

Stewards' Report

Stewards Report: Siu Yee Lee

Date: 23 January 2024

Panel: Brett Wright, Danielle McMahon

Stewards continued an inquiry commenced on Tuesday 14th November 2023, into the ownership registration for the racehorse CHERMSIDE. Verbal and written evidence, including electronic communications from and between Mr Siu Yee Lee (Manager of A List Stud, representing 80%) and Constance Chih Hua Cheng (part owner, representing 20%), and correspondence from Mr Raymond Yuen, legal representation for Mr Lee, was considered.

The evidence disclosed that on 6th July 2023, Mr Lee, Manager and representative of A List Stud, submitted to Racing Australia, an application to register three-year-old filly by CAPITALIST out of PREREQUISITE (now known as CHERMSIDE), and failed to declare in that application, the 20% share/interest of Ms Constance Cheng.

On 14th December 2023, Stewards issued two charges against Mr Lee:

CHARGE 1

Mr Siu Yee Lee was charged with an offence under AR62(1)(a) in that he submitted the Horse registration application to Racing Australia for the three-year-old filly by CAPITALIST out of PREREQUISITE (now known as CHERMSIDE), and failed to declare in that application, the 20% share/interest of Ms Constance Cheng.

AR62 Failure to provide information etc in relation to interests in a horse

- (1) A person must not, in the opinion of a PRA or the Stewards:
(a) fail to declare any share or interest in a horse:*

CHARGE 2

Mr Siu Yee Lee was charged with an offence under AR60(1)(a) in that he failed to provide the name of Ms Constance Cheng, who has a share in the ownership of the horse CHERMSIDE, to firstly trainer Allan Chau and secondly, Ms Paula Baron, when a stable return was lodged for the filly on both 23rd July, 2023 and 27th August, 2023, respectively.

AR60 Requirements of nominations, entry forms and Stable Returns

- (1) A nominator, trainer or other relevant person must ensure that each nomination or entry form (including any Stable Return forming part of it) states:
(a) the name of every person who has a share or interest in the ownership or lease of the horse identified in the form.*

In pleading not guilty to both charges, Mr Lee provided written and oral submissions to the charges, assisted by his legal representation.

Stewards considered the submissions and made the following ruling:

Charge 1 – Guilty and fined \$1000.

Charge 2 – Guilty and fined \$200.

When considering penalty, account was taken of Mr Lee's not guilty plea, his clean record over a long period involved in the racing industry, previous penalties issued for similar offences and the circumstances of this matter.