

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 310(4) of the <i>Racing and Wagering Act 2024</i> and section 85(2) of the <i>Racing and Betting Act 1983</i>)
COMPLAINANT:	Mr A (the Complainant)
LICENSEE:	Sportsbet Pty Ltd
HEARD BEFORE: (on papers)	Alastair Shields (Presiding Member) Susan Kirkman Rachael Shanahan
DATE OF DECISION:	2 June 2025

DECISION

1. For the reasons set out below, the Northern Territory Racing and Wagering Commission (**the Commission**) is satisfied that Sportsbet Pty Ltd (**Sportsbet**) has, in relation to its dealings with the Complainant, acted in compliance with the regulatory environment imposed on it by the *Racing and Betting Act 1983* (**the RBA**), its licence conditions, and the terms and conditions that were in effect at the time of the events the subject of these gambling disputes.

REASONS

Background

2. Sportsbet 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former Northern Territory Racing Commission (**former Commission**) under the licensing regime contained within the now repealed RBA.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within the *Racing and Wagering Act 2024* (**RWA**), which commenced on 1 July 2024, any licence issued under the repealed RBA that was valid immediately before the commencement of the RWA continues in effect on the commencement of the RWA as a licence under the RWA.
3. As noted in quite a number of previous decisions, all sports bookmakers licensed by the Commission are required to divulge a comprehensive set of terms and conditions for wagering which both parties are bound by when an account is opened and each time a bet is struck. These terms and conditions operate to ensure legislative compliance and the commercial efficacy of the business model of a sports bookmaker.

The Complaint

4. On 2 November 2022, the Complainant lodged a complaint with the former Commission in relation to his dealings with Sportsbet. The Complainant's complaint centred upon a number of multi bets that the Complainant placed on 29 October 2022, both on his own behalf, and on behalf of 2 "bets with mates" accounts. The multi bets were all on an Australian National Basketball League (NBL) match between Sydney Kings and Cairns Taipans, which was due to take place on 29 October 2022. It is not in dispute that the multi bets were winning wagers.

5. The original complaint was that Sportsbet voided all of the bets, in reliance upon a term in Sportsbet's terms and conditions that enabled Sportsbet to void bets where there is a manifest or obvious error in setting odds. Sportsbet subsequently decided not to rely upon its terms and conditions to void the bets, which resulted in a total amount of just over \$37,000 being credited to the Complainant's account and the bets with mates accounts on 4 November 2022.
6. When queried by a betting inspector about whether the decision by Sportsbet to pay the amounts of the multi bets in full meant that the complaint had been resolved, the Complainant advised that because Sportsbet stated that the payment had been made as a "gesture of goodwill", rather than as "winning bets", the complaint still stands and he considers that the Commission should order that Sportsbet be required to pay an additional amount of just over \$37,000 as settlement of the wagers previously voided by Sportsbet.
7. In accordance with the transitional arrangements contained at subsection 310(4) of the RWA, any matters under consideration of the former Commission that were not determined under the now repealed RBA before the commencement of the RWA are to be determined by the Commission in accordance with the repealed RBA as if it was not repealed.
8. The complaint subject of this Decision Notice was lodged on 2 November 2022 and had unfortunately not been determined by the former Commission prior to the commencement of the RWA. Given this and in accordance with the transitional arrangements under the RWA, the Commission has determined to hear the dispute and make its determinations pursuant to subsection 85(4) of the RBA.

Sportsbet Response to the Complaint

9. In response to the complaint, Sportsbet acknowledged that there had been a "poor customer experience" concerning the wagers on the 29 October 2022 NBL match, and that as a result of that, and a number of other complaints received, Sportsbet made a decision to pay out all winning wagers on the match. Sportsbet stated that the Complainant's argument that there should be a further payment "is ridiculous and fundamentally flawed", because "it is possible for a bet to be paid out of goodwill and as a winning bet concurrently".

Commission Findings

10. Pursuant to section 85(4) 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 before it.
11. The Commission has determined that it is not necessary for the Commission to make a finding as to whether Sportsbet was entitled to void the wagers in accordance with its terms and conditions, because Sportsbet has waived the right to rely upon the terms and conditions by electing to pay the wagers in full. In the Commission's view, it is not relevant whether Sportsbet waived its right to void the wagers or was required to pay the wagers in full. Sportsbet has paid the wagers in full and the Complainant is not entitled to be paid a second time.
12. In accordance with the principles of natural justice, and to ensure that all relevant information and evidence was before the Commission for its consideration prior to the making of its final determinations, a draft of the Commission's preliminary findings was supplied to both parties for comment. Neither party provided any comment by the due date.

Conclusion

13. The Commission has determined that the complaint is without merit because Sportsbet has paid the winning wagers in full to the Complainant

NOTICE OF RIGHTS

14. Section 85(6) of the RBA provides that a determination by the Commission of a dispute referred to it pursuant to section 85 of the RBA shall be final and conclusive as to the matter in dispute.



Alastair Shields
Chair, Northern Territory Racing and Wagering Commission

On behalf of Commissioners Shields, Kirkman and Shanahan