

# Gym contracts

## What do I need to know?

### What is a gym contract?

A gym contract is a contract between you and a gym that allows you to use the gym's equipment in return for you paying them a weekly, fortnightly, monthly or annual fee.

### What if I thought I was getting a free trial?

It is important to carefully read the details of your free trial. Sometimes you get a month free as part of signing a 12 month contract. Sometimes you get a free trial of the gym before you have to sign up to a longer contract. Understand the terms of the free trial before starting it.

### Do I get a cooling-off period?

You have a 48 hour cooling-off period on signing a gym contract. If you want to cancel the contract you must let the gym know in writing before the 48 hours are up. You should get written confirmation of your cancellation from the gym also.

### What happens if I want to get out of my contract early?

There can be valid reasons for cancelling a gym contract after the cooling-off period. You may terminate due to sickness or incapacity for instance provided you do so in writing and your cancellation is supported by a medical certificate. Otherwise you need to cancel the contract in writing. You should also ask to receive a written confirmation. However, you still may have to pay a fee depending on how you terminate the contract.

### What if my contract has ended but I continue?

You can enter into a new contract or maintain your current agreement. For your current contract to continue it must include a condition stating it is an ongoing agreement, which must be dated and initialled by you when you sign the agreement. And at least two months before it is to end, the gym must give you a written notice stating when the initial term ends and that the agreement will continue until you terminate the ongoing agreement.

### What happens if I don't pay?

Gyms are not required by law to provide consumers with financial hardship. If you do not pay, there is a risk they may take you to court to try and recover what they say you owe them under the contract.

### Can I defer payments under the contract?

Some gym contracts will allow you to defer your payments for a period of time. You should read your contract carefully and then talk to your gym.

### What happens if I have a complaint about my bill or service?

Talk to the gym about your problem first. If you can't resolve the issue, you can get help by calling:

- a financial counsellor on 1800 007 007
- Legal Aid Queensland on 1300 65 11 88.

You can also make a complaint to the Office of Fair Trading Queensland by visiting [www.qld.gov.au/law/fair-trading](http://www.qld.gov.au/law/fair-trading)

To learn more about how gym memberships work, read the *Fair Trading (Code of Practice — Fitness Industry) Regulation 2003*. This Code must be made available by a gym for you to read.

**For more information about our services call 1300 65 11 88 or visit [legalaid.qld.gov.au](http://legalaid.qld.gov.au) or phone our Indigenous Hotline on 1300 650 143.**

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