



Brenda Simpson

Vs

Timeless Treasures Ltd (C 84542)

CCT 18/25/CC

Today 1st July, 2025

The Tribunal;

Having seen the claim filed by claimant on the 28th January 2025, whereby claimant requested payment of €1,925 (one thousand, nine hundred and twenty five euros) being amount paid to respondent company relating to a gold ring purchased from respondent's company outlet.

Having seen that respondent company duly notified on the 6th February 2025 with the Notice of Claim, and Notice of Appointment of Sitting failed to submit a reply, and hence is in a state of *contumacia*.

Having seen the acts of the case.

Having heard claimant give evidence on oath during the sitting dated 27th May 2025, and having seen that respondent company failed to justify the state of *contumacia*;

Considers;

It results that on the 19th June 2024 claimant bought a ring from Timeless Treasures for the total price of €1,925 (one thousand, nine hundred and twenty five euros). The ring had to be resized, a job which respondent company entrusted to a local jeweller. At a later stage, it transpired that whilst the ring was being resized, yellow gold was used instead of white gold, and a coating was applied. After two months, the coating wore off and the yellow gold underneath was revealed.

Claimant took the ring to a jeweller in New Zealand, who whilst certifying the above, pointed out to claimant that the ring had other issues, amongst which a manufacturing fault relating to the claws of the ring.



Ensuing various email exchanges between MCCAAs officials and respondent company an agreement was reached, in that, claimant returns the ring, and once received, a refund of the total amount of €1,925 (one thousand, nine hundred and twenty-five euros) will be paid to claimant. Claimant abided by the agreement, however the respondent company failed to refund the full amount of €1,925 (one thousand, nine hundred and twenty-five euros), citing customs fees which need to be deducted from the sum.

The Tribunal, having seen the acts of the case and the documentation filed by claimant, is of the opinion that the version presented by claimant is correct and truthful, and hence merits confirmation for the full refund of €1,925 (one thousand, nine hundred and twenty-five euros). Claimant successfully proved her case, thereby also providing in the acts of these proceedings the report prepared by the New Zealand Jeweller, confirming her version of events.

Consequently and upon review and careful examination of the facts of this case, and also upon review of the documentation and acts of this proceedings, in line with Chapter 378 of the Laws of Malta, the Tribunal accedes to the request filed by claimant and condemns respondent company to pay claimant the total sum of €1,925 (one thousand, nine hundred and twenty five euros).

The expenses of these proceedings are to be exclusively borne by the respondent company.

A handwritten signature in blue ink, appearing to read 'C. Cherrett'.

Dr Charmaine Cherrett

Arbiter