



**QORTI CIVILI PRIM' AWLA**

**ONOR. IMHALLEF MARK CHETCUTI LL.D.**

**Illum il-Hamis, 18 ta' Mejju, 2017**

Numru 1

**Rikors Guramentat Nru. 769/2015**

**L-Avukat Dr Ian Vella Galea bhala mandatarju specjali ta' Guido Treves**

**vs**

**Stanleybet Malta Limited**

**Il-Qorti,**

Rat ir-rikors guramentat tal-attur nomine tal-11 ta' Awwissu, 2015 li jghid hekk:

1. Illi s-socjeta intimata hija operatur ta' loghob tal-azzard awtorizzat mill-Malta Gaming Authority (MGA), filwaqt li r-rikorrent Guido Treves hu gugatur abbonat mal-istess socjeta intimata;
2. Illi nhar l-4 ta' Jannar 2014 ir-rikorrent Guido Treves laghab diversi mhatri mas-socjeta intimata fic-Centro Trasmissione Dati (CTD), u cioe wiehed mill-hwienet fejn jistghu jintlaghbu dawn l-imhatri, li jinsab fi 26, Piazza Ciardi, Prato, fl-Italja, liema CTD u proprjeta ta' u hu gestit minn certu Eugenio Remollino;
3. Illi dawn l-imsemmija imhatri li ntlabghu mir-rikorrent Guido Treves irrizultaw f'rebh ghall-istess rikorrent fl-ammont komplessiv ta' tnejn u ghoxrin elf sitt mija u ghaxar ewro u disgha u sittin centezmu (€22,610.69) kif jirrizulta mid-dokumenti hawn annessi bhala Dok. A sa M;
4. Illi nonostante diversi talbiet da parte tar-rikorrent Guido Treves sabiex jithallas l-imsemmi ammont ta' tnejn u ghoxrin elf sitt mija u ghaxar ewro u disgha u sittin centezmu (€22,610.69), inkluz permezz ta' ittra ufficjali bin-numru 2149/15 datata 12 ta' Gunju 2015, is-socjeta intimata baqghet inadempjenti;

5. Illi r-rikorrent jaf b'dawn il-fatti personalment;
6. Illi ghalhekk kellha ssir din il-kawza.

Ghaldaqstant, in vista tas-suespost, ir-rikorrent noe jitlob bir-rispett lil din l-Onorabbli Qorti joghghobha:

1. Tiddikjara u tiddeciedi illi s-socjeta intimata hija debitrice tar-rikorrent noe fl-ammont ta' tnejn u ghoxrin elf sitt mija u ghaxar ewro u disgha u sittin centezmu (€22,61 0.69) rapprezentanti rebh ta' mhatri mas-socjeta intimata;
2. Tikkundanna u tordna lis-socjeta intimata thallas lir-rikorrent noe s-somma ta' tnejn u ghoxrin elf sitt mija u ghaxar ewro u disgha u sittin centezmu (€22,610.69).

Bl-imghax u bl-ispejjez a karigu tas-socjeta intimata li hi minn issa ngunta in subizzjoni.

Rat ir-risposta guramentata tas-socjeta konvenuta li tghid hekk:

1. Illi s-socjeta intimata hija sussidjarja ta' Stanleybet International Betting Ltd UK ('Stanley') u hija validament registrata u topera b'gaming license mahruqa mill-Malta Gaming Authority ('MGA').
2. Illi l-Stanley Group ilu jopera fis-suq tal-fixed odd bookmaking, primarjament fuq avvenimenti sportivi sa mis-sittinijiet (1960s) u Stanley topera kemm fuq bazi cross-border kif ukoll permezz ta' sussidjarji licenzjati lokalment f'numru ta' gurisidizzjonijiet, inkluz permezz ta' betting shops fizici jew 'Centro Trasmissione Dati' ('CTD'); bhala wiehed mill-operaturi ewlenin tal-offline sports betting fl-Ewropa.
3. Illi t-talbiet tal-attur nomine huma infondati fil-fatt u fid-dritt u ghandhom jigu michuda fl-intier taghhom stante illi s-Sur Guido Treves kiser it-termini u l-kundizzjonijiet vigenti tas-socjeta konvenuta u cioe l-"Regolamento Generale Centro Di Trasmissione Dati (CTO) Di Stanleybet Malta (SM) Sul Territorio dell'Unione Europea" li jirregolaw ir-relazzjoni bejn il-gugatur u l-istess socjeta konvenuta meta l-istess Sur Treves intenzjonalment u bl-iktar mod abbuziv u illegali spezzetta u firex zewg kombinazzjonijiet differenti ta' rizultati fuq erba' imhatri identici u ghaxar imhatri identici rispettivament u dan kif ser jirrizulta u jigi provat bl-aktar mod car waqt it-trattazzjoni tal-kawza.
4. Illi meta gugatur jikser l-imsemmija termini u kundizzjonijiet fosthom billi jifrex l-istess imhatri fuq numru ta' imhatri izghar u identici, biex jevadi u jaggira s-sistemi ta' kontroll tar-riskju uzati mis-socjeta intimata, abbazi ta' dawn it-termini u kundizzjonijiet, il-konvenuta tirrizerva kull dritt li thassar l-imhatri in kwistjoni anke sucessivament ghall-avvenimenti li dwarhom ikunu saru l-imhatri.
5. Illi tali termini u kundizzjonijiet li jipprojbixxu lill-gugaturi milli jifirxu l-imhatri taghhom huma hemm sabiex operaturi, bhal Stanleybet, ikunu jistghu jikkalkulaw u jillimitaw ir-riskju u l-bazi li fuqha joffru l-"odds" taghhom. Ghandu jkun car illi l-agir tas-Sur Treves kien immirat biss, u dan b'gharfien tal-istess termini u kundizzjonijiet biex jipprova jevita s-"security controls" tal-istess Stanleybet. X'raguni valida ohra

hemm li wasslet lii Treves jaghmel l-istess zewg imhatri, b'mod identiku, maqsumin f'erbgħa u ghaxar imhatri rispettivi meta l-logħob li kien qed jilgħab setghu saru f'zewg imhatri semplici? Ir-raguni hija wahda cara: hu ma setghax jilgħabhom fi tnejn ghaliex kien ikun palezament car li s-"security controls" ta' Stanleybet kien jaqbadhom immedjatament u lanqas biss kien jithalla jagħmilhom. Treves, izda, f'attentat li jagħgira l-istess-"security controls", spezzetta l-imhatri (li kienu essenzjalment identici) f'aktar min imhatra wahda - xi haga li hija manifestament pprojbita mit-termini u kundizzjonijiet applikabbli, liema termini u kundizzjonijiet huma disponibbli għall-gugaturi gewwa kull hanut fejn jista' jsir dan il-logħob.

6. Illi tali restrizzjonijiet fit-termini u kundizzjonijiet, simili bħal dawk relattivi mal-kaz odjern, huma restrizzjonijiet adoperati mill-maggoranza, jekk mhux kollha, mill-operaturi li jaccettaw dawn it-tip ta' imhatri fuq l-isports. Kieku ma kienx hekk, kieku l-operaturi qatt ma jkunu jistghu ragonevolment jikkalkulaw ir-riskju u l-"odds" rispettivi tagħhom.

7. Illi barra minn hekk u abbazi tal-eccezzjoni inadempenti non est adimplendum l-attur nomine qatt ma jsta' jippretendi li jenforza l-istess rabta u jirrikava r-rebh mill-imhatri tiegħu, meta huwa konsapevolment u in pessima mala fede kiser l-istess rabta kontrattwali.

8. Salv eccezzjonijiet ulterjuri.

Rat l-atti u n-noti ta' sottomissjonijiet;

Rat li l-kawza thalliet għas-sentenza.

## **Ikkunsidrat**

### **Provi**

Alessandro Rallo xehed hekk:

I have been employed with Stanleybet Malta as trader for the past four years and seven months. The Regolamento Generale Stanleybet (RGS) marked as Dok. SMI lays down the terms and conditions which regulate the relationship between the client and Stanleybet. Art. 1 para 3 of RGS lays down that before submitting any bets the client must have read, understood and accepted the applicable regulations, and placing the bets implies the knowledge and acceptance of the same RGS. On 4th January 2014, 13 bets were placed in SM outlet in Prato (Dok. SM2). A single bet is one placed on a single odd related to a single sporting event. A multiple bet is a bet that consists of two or more odds for different events/markets. In the case at hand, Mr. Treves placed (13) multiple bets divided in two groups: (A) Three [3] identical

multiple bets placed on the same thirteen events and results and (B) ten [10] identical bets placed on nine identical events and results. From a preliminary analysis and an overview of the stakes it is possible to find a common pattern in the bets played because: [1] Every single bet contains bets on different sporting events. Six of the sporting events in both groups are completely identical; [2] The similarity of the bets was not only limited to the events played, but also to the type of bet and result played. The way in which the bets were played and multiplied within a few minutes, was aimed to determine whether SM as the bookmaker had imposed low limits of authorization on the bet in the selected events. Had those low limits been placed or had they been all played in one bet with one high stake, the bets with the stake higher than a certain threshold would have been flagged to the risk management department and would have been refused or accepted with an odd change. Through the division of the same bets into smaller identical bets within a few minutes of each other Mr. Treves deprived Stanleybet of its right to control the flow of received bets and to protect its economic and financial interests by hedging its exposure and liabilities. Moreover [10] ten additional bets were made with a short time with the intention of restricting the potential winnings to a set amount which would not exceed the limit. The duplication of bets is a method used by expert players to bypass the maximum payout by the bookmaker. The purpose is to bypass the risk management procedures established by bookmakers. Different precautions are taken by bookmakers to prevent and establish the maximum winning limits for each sport. In this case the total payout limit imposed on bets containing inter alia Selections of any other Sports is of €15,000 [Art. 13] whereas Mr. Treves illegally managed to win more through the duplication of his bets. There is no other plausible reason to justify Mr. Treves's breaking down of his bets than that Treves was trying to hide his maximum payout this in breach of Art. 11 para. 2 of the RGS. These bets can be declared void by the company. In the light of the above, Stanleybet subsequently closed down the outlet in Prato according to Art. 10 para. 2 because it did not ensure that the betting takes place in line with the rules. Mr. Eugenio Remolino had been informed by Stanleybet via email [Dok. SM3] of the latest updated version of the RGS and reminded of his obligation to read and put them in the notice-board of the outlet. Document SM4 and the enlarged extract of the footer

in Doc. SM5 contain clear reference to the player's (Mr.Treves) acceptance of the terms and conditions.

Under cross-examination Rallo answered that the customers makes a bet, say in Italy, and this is accepted on the other side in Malta and only then is the contract perfected. Stanleybet does not see the bets as thirteen separate bets but as a whole bet divided in many duplications. There were thirteen bets and thirteen separate tickets. Between these two group of bets - the first three and the last ten - there were common selections. There was no limit on the stake. The limit is the threshold set by the bookmaker and when that threshold is exceed, it will immediately ring a bell. As regards duplications these are seen only after they have been placed. The agent is the first to control that everything goes by the rules; the second level is the IT set up and then the trader to look at the bet and either say yes or no. In this case, the bets came up when they were winning because otherwise they would go unnoticed. If there is a selection, they are blind until the last one of the selection wins. They cannot deal with every singular bet individually. The agent must have known what Mr.Treves was betting so he should have stopped him. It is the duty of the agent to display these RGS because the customer is declaring that he has read them so it is in his interest to see them. Doc. ME1 is a letter from the legal office of Stanleybet Malta giving information relating to the settlement of bets between Stanleybet and Eugenio Remolino operator in Prato. All the bets were placed on the 4th January and the games were played in that weekend.

In his affidavit Guido Treves stated that on 4th April 2014 he went to Stanleybet agency located in Prato managed by Mr. Remolino. He place a multiple-bet with the selections indicated in his affidavit. He waged €200 on this selection. He told Mr. Remolino that he would collect the bet receipts after lunch. When he returned in the afternoon he placed another bet with a different selection. On this selection he waged €90. He went to pay for the last bet and collected the previous receipt and realized that the bets were not represented in two coupons but in 10 coupons for the first selection and three for the second selection for a total of €289. When he asked the agency manager why he did them like that, he replied 'Don't mind, it's fine like that'. This had already happened to him in the past in other Stanleybet agencies and

when he won, he was always paid. No. SGR were posted within the Agency, and he was never informed by the manager that such division could eventually have constituted a violation of such Regulation.

Under cross-examination he answered that when he was given thirteen coupons instead of two he asked why and he was told it was ok like that and that there was nothing wrong with that. This was not the first time that this was done at Stanleybet outlets and when he won he was always paid. There can be even more than one person who does the same betting at the same time. When he went in the shop he did not see any rules outside. I did not see and there weren't any rules outside. May be there were the rules on other occasions but not when he went there. On his coupons he did not read the rule that says that the bets cannot be subdivided. It was not the first time that they did that and no problem arose and it wasn't only in this outlet. He never read the rules of Stanleybet neither the rule that says that a person who bets has to abide by the rules of Stanleybet, and this even though he bets regularly. He was investigated in the nineties when betting was against the law except for football which was legal. The cutting presenting in Court Doc. TB1 does not say that he was investigated but that he had trouble with the law. He was not brought to Court or found guilty.

Eugenio Remolio stated in his affidavit that Guido Treves was a long standing acquaintance of his and a frequent customer. He placed a multiple-bet with a specific selection of events. As this would have taken some time, Treves left for lunch and gave him €200 for the bet. In the afternoon he came back and asked him to place another multiple bet with a certain selection on which he wanted to wager €90. He then gave Treves the coupons for the two wagers. When the bet is made, this is automatically registered by Stanleybet's central server and the acceptance is electronically communicated to the shop. At that point the software generates the coupon, then the shop prints and delivers it to the client in return for the stake. There is also the manual acceptance but this mechanism slows down the betting process. Stanleybet had imposed very restrictive settings in his shop and almost all plays, even small ones, were submitted to manual acceptance. To avoid delays or holdups

of the cashier, he decided to divide Treves's bets into several coupons, Treves being a regular customer.

Under cross-examination he answered that in his agency there was a notice that those under 18 years could not bet but the rules of Stanleybet were not posted outside and he was never told to post them. He had these rules in his contract and not outside. Inspectors used to pass frequently near his place and they could have brought this to his attention if it were needed. The rules were meant for us not for the public and they would not have read them. No agency posts these rules outside. He did not confirm that Stanleybet used to sent him emails telling him to post the rules outside his place. On being shown email on page 104 he said that he received that mail and the rules most probably were posted as requested. He did not subdivide the bets to circumvent the system but to facilitate things because if the win is more than €1,000 then the question of money laundering can arise. When bets were over €10 they were supervised, there was a control system. Those under €10 were accepted automatically by the machine. All bets of €10 and under were accepted automatically so I was not cheating the system. I had no reason to cheat the system as Stanleybet were providing me work. If the bet was of €200 Stanleybet would have accepted the bet, but they would have to vet it, and that takes longer. Stanleybet calculated the risk both on the €10 and on the €200. He got his commission on the bets not on the winnings. He did not need the permission of Stanleybet to subdivide the bets. If he had he would not have subdivided them. It is up to them to accept or refuse the bet. He did not know that the rules of Stanleybet prohibited subdivision of bets and if they took place they could cancel the bet. The rules were posted outside the shop and could be seen by customers but in practice no one reads them apart from their being in small print. He stopped working with Stanleybet when they did not pay this win. They blocked his system.

#### Re-examination

It was not the first time that he subdivided bets. He did this many times and not only for Treves. The reasons was always because of money laundering. He knew Treves as a regular customer. Stanleybet never brought this to his attention that he was subdividing bets. Stanleybet never drew his attention to this problem. Stanleybet

could notice that the bets were subdivided because they could see that the bets were coming from the same agency and at the same time. According to the coupons on page 105 the bets were made together at the same time. If there was something wrong, Stanleybet would not have accepted it.

## **Kontestazzjoni**

Illi r-rikorrent nomine qed jikkontendi li s-socjeta intimata hija debitrici tar-rikorrent noe fl-ammont ta' tnejn u ghoxrin elf sitt mija u ghaxar ewro u disgha u sittin centezmu (€22,610.69) rapprezentanti rebh ta' mhatri mas-socjeta intimata.

Illi l-intimati kkontestaw dina t-talba billi qalu li t-talbiet tar-rikorrent huma infondati stante illi huwa kiser it-termini u l-kundizzjonijiet vigenti tas-socjeta konvenuta u cioe l-"Regolamento Generale Centro Di Trasmissione Dati (CTG) Di Stanleybet Malta (SM) Sui Territorio dell'Unione Europea" li jirregolaw ir-relazzjoni bejn il-gugatur u s-socjeta intimata meta r-rikorrent noe intenzjonalment u abbuzivament spezzetta kombinazzjonijiet differenti kif ser jirrizulta fit-trattazzjoni tal-kawza.

L-intimati komplew spjegaw dina l-eccezzjoni billi qalu li persuna li tifrex l-istess imhatri fuq numru ta' imhatri izghar u identici dana taghmlu biex tevadi u taggira is-sistemi ta' kontroll tar-riskju uzati mis-socjeta intimata. Illi t-termini u kundizzjonijiet jipprojbixxu lill-gugaturi milli jifirxu l-imhatri taghhom sabiex operaturi jkunu jistghu jikkalkulaw u jillimitaw ir-riskju. Ir-rikorrent Treves ma setghax jilghab fi tnejn l-imhatri tieghu ghaliex kien jinqabad mis-"security controls" ta' Stanleybet u ma kienx jithalla jaghmilhprn. Illi t-termini u kundizzjonijiet tal-loghob kienu disponibbli ghall-gugaturi gewwa kull hanut fejn kien isir il-loghob. Restrizzjonijiet simili huma adoperati mill-maggoranza, jekk mhux mill-operaturi kollha, li jaccettaw dawn it-tip ta' imhatri fuq l-isports.

## **Konsiderazzjonijiet**

### **Applikabilita tar-regolamenti**



Ir-regoli tas-socjeta intimata [Dok. SM1] kienu cari. Ir-regolament numru wiehed ighid li "Il presente regolamento deve essere sempre esposto e reso consultabile all'interno del CTD". Imbaghad l-istess regolament ikompli jipprovdi li "Il cliente, prima di accettare fa proposta di scommessa formulate da SM, deve aver letto, compreso e accettato il presente Regolamento. L' 'accettazione delle proposte di scommessa implica l' 'adeguata conoscenza e accettazione del presente RGC".

Illi x-xhud Remolino kien konfuz fix-xhieda tieghu. Ghall-ewwel meta beda jixhed qalli ma kellux ghalfejn jesponi r-regoli barra l-hanut, u li hadd ma kien qallu biex jaghmel hekk, imma meta gie konfrontat bl-email mibghuta mill-intimati, Document SM3 a fol. 104, huwa ma setghax jichad li dina kienet intbghatet lilu u ghalhekk accetta li kien ircevieha u obda l-ordni biex iwahhal ir-regolamenti barra l-hanut. Qal ukoll li l-gugaturi setghu jaraw dawn ir-regolamenti. Ghalhekk hu konfermat minn Remolino li r-regolamenti kienu esposti fil-hanut.

Illi Guido Treves hawwad fix-xhieda tieghu u daqqa jghid li r-regolamenti ma kienux esposti barra l-hanut u daqqa jghid li kienu imma effettivament hadd ma jaqrahom, partikolarment billi dawn ghandhom tipi zghira. Inoltre jghid ukoll li anke jekk kienu esposti dawn setghu kienu jew mghottija b'xi coatjew imqgheda fejn wiehed ma jharisx.

Il-fatt pero jibqa' li, ighid x'ighid Treves u anke jekk hadd majaqra dawn ir-regoli, din mhix gustifikazzjoni jew raguni ghaliex dawn ir-regoli m' ghandhomx japplikaw.

Inotre fuq il-biljett tal-loghob (a fol. 105 sa 117) hemm ukoll dan ir-regolament li jghid li "l' 'accettazione della pro posta di scommessa di Stanleybet Malta da parte del cliente implica l' 'adeguata conoscenza ed accettazione di tutti i termini e delle condizioni contenuti nel RGS" (Dok. SM4 a fol. 118).

Illi ghalhekk fil-fehma tal-Qorti jirrizulta mill-provi prodotti u mid-dokumenti ezibiti li r-regolamenti kienu verament esposti u setghu jigu konsultati mill-gugaturi fil-hanut ta' Remolino. Is-socjeta intimata kienet wettqet l-obbligu taghha li tigbed l-attenzjoni tal-

gugaturi bhar-rikorrent (u anke l-agenti taghha) dwar l-applikazzjoni tar-regoli u l-kondizzjonijiet li kienu japplikaw metajsiru l-imhatri.

### **Evazzjoni tas-sistema**

F'dana l-kaz ir-rikorrent minflok laghab iz-zewg selezzjonijiet ta' loghob li ried f'zewg biljetti, ghazel li jaqsam dawn iz-zewg imhatri fi tlettax il-biljett differenti, u l-inti mati jikkontendu li dana sar bl-uniku skop illi tigi raggirata s-sistema ta' kontroll tas-socjeta intimat. Dan bhal speci persuna jixtri kaxxa pasti u minflok ihallas ghall-kaxxa pasti f' daqqa jaghrnel pagamenti separat ghall-kull pasta fil-kaxxa.

Fost dawn it-termini u kondizzjonijiet kien hemm ukoll il-kundizzjoni 11(2) li tghid:

Ogni scommessa e' sottoposta da STANLEYBET ad una specifica procedura di valutazione del rischio, le cui modalita attuative dipendono dall'ammontare della puntata, nonche dal tipo e dal e dal numero di selezioni giocate.

In qualunque momento, anche successivamente allo svolgimento degli eventi pronosticati, Stanleybet si riserva il diritto di considerare void un gruppo di scommesse che, dall 'analisi delle circostanze oggettive del caso (ad es.: anomala suddivisione della medesima scommessa in molteplici giocate), si rivelino preordinate al fine di eludere i vigenti sistemi di controllo del rischio.

Illi l-intimati jsostnu li dina r-regola qeghda ukoll fir-regoli tasocjetajiet ohra tal-loghob bhala Bwin, Bet365 u UBET intiza biex thassar daww l-imhatri li jsiru biex jeludu s-sistemi takontrol tar-riskju mill-operaturi (Dok. SM6-8 fol. 119 et seq.).

L-intimati jsostnu li l-imhatri gew suddivizi fi 13 l-imhatri ta' €10 kull wahda u mhux zewg imhatri, wahda ta' €200 u ohra €90 biex jevadu s-sistema ta' kontroll ta' Santleybet u b'hekk jaqbzu l-massimu li Stanleybet kienet se thallas fuq ir-rebh minghajr ma jigu maqbuda mis-sistemi ta' kontroll.

Illi meta r-rikorrent xehed bhal donnu ried ighid li kien Remolino li qabad u qatalu l-biljetti hekk u li mhux hu kien laqghab bdak il-mod, ghalkemm fix-xhieda tieghu

jittrapela wkoll il-fatt li l-imhatra saret hekk minnu. Ighid ukoll li mhux l-ewwel darba li laghab bdan il-mod (u mhux necessarjament ghand Remolino) u rebah u thallas. Ir-rikorrenti jsostni li ma kienx jaf bdik ir-regola u li ma setghatx jilghab bdak il-mod u dana nonostante li huwa gokatur regolari f'diversi outlets u mhux biss bdik ta' Remolino. Illi dina l-versjoni mhix verosimili meta wiehed jikkunsidra li kif jirrizulta mid-Dok. TB1 ezibit, Treves huwa deskritt bhala gugatur espert fil-loghob tal-azzard u bhala wiehed "che sa come funzionano le cose" f'dan it-tip taloghob.

Min-naha l-ohra Remolino xehed li huwa kien jaghrnel hekk minhabba l-ligi taljana dwar il-hasil tal-flus u li hadd ma kien gibidlu l-attenzjoni li ma setghax jaghmel hekk, meta fil-fatt il-provi juru mod iehor.

Ghalhekk ighid x'ighid Remolino, ir-regola kienet dik li hi; hu kien jaf biha mir-regolamenti li kienu tawh Stanleybet u anke bl-updates li kienu jibghatulu u li huwa kien jircievi. Inltre jirrizulta mix-xhieda li Remolino kien jaf sew bis-sitwazzjoni tant li jghid li Stanleybet kienu ghamlulu restrizzjonijiet u rieduh ghamel kontrol manwali. Jidher li kien ghalhekk li biex jevita dawn il-kontrolli huwa beda jaqsam dawn l-imhatri kbar f'imhatri zghar u b'hekk jaccetta imhatri kbar li Stanleybet, kieku kienet taf bihom, ma kinitx taccetta. B'hekk kienet qed issir evazzjoni tal-kontrolli minn Stanleybet, li giet imgieghlha taccetta riskji li probabilment hija ma kinitx se tiehu kieku kienet taf kif qed isir il-loghob, jew kienet tibdel l-odds u kienu jkunu differenti. Remolino jsostni li l-imhatri ta' €10 u anke aktar kienu jigu kkontrollati minn Stanleybet, izda dawk li kienu taht dawk l-ammont kienu jigu accettati awtomatikament mill-magna u Stanleybet ma kelliex kontroll fuqhom meta ssir l-imhatra.

Ghalhekk fil-fehma tal-Qorti s-socjetaintimata kienet gustifikata li tikkunsidra bhala invalida kull imhatra li giet maqsuma bl-iskop li jigu raggirati s-sistemi ta' kontrol taghha u ghalhekk skond ir-regolamenti hija kellha d-dritt li tirrifjuta li thallas ir-rebh mitlub mir-rikorrent nomine billi dana r-rebh sar bi ksur tar-regolamenti tas-socjeta intimata.

## **Decide**

Ghal dawn il-motivi l-Qorti tiddeciedi billi tilqa' t-tielet eccezzjoni tal-intimati u tichad it-talbiet tar-rikorrenti nomine, bl-ispejjez kontra tieghu.

Onor. Mark Chetcuti LL.D.

Imhalled

Anne Xuereb

Deputat Registratur