

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 <i>Racing and Wagering Act 2024</i>
COMPLAINANT:	Mr A (Complainant)
LICENSEE:	Amused Australia Pty Ltd
HEARD BEFORE: (on papers)	Mr Scott Perrin Mr Alastair Shields Mr Ian Curnow
DATE OF DECISION:	18 June 2026

DECISION

1. For the reasons set out below, the Northern Territory Racing and Wagering Commission (**the Commission**) is satisfied that Amused Australia Pty Ltd (**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.
2. The Commission has therefore determined that the complaint to the Commission is not substantiated and no monies should be returned to the Complainant.

JURISDICTION AND PROCEDURE

3. Amused is authorised by the Commission under the RWA to conduct the business of a sports bookmaker and to operate a digital wagering platform under the name BigBet.
4. These findings for the complaint have been determined on the papers, having regard to submissions from the Complainant and the wagering operator and evidence obtained by the Commission.
5. 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 either the Complainant or the Licensee.

REASONS FOR DECISION

Scope of Complaint

6. The Complainant lodged a complaint on 11 April 2025.
7. The Complainant alleges that the wagering operator failed to uphold its responsible gambling obligations, and breached standards of the National Consumer Protection Framework (NCPF) for Online Gambling. In summary, the Complainant asserts that during the disputed wagering period on 7 September 2024, the wagering operator failed to:

- a) Identify and take appropriate action when displaying high risk behaviour;
- b) Recognise red flags of problem gambling behaviour exhibited; and
- c) Make appropriate interventions to prevent further losses.

8. The Complainant is seeking a refund of deposits totalling \$5,500.00.

Background

- 9. 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.
- 10. The Director's investigation affords 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.
- 11. 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

- 12. 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.
- 13. In particular, Amused submitted that:
 - a) the Complainant was prompted to set a precommitment limit at sign-up;
 - b) the Complainant's activity within one hour of account registration triggered two responsible gambling alerts, that were referred to the Responsible Gambling Team;
 - c) Before any responsible gambling review could be undertaken, the Complainant initiated a 'live-chat' with the wagering operator and stated to a customer support officer that "... I have a gambling addiction " and "... I deposited and bet a large sum of money, well beyond my means". The customer support officer immediately suspended the Complainant's account and initiated a responsible gambling escalation; and
 - d) the Complainant was provided with information and signposting to BetStop, National Gambling Helpline, LifeLine, GamBan and the permanent Self-Exclusion Process.

Commission Considerations

- 14. 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.

15. The Commission has carefully considered the investigation report provided by the Director, including the evidence provided by the parties and obtained by the inspector.
16. 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 Responsible Service of Online 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 harms that may be caused by online gambling.
17. 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.
18. 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.
19. Some key timelines identified by the Commission are as follows:
 - a) The Complainant opened an account with BigBet on 7 September 2024 and elected not to set a deposit limit.
 - b) On that same day, between 8:13PM and 9:10PM the Complainant made nine deposits totalling \$5,500.00 and placed 12 wagers. Initially deposit amounts varied between \$100 to \$500 however these increased to \$1,500 at 8:52PM.
 - c) As a result of the customer's activity, at 9:40PM two automated Responsible Gambling alerts were triggered, a New Registration Alert (>\$5,000 deposits in the first 7-days of registration) and a High Loss Alert (customer under 25 – net loss of >\$5,000 in 30 days).
 - d) At 9:59PM on 7 September 2024, the Complainant then initiated a live chat with the wagering operator. During this interaction, the Complainant stated *"...I have a gambling addiction..."* and *"... I deposited and bet a large sum of money, well beyond my means. It's all I had and really need the money. Would it be possible to get a refund and banned from the app"*.
 - e) In response, the wagering operator's customer support team immediately suspended the customer's account and initiated a Responsible Gambling escalation. This led to the wagering operator permanently closing the Complainant's account.
20. The Commission noted that the series of deposits and wagering activity occurred over a short period of approximately 47 minutes. The Commission also noted that this was a newly established account with no prior wagering history.
21. The Commission also noted that the Complainant's wagering activity had been flagged for review within one and a half hours of the commencement of wagering.
22. The Commission is satisfied that the Complainant's wagering activity led to his account being flagged for review and in this instance this was sufficient for Amused to comply with its obligations under clause 3.2 of the Code. The Commission also considers that there had not been sufficient time for Amused to take action in respect to the Complainant's flagged

behaviour prior to the Live Chat (which occurred less than two hours after the first activity on the account). The Commission therefore considers that the complaint around not detecting red flag behaviour or taking appropriate action is not substantiated.

23. 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.
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.

Commission Findings

25. The Commission therefore makes the findings that:
 - a) 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 7 September 2024, there are no indicators to the Commission that Amused breached the RWA, its licence conditions or the Code;
 - b) that Amused has complied with clauses 3.2 and 5.4 of the Code in regard to recognising problem gamblers;
 - c) 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; and
 - d) given these findings, the Commission should take no further action in relation to the complaint and not disturb the wagering operator's handling of the matter.

Commission Decision

26. 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 RWA, its licence conditions and the relevant Codes of Practice in place, and that no monies should be returned to the Complainant.

NOTICE OF RIGHTS

27. 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, Shields, and Curnow