



# **MEDIA RELEASE**

**Monday, 14 September 2009**

## **AUSTRALIAN INSTITUTE OF FITNESS GIVES YOUNG WOMAN A FINANCIAL WORKOUT**

A young school leaver is defending a legal claim by the Australian Institute of Fitness to pay \$7,416 for a training course she never started. Her legal defence asserts that the Institute has sued despite having botched her direct debit payments and then refusing her course entry because she hadn't paid.

Consumer Action Law Centre Policy & Campaigns Director Nicole Rich said that her centre was representing the young woman, who was only 18 years old at the time of signing up.

"Our client's experience suggests that it is important young people considering a career in fitness or personal training understand that if they sign up to a contract with the Australian Institute of Fitness and something does not go to plan, the Institute may well be prepared to sue them for the full course cost anyway, which can be several thousand dollars," said Ms Rich.

"Last year our client signed a contract to complete an 'Executive Master Trainer' course with the Australian Institute of Fitness at a cost of \$7,290."

"Our legal defence asserts that our client specifically signed up to the course starting on 5 January 2009, paid a \$500 deposit and arranged for monthly direct debits to start in September 2008, before the course began, so that she could start paying off the course cost while she was still working."

"We allege that the Institute did not make the direct debits as arranged despite our client contacting the Institute on several occasions to try to fix the problem. Our legal defence asserts that the Institute admitted the direct debits failed because of its error but sent our client a letter demanding payment and informing her that she could not start the course in January because she was behind in her payments."

Ms Rich said that Consumer Action was instructed that the young woman cancelled the course after she says she lost faith in the Institute with the frustration of being passed between staff at different campuses.

"The Australian Institute of Fitness is now suing our client to pay the full course cost plus legal costs even though she will never start the course."

"Our defence alleges that it was the Institute's own conduct that has led to this situation and it would be unfair and unconscionable to require her to pay."

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