

NORTHERN TERRITORY RACING AND WAGERING COMMISSION

DECISION NOTICE AND REASONS FOR DECISION

MATTER: Gambling Dispute for determination by the Northern Territory Racing and Wagering Commission (pursuant to section 224 of the *Racing and Wagering Act 2024*)

COMPLAINANT: Mrs M

LICENSEE: Pointsbet Australia Pty Ltd trading as Pointsbet

HEARD BEFORE: Mr Scott Perrin (Presiding Member)
(on papers) Ms Susan Kirkman
Mr Ian Curnow

DATE OF DECISION: 22 May 2026

DECISION

1. For the reasons set out below, the Northern Territory Racing and Wagering Commission (**the Commission**) is satisfied that Pointsbet Australia Pty Ltd (**Licensee**) trading as Pointsbet has, in relation to its dealings with the Complainant, acted in compliance with the regulatory environment imposed on it by the *Racing and Wagering Act 2024* (**the Act**), its licence conditions and the relevant Code of Practice that was in effect at the time of the events which are the subject of this gambling dispute.
2. The Commission declares that all bets the subject of the Complaint are void pursuant to section 224(2)(c) of the Act.

REASONS

Background

3. Pointsbet Australia Pty Ltd was originally granted a sports bookmaker licence by the former Northern Territory Racing Commission (**former Commission**) under the licensing regime contained within the now repealed *Racing and Betting Act 1983* (**RBA**). Under the transitional arrangements contained within the *Racing and Wagering Act 2024* (**RWA**), which commenced on 1 July 2024, any licence issued under the repealed RBA that was valid immediately before the commencement of the RWA continues in effect on the commencement of the RWA as a licence under the RWA.
4. Pointsbet Australia Pty Ltd operates its sports bookmaking business under the trading name of Pointsbet. For ease of reference, the Commission will refer to the Licensee as Pointsbet throughout this Decision Notice.

The Complaint

5. On 19 May 2025, the Complainant lodged an online complaint with the Commission in relation to her dealings with Pointsbet. In that complaint, the Complainant alleged that on 8 April 2025 she deposited \$7,000 into her newly opened account with Pointsbet and that within two weeks had successfully wagered so that the balance of her account was \$110,490.

6. The Complainant says that Pointsbet has cancelled her account and has refused to pay the balance of her account less her initial deposit and seeks payment of that sum.
7. Pointsbet say that the account was operated by a third-party and that they are entitled by virtue of their terms and conditions to cancel the account, refund the deposit and to void all of the bets on the account.

Commission Hearing

8. The hearing of the dispute has been conducted in the absence of the parties, based on the evidence before the Commission. That evidence includes submissions to the Commission by both the Complainant and Pointsbet, as well as additional evidence obtained on behalf of the Commission by its betting inspectors.
9. Pursuant to section 16(h) of the Act, the Commission determined to investigate the matter and hear the dispute in the absence of the parties, and make its determinations based on the written material and telephone recordings before it.
10. As a matter of procedural fairness to the Licensee and the Complainant, a draft of the Commission's determinations was supplied to both parties for comment. No response was received from the Licensee. Comments received from the Complainant were duly considered in the finalisation of this Decision Notice.

Consideration of the Issues

11. It is not in contention between the parties that:
 - (a) The Complainant opened the account on 8 April 2025, she was verified that day by Pointsbet and commenced with a deposit of \$7,000.
 - (b) That the balance of the account was \$110,490 on 15 April 2025.
 - (c) A request was submitted to Pointsbet on 15 April 2025 to change the registered telephone number for the account.
 - (d) Pointsbet suspended the account on 15 April 2025 after receiving the request to change the registered telephone number.
 - (e) The initial deposit of \$7,000 was refunded by Pointsbet to the Complainant on 19 May 2025.
12. The Complainant says she was the sole owner and operator of the account, but confirmed that:
 - (a) "My partner, who was beside me the whole time, helped me place some live bets as I'm not good with fluctuations".
 - (b) "We have a balance of \$110,490 in the account".
13. Pointsbet, upon receiving the change of registered telephone number for the account commenced an investigation as to the operation of the account and established the following:
 - (a) Upon calling the new number that had been registered to the account spoke to a Mr I, who confirmed that it was his phone number.
 - (b) Mr I admitted to being a person who had previously operated the Complainant's account.

- (c) Upon reviewing 26 live chat calls for the account, established that they had been placed by a male person and not the Complainant.
- (d) That Mr I was a self-excluded person who was registered with Betstop on or around 5 May 2024.
14. Pointsbet say that they are entitled by virtue of condition 1.9 of their Terms and Conditions to close the Complainants account and to void all the bets on it. That condition says as follows:
- 1.9 Fraud*
- 3. PointsBet reserves the right to close the Accounts of and void any or all bets made by any person, group of people or corporation in an attempt to defraud PointsBet. This includes, but is not limited to, situations where an account is being used by someone other than the account holder.*

Findings

15. The Commission finds that there is sufficient evidence to support the view that the Complainant was not the sole owner and operator of the account with Pointsbet.
16. The Commission also finds that Pointsbet was not aware, nor could have it reasonably been expected to be aware, that at any time up to and including 15 April 2025 that Mr I, a self-excluded person, was operating the account.
17. The Commission is therefore satisfied on the weight of evidence before it that Pointsbet has acted appropriately in enforcing its rights in accordance with its Terms and Conditions to void all bets, refund the initial deposit and close the account.

NOTICE OF RIGHTS

18. Pursuant to section 239(1)(g) of the Act, 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 Racing and Wagering Commission

On behalf of Commissioners Perrin, Kirkman and Curnow