CONSUMER CLAIMS TRIBUNAL

Claim Number CCT/171/24/F

Nassim Slimane

vs

MX institute for Higher Education Limited (C-86281) and by means of a Decree of the Tribunal of the 13th January 2025, the name of the defendant company was corrected to read Regent Hill Institute of Higher Education Limited (C-86281)

Today, the 19th May 2025

The Tribunal:

Having seen the Statement of Claim filed by the applicant on the 6th August 2024;

Having seen that the respondent company was duly served with the Statement of Claim on the 25th April 2025.

Having seen the Tribunal's decree of the of the 13th January 2025 by which the name of the defendant company was corrected to read "Regent Hill Institute of Higher Education Limited (C-86281)";

Having heard the applicant's sworn testimony given by means of an affidavit;

Having seen all the documents presented by the applicant;

Having seen that no representative of the respondent company appeared for the sitting held before the Tribunal on the 12th May 2025;

Having seen Regulation 12.1 of S.L. 378.01;

Having seen that the Claim was put off for a final decision.

Considered:

Whereas in the instant Claim, the applicant is claiming the sum of five thousand, two hundred and seventy-five Euro (€5,275), which he had paid to the defendant company in order to enrol for a 12-month OTHM Level 7 Diploma in Strategic Management and Leadership programme. The sum paid included application fees, course fees and accommodation. When the applicant arrived in Malta to commence studies, the promised 16 hours of lecture time were not delivered and the accommodation address provided turned out to be false. Later on, the applicant also came of knowledge that the University of Chichester, UK, had withdrawn is recognition of the course purportedly marketed and provided by the defendant company.

Whereas the respondent company failed to enter an appearance before the Tribunal, despite being validly served with the Notice of Claim and the Notice of Hearing. Owing to this absence, the Tribunal is deprived of an explanation of the relevant facts according to it. Furthermore, reference is made to Regulation 12.1 of S.L. 378.01 which sets out that the Tribunal may decide a claim against the respondent when it fails to appear for the sitting without justification. It is the duty of the parties to follow up as regards sitting dates to ensure that they duly attend.

Whereas in view of the above considerations, the Tribunal believes that the applicant's Claim is well-founded and thus, should be upheld. In terms of the liquidation of the refund due, the Tribunal believes that the full sum paid to defendant company, that is, of five thousand, two hundred and seventy-five Euro (€5,275), should be fully refunded to the applicant.

Decision:

For the above reasons, after having seen Chapter 378 of the Laws of Malta, the Tribunal decides this claim by upholding it and consequently condemns the respondent company to pay the applicant the total sum of five thousand, two hundred and seventy-five Euro (€5,275).

Legal interest shall run as from the date of this decision.

All costs shall be borne exclusively by the respondent company.

Avv. Mattia Felice LL.B., LL.D. (Melit.), ECPC-B (Maasticht)
Arbiter