

Vanessa's story

Vanessa heard about an offer for a 2-week 'obligation free' trial for a gym and decided to try it out. In order to get the free trial the gym staff asked Vanessa to fill out a form which included her credit card details. She was assured that she would not be charged if she decided not to join the gym after the 2-week trial ended. Two weeks later Vanessa decided not to join the gym. She called the gym to let them know but later realised that they had still charged her credit card a \$60 monthly membership fee. She spoke to the gym manager who told her that the form she signed was a membership contract and could not be cancelled. Vanessa called Fair Trading, who explained her rights and how to get the gym to refund her money. Vanessa followed the advice and got all her money back and her membership cancelled.

Useful contact

Fitness Australia

Tel: 1300 211 311
www.fitness.org.au
PO Box 6453
Alexandria NSW 2015

NSW Fair Trading – What we do

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- Renting, buying, selling a home
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- Resolving disputes

www.fairtrading.nsw.gov.au **General enquiries 13 32 20**

Language assistance 13 14 50 (*ask for an interpreter in your language*)

TTY 1300 723 404 for hearing impaired

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Gym memberships

10 things you should know



**Fair
Trading**

www.fairtrading.nsw.gov.au

Before you sign up to a gym membership you should be aware of the following:

1. Shop around

Don't be pressured into signing up on the spot. Visit a number of gyms to work out which is the best value for money, has the best facilities, service and location for you. Consider trying a casual membership for a month or a few visits to see if the gym is right for you.

2. Be cautious of 'great deals'

Be wary of special offers, promotions and verbal promises. Some deals may not be as good as they seem, once you read the fine print.



3. Read the fine print

Never take the salesperson's word for it. Always take the gym contract home and read all the terms and conditions before you sign it. Know what you are getting into before you commit. Check the fees listed on the contract are the same as the price that has been quoted to you. Also check the administration fees for setting up or renewing your membership. These are non-refundable even if you cancel the contract during the cooling-off period.

4. Check the cooling-off period

Check if the contract has a cooling-off period which allows you to cancel the membership in writing within a limited time period.

5. Where will you be in 6 to 12 months?

The gym may not be easy to access if you change jobs, work different hours or move house and you may still be locked into the contract for months to come. Consider a 3 or 6-month membership – they are often no more expensive than a 12-month one.



6. Pre-paid fees

Fitness centres in NSW are not allowed to accept pre-paid fees in excess of 12 months so you shouldn't be asked to pay for more than 12 months at a time.

7. Direct debit

Many gyms ask for payments by direct debit. Just because your membership expires doesn't mean the direct debits stop. You often need to provide the gym with 30 days written notice to stop the direct debit deductions. Check the contract before you sign. If the fitness centre continues taking payments, talk to your financial institution.



8. Cancelling your membership

If you need to cancel your membership, check your contract to see what is required. Even if the contract requires you to visit the centre to cancel in person, it is also wise to do it in writing. Then you can prove the date you requested for the membership to end. Remember, a membership means you have a binding agreement and you may have difficulty cancelling early. Some gyms charge up to \$300 for cancelling a membership, so read the terms and conditions in your contract before you sign.

9. Fitness Australia

Check if the gym is a member of Fitness Australia at www.fitness.org.au or call **1300 211 311**. If it is a member it must comply with the NSW Fitness Code of Practice.

The Code requires members to give you a copy of the signed contract, provide a 7-day cooling-off period (if the contract is over 3 months), ensure employees are registered fitness professionals, allow you to cancel contracts in certain circumstances such as serious illness (fees may still apply) and resolve complaints quickly and fairly.



10. If things go wrong

If you have a dispute with a gym, check if it is a member of Fitness Australia. If the gym is a member, Fitness Australia will help negotiate your dispute if you submit it to them in writing. If the gym is not a member of Fitness Australia or you cannot resolve the issue, call Fair Trading on **13 32 20** or visit www.fairtrading.nsw.gov.au for help and advice.