

SKY FITNESS 24/7 - Terms and Conditions

Sky Fitness 24/7 is an unmanned facility for periods of time and as such if you participate in activities in this facility you are exposing yourself to the potential for serious injury including death. As such you should take note that your rights to sue the supplier if you are killed or injured because the activities were not supplied with due care and skill or were not reasonably fit for their purpose, or are excluded (subject to clause 13 in our full T&C's), restricted or modified in the way set out in or on this notice/appointment.

The member expressly indicates an understanding of the risks associated with undertaking activities in an unmanned and unsupervised centre and hereby releases, indemnifies and holds harmless Sky Fitness, their respective owners, officers, affiliates, agents and their employees in the event that I suffer personal loss, am injured or killed in the centre.

Further, the member provides this release whether it arises from the negligence of the centre or otherwise and does so with the intention that this release shall be as broad and inclusive as the laws of the state allow.

General Conditions of Entry to Sky Fitness

To ensure the Centre is able to provide a high level of service in a safe, healthy and pleasant environment for all, members must comply with following conditions:

- Entry during unmanned hours is prohibited to Sky Fitness if the person:
 - Is abusive or uses offensive language or whole behaviour is threatening or
 - Is under the influence of drugs or alcohol
 - No smoking is permitted in the Gym
 - Sweat towels must be used at all times – during unmanned hours you must provide your own
 - Weights must be returned to their correct place after use
 - Correct training attire and runners must be worn in the Gym – no jeans, work clothes, boots, sandals, thongs, or clothing that is likely to cause offence to others are permitted
 - No person under the age of 14 is allowed in the Gym unless accompanied by a guardian or qualified instructor.

Members with 24/7 Access entering the club

Every Sky Fitness Member who accesses the club in unmanned hours is recorded by our Video Surveillance system. This is checked daily by Sky Fitness management.

Members bringing Non-Members into SkyFitness

The member acknowledges and agrees that they **may not admit non-members at any time into Sky Fitness**. Furthermore, the member agrees that if this clause is breached then the following provisions shall apply:

- a. At no stage are you permitted to give your Card to non-members to allow them to access the Centre.
- b. If a member would like to train with a non-member they must attend within staffed hours and the non-member must pay the casual membership rate.

Consequences of Members bringing Non-Members into SkyFitness

Upon a first breach the member's access to 24/7 to the centre will be suspended immediately for a period of 14 days without notification to the member.

Upon any subsequent breach the member's membership shall be immediately cancelled and the member agrees to pay a cancellation fee of \$220 or 50% of the remaining membership fees due and payable under the terms of the agreement, whichever is the higher.

Locked areas during Unmanned Hours

Some areas of the club will be locked off outside staff hours and the members will not have access. These general areas may include but are not limited to saunas, child care areas and office areas. Please check with the facility to confirm if further information required.

Duress Button

By accessing Sky Fitness in un-manned hours you the member accepts that if you intentionally activate a Duress Button with no reason or for a reason that is deemed not appropriate by Sky Fitness 24/7 that **you will be charged a \$250 penalty** – you will be unable to access the club until this has been paid in-full. Sky Fitness 24/7 will only use this money to recover the costs associated with false activation of a Duress Button.

Video Surveillance

By accessing Sky Fitness in un-manned hours you the member accepts that Sky Fitness 24/7 is equipped with the Video Surveillance technology. This is constantly recording for the security of the gym and can be remotely viewed at any time by Sky Fitness Management and/or security provider.

Locker Access

During unmanned hours lockers are still available for use. However, please be aware that if your locker malfunctions during this time we may be unable to attend immediately if assistance is required. Please call the after hours number and arrangements will be made.

Saunas

Saunas are not available for use during unmanned hours due to health and safety reasons.

Sauna Hours: **M – F: 5am to 9pm / S – S: 8am to 1pm**