予的所謂盡量達到的要求做得到？你有沒有談過有甚麼策略、有甚麼方式，令11.5億元的要求盡量達到？就算達不到，也盡量達到這個數字。有沒有談過呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Well, first of all, Madam Chairman, we didn't know from the very beginning - which I think was the Honourable Member's words - were the Honourable Member's words - we didn't know from the very beginning, we didn't know until we'd started the mediation and established what position First Star was taking.

But, to go on, we did discuss the tactics and I recall that the discussion that I referred to earlier that took place with Mr SUEN turned on whether we should attack the inconsistencies that we considered to exist in First Star's 864 million in an attempt at least to get them to come up to 955-point-something, five or eight, I can't remember. By that time, it was pretty clear that 1.15 was not going to be achievable. So, yes, tactics were discussed but, in the event, we couldn't even get them to agree 995-point-whatever-it-was. So, *a fortiori*, as the lawyers would say, 1150 was out of the question.

**主席：**

李永達議員。

**李永達議員：**

所以，主席，我想問，開始時你們期望有11.5億元，即盡量達到行政會議的這個要求。接着連9.95億元另一較低的數字，其實最終亦不能達到。到頭來，結論只是8.64億元而已。所以我想問郭先生，其實這個談判，或者其後階段的調解，由初期的談判至調解，你覺得政府這次其實是否一直都是處於下風，沒有甚麼籌碼令你們期望的數字出現呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

I'd go along with that.

**李永達議員：**

Sorry?

**Mr John Stanley CORRIGALL:**

I agree.

**李永達議員：**

OK。

**主席：**

李永達議員。

**主席：**

主席，我問最後一點。你覺得你從事地政總署的工作，有很多這些——即當然有些是同事協助你，不用你直接去做其他地價討論。但在你個人的記憶中，這次談判，或這次商討或調解，是否你任職地政總署這麼久以來，令你最沮喪及最困難的談判？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

I've had difficult and frustrating ones before. This is up there in the top three, I guess.

**李永達議員：**

即這個是你首3個最困難及最沮喪的談判？

**Mr John Stanley CORRIGALL:**

Don't ask me to name the others. It's up there in the top ones. Just I don't know whether it's the most difficult one; I'm just racking my brains to see if I can think of any that was more. It's a bit difficult. Anyway, if I could, I wouldn't be at liberty to name it.

**李永達議員：**

OK。主席，我沒有進一步的問題。

**主席：**

好的。各位同事，到此我想大家先休息10分鐘，然後再繼續進行研訊。

**(研訊於下午4時16分暫停)**

**(研訊於下午4時27分恢復進行)**

**主席：**

各位同事，我們繼續開始我們的研訊。請同事幫我們.....是，謝謝。正式開始，在這裏續會的時候，我先澄清一些資料性的問題，因為我們同事多次引述文件T56(C)，說梁志堅先生去見孫明揚先生，當中提到一個日子是3月27日，但是我們再看那份文件資料，3月27日是那個電郵的日期，但是它的內容說的是"昨日梁志堅先生見過孫明揚局長"。所以應該是3月26日去見，電郵的日期才是3月27日。先讓我們澄清這個資料，方便記錄。

接下來要提問的議員就是梁劉柔芬議員。

**梁劉柔芬議員：**

謝謝主席。Mr CORRIGALL, in your statement, you did indicate that, at the time, 2003, you were the Deputy Director (Specialist), is that not?

**Mr John Stanley CORRIGALL:**

Sorry, at what date?

**Hon Mrs Sophie LEUNG LAU Yau-fun:**

2003. In year 2003.

**Mr John Stanley CORRIGALL:**

For most of that year.....

**Hon Mrs Sophie LEUNG LAU Yau-fun:**

Yes.

**Mr John Stanley CORRIGALL:**

.....I was the Deputy Director (Specialist), but from, I think, the 3rd of November, I was Deputy Director (General).

**Hon Mrs Sophie LEUNG LAU Yau-fun:**

Oh, I see. OK. But could you enlighten me as to the term "Specialist"? How does one get to be a specialist or, in your case, what particular special specialty area that you were referring to?



***Mr John Stanley CORRIGALL:***

Well, as you're aware, there were two deputy directors in the Lands Administration Office. It was necessary to differentiate between the two. The Specialist deals with specialist valuation matters.

***Hon Mrs Sophie LEUNG LAU Yau-fun:***

I see.

***Mr John Stanley CORRIGALL:***

Valuation for premiums, resumptions and that sort of thing. And it's all really the professional side of the Lands Administration Office's work. The Deputy Director (General) deals with more general things.

***Hon Mrs Sophie LEUNG LAU Yau-fun:***

I see.

***Mr John Stanley CORRIGALL:***

For example, he's the head of the Lands Administration Office; he is responsible for staff movements; he's responsible for staff discipline; he's responsible.....

***Hon Mrs Sophie LEUNG LAU Yau-fun:***

I see.

***Mr John Stanley CORRIGALL:***

.....for dealing with Ombudsman cases, not that that's particularly "general", but that's.....

***Hon Mrs Sophie LEUNG LAU Yau-fun:***

All right, yes.

***Mr John Stanley CORRIGALL:***

.....the fundamental differentiation.

***Hon Mrs Sophie LEUNG LAU Yau-fun:***

I see the point. Thank you.

**主席：**

梁劉柔芬議員。

**Hon Mrs Sophie LEUNG LAU Yau-fun:**

So, may I then refer to C50? I have only the Chinese version.

**Mr John Stanley CORRIGALL:**

I have it.

**Hon Mrs Sophie LEUNG LAU Yau-fun:**

C50. Do you have?

**Mr John Stanley CORRIGALL:**

Oh, sorry, C50, not T50(C). Right, sorry.

**Hon Mrs Sophie LEUNG LAU Yau-fun:**

OK, do you have an English version?

**Mr John Stanley CORRIGALL:**

Yes, I have C50 now. Yes.

**Hon Mrs Sophie LEUNG LAU Yau-fun:**

Yes, C50. Well, my Chinese version part, the bottom paragraph of page 1, somewhere it says - it's.....

**Mr John Stanley CORRIGALL:**

Sorry, page 5?

**Hon Mrs Sophie LEUNG LAU Yau-fun:**

Page 1.

**Mr John Stanley CORRIGALL:**

Page 1.

***Hon Mrs Sophie LEUNG LAU Yau-fun:***

Yes. It did say that "Mr CORRIGALL decided to personally lead the negotiation team." Did you volunteer?

***主席 :***

郭先生。

***Mr John Stanley CORRIGALL:***

Sorry, I can't find this bit? Are you saying in the second paragraph?

***Hon Mrs Sophie LEUNG LAU Yau-fun:***

Yes, the second paragraph. OK.

***Mr John Stanley CORRIGALL:***

So this is the one that starts at.....

***Hon Mrs Sophie LEUNG LAU Yau-fun:***

Or English version is - OK, sorry. I have the English version now. At the bottom of the page, "At the time, Mr CORRIGALL was a deputy director." And so, the second sentence, which is the next page.....

***Mr John Stanley CORRIGALL:***

Yes.

***Hon Mrs Sophie LEUNG LAU Yau-fun:***

.....says that, "He was supported by a team of.....Mr CORRIGALL decided to lead the negotiation."

***Mr John Stanley CORRIGALL:***

Yes.

***Hon Mrs Sophie LEUNG LAU Yau-fun:***

So you volunteer?

***Mr John Stanley CORRIGALL:***

Yes.

***Hon Mrs Sophie LEUNG LAU Yau-fun:***

OK. No one else would be in that position to do the leading but you volunteer or you.....

***Mr John Stanley CORRIGALL:***

Well, I knew that the other side would be fielding big guns and.....

***Hon Mrs Sophie LEUNG LAU Yau-fun:***

I see.

***Mr John Stanley CORRIGALL:***

.....I didn't want my people to in any way feel intimidated.

***Hon Mrs Sophie LEUNG LAU Yau-fun:***

I see, all right.

***Mr John Stanley CORRIGALL:***

I thought it was appropriate that I lead the team.

***Hon Mrs Sophie LEUNG LAU Yau-fun:***

OK. May I ask, before this one, or before this period of time, have you ever been involved in any negotiation of the same sort, with a developer as your opponent?

***Mr John Stanley CORRIGALL:***

Oh, yes.

***Hon Mrs Sophie LEUNG LAU Yau-fun:***

Many times?

***Mr John Stanley CORRIGALL:***

When you say "of the same sort", this was unique in the fact that the.....

***Hon Mrs Sophie LEUNG LAU Yau-fun:***

Of course.

**Mr John Stanley CORRIGALL:**

.....Government was seeking it, but apart from that, yes, I've discussed premiums with developers when I was the DD(S).

**Hon Mrs Sophie LEUNG LAU Yau-fun:**

So, Mr CORRIGALL, at this point in time, when you volunteer to lead the team for the negotiation, how confident are you or what result you anticipate you might get, you know, at the end of the negotiation? Could you recall?

**主席 :**

郭先生。

**Mr John Stanley CORRIGALL:**

Well, as I've earlier acknowledged, we didn't have an awful lot of clout and previous negotiations had been frustrating and I would say, predictably enough, the mediation negotiations were frustrating. That was no surprise to me.

**主席 :**

梁劉柔芬議員。

**Hon Mrs Sophie LEUNG LAU Yau-fun:**

Mr CORRIGALL, I was.....I mean, you know, if you - I would suppose, if you volunteer and to take on the lead of the negotiation, you must - I suppose you would have gone through your head some - or a mental state, some sort of a strategy or some sort of potential results that you could see down the road that you would like to achieve. How confident were you at that point? I just want to understand your state of mind at that point in time.

**主席 :**

郭先生。

**Mr John Stanley CORRIGALL:**

I didn't really regard this as anything out of the ordinary as far as premium negotiations were concerned, except that I think we were in a somewhat less advantageous position than normal because it was the Lands Department of the Government that was seeking the modification. The fact that it was a mediation didn't actually change anything: it was one side arguing with the other about

how much the premium should be. Frankly, I didn't find the mediation terribly helpful. The fact that it was a mediation rather than a straightforward negotiation wasn't particularly helpful. I didn't approach this in a different way to any other premium negotiation.

***Hon Mrs Sophie LEUNG LAU Yau-fun:***

We are actually referring to the early part of 2003 when negotiation is supposed to take place.

***Mr John Stanley CORRIGALL:***

Oh, well, at that time.....

***Hon Mrs Sophie LEUNG LAU Yau-fun:***

Yes.

**主席：**

郭先生。

***Mr John Stanley CORRIGALL:***

.....before those negotiations had opened, I didn't know what to expect from the other side until we'd had the discussions.

***Hon Mrs Sophie LEUNG LAU Yau-fun:***

I see, so.....

**主席：**

梁劉柔芬議員。

***Hon Mrs Sophie LEUNG LAU Yau-fun:***

Yes, Mr CORRIGALL, so you are telling us that, when you volunteer to take on the lead of the negotiation, that you just walk into the negotiation hall without really premeditating, you know, what would be the result or how you're going.....

***Mr John Stanley CORRIGALL:***

Well, no.

**Hon Mrs Sophie LEUNG LAU Yau-fun:**

.....to strategise this?

**Mr John Stanley CORRIGALL:**

That's the essence of negotiation, is to meet the other side and learn the position that they're coming from.

**Hon Mrs Sophie LEUNG LAU Yau-fun:**

I see.

**Mr John Stanley CORRIGALL:**

One is normally prepared to make some concessions on the figures that one puts forward initially and that was the case in this case.

**Hon Mrs Sophie LEUNG LAU Yau-fun:**

I see.

**Mr John Stanley CORRIGALL:**

But, until one is aware of the position the other side's taking, one's not in a position to really develop a strategy. It evolves as the discussions continue.

**主席 :**

梁劉柔芬議員。

**Hon Mrs Sophie LEUNG LAU Yau-fun:**

Mr CORRIGALL, can I then ask, at that point in time, do you have any, say, for example, even think of any fallback positions to go to if negotiation should come to a deadlock or something and to arrive at - say, for example, W30(C), your statement, can I refer you to that?

**Mr John Stanley CORRIGALL:**

That's my written statement?

**主席 :**

郭先生。

***Hon Mrs Sophie LEUNG LAU Yau-fun:***

Yes.

***Mr John Stanley CORRIGALL:***

Right.

***Hon Mrs Sophie LEUNG LAU Yau-fun:***

Yes.

***Mr John Stanley CORRIGALL:***

I've got my own copy of it here.

***Hon Mrs Sophie LEUNG LAU Yau-fun:***

Yes. The particular area that I refer to is, say, for example, your answer 4. Answer to question 4.

***Mr John Stanley CORRIGALL:***

Yes.

***Hon Mrs Sophie LEUNG LAU Yau-fun:***

On page 2, and the last part of that answer says that, "I suggested the Director of Housing might wish to resume discussions with First Star and to consider the purchase of the flats in accordance with the lease conditions and arrange for subsequent sale of these flats in the open market." This was, of course, at the end of March, your recommendation, but has this, you know, some of these options crossed your mind when you volunteer so brilliantly to lead the negotiation team?

***Mr John Stanley CORRIGALL:***

No.

***主席 :***

郭先生。

***Mr John Stanley CORRIGALL:***

No, because that wasn't in my contemplation.....it wasn't my responsibility to do that.



**Hon Mrs Sophie LEUNG LAU Yau-fun:**

I see.

**Mr John Stanley CORRIGALL:**

But it didn't cross my mind because, prior to the negotiations starting, I had no real idea as to how they would end up, whether we'd reach a deal or not.

**Hon Mrs Sophie LEUNG LAU Yau-fun:**

I see. So, Mr CORRIGALL.....

**主席 :**

梁劉柔芬議員。

**Hon Mrs Sophie LEUNG LAU Yau-fun:**

Yes, 謝謝。Mr CORRIGALL, do you have any contemplation before you walk into this negotiation table, into the negotiation hall?

**主席 :**

郭先生。

**Mr John Stanley CORRIGALL:**

All my preparation for that negotiation was to go through the valuation with my senior estate surveyor and to prepare our case to put to the other side. We didn't know what the other side were going to put to us; it was only after the meetings with them that we knew where they were coming from and could try to develop a strategy of attacking their figures.

**主席 :**

梁劉柔芬議員。

**Hon Mrs Sophie LEUNG LAU Yau-fun:**

May I ask again, Mr CORRIGALL, even prior to this, March 2003, you might have been involved in some other negotiations regarding land premiums and such. Do you recall any one case or any one particular case that you are pleased with the results?

**主席：**

郭先生。

**Hon Mrs Sophie LEUNG LAU Yau-fun:**

That you can say that you have done well on behalf of, you know, of Government or of the society?

**Mr John Stanley CORRIGALL:**

Well, I think we did well in this case.

**Hon Mrs Sophie LEUNG LAU Yau-fun:**

I see. OK. But I asked that question because, when you replied to the Honourable Mr LEE, you seemed to indicate that you were very frustrated with this case.

**Mr John Stanley CORRIGALL:**

I was. But, I think, in the end, we made the right decision.

**Hon Mrs Sophie LEUNG LAU Yau-fun:**

I see. All right.

**Mr John Stanley CORRIGALL:**

But now - if I can go a little bit further, yes, I've had - whenever a case has been concluded, I regard it as very good.

**Hon Mrs Sophie LEUNG LAU Yau-fun:**

I see.

**Mr John Stanley CORRIGALL:**

Because it's settled at a number, at a figure, that I'm perfectly satisfied with. Otherwise, it would not have been settled.

**Hon Mrs Sophie LEUNG LAU Yau-fun:**

I see. So, in your.....you are trying to tell us that, as long as some things got settled, some dispute got settled, that's satisfactory?

**Mr John Stanley CORRIGALL:**

I'm not talking about a dispute; I'm talking about concluding a deal on a lease.....

**Hon Mrs Sophie LEUNG LAU Yau-fun:**

I see.

**Mr John Stanley CORRIGALL:**

.....modification premium.

**Hon Mrs Sophie LEUNG LAU Yau-fun:**

All right. OK.

**主席 :**

梁劉柔芬議員。

**Hon Mrs Sophie LEUNG LAU Yau-fun:**

Mr CORRIGALL, you also volunteer to head the mediation; is that not?

**Mr John Stanley CORRIGALL:**

That's correct.

**Hon Mrs Sophie LEUNG LAU Yau-fun:**

If you were already so frustrated with the negotiation process, why do you feel that you should still head the mediation? Do you feel that you are the only person capable of heading such mediation process or.....

**主席 :**

郭先生。

**Mr John Stanley CORRIGALL:**

I thought it was appropriate, notwithstanding the fact that, by the time the mediation started, I was the Deputy Director (General). I thought it was appropriate for me to continue for the sake of continuity and I thought it would also have been very unfair to my successor as DD(S) to back off and say, "Over to you. Good luck." I didn't think that would have been at all fair.

***Hon Mrs Sophie LEUNG LAU Yau-fun:***

OK. Mr CORRIGALL.....

***Mr John Stanley CORRIGALL:***

And not, I might say, in the best interests of the Government and the taxpayer.

***Hon Mrs Sophie LEUNG LAU Yau-fun:***

I see.

**主席：**

梁劉柔芬議員。

***Hon Mrs Sophie LEUNG LAU Yau-fun:***

Mr CORRIGALL, that's high thinking. Having gone through the experience of leading the negotiation team in March and coming away with that sense of frustration because, you know, obviously, you have your reasons being frustrated, have you given it some thought to, maybe, it's not the Specialist's position; the best person to lead a negotiation may be someone who can be more - how should I say - possessing other qualities, be a better person to negotiate or to mediate? Would you have.....

**主席：**

郭先生。

***Hon Mrs Sophie LEUNG LAU Yau-fun:***

.....have that sense?

**主席：**

郭先生。

***Mr John Stanley CORRIGALL:***

No. Had I felt that, I would have yielded to whoever I considered more appropriate.

**主席：**

梁劉柔芬議員。

**Hon Mrs Sophie LEUNG LAU Yau-fun:**

All right. Can we go to.....can I refer you to 35(C)?

**Mr John Stanley CORRIGALL:**

Sorry? 35(C)?

**Hon Mrs Sophie LEUNG LAU Yau-fun:**

Yes, 35(C), which is a written note from you to us, to the Select Committee.

**Mr John Stanley CORRIGALL:**

35(C) or C35? Oh.

**主席：**

W35(C)。

**Hon Mrs Sophie LEUNG LAU Yau-fun:**

Oh, yes, sorry. W35(C), yes.

**Mr John Stanley CORRIGALL:**

Sorry, this one? My witness statement?

**Hon Mrs Sophie LEUNG LAU Yau-fun:**

W35(C). A written note from you to the Select Committee.

**Mr John Stanley CORRIGALL:**

Right. Yes.

**Hon Mrs Sophie LEUNG LAU Yau-fun:**

Yes.

**Mr John Stanley CORRIGALL:**

I have my own - oh, that's right, yes.

**Hon Mrs Sophie LEUNG LAU Yau-fun:**

Yes.

**Mr John Stanley CORRIGALL:**

Got it, thank you.

**Hon Mrs Sophie LEUNG LAU Yau-fun:**

Yes. In this, you just wanted to tell us that there's a third case of settling 50% premium settlement, right?

**Mr John Stanley CORRIGALL:**

Yes.

**Hon Mrs Sophie LEUNG LAU Yau-fun:**

But, in your W30(C), you cited only two precedent cases with 50/50 settlement. Is this third case a new case - or, I mean, not a new case but has it been known in the mediation process about this 50/50 process of the third case?

**Mr John Stanley CORRIGALL:**

No.

**Hon Mrs Sophie LEUNG LAU Yau-fun:**

No.

**主席 :**

郭先生。

**Mr John Stanley CORRIGALL:**

No.

**主席 :**

梁劉柔芬議員。

***Hon Mrs Sophie LEUNG LAU Yau-fun:***

Mr CORRIGALL, can you tell us why you are bringing to our attention, at this stage, of this third case? Can you tell us a bit about, you know, what's the significance of this third case?

**主席 :**

郭先生。

***Mr John Stanley CORRIGALL:***

The reason I brought it to the Select Committee's attention was because, in Q6, I was asked for details of precedent lease modifications settled at 50% premium. When I was studying one of those two cases that I mentioned in my A6, I saw mention of this third case and I immediately thought that I ought to bring that to the Select Committee's attention because, without doing that, although my answer to Q6 was actually correct because the question went only to lease modifications and the third case that I mentioned was actually a land exchange, that is really a technicality.

***Hon Mrs Sophie LEUNG LAU Yau-fun:***

I see.

***Mr John Stanley CORRIGALL:***

And so I decided it was appropriate for me to draw this to the Committee's attention.

***Hon Mrs Sophie LEUNG LAU Yau-fun:***

OK.

**主席 :**

梁劉柔芬議員。

***Hon Mrs Sophie LEUNG LAU Yau-fun:***

So, Mr CORRIGALL, is this third case further away in similarity to the Hunghom Peninsula case or is it closer than the other two cases?

**Mr John Stanley CORRIGALL:**

It's the same as the other two cases. It hinged on an arguable need for, in that case, a land exchange to allow the redevelopment proposal.

**Hon Mrs Sophie LEUNG LAU Yau-fun:**

I see.

**主席 :**

梁劉柔芬議員。

**Hon Mrs Sophie LEUNG LAU Yau-fun:**

OK. Mr CORRIGALL, can I refer you again to W30(C) in your question 8 and your answer A8?

**Mr John Stanley CORRIGALL:**

Yes.

**Hon Mrs Sophie LEUNG LAU Yau-fun:**

This cites the mediation team. Is it the same composition as the negotiation team?

**Mr John Stanley CORRIGALL:**

No.

**Hon Mrs Sophie LEUNG LAU Yau-fun:**

It's different. OK. Then let's concentrate on the mediation team. Among this group, do you believe that maybe there's another person other than the fact that you yourself had led the negotiation team and having the continuity aspect, any other person within this group might be better or equally as a good candidate for leading this mediation team?

**主席 :**

郭先生。

**Mr John Stanley CORRIGALL:**

As good or better, no.



**Hon Mrs Sophie LEUNG LAU Yau-fun:**

No. What about within the Department of Lands?

**主席 :**

郭先生。

**Mr John Stanley CORRIGALL:**

No.

**Hon Mrs Sophie LEUNG LAU Yau-fun:**

I see. Then can I ask you the same question with regard to the negotiation team when it was formed in March? Would anybody within the department be a better person or equally as good as yourself to lead the negotiation team?

**Mr John Stanley CORRIGALL:**

I think it was formed in January.

**主席 :**

郭先生。

**Hon Mrs Sophie LEUNG LAU Yau-fun:**

Yes, sorry, formed in January, yes.

**Mr John Stanley CORRIGALL:**

But the answer is "No".

**Hon Mrs Sophie LEUNG LAU Yau-fun:**

"No", I see.

**Mr John Stanley CORRIGALL:**

I thought I was the best person to do it.....

**Hon Mrs Sophie LEUNG LAU Yau-fun:**

Because of?

**Mr John Stanley CORRIGALL:**

.....without appearing to brag.

**Hon Mrs Sophie LEUNG LAU Yau-fun:**

No, because of?

**Mr John Stanley CORRIGALL:**

Because, no. 1, of my expertise; no. 2, I was the approving authority for premiums; and 3, I knew that the other side would be fielding big guns and, as I said before, I didn't want my people to feel at all intimidated.

**Hon Mrs Sophie LEUNG LAU Yau-fun:**

What about the.....

**主席：**

梁劉柔芬議員。

**Hon Mrs Sophie LEUNG LAU Yau-fun:**

Sorry. Mr CORRIGALL, I suppose, when one enters into a negotiation, one would look at factor no. 4, which is whether one can drive a very tough bargain or not. What about that aspect?

**Mr John Stanley CORRIGALL:**

I think that goes without saying, doesn't it?

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

You'd better ask some of the developers whether I can drive a tough bargain or not.

**Hon Mrs Sophie LEUNG LAU Yau-fun:**

OK. OK, I have no more questions.

**主席：**

劉江華議員。

**劉江華議員：**

主席，我想先跟進李永達議員剛才問最後那個問題——我想先跟進李永達議員最先問的問題，就是說你覺得是否好沮喪呢，即對這個個案。你回答"是"，但是你沒有回答原因，即為何你會覺得這樣沮喪，即甚麼原因你會覺得這個案如此沮喪？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

I think, firstly, because the other side were adopting a very immovable position and, secondly, because I realised that we didn't have.....we weren't coming from a very strong position ourselves, having been the party that initiated the need or the desire for a lease modification.

**主席：**

劉江華議員。

**劉江華議員：**

除了這兩個原因，你作為專業人士，以及你在地政署在專業來說，你是最高級那位。但是你是受制約於很多方面的指示，這個是否算是一個，你剛才所說的比較挫折的一個原因？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

No.

**劉江華議員：**

但是其實你最後的結果得出來那個數字，並不是你最早專業判斷的數字，你不覺得差距這樣大，對於你專業的判斷其實是有影響？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Sorry, I don't follow.

**劉江華議員：**

你一開始是作出一個專業的估計。

**Mr John Stanley CORRIGALL:**

Yes.

**劉江華議員：**

你專業估計的數字跟最後得出來那個結果相差是很遠，你會不會覺得你那個專業的估計其實是有受損的？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Harmed? No, I don't think my professional assessment was harmed in the slightest way. It had continued to have validity. But the fact of the matter was that it made sense to accept New World/First Star's offer, in my view. And, as I said earlier, when I re-read my Christmas Eve 03 recommendation, I reconfirmed that, the wisdom of that, to me.

**主席：**

劉江華議員。

**劉江華議員：**

主席，我真的不是很明白郭先生，即一方面你就認為你自己很有挫折感，但是另外一方面，你剛才回答梁劉柔芬議員的時候，就說你們做得很好，最後這個結果。為何會有這樣大的差別，一方面你又說挫折，另外一方面你又做得很好。哪一樣才是真的？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

I was frustrated in the other side's lack of willingness to make any concession on what I considered to be rational valuation arguments. That was the main source of the frustration.

**主席：**

劉江華議員。

**劉江華議員：**

是，那為何會做得好呢？即你自己對最後的結果感覺良好，為何會是這樣呢？既然你是沒有一個理性的一個——缺乏一個理性的一個論點，那為何你認為最後的結果是會是好呢？是done well呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

I thought it was a good settlement for the reasons set out in that e-mail to Mr C M LEUNG, even though it did not accord with my assessment of the increase in value. Nevertheless, I considered it to be a good settlement in the interests of, as I've said before, both the Government and the taxpayer.

**劉江華議員：**

郭先生，如果一個你認為好的結果，但是缺乏一個理性的依據，你剛才所說的rational argument，算不算是……

**Mr John Stanley CORRIGALL:**

Yes, it was.

**劉江華議員：**

.....一個專業的判斷呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

It wasn't a professional assessment but the content of my Christmas Eve 03 Memo is rational, logical and makes complete sense.

**主席：**

劉江華議員。

**劉江華議員：**

不如你解釋一下，你剛才所說沒有一個理性的論點的意思是甚麼？你所指的是甚麼？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Sorry, where do I use this?

**劉江華議員：**

"Rational argument"，整個談判過程，你覺得是.....

**主席：**

劉江華議員，哪份文件呢？

**劉江華議員：**

他剛剛回答的。

**主席：**

哦。

**Mr John Stanley CORRIGALL:**

I meant that, when I was talking about my frustration, that the other side were not persuaded by rational - or what our side considered to be rational argument. That, I'm sure you'll acknowledge, is frustrating.

**主席：**

劉江華議員。

**劉江華議員：**

不是。主席，我想他澄清就是，他所說的rational argument是指甚麼？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

I am referring to First Star/New World's unwillingness to be persuaded by rational argument.

**主席：**

劉江華議員。

**劉江華議員：**

你可不可以說得再清楚一些？你覺得在我們這一邊，即是說在政府這一邊，那個談判過程當中，有沒有一個比較理性的依據？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Well, for one thing, when we attacked them on what we considered to be inconsistencies in their compilation or their arriving at their 864 million, our

understanding of the basis of that from the discussion in the mediation, when we put it to them that they had made what we thought were mistakes, not to put too fine a point on it, they were unwilling to take those on board. That I found frustrating. And that was my reference to rational argument.

I also felt that the numbers that we were using were much better substantiated than the numbers they were using, for I'm talking about the sales price, the estimated sales price of the flats with the benefit of the lease modification.

**主席：**

劉江華議員。

**劉江華議員：**

主席，我想問一下郭先生，過往他做了那麼多的談判，從來有沒有試過在中間要有一個調解者？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

No. Well, no - people may have thought mediation was required but we never went to mediation.

**主席：**

劉江華議員。

**劉江華議員：**

即是說這一次是第一次，你是遇到需要有調解者？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Well, I don't acknowledge that this required mediation. We were instructed to go to mediation.



**劉江華議員：**

不是，我意思是說，你自己個人是第一次遇到這樣的情況，是嗎？

**Mr John Stanley CORRIGALL:**

Yes.

**主席：**

劉江華議員。

**劉江華議員：**

主席，我想郭先生看看文件T114(C)，T114(C)就是梁展文寫給郭先生和其他人、有關的人士，這裏一開始就……

**主席：**

劉江華議員，或者先讓郭先生找到那份文件，好不好？

**劉江華議員：**

好。

**Mr John Stanley CORRIGALL:**

I have it. C M LEUNG, 31 October 2003.

**劉江華議員：**

沒錯，就是梁展文先生寫給你的，看到了嗎？

**Mr John Stanley CORRIGALL:**

Yes.

**劉江華議員：**

他說其實早上有跟你通過電話，是嗎？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

That's what he said.

**劉江華議員：**

他是這樣說，但究竟是不是？

**主席：**

你認不認同梁先生這樣說呢？郭先生。

**Mr John Stanley CORRIGALL:**

Well, if that's what he said, I take it as truth. I can't remember.

**劉江華議員：**

哦，你不記得那個內容，是嗎？

**Mr John Stanley CORRIGALL:**

I can't even remember having the conversation.

**劉江華議員：**

哦，不要緊。郭先生，如果你看最後那段，他這裏說到，就說……

**Mr John Stanley CORRIGALL:**

Yes.

**劉江華議員：**

……他不會參與這個談判，由現在開始。看到了嗎？

**Mr John Stanley CORRIGALL:**

Yes.

**劉江華議員：**

Vincent TONG 就會向他匯報，除此之外，他本人就不會參與這一個談判，那這裏清楚了，這個是文字上的寫法。郭先生，我

想問就是，在這一日之後，梁展文先生有沒有任何形式跟你聯絡過？

**主席：**

郭先生。

**劉江華議員：**

在談判的事宜上面。

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

The only thing I can recall discussing with Mr C M LEUNG was that question of the disclosure of the 1,150 million number. I can't recall any other discussions on the mediation that took place with him, although he was probably present at the time when I discussed with Mr SUEN.

**主席：**

劉江華議員。

**劉江華議員：**

那即是說，如果在談判的價錢上面，你是完全沒有跟梁展文先生有聯絡的？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

No, that's right.

**劉江華議員：**

你感不感覺到梁展文先生在背後亦是透過 Vincent TONG，是會在價錢上面是會有左右你一些的看法呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Not at all. He said he was working through Vincent TONG, that's true, but there was certainly no attempt to influence my thinking on the numbers. Of course, I discussed with Vincent what I was going to put to Mr C M LEUNG at the end of each mediation session prior to my making the report. Vincent was one of the mediation team; we discussed all that. And then I said, "Right, I'll now put together my report to Mr LEUNG."

**主席：**

劉江華議員。

**劉江華議員：**

除了你本人之外，你去談判這個價錢，有沒有在地政署本身有與其他人商量？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

No, only discussed it with the mediation team, of which there were two Lands Department colleagues in it: Mr ROBERTSON and Ms KU.

**主席：**

劉江華議員。

**劉江華議員：**

郭先生，我亦想你看看T115(C)第二頁，最後PS那部分最後那段。

**主席：**

劉江華議員。

**Mr John Stanley CORRIGALL:**

Yes, I have it.

**劉江華議員：**

這裏是你寫的，你說你有一個會議，或者叫做會前的會議 *prelim meeting*，就跟新世界以及調解員——調解者一起。這個是否慣常的做法？即是說在正式的調解會議之前或之後，是有一些叫做預備會議的？即你三者會有預備會議這回事呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Well, I've never been involved in a mediation before but I understand that that is normal.

**主席：**

劉江華議員。

**劉江華議員：**

你提到你估計其實可能他都不會給調解費的，可能政府都要支付全部。這個又是不是 *normal* 呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

It's my understanding that, in mediation, it's normal for the two parties to split the fee.

**劉江華議員：**

沒錯，這個才是正常。那為何是政府會負擔所有的費用呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Well, as the PS says, because New World were refusing to pay anything.

**劉江華議員：**

最後的結果是怎樣的？你記不記得？

**Mr John Stanley CORRIGALL:**

If we wanted the mediation to go ahead, that was the only option available. It was either that or...

**主席：**

劉江華議員。

**Mr John Stanley CORRIGALL:**

.....cancel the mediation.

**劉江華議員：**

明白。最後的結果是否由政府全部負擔？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

No, they split it with the HA.

**主席：**

劉江華議員。

**劉江華議員：**

但是發展商是沒有承擔任何費用，是嗎？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Correct.

**劉江華議員：**

如此不正常的情況，是否引致到你挫折的原因之一？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

No. It's a minor issue.

**劉江華議員：**

主席……

**Mr John Stanley CORRIGALL:**

Almost trivial.

**劉江華議員：**

……我還想問一問另外一個問題，就是新世界的律師的代表是哪一位？當時你有接觸的。

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

It was a gentleman from the solicitors' company, C……

**劉江華議員：**

張陳鍾律師行，這個我們知道。

**Mr John Stanley CORRIGALL:**

Yes.

**劉江華議員：**

但是哪一位你……

**Mr John Stanley CORRIGALL:**

Mr Leo CHAN, I think his name was.

**劉江華議員：**

Leo CHAN ?

**Mr John Stanley CORRIGALL:**

Yes.

**劉江華議員：**

Leo CHAN ?

**主席：**

劉江華議員。

**Mr John Stanley CORRIGALL:**

It was "Leo" something.

**劉江華議員：**

OK。是否一位律師行的代表？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

No. I think he had somebody else with him, a colleague.

**劉江華議員：**

你本人認不認識鍾國昌律師？



**Mr John Stanley CORRIGALL:**

How do you mean "do I know him"?

**劉江華議員：**

他是這間律師行的顧問。

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

No, the only person I know from there is Mr Leo, I think, CHAN and the only reason I know him is - well, knew him is because I met him in this mediation. I'd never had any - I didn't even know of the existence of this company until the mediation.

**主席：**

劉江華議員。

**劉江華議員：**

好，沒有了。

**主席：**

吳靄儀議員。

**吳靄儀議員：**

多謝主席。主席，剛才不好意思，整天都要進進出出，因為另外有個行政管理委員會的會議同時舉行，有些要緊的事商談。

Mr CORRIGALL, please give me some help. I don't understand this negotiation at all. This is a - it seems to me to be a very weird kind of negotiation. I understand, in order to have a negotiation, it must be of advantage to both parties to achieve a deal. Don't you agree?

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Well, providing the parties - the purpose of the negotiation is to try and reach a deal and, clearly, if both parties can see eye to eye on a number, then that's good.

**Dr Hon Margaret NG:**

Yes. But, in this negotiation, it seems that you are - you represent the Government to negotiate with New World; it seems that, from the start, your hands are tied. Isn't that correct?

**主席 :**

郭先生。

**Mr John Stanley CORRIGALL:**

Well, I've already acknowledged that we were not in a strong position. I think that's pretty much the same as saying one's hands are tied.

**Dr Hon Margaret NG:**

No. With respect, there's a difference because you are bound by the parameters. You are given a set of parameters to negotiate, isn't it?

**主席 :**

郭先生。

**Mr John Stanley CORRIGALL:**

Well, are we talking about the early 2003 negotiation?

**Dr Hon Margaret NG:**

The first one.

**Mr John Stanley CORRIGALL:**

Yes. Well, I don't think my hands in that respect were any more tied than in any other.....

**Dr Hon Margaret NG:**

Well, first of all.....

**Mr John Stanley CORRIGALL:**

.....premium negotiation.

**Dr Hon Margaret NG:**

First of all, the Government doesn't seem to be considering any alternative except coming to a deal with New World or First Star. Secondly, it has a time limit. Thirdly, it seems that it's all downside for the Government if it doesn't close the deal. So, wouldn't you describe that as a very poor set of parameters so that it's justified to say that your hands are tied?

**主席 :**

郭先生。

**Mr John Stanley CORRIGALL:**

Could you just go over those three points you made, again, please?

**Dr Hon Margaret NG:**

You don't have any alternative policy, you have to close the deal within a time limit - I don't know, six months or whatever, right?

**Mr John Stanley CORRIGALL:**

Uh-huh.

**Dr Hon Margaret NG:**

There's just no alternative?

**主席 :**

郭先生。

**Mr John Stanley CORRIGALL:**

Well, perhaps, I'll come back to you on that, first.

**Dr Hon Margaret NG:**

Yes.

**Mr John Stanley CORRIGALL:**

Alternatives were considered but they didn't actually stack up; they weren't as good as this alternative.

**Dr Hon Margaret NG:**

Yes, but, Madam Chairman, I have been following, such as I could, both in the documents and in the discussion in the meeting. It seems that, from beginning to end, there wasn't any real alternatives which were presented to you as a negotiator.

**Mr John Stanley CORRIGALL:**

You mean alternatives to concluding a lease modification?

**Dr Hon Margaret NG:**

I don't mean that you actually have no alternatives. I mean the Government did not give you any alternatives.

**Mr John Stanley CORRIGALL:**

Alternatives to concluding a lease modification, you mean?

**Dr Hon Margaret NG:**

Exactly.

**Mr John Stanley CORRIGALL:**

Yes, that's correct.

**Dr Hon Margaret NG:**

Right. And there is a time limit to it, right?

**Mr John Stanley CORRIGALL:**

There was a time limit but let me go back to point 1, first; forget about the time limit for a minute. It's normal in a lease modification. You're negotiating with a single owner. There's only one person you can negotiate with and this case was no different.

**主席 :**

吳靄儀議員。

***Dr Hon Margaret NG:***

But if I go by Mr C M LEUNG's e-mail which you have looked at many times in T29C, dated 27th of December, now I'm talking about the December period, in the course of the negotiation. Then.....

***Mr John Stanley CORRIGALL :***

Yes, I have T29C.

***Dr Hon Margaret NG:***

Yes?

***Mr John Stanley CORRIGALL :***

Yes.

***Dr Hon Margaret NG:***

I'm particularly looking at the paragraph beginning, "I must say I am horrified....." which you have looked at before.

***Mr John Stanley CORRIGALL :***

Yes.

***Dr Hon Margaret NG :***

It seems that Mr C M LEUNG thinks that he doesn't have a leg to stand on provided.....given that action was brought. Now, I don't say that he is right or wrong, OK, so I'm not asking you to compromise the Government's position - as a matter of fact, I don't take that view at all - but if he is to be taken at his word, that provided there is - because of the action is brought, you are lucky to have any deal at all. So, if that doesn't mean that your hands were tied, I don't know what else it can mean.

***主席 :***

郭先生。

***Mr John Stanley CORRIGALL :***

I don't think my hands were tied but I think that's a correct assessment of Mr C M LEUNG's - what he's saying there.

***Dr Hon Margaret NG :***

Yes, I don't understand why he could come to that conclusion so readily, but it seems quite clear that that is his conclusion.

***Mr John Stanley CORRIGALL :***

I would.....

***Dr Hon Margaret NG :***

If that is his conclusion, then I can see, certainly, that any deal is already a good deal. So my question to you is, that seems so abnormal to me because, in the whole process, although you might have been frustrated by New World's - the kind of unreasonable position that New World has taken; wouldn't you say that, at least, since New World made an effort, there must be an advantage for them in closing this deal at the price they suggested?

***主席 :***

郭先生。

***Mr John Stanley CORRIGALL :***

Well, yes, clearly there was an advantage to them in settling but that's the case in settling any lease modification. There's an advantage to any developer in settling a lease modification, is there not, because they're happy with the premium and they're getting the lease modification?

***主席 :***

吳靄儀議員。

***Dr Hon Margaret NG :***

Yes. So.....my puzzlement about this negotiation is why were you put into such a position.

***主席 :***

郭先生。

**Mr John Stanley CORRIGALL :**

The only reason I was in it was to negotiate a premium and to see what deal we could get.

**主席 :**

吳靄儀議員。

**Dr Hon Margaret NG :**

Yes, Madam Chairman, what I am driving at is that, obviously, there is advantage for New World in closing a deal or else they would not have gone to the.....would not have made the effort, right? That's.....

**Mr John Stanley CORRIGALL :**

They wouldn't. Yes, they wouldn't have settled if there wasn't an advantage to them.

**Dr Hon Margaret NG :**

Yes. And yet, from the Government's position, from the position evidenced by Mr C M LEUNG and Mr SUEN, they seem to feel that the Government does not have a leg to stand on. I don't understand in that kind of.....how can that situation be justified.

**主席 :**

郭先生。

**Mr John Stanley CORRIGALL :**

Well, these are not my words, Madam Chairman. You'd have to ask the writer.

**Dr Hon Margaret NG:**

Yes, what I'm asking you is, really why was it - I mean, what sort of a negotiation is this when your parameters, the set of parameters given to you, were so very restrained.

**主席 :**

郭先生。

**Mr John Stanley CORRIGALL:**

I don't see that they were very restrained. Yes, there was a time limit - that's not normal; but, apart from that, nothing in particular. Yes, OK, it was the Government making the running in proposing the lease modification, that made a difference, but those two factors, apart from that, I would say it was not really any different.

**主席 :**

吳靄儀議員。

**Dr Hon Margaret NG:**

Madam Chairman, let me look at it in a different.....consider another aspect of it. Having paid the premium of 864 million, I believe, New World is then free to sell, so anything they can get in addition would set off the premium they have paid; they will be making money, right?

**Mr John Stanley CORRIGALL:**

You mean anything in addition to the 864?

**Dr Hon Margaret NG:**

Yes.

**Mr John Stanley CORRIGALL:**

Yes.

**Dr Hon Margaret NG:**

In that case, why should they suffer any damages? Now, if they have completed the deal, they would have got their sale price of the flats that they - of the buyers nominated by the Government; is that correct?

**主席 :**

郭先生。

**Mr John Stanley CORRIGALL:**

Sorry, say again, please?



***Dr Hon Margaret NG:***

If the Government had nominated buyers in the usual way, then New World would have made money, say, a fixed sum, a sum of money, they would.....

***Mr John Stanley CORRIGALL:***

I don't know whether they would have made a profit or made a loss; it would depend how much they paid for the bid and how much their development costs were.

**主席：**

吳靄儀議員。

***Dr Hon Margaret NG:***

Yes, Madam Chairman, at this premium, at the 864 million premium, plus what they have put into building those flats, given the price that they have at which the flats were actually sold, according to the Deputy Chairman, they've made a huge profit. Have I got things completely wrong? As a matter of fact.

**主席：**

郭先生。

***Mr John Stanley CORRIGALL:***

I don't know what they sold the flats for but what's wrong with making a profit?

***Dr Hon Margaret NG:***

No, no, no, I'm not saying that - Madam Chairman, I'm not saying that there is anything wrong with it. Developers are there to make money, right?

***Mr John Stanley CORRIGALL:***

Yes.

***Dr Hon Margaret NG:***

What I'm saying is that, as a matter of fact, they made a great deal of money.

**Mr John Stanley CORRIGALL:**

Well, I'm not in a position to go along with that or not. I don't know what the price is they fetched.

**Dr Hon Margaret NG:**

All right.

**主席：**

吳靄儀議員。

**Dr Hon Margaret NG:**

So, assuming that the.....let us say they made a great deal of money from selling the flats in the present circumstances. What damage would they have suffered?

**主席：**

郭先生。

**Dr Hon Margaret NG:**

Doesn't that stand to reason?

**Mr John Stanley CORRIGALL:**

Well, that was the position that we took.....

**Dr Hon Margaret NG:**

Yes.

**Mr John Stanley CORRIGALL:**

.....and that's why we were unable to conclude any global sum agreement, because we were unable to go along with their suggestion of the losses.

**Dr Hon Margaret NG:**

Yes.

**主席：**

吳靄儀議員。

**Mr John Stanley CORRIGALL:**

That's why the global sum proposals came unravelled.

**主席：**

吳靄儀議員。

**Dr Hon Margaret NG:**

Sorry, Mr CORRIGALL, I didn't quite catch what you said.

**Mr John Stanley CORRIGALL:**

We took the position that.....sorry, I've lost my thread.

**Dr Hon Margaret NG:**

Sorry.

**Mr John Stanley CORRIGALL:**

We took the position that their claim for damages was unsubstantiated.

**Dr Hon Margaret NG:**

Right.

**Mr John Stanley CORRIGALL:**

And we were unable to go along with their proposed allowance or deduction in respect of a global sum settlement in the numbers they were talking about because we were coming from entirely different positions on that issue and that was why the global sum settlement never came about and why only a lease modification was agreed, and the reasons for agreeing only on the lease modification were set out in my 24.12.03 e-mail to Mr C M LEUNG.

**主席：**

吳靄儀議員。

**Dr Hon Margaret NG:**

Yes, Madam Chairman, my question, and that is really my final question, is - and it goes again to my own puzzlement and my puzzlement is - do you see any reason why the Government should have considered its position to be so very

weak as evidenced in the e-mail between Mr SUEN and Mr C M LEUNG that I referred you to?

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Madam Chairman, does this .....

**Dr Hon Margaret NG:**

Do you see any justification for this kind of view?

**Mr John Stanley CORRIGALL:**

Does this not go - Madam Chairman, I put it to you that it does - to the Government's case in the litigation.

**主席：**

吳靄儀議員。

**Dr Hon Margaret NG:**

I can see that, if you were to - you had difficulty agreeing with this Memo because, if you agree, that might prejudice the Government's position but, from the discussion before, I just don't see how that is justified; I just do not see how this kind of appreciation of such a weak position being justified at all, particularly after the event. So, I don't know how much further you can assist me; I remain very puzzled as to why the Government had taken such a weak position in the negotiation.

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

The Honourable Member's made a statement; there's no question. I'm unable to help her.

***Dr Hon Margaret NG:***

Yes. Let me put it the other way, Mr CORRIGALL. If New World had sight of this Memo, if New World, at the time of the negotiation, say, the mediation, knew exactly how the Government felt as evidenced by this Memo, would that have not completely accounted for their standing so firm and unreasonably firm?

***主席 :***

郭先生。

***Mr John Stanley CORRIGALL:***

I don't think - no, again, I'm sorry, Madam Chairman, I think for me to answer this would also go to the strength of Government's case in the litigation.

***Dr Hon Margaret NG:***

Yes, I don't think so, actually, because I don't necessarily agree that this reflects the objective fact. I'm just saying that this is what Mr C M LEUNG felt and what Mr SUEN agrees with, you know. If your negotiator, if your - the other side, people on the other side of a negotiation table, believes that they don't have a leg to stand on, believes that they're in an impossibly weak position, you know, that would account for the difficulty of a negotiation. That's what I'm putting to you.

***主席 :***

郭先生。

***Mr John Stanley CORRIGALL:***

If they believed they were in a very strong negotiating position, and I believe they did, that would account for their attitude, I agree.

***Dr Hon Margaret NG:***

Thank you.

***主席 :***

吳靄儀議員。請梁國雄議員。

**梁國雄議員：**

郭先生，你剛剛回答我同事的時候，你說不想你那些同事，即你說新世界裏面就有幾支"大炮"，你就不想你那些同事給他們 *intimidated*。其實你這說法是甚麼意思呢？是否那些"大炮"很利害，所以你要親自出馬？為何會是這樣，你為何會感覺到這樣呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Well, I think it makes sense. The other side were fielding someone of the stature, experience, rank of Mr Stewart LEUNG. I felt it was only appropriate that we should try and field someone equivalent or at least someone - the best we could, the nearest we could get to equivalent.

**梁國雄議員：**

明白。

**主席：**

梁國雄議員。

**梁國雄議員：**

在你看起來你是最適合去應付那些"大炮"的人，是嗎？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Yes.

**主席：**

梁國雄議員。

**梁國雄議員：**

我聽了這麼久，我想你也是"大炮"的其中一支，但是我聽了這麼久也沒有聽到你有甚麼策略和戰術——strategy及tactic——你是沒有的，我聽不到你有甚麼告訴我們，你去的時候是帶着甚麼戰略和戰術。

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

There's only one strategy in negotiating a lease modification premium and that is to be prepared to defend one's own figures and argue for them and to attack the other side's figures. There's no other strategy.

**主席：**

梁國雄議員。

**梁國雄議員：**

你又知道，你剛才在作供時就知道了，政府那方面在很多處境上都很不利，即有時限，政府又希望盡量達成協議，因為它有時限。在這點上，你有沒有問過，即有沒有向你們的同事反映，這樣談下去是不行的呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Well, that was the proposal that I put forward in my memorandum of, I think, the 25th of March, was it not?

**梁國雄議員：**

那麼你覺得你匯報了之後所得到的反應是甚麼呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

I believe they took my proposal seriously and did look at alternative approaches to resolving the matter.

**主席：**

梁國雄議員。

**梁國雄議員：**

其實過了這麼久了，你回頭看，即剛才我同事——副主席李永達議員——告訴你，其實那個樓盤，即紅灣半島的樓盤是賣得很貴，即最近9,000元一呎也有，5,000元一呎也有。你是否覺得其實當天的談判策略是錯了呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

No.

**梁國雄議員：**

為甚麼？

**主席：**

請你補充一下，郭先生。

**Mr John Stanley CORRIGALL:**

Because we adopted.....excuse me, I didn't catch that. Because we adopted the fundamental lease modification negotiation strategy. We justified or attempted to justify our numbers and we attacked the other side's numbers.

**主席：**

梁國雄議員。



**梁國雄議員：**

但是.....我知道談判肯定是會攻擊對方的，但似乎是對方攻擊你多一點，因為你在那個談判裏是節節敗退。

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Well, to be perfectly frank, and I think as I've previously acknowledged, we did go in with a number that we were prepared to make concessions on. I don't think that is an unusual tactic in any negotiation but it became apparent that the other side were only prepared to make very limited concessions, if any - well, I say "if any", they initially indicated a number of around about 750 and came up to 864, not very much.

**梁國雄議員：**

你的意思是否你本身那個目的是11億元，後來去到8億多元，你也覺得是一個好的成績？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

We were out to get the best deal we possibly could. When I recommended accepting the 864, which was less than our assessment of the actual increase in value, I did it for cogent reasons and they're set out in my recommendation e-mail.

**梁國雄議員：**

明白。

**主席：**

梁國雄議員。

**梁國雄議員：**

其實你在任何階段有沒有向梁展文先生，或者其他的同事說過，最差是多少呢，即是說……當然，我知道你最後是叫人接受了8億多元。其實在任何階段，你有沒有說過幾多是可以接受？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

No, I didn't. I don't think one goes into a negotiation on these sorts of premiums with a fixed idea as to what one's bottom line is because that means that one is unwilling to accept rational argument from the other side. It's quite common, or at least not uncommon, in lease modification premium negotiations, to have a proposition put by the other side which goes to one's fundamental basis of one's valuation and if the other side can persuade one of the error or the mistake in that, then one would make a very substantial revision. And it's quite possible - or one has to be prepared for that.

So I don't agree that to set a line in the sand, as it were, beyond which we do not go, is a useful strategy.

**主席：**

梁國雄議員。

**梁國雄議員：**

如果你讓人知道，讓對手知道，肯定不是一個有用的策略；但是，你作為一個你自己去推薦，毛遂自薦的談判者，在你向政府突然間提出一個數目之前，你沒有解釋過，或者你沒有說其實我們……即舉例說，是10億元，最多只10億元。根本很難去向你問責，你明不明白？即是如果你曾經中期有一個講法，說10億元啦，或者說10億元，如果再少於10億元我們不應該接受。我覺得這樣是比較合乎常理。你認為是嗎？如果你是有策略或者有戰術的話。

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

I'm sorry, could I have that again? Because I think I don't understand it either. Could I have a repeat, please?

**主席：**

梁國雄議員。

**梁國雄議員：**

你是向政府提出了說8億6,400萬元成交，我認為你是唯一的專家，那麼你在談判的中段，當你還沒給一個最後數目之前，你可能在某個階段告訴政府那條底線是甚麼，這樣才是一個合適的做法，因為這樣做才可以量度到你的戰術和戰略是否成功。

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Well, it's only your opinion.

**梁國雄議員：**

OK。

**主席：**

梁國雄議員。

**梁國雄議員：**

如果不是這樣，你很難說服我們，你是有一個戰略及戰術，你同不同意？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

That it would be difficult to persuade you that we went into the negotiation with any tactics in mind. Well, I've already explained that there's one very basic

negotiation strategy in lease modification premium negotiation and we adopted it. Finally, we were unable to convince the other side of the merit of our argument; they made us an offer which, notwithstanding its failure to meet the number that we had assessed as the increase in value or, indeed, the so-called "bottom line", we, the mediation team, considered worthy of recommending to our authorities for acceptance.

**主席：**

梁國雄議員。

**梁國雄議員：**

這個是非常令我震驚的談判策略，因為如果你是建議過政府說10億元，如果再低於10億元我們就不談了，那麼對方是會感覺到，它要給低於10億元的時候，它可能會面對一個談判破裂的風險。所有的談判都是這樣，我也跟警察談判過很多次，是這樣談判的，我沒聽過談判是沒有底線，對方告訴你是這樣就這樣，我沒聽過有這樣的談判。

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Noted. You've never heard of it, OK. I hear what you say.

**梁國雄議員：**

我想請教你，你以前談判是否從來都沒有給對方底線，就是說"這個就是我的底線，如果你一超過了我的底線，我是不會再談"。你以前有沒有用過這樣的策略？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

No, as I've just explained, I don't consider that would be an appropriate strategy because it implies a lack of willingness to accept rational argument from the other side.

**主席：**

梁國雄議員。

**Mr John Stanley CORRIGALL:**

One has to listen to the other side's arguments and, in some cases, they are very persuasive.

**主席：**

梁國雄議員。

**主席：**

你談到就是說你從來 —— 你在以前談判的時候 —— 沒有用過這些mediator，是嗎？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

That's what I said.

**主席：**

梁國雄議員。

**梁國雄議員：**

我向你指出，這些mediator是用作甚麼的呢？就是令你們跟地產商的談判好看一些，即是一位公關的。你認為有沒有這樣的可能呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Yes.

**主席：**

梁國雄議員。

**梁國雄議員：**

為何是一位公關？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

I don't know why. I didn't decide to go to mediation.

**主席：**

梁國雄議員。

**梁國雄議員：**

因為我看到政府的文件，是說.....我有一份文件就是T115，那裏是這樣說的，是嗎？

**主席：**

文件編號有沒有C？

**梁國雄議員：**

T115。

**主席：**

T115。

**李永達議員：**

115C，是嗎？

**主席：**

沒有，只是T115。

**李永達議員：**

哦，T115。

**Mr John Stanley CORRIGALL:**

Yes, I think I have it.

**梁國雄議員：**

是，其實它在下面那段，即是……你看到下面那個電郵嗎？

**主席：**

他說看見，請你提出你的問題。

**梁國雄議員：**

是，現在你看完沒有？

**Mr John Stanley CORRIGALL:**

Well, the one from Mr C M LEUNG, are we talking about, 6th of November?

**梁國雄議員：**

Yes。

**Mr John Stanley CORRIGALL:**

Or the 11th of June, depending on which date system we're working on?

**梁國雄議員：**

Yes. 那處說，它說 ExCo 那個 decision，說要聘請一位 mediator，接着就說這是一個非常重要的、公眾的 "public presentation point and, indeed, the basis of which……"blah, blah, blah, blah, blah, blah。其實這位 mediator 是用來做公關的。你是否覺得是這樣？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

I just said so, didn't I?

**梁國雄議員：**

這個也是ExCo，即由我們香港的ExCo那裡想出來的，是嗎？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Yes.

**梁國雄議員：**

我想請教你，你是一位公務員，你當天有沒有……即如果你知道有這樣的事情時，你會否告訴上司，這個是多餘的，阻礙你去談判？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

I didn't think it would get in the way of the negotiation; I just didn't think it had anything to add to it.

**主席：**

梁國雄議員。

**梁國雄議員：**

即是你任由它吧，既然是ExCo說要做的，就由它去做，你就繼續談判，是嗎？

**主席：**

郭先生。



**Mr John Stanley CORRIGALL:**

I didn't see it having any negative impact; frankly, I didn't see it as having a positive impact but, since it was neutral, why court controversy?

**梁國雄議員：**

OK，我明白。

**主席：**

梁國雄議員。

**梁國雄議員：**

即是說，就算你知道了這事情之後，你也覺得是不作聲，由它這樣。所以今天就……即是到現在，即當天所謂mediation，或者有mediator是一場戲，大家在政府裏面都做這場戲，就照做下去，是嗎？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

If I had perceived there to be any negative impact, I can assure you I would have said so.

**梁國雄議員：**

OK。

**主席：**

梁國雄議員。

**梁國雄議員：**

所以便沒有人再說這件事情。OK，我又想請教你另一樣東西，就是你現在有沒有工作？即退休後有沒有再做其他的工作？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Madam Chairman, I don't think this question goes to the subject matter of this inquiry.

**主席：**

梁國雄議員。

**梁國雄議員：**

不是，我想請教你一個問題，作為一位公務員，你將你的經驗告知本會，我不是針對你個人的。

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Well, he is being personal, Madam Chairman.

**梁國雄議員：**

如果有個地產商來找你 —— 我不知道你現在做甚麼工作，你可以不告訴我 —— 說要聘請你做事，因為你是在這個地政署工作了很久，認識很多人。你是否覺得這個地產商是恰當的？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Yes. What would be inappropriate about it?

**梁國雄議員：**

你覺得是恰當的，是嗎？

**Mr John Stanley CORRIGALL:**

I could bring a lot - my expertise in the Government can bring a lot to the implementation of lease modifications and implementation of outline zoning plans. This is only to the benefit of the taxpayer and the community.

**梁國雄議員：**

我不是說你的專業知識，我是說，如果該地產商跟你說，你很熟悉官場上的事情，所謂人脈，即是說你的人事網絡很熟悉，能幫到它辦事。你覺得這樣是否合適呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

I don't see any reason for it being inappropriate. Pray, tell me, what would make it inappropriate?

**梁國雄議員：**

因為好像你這樣，你在政府裏面工作了這麼久，你是認識了很多不同的地產商或者不同的人，這些的關係是因為你做官才獲得的，如果你拿給那個地產商去運用的時候，其實即是你拿了你在政府服務的東西轉賣給地產商。

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

No, I don't see it that way at all. I think, in fact, the points that the Honourable Member has made make it entirely appropriate because, as I said before, I can help facilitate the development process and I see that as only being to the benefit of the community.

**主席：**

梁國雄議員。

**梁國雄議員：**

你的意思即是說，當你在政府裏面所獲得的人脈和知識，對政府運作的知識或者是談判的策略知道了，你告知地產商，令它在談判那處獲益是對社會最好的，就好像紅灣半島這樣去 attack 你，attack 你，attack 你，直到你敗走麥城。這樣是對社會好一些，是嗎？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Sorry, I don't follow the "attacked and attacked and attacked".....

**Hon LEUNG Kwok-hung:**

Since you were attacked by them.....

**Mr John Stanley CORRIGALL:**

What relevance has that got?

**Hon LEUNG Kwok-hung:**

.....you were attacked by those big guns and then you were defeated.

**Mr John Stanley CORRIGALL:**

I was defeated?

**Hon LEUNG Kwok-hung:**

You were a hundred miles away from your target, I'm sorry. So you are being smashed and attacked.

**Mr John Stanley CORRIGALL:**

No, I .....

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

We.....I failed to get the increase in value that my team and I had assessed but I don't accept what the Honourable Member's saying here. Anyway, are we not, Madam Chairman, going down something of a blind alley here? This question of were I to be invited to work for a developer is all hypothetical. I've given you my views.

**梁國雄議員：**

主席，其實這個問題是有意思的，我不是.....我希望郭先生不要以為我攻擊他。當一個地產商聘請了過氣的公務員或者高官，熟悉政府內部的程序及策略，以及認識很多不同部門的人時，其實是會出現一個就是郭先生講的，不僅是big gun，super big gun，是為它去工作。我想問他，他的答案就說一點也沒問題，我覺得一個公務員已經拿了長俸，已經是有了適當的生活安排之後，他將他在政府裏面獲得的知識、人脈去為地產商工作，令地產商，舉例來說，在談判上面處於有利的位置或者是有其他的得益，是與郭先生所說的為社會好是兩回事。

**主席：**

郭先生，有沒有補充？

**Mr John Stanley CORRIGALL:**

The Honourable Member's opinion is noted.

**主席：**

梁國雄議員。

**梁國雄議員：**

郭先生，我想再請教你一件事，你就說你們那隊人已經是盡了力，獲得了最好的談判成果，是嗎？你又告訴我的同事吳靄儀議員，就是說你不感覺受到掣肘，你沒有受到掣肘。我想請教你就是，當政府要用公關術來掩蓋這個談判的時候，也定了底線是一定要跟地產商達成協議的時候，你覺得你沒有受掣肘嗎？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

No.

**主席：**

梁國雄議員。

**梁國雄議員：**

其實，我向你指出，當政府是明示或暗示它要說服香港市民，去跟新世界作一項交易，無論如何也要作一項交易的時候，我覺得所謂談判其實是自己乞求而已，那又怎能稱得上為談判呢？

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

To the extent that the number that we ended up with did not match our assessment of the increase in value, it differed from other negotiations, I agree; and whether one could say it wasn't a negotiation at all, I think that's going too far.

**主席：**

梁國雄議員。

**梁國雄議員：**

郭先生，在你這麼多年專業的談判生涯裏面，你是否常常見到，即政府官員親自寫信給他的談判對手發展商道歉，有沒有這樣的事？就你所知。

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

An apology? Did I get that right? An apology?

**Hon LEUNG Kwok-hung:**

Yes.

**Mr John Stanley CORRIGALL:**

An apology for what?

**Hon LEUNG Kwok-hung:**

Personal apology.

**Mr John Stanley CORRIGALL:**

An apology for what?

**主席：**

梁國雄議員。

**Hon LEUNG Kwok-hung:**

To a late reply.

**Mr John Stanley CORRIGALL:**

"For a ....." , I didn't .....

**梁國雄議員：**

你有沒有文件T112呀？

**Mr John Stanley CORRIGALL:**

"A late ....."?

**主席：**

郭先生。

**梁國雄議員：**

Late reply. 你有沒有T112的文件？

**主席：**

T112？

**梁國雄議員：**

是。

**主席：**

T112 ?

**梁國雄議員：**

T112。

**Mr John Stanley CORRIGALL:**

Yes, I got 112.

**Hon LEUNG Kwok-hung:**

OK? So you can go through the paragraph.....

**Mr John Stanley CORRIGALL:**

Well, I don't think it's at all unusual in exchanges of correspondence to apologise for the late reply. No.

**主席：**

梁國雄議員。

**Hon LEUNG Kwok-hung:**

Yes. So, it.....indicates that, actually, Dr CHENG Yu-tung had complained to the Chief Secretary of Administration on the 2nd July of this year, that means just one day after Mr TUNG Chee-hwa was re-elected, and Mr LEUNG Chin-man responded, is it, on the 3rd of October in 2002?

**Mr John Stanley CORRIGALL:**

I've got this letter in front of me, yes.

**Hon LEUNG Kwok-hung:**

So, when you go through it, don't you find that, you know, the position of the Government is very weak, actually?



**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Well, give me a minute or two to read it, please, Madam Chairman. (*the witness is reading*)

No, I don't think there's anything that one could take exception to in that letter.

**主席：**

梁國雄議員。

**Hon LEUNG Kwok-hung:**

Well, I just want you to give us a genuine comment on this kind of letter, whether it will benefit for a negotiator like you or not when Dr CHENG had already known about the weak position.

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

I don't think that letter affected our negotiating position. No.

**Hon LEUNG Kwok-hung:**

OK.

**主席：**

湯家驊議員。

**梁國雄議員：**

不是，我再問他一句。

**主席：**

好。

**梁國雄議員：**

那麼你覺得這是否很普通？

**主席：**

郭先生。

**梁國雄議員：**

他說是嗎？

**Mr John Stanley CORRIGALL:**

To apologise.....

**Hon LEUNG Kwok-hung:**

So, don't you think, still think that.....

**Mr John Stanley CORRIGALL:**

.....for the late reply?

**Hon LEUNG Kwok-hung:**

.....this kind of letter, private letter.

**Mr John Stanley CORRIGALL:**

"Private letter", did you say?

**Hon LEUNG Kwok-hung:**

I think so.

**Mr John Stanley CORRIGALL:**

No, I've.....

**Hon LEUNG Kwok-hung:**

Almost.

**Mr John Stanley CORRIGALL:**

I've written.....

**Hon LEUNG Kwok-hung:**

Almost like a private letter because just after Mr TUNG Chee-wah have been re-elected, the second day, and then Dr CHENG - actually, he is one of the elector - and ask, knock on his door, "Hey"; I think it's really quite significant of how those tycoons knock the door of the CE, just after the CE has been re-elected. And you see the handwriting of C M LEUNG; I received his letter but I haven't seen his handwriting at all.

**主席 :**

郭先生。

**Mr John Stanley CORRIGALL:**

Noted.

**Hon LEUNG Kwok-hung:**

It's very polite.

**Mr John Stanley CORRIGALL:**

Noted.

**Hon LEUNG Kwok-hung:**

OK.

**Mr John Stanley CORRIGALL:**

I hear what you're saying. You're entitled to your opinion.

**Hon LEUNG Kwok-hung:**

OK.

**主席 :**

湯家驊議員。

**Hon LEUNG Kwok-hung:**

I'm OK now.

**Hon Ronny TONG Ka-wah:**

I wonder if the witness can pick up document T58(C).

**Mr John Stanley CORRIGALL:**

Hang on.

**Hon Ronny TONG Ka-wah:**

Have you got it?

**Mr John Stanley CORRIGALL:**

Yes, I've got T58(C), yes.

**Hon Ronny TONG Ka-wah:**

Yes. Now, this is a Memo written by you to the Permanent Secretary for Housing, that would be C M LEUNG?

**Mr John Stanley CORRIGALL:**

Well, it is, certainly it is addressed to C M LEUNG, yes.

**Hon Ronny TONG Ka-wah:**

Yes. Now, here you said, "In your MUR, you "presumed the D of L will continue negotiations." Now, first of all, I want to ask you.....

**Mr John Stanley CORRIGALL:**

Sorry.....

**Hon Ronny TONG Ka-wah:**

Sorry?

**Mr John Stanley CORRIGALL:**

.....let me find that, please. Which paragraph?

**Hon Ronny TONG Ka-wah:**

Sorry, are you looking at the same document as I am?

**Mr John Stanley CORRIGALL:**

I'm looking at an e-mail.....

**Hon Ronny TONG Ka-wah:**

T58(C). You have to turn on two pages to get to the Memo.....

**Mr John Stanley CORRIGALL:**

Sorry, I'm looking at just page 1.

**Hon Ronny TONG Ka-wah:**

.....of the 7th of April.

**Mr John Stanley CORRIGALL:**

Right.

**Hon Ronny TONG Ka-wah:**

7th of April, I'm so sorry. Because these documents don't have pagination, so it's.....

**Mr John Stanley CORRIGALL:**

Right, now I have it.

**Hon Ronny TONG Ka-wah:**

.....difficult to.....

**Mr John Stanley CORRIGALL:**

Yes, 7th of April 2003 Memo.

**Hon Ronny TONG Ka-wah:**

7th of April; you got it?

**Mr John Stanley CORRIGALL:**

Yes, to W S - Permanent Secretary, W S TONG. Yes.

**Hon Ronny TONG Ka-wah:**

Yes. For attention of W S TONG.

**Mr John Stanley CORRIGALL:**

All right, I've got it.

**Hon Ronny TONG Ka-wah:**

Right. Now, you said, "In your MUR, you "presume the D of L will continue negotiations." What document is that?

**Mr John Stanley CORRIGALL:**

Well, it must be this - "MUR" stands for Memo under reference, so it's the top right there: the 4th of April 03, reference "HD(BD)B", etc., etc.

**Hon Ronny TONG Ka-wah:**

Well. Is there a date for that? I just couldn't.....

**Mr John Stanley CORRIGALL:**

4th of April 03.

**Hon Ronny TONG Ka-wah:**

Sorry?

**Mr John Stanley CORRIGALL:**

4th of April 03.

**Hon Ronny TONG Ka-wah:**

4th of April.....

**Mr John Stanley CORRIGALL:**

It's there, in the top right corner of the Memo.

**Hon Ronny TONG Ka-wah:**

Oh, I see, OK. OK, well, I just couldn't find that, but never mind for the time being. Now, then you went on to say, "but, in my 25.3.03 Memo at para 5, I recommended that we halt negotiations." Now, the 25th of March is at 56(C).

**Mr John Stanley CORRIGALL:**

Sorry, will that be T56(C)?

**Hon Ronny TONG Ka-wah:**

T56(C), I think. Well, at least that's what I've written down. Yes.

**Mr John Stanley CORRIGALL:**

Yes, you're right.

**Hon Ronny TONG Ka-wah:**

Now, this time you have to turn quite a few pages, right, towards the end of 56(C).

**Mr John Stanley CORRIGALL:**

At the end, though. Yes, I'm going backwards.

**Hon Ronny TONG Ka-wah:**

You've got that, right?

**Mr John Stanley CORRIGALL:**

I've got it, yes.

**Hon Ronny TONG Ka-wah:**

Yes. Now, so, you were saying, you were, I think, and correct me if I'm wrong - feeling a little bit unhappy because, basically, you said, "Look at my Memo, 25th of March, I recommended that we halt negotiations; you look at my Memo of 1st of April.....", which is, in fact, just over the page, also sent to C M LEUNG - and you said, "I have set out the areas where we are at loggerheads with New World" and then you set out the analysis. And then you said, "I frankly can't see any point in further meetings with New World and I'm pretty sure they feel the same way."

So, you were writing this essentially to express certain sentiment of unhappiness because you thought there was no point but, even though, after the Memo of the 25th of March, C M LEUNG wrote in the MUR to say that, "Presumably, the negotiations will continue." Now, is that a fair way of reading this document?

**Mr John Stanley CORRIGALL:**

I acknowledge that it's fairly sharply-worded. I was a bit annoyed, yes.

***Hon Ronny TONG Ka-wah:***

Right. And were you trying to find out why it was that you, being the leader of the negotiating team, you thought there was no point to talk and yet, somehow C M LEUNG, who wasn't negotiating, thought that negotiation should continue? Were you not wondering?

**主席：**

郭先生。

***Mr John Stanley CORRIGALL:***

I didn't wonder. I didn't wonder why. I was just keen to put that my point of view appeared to be being ignored.

***Hon Ronny TONG Ka-wah:***

Right.

***Mr John Stanley CORRIGALL:***

And hence I was a bit miffed.

***Hon Ronny TONG Ka-wah:***

Right. I can see that from this document here. Now, in your statement, you did say that you made regular reports to C M LEUNG, during this period.

**主席：**

郭先生。

***Mr John Stanley CORRIGALL:***

No, not during this period. I think I'm talking - when I said that, I am pretty sure I was talking about the mediation period.....

***Hon Ronny TONG Ka-wah:***

I see.

***Mr John Stanley CORRIGALL:***

.....at the end of the year.



**主席：**

湯家驊議員。

**Hon Ronny TONG Ka-wah:**

I see. But, here you - use your own words - you were a bit annoyed; did you not think that you should pick up the phone and call up C M LEUNG and find out why he was more optimistic than you were?

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

No, I - well, I don't know, maybe I did. I can't recall.

**Hon Ronny TONG Ka-wah:**

I see. So maybe you did, but you can't recall?

**Mr John Stanley CORRIGALL:**

That's right.

**Hon Ronny TONG Ka-wah:**

So, presumably.....

**Mr John Stanley CORRIGALL:**

Actually, I don't think I did.

**Hon Ronny TONG Ka-wah:**

You don't think you did.

**Mr John Stanley CORRIGALL:**

No.

**Hon Ronny TONG Ka-wah:**

Why not?

**Mr John Stanley CORRIGALL:**

Well, I was able to put my point of view in this Memo.

**Hon Ronny TONG Ka-wah:**

You see, I am perhaps more puzzled than you are because, obviously, you were involved in this and I am not. If you turn back to T56(C).....

**Mr John Stanley CORRIGALL:**

Yes.

**Hon Ronny TONG Ka-wah:**

T56(C), you see, this is a confidential document dated the 27th of March.

**Mr John Stanley CORRIGALL:**

27th, sorry, let me get to the right bit of.....

**Hon Ronny TONG Ka-wah:**

It's the very first page.

**Mr John Stanley CORRIGALL:**

57(C), did you say?

**Hon Ronny TONG Ka-wah:**

Sorry, 56(C).

**Mr John Stanley CORRIGALL:**

56(C). Now, which bit of.....

**Hon Ronny TONG Ka-wah:**

Just over page.

**Mr John Stanley CORRIGALL:**

Right.

**Hon Ronny TONG Ka-wah:**

You see that it's a confidential document dated the 27th March from Mable CHAN?

**Mr John Stanley CORRIGALL:**

From Mable CHAN? Yes.

**Hon Ronny TONG Ka-wah:**

Yes. To various people.

**Mr John Stanley CORRIGALL:**

Yes, right.

**Hon Ronny TONG Ka-wah:**

Right. It talks about "Steward LEUNG came to see SHPL." Now, is that a reference to Michael SUEN or C M LEUNG?

**Mr John Stanley CORRIGALL:**

Michael SUEN.

**Hon Ronny TONG Ka-wah:**

Right. So, Stewart LEUNG, obviously, came to see the Secretary and gave him another proposal. And you see, at the end of that paragraph, it says, "As such, he passed to SHPL a copy of his letter to .....Corrigal" - that's you - ".....of the 13th of March, enclosing their calculations for the estimated amount of premium", and so on. Now, so, this would be after your Memo of the 25th of March where you came to the conclusion that you should halt negotiations but, on the 27th, Stewart LEUNG came to see Michael SUEN. And then we come to C M LEUNG's MUR dated the 4th of April but you still wrote, on the 7th.....

**Mr John Stanley CORRIGALL:**

Sorry, that's the next document in the - going over, is it?

**Hon Ronny TONG Ka-wah:**

Well, no, I don't think so.

**Mr John Stanley CORRIGALL:**

OK, no, it's not.

**Hon Ronny TONG Ka-wah:**

I couldn't find that document, I'm sorry.

**Mr John Stanley CORRIGALL:**

All right. So you're just.....

**Hon Ronny TONG Ka-wah:**

I couldn't find that.

**Mr John Stanley CORRIGALL:**

.....referring to this, this is the next date.

**Hon Ronny TONG Ka-wah:**

Yes.

**Mr John Stanley CORRIGALL:**

All right.

**Hon Ronny TONG Ka-wah:**

But here you were, we were at April the 7th, 2003, despite the fact that Stewart LEUNG came to see Michael SUEN and, presumably, reiterated what he had already told you on the 13th of March, you still think, at that point, that there was no point to continue negotiation because you said, in this document here, "I frankly can't see any point in further meetings with New World." Right?

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

Yes.

**Hon Ronny TONG Ka-wah:**

Despite the meeting between Stewart LEUNG and Michael SUEN?

**Mr John Stanley CORRIGALL:**

That's right.

**Hon Ronny TONG Ka-wah:**

Now, I want to find out from you what turned you around after the 7th of April.

**Mr John Stanley CORRIGALL:**

How do you mean, "turned me around"?

**Hon Ronny TONG Ka-wah:**

What happened? Because we know as a fact that negotiations continued.

**主席 :**

郭先生。

**Hon Ronny TONG Ka-wah:**

You were saying, "Well, there's no point in meeting at all" because you say not only you don't want to meet them, they don't want to meet you either.

**Mr John Stanley CORRIGALL:**

Yes, that's right.

**Hon Ronny TONG Ka-wah:**

So what changed that attitude? What happened?

**Mr John Stanley CORRIGALL:**

Well.....

**主席 :**

郭先生。

**Mr John Stanley CORRIGALL:**

.....I think, subsequent to this, it was, the alternatives to a lease modification - oh, not the altern.....alternatives to a lease modification were considered but not found entirely appropriate, not terribly good. I came up with

the notion of a split of the premium based on the fact that this was a very special lease modification in that it was initiated by the Government to resolve a matter brought about by one of its own actions. And that seemed to offer an avenue for settlement; it changed things around.

**Hon Ronny TONG Ka-wah:**

But what I wanted to ask you is, at that point of time, did C M LEUNG tell you, "Look, go back and talk to New World; I think there could still be room for the meeting of minds"? Did he say something like that to you?

**Mr John Stanley CORRIGALL:**

Do you mean after I wrote the 7th of April Memo?

**Hon Ronny TONG Ka-wah:**

Yes. Where you sound so hopeless.

**Mr John Stanley CORRIGALL:**

I don't recall any such conversation.

**Hon Ronny TONG Ka-wah:**

But there must be some impetus to enable you to change your mind and go back to talk to New World. That must be something which happened and I can't find that in any of the documents here.

**主席 :**

郭先生。

**Hon Ronny TONG Ka-wah:**

What happened?

**Mr John Stanley CORRIGALL:**

Well, we went back to ExCo on the basis of the proposed 50/50 split. Well, actually, not a 50/50 split by that time but, as I said, alternatives, as I recall, alternatives to a lease modification were looked at; conclusion reached that lease modification was still the best way forward. And I was thinking about how one might overcome this impasse that we clearly had in negotiating the premium. And it suddenly hit me that, given that the Government was the initiator of this lease modification, it would not be inappropriate to offer to share the increase in

value with the developer because it wasn't him that was seeking the lease modification. And then I wrote that - I think it was an e-mail - to Vinny TONG, putting that very idea forward.

***Hon Ronny TONG Ka-wah:***

Vinny TONG being?

***Mr John Stanley CORRIGALL:***

Vincent.

***Hon Ronny TONG Ka-wah:***

Vincent TONG?

***Mr John Stanley CORRIGALL:***

W S TONG, yes.

***Hon Ronny TONG Ka-wah:***

Right. You see, what I was trying to find out is whether C M LEUNG has anything to do with helping you overcoming the impasse, as you say.

***Mr John Stanley CORRIGALL:***

Nothing whatsoever.

***主席 :***

郭先生。

***Hon Ronny TONG Ka-wah:***

You don't think he has anything to do with that?

***Mr John Stanley CORRIGALL:***

I don't think he had nothing to do with that; I know he didn't.

***Hon Ronny TONG Ka-wah:***

You know he didn't. But why were you so sure?

**Mr John Stanley CORRIGALL:**

Because I was the one that made the recommendation for 50/50; I should - excuse me - know, should I not?

**Hon Ronny TONG Ka-wah:**

But when you did that, I mean, why would you think that New World would be interested in hearing your alternative?

**主席 :**

郭先生。

**Mr John Stanley CORRIGALL:**

In hearing my alternative .....

**Hon Ronny TONG Ka-wah:**

Your proposal.

**Mr John Stanley CORRIGALL:**

What - sorry, what alternative?

**Hon Ronny TONG Ka-wah:**

What you just said.

**Mr John Stanley CORRIGALL:**

The 50/50?

**Hon Ronny TONG Ka-wah:**

Yes.

**Mr John Stanley CORRIGALL:**

I wasn't proposing to tell them.

**Hon Ronny TONG Ka-wah:**

Sorry? When you came to that conclusion, you didn't think New World would be interested; you didn't know he would be interested.



**Mr John Stanley CORRIGALL:**

I thought that, if we were - we, the Government - prepared to split the premium 50/50 with the developer, that could offer - given them the big gap, it could offer an avenue for settlement. I didn't have it in mind to divulge that if it were to be approved, that 50/50, to the other side. And, in fact, I never did; or the 70/30.

**主席 :**

湯家驊議員。

**Hon Ronny TONG Ka-wah:**

Well, you see, I wonder if you can pick up - you go to 114.

**Mr John Stanley CORRIGALL:**

Sorry, "114" what?

**Hon Ronny TONG Ka-wah:**

T114(C), still in the same bundle. Just turn on towards the end of the bundle.

**主席 :**

114(C).

**Hon Ronny TONG Ka-wah:**

T114(C).

**Mr John Stanley CORRIGALL:**

Yes, I have it.

**Hon Ronny TONG Ka-wah:**

Now, you see, this is another confidential Memo, dated 30th of October, so quite a few months later, six months later, from C M LEUNG to a number of people, including your good self, and you see the very last paragraph there, it says, "Given that I have completed the first communications with the other side, I will not be taking any part in the negotiation process personally from now on." Now, that rather suggests to the uninitiated like myself that, C M LEUNG had

been in communications with the other side, meaning New World, up to that point. Now, is that a fair way of reading it, do you think?

**Mr John Stanley CORRIGALL:**

Yes.

**主席：**

郭先生。

**Hon Ronny TONG Ka-wah:**

Right?

**Mr John Stanley CORRIGALL:**

That's what it says, isn't it?

**Hon Ronny TONG Ka-wah:**

That's what it says. Now, when you got this document, you didn't say, "Hey, what's he talking about? I was the only person who's been talking to New World; he wasn't." You weren't thinking that, were you?

**Mr John Stanley CORRIGALL:**

No, I never thought that and I.....

**Hon Ronny TONG Ka-wah:**

Well, this is just - I'm just trying to help you to remember, if it's a matter of lapse of memory, that whether, in fact, C M LEUNG had been in regular contact with New World at the same time as you were leading the negotiation, and that's why I asked you the question just now whether C M LEUNG had anything to do with overcoming the impasse and you seem to be quite adamant that he had nothing to do with it. But, looking at this letter here, don't you think that it's a fair inference that he did?

**Mr John Stanley CORRIGALL:**

No.

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

No.

**Hon Ronny TONG Ka-wah:**

Why not? Was he talking rubbish there?

**Mr John Stanley CORRIGALL:**

All it says, that he's completed the first communications; it doesn't say anything about the nature of those communications.

**Hon Ronny TONG Ka-wah:**

Of course, he didn't.

**Mr John Stanley CORRIGALL:**

You.....

**Hon Ronny TONG Ka-wah:**

He was talking to you; he wasn't talking to me. If he were talking to me, I would ask him but he was talking to you, so, presumably, you knew what he was talking about.

**主席 :**

郭先生。

**Hon Ronny TONG Ka-wah:**

Do you know what he was talking about?

**Mr John Stanley CORRIGALL:**

No.

**Hon Ronny TONG Ka-wah:**

You don't? And you didn't find it strange that, "Hey, what is this gentleman talking about here? I mean, I've been spending time over this for the last six months, ten months, and I was the only one talking to New World" and yet he's coming here telling everybody that he had completed his work up to this point and then he would leave it to you from now on.

**主席：**

郭先生。

**Hon Ronny TONG Ka-wah:**

So don't you think that he was talking rubbish?

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

I really took no notice of it, to be perfectly honest.

**Hon Ronny TONG Ka-wah:**

You took no notice of it?

**Mr John Stanley CORRIGALL:**

Yes.

**Hon Ronny TONG Ka-wah:**

When it was addressed to you, your name appeared first.

**Mr John Stanley CORRIGALL:**

Yes.

**Hon Ronny TONG Ka-wah:**

You didn't think that it was so out of place for him to say something like that, if he had.....

**主席：**

郭先生。

**Hon Ronny TONG Ka-wah:**

.....never been in contact with New World throughout that period?

**Mr John Stanley CORRIGALL:**

Well, I didn't think it was worth making any.....it didn't.....it seemed.....well, it didn't hit any buttons with me, to be quite perfectly honest. I just noted that he wasn't taking any further - any part in the negotiation. That was the important bit.

**主席 :**

湯家驊議員。

**Hon Ronny TONG Ka-wah:**

Do you think it is possible that C M LEUNG had been in contact with New World during that period?

**主席 :**

郭先生。

**Mr John Stanley CORRIGALL:**

Yes, of course, it is. It's not impossible, is it?

**Hon Ronny TONG Ka-wah:**

It is possible?

**Mr John Stanley CORRIGALL:**

Yes.

**Hon Ronny TONG Ka-wah:**

And he was the one, of course, that you were reporting to and he knew exactly what was going on at all time, right?

**主席 :**

郭先生。

**Mr John Stanley CORRIGALL:**

No, I reported to him on the mediation and this is prior to the mediation.

**Hon Ronny TONG Ka-wah:**

But.....

**Mr John Stanley CORRIGALL:**

I didn't.....

**Hon Ronny TONG Ka-wah:**

But we see.....

**Mr John Stanley CORRIGALL:**

.....report directly.....

**Hon Ronny TONG Ka-wah:**

But we see so many of these documents, that these documents were always c.c. to him or sent to him directly, so he knew what was going on, plainly. You wrote.....

**Mr John Stanley CORRIGALL:**

Yes. Yes, he would know what was going on.

**Hon Ronny TONG Ka-wah:**

Exactly.

**Mr John Stanley CORRIGALL:**

Yes.

**Hon Ronny TONG Ka-wah:**

I mean, we looked at this document just now, T58(C), where you said you were annoyed, that you were saying that "We should stop" and he seemed to think that there was a point to go on. Right? So he knew exactly what was going on?

**Mr John Stanley CORRIGALL:**

Uh-huh.

**Hon Ronny TONG Ka-wah:**

Correct?

**主席：**

郭先生。

**Mr John Stanley CORRIGALL:**

I don't know if he knew exactly what was going on but he knew what was going on.

**Hon Ronny TONG Ka-wah:**

He knew what was going on. Thank you.

**主席：**

湯家驊議員。

**湯家驊議員：**

沒有問題了。

**主席：**

各位同事，我們要問的已經問完了，很多謝郭先生。這次我們向你索取證供的研訊到此為止。日後如果專責委員會認為有需要，會再通知你出席研訊。我們發給你的傳票仍然有效，現在你可以退席，多謝你。

各位同事，請大家們去B室，我們繼續閉門會議。

**Mr John Stanley CORRIGALL:**

Thank you, Madam Chairman. And I would just like to thank the SI people for doing such a good job. Thank you.

**(研訊於下午6時16分結束)**