

NORTHERN TERRITORY WAGERING COMMISSION

DECISION NOTICE AND REASONS FOR DECISION

MATTER:	Gambling Dispute for determination by the Northern Territory Wagering Commission pursuant to section 224 of the <i>Racing and Wagering Act 2024</i>
COMPLAINANT:	Mr U (Complainant)
LICENSEE:	Amused Australia Pty Ltd
HEARD BEFORE: (on papers)	Mr Scott Perrin Mr Alastair Shields Mr Ian Curnow
DATE OF DECISION:	16 September 2026

DECISION

1. For the reasons set out below, the Commission has determined that the Complainant's complaint to the Commission is not substantiated. The Commission is satisfied on the weight of evidence before it that Amused has complied with the responsible gambling practices mandated by the regulatory environment imposed on it by the *Racing and Wagering Act 2024* (RWA), its licence conditions and the relevant Codes of Practice in place, and that no monies should be returned to the Complainant.

JURISDICTION AND PROCEDURE

2. Amused Australia Pty Ltd (**Amused**) is authorised by the Northern Territory Wagering Commission (**Commission**) under the RWA to conduct the business of a sports bookmaker and to operate a digital wagering platform under the name BetNation.
3. These findings for the complaint have been determined on the papers, having regard to submissions from the Complainant and Amused and evidence obtained by the Commission.
4. Preliminary findings in relation to this matter were issued to the parties on 4 August 2026, and the parties were afforded an opportunity to respond and provide additional submissions or information for consideration. No response was received from the Complainant. Amused responded in support of the preliminary findings and raised a number of minor matters for clarification. These matters were considered by the Commission and incorporated into this decision as appropriate.

REASONS FOR DECISION

Scope of Complaint

5. The Complainant lodged a complaint on 24 May 2025.
6. The Complainant alleges that:
 - a) he submitted a request seeking a refund after initially losing \$3,000 on the BetNation platform over a short period on 12 May 2025; and

- b) despite their obligations under responsible gambling regulations, Amused failed to recognise clear signs of escalating harm, intervene or conduct any form of welfare check before allowing further deposits of \$2,000 on 15 May 2025.

7. The Complainant is seeking a refund of the \$2,000 deposited after the initial losses.

Background

- 8. Following the lodgement of the complaint and review of the materials provided, the Director of Racing and Wagering (**Director**) determined to investigate the complaint on behalf of the Commission pursuant to section 222(1) of the RWA and assigned the matter to an inspector.
- 9. The Director's investigation afforded each party the opportunity to submit relevant evidence in relation to the matter, and where required, for the parties to provide evidence at the request of the inspector.
- 10. At the completion of the investigation, the Director must prepare a report on the investigation and submit it to the Commission in accordance with section 223 of the RWA. Section 223(2) provides that the investigation report must contain:
 - a) a summary of the findings of the investigation;
 - b) any submissions provided by the parties to the complaint;
 - c) any relevant evidence obtained during the investigation; and
 - d) any recommendations that the Director may have in relation to the complaint.

Amused Submissions

- 11. In response to the complaint, Amused has submitted that it has a comprehensive responsible gambling framework that includes robust policies and procedures designed to identify at-risk behaviours and ensure that appropriate interaction takes place.
- 12. In particular, Amused submitted that:
 - a) at no point did the Complainant's activity exceed the applicable responsible gambling thresholds designed to trigger outreach. In particular, the Complainant's losses up to 15 May 2025 did not meet the responsible gambling thresholds applicable to their age and customer profile and there were no other indicators identified that required intervention at that time; and
 - b) prior to May 2025, the Complainant's activity across his five accounts on Amused brands showed no discernible indicators of gambling harm.

Commission Considerations

- 13. Section 224 of the RWA sets out the actions available to the Commission following receipt of a report from the Director in accordance with section 223 of the RWA.
- 14. The Commission has carefully considered the investigation report provided by the Director, including the evidence provided by the parties and obtained by the inspector.
- 15. Licence conditions attached to all sports bookmaker licences granted by the Commission require licensees to adhere to any Codes of Practice. The NT Code of Practice for the Responsible Service of On-Line Gambling 2019 (Code) which came into effect on 26 May 2019, was approved by the former NT Racing Commission to provide guidance on responsible

gambling practices that were to be implemented by sports bookmakers to minimise the impact of any harm that may be caused by online gambling.

16. Clause 3.2 of the Code requires that, as soon as a licensee identifies that a user may be at risk of harm due to their gambling activities, the licensee must interact with the customer in a way that will minimise that risk. The Commission is of the view that this interaction must occur quickly, and be proportionate to the risk identified, with the aim of the interaction being to assist the user to reflect on their gambling behaviour and to moderate their gambling activity where there is reason to do so.
17. While clause 3.2 of the Code does not prescribe real-time monitoring of red flag behaviour, it does prescribe that appropriate customer interaction should take place that reasonably corresponds to the circumstances.
18. Some key timelines identified by the Commission are as follows:
 - a) the Complainant opened an account with Amused on 2 May 2023;
 - b) the disputed period commenced on 12 May 2025;
 - c) on 12 May 2025, between 1:44 pm and 4:41 pm, the Complainant made six deposits totalling \$2,960 and lost that amount;
 - d) on 15 May 2025, between 6:26 pm and 6:37 pm, the Complainant deposited a total of \$1,850 across three transactions, which was subsequently lost;
 - e) on 15 May 2025 at 7:10 pm the Complainant contacted Amused via 'live-chat' and disclosed he was suffering harm from gambling. Amused immediately suspended his account and offered support and signposted to BetStop;
 - f) Amused's responsible gambling team reviewed the account suspension, and a permanent self-exclusion was applied across all of his accounts on 16 May 2025; and
 - g) on 24 May 2025 the Complainant lodged the complaint with the Commission.
19. The Commission noted that the series of deposits and wagering activity on 15 May 2025 that is the subject of the complaint occurred over a very short time period of approximately 11 minutes.
20. In essence, the basis of the Complainant's complaint is that he should not have been able to wager following the losses he incurred on 12 May 2025. The Commission noted the amount wagered on 12 May 2025 of \$2,960 and this was below the level that triggered any alerts on Amused's system.
21. The Commission also noted that the Complainant had elected not to set a deposit limit on this wagering account, nor on any of his other four accounts.
22. The Commission also noted that the Complainant had four other accounts with Amused brands and that prior to the disputed period, the Complainant's activity across all accounts showed no discernible indicators of gambling harm.
23. The Commission is satisfied that the Complainant's wagering activity was being monitored but it had not triggered any responsible gambling alerts. In this instance, there are no indicators to the Commission that Amused breached the RWA, its licence conditions or the Code.

24. The Commission has previously noted that losses incurred by a wagering customer do not automatically trigger a refund obligation where the licensee has complied with the Code and licence obligations.
25. The Commission also noted that the prompt suspension of the Complainant's account by the customer support officer following the identification of responsible gambling risks during the live-chat, represented good practice and compliance with the Code.

Commission Findings

26. The Commission therefore makes the following findings:
 - h) on the weight of evidence before it, the Commission is of the view that with respect to the betting activity participated in by the Complainant with Amused on 15 May 2025, there are no indicators to the Commission that Amused breached the RWA, its licence conditions or the Code;
 - i) that Amused Australia Pty Ltd has complied with clauses 3.2 and 5.4 of the Code in regard to recognising problem gamblers;
 - j) the duty to cease gambling rested with the Complainant and not Amused. Given this, it would be unreasonable for the Commission to form the view that Amused is now responsible for those losses;
 - k) following the Complainant's disclosures to Amused that he had suffered harm, Amused took appropriate steps and suspended the account, and following a responsible gambling review applied permanent exclusion on the basis of the comments made by the Complainant; and
 - l) given these findings, the Commission should take no further action in relation to the complaint and not disturb Amused's handling of the matter.

NOTICE OF RIGHTS

27. Pursuant to section 239(1)(g) of the RWA, the Complainant or Licensee can request the Commission's decision and action be reviewed by the Northern Territory Civil and Administrative Tribunal (NTCAT) within 14 days of the date of this Decision Notice.



Scott Perrin
Presiding Member,
Northern Territory Wagering Commission

On behalf of Commissioners Perrin, Shields, and Curnow