

ILAM Facility Membership Standards

Each member has the responsibility to abide by the Institutes membership standards code of conduct, and byelaws. None of these, however, are intended to create new laws or substitute for local, state, or EU laws, which will always take precedence. ILAM will assist as much as possible in interpreting these standards, but facility operators are responsible for ensuring their own compliance with local and state laws, and should consult a qualified legal advisor experienced in these matters about any legal questions.

STANDARD 1

The facility will conform to all relevant laws, regulations, and published standards.

Interpretation: This standard requires facilities to comply with all local, state and EU laws +and regulations governing employment, membership contracts, safety, etc. It is the responsibility of the facility operator to adhere to all requirements on all levels.

STANDARD 2

The facility will be kept clean and equipment will be maintained in working order.

Interpretation: The facility should ensure cleanliness in all areas through regularly scheduled cleanings with appropriate substances. Any equipment known to be malfunctioning should be repaired or replaced within a reasonable period of time. Signs should be posted on or near any equipment that, due to its malfunctioning, poses a risk of injury to facility patrons.

STANDARD 3

Each person who has supervisory responsibility for a physical activity programme or area at the facility will have demonstrable professional competence in that physical activity programme or area (usually by a recognized qualification and record of ongoing training).

Interpretation: The principal objective of this standard is to ensure that ILAM facilities provide credible and professional supervision of all physical activity programmes and areas.

In order to successfully implement it, facility operators need to understand exactly what constitutes “supervisory responsibility,” and what is meant by “demonstrable professional competence.”

In general, what is implied by supervisory responsibility is accountability for one or more of the following components: programme scheduling, content and execution of content, programme staffing and training, and the space in which programming takes place. The requirement relating to demonstrable professional competence suggests a combination of educational and professional experience that would be accepted—by both the industry and the public at large—as representing a relatively high level of competence and credibility.

STANDARD 4

The facility will offer each adult member a pre-activity screening appropriate to the physical activities to be performed by the member.

Interpretation: This standard requires facilities to offer a pre-activity screening device to adult members that will allow them to determine whether they have medical conditions or risk factors that would require particular actions to be taken (e.g., physician approval, fitness testing, programme modification) before they would be permitted to engage in physical activity.

Facilities could comply with this standard by including a pre-activity screening device, such as the PAR-Q, with each new member’s contract or membership agreement, and as part of the membership renewal procedure. Alternately, facilities could post the pre-activity screening device in appropriate areas of the facility, and/or have copies available for members to read prior to participating in an activity. A sample PAR-Q is included in this guide.

STANDARD 5

The facility will post appropriate signage alerting users to risks involved in their use of those areas of the facility that may present increased risk(s).

Interpretation: The intent of this standard is twofold: (1) to assure that ILAM facilities address basic safety issues, in part through responsible signage; and (2) to comply, to the best of their knowledge, with local and state codes and laws regarding signage. Appropriate signage, especially in “wet” areas of the facility, can greatly reduce a facility’s liability in the event of an injury to a patron.

STANDARD 6

The facility will respond in a timely manner to any reasonably foreseeable emergency event that threatens the health and safety of its patrons. To this end, the facility will have an appropriate emergency plan which shall be executed by qualified personnel in a timely manner.

Interpretation: This standard is designed to provide facilities with a benchmark that can be employed to ensure members’ safety. The key to successfully utilizing it is to understand how to provide the three critical components: (1) a timely response; (2) an appropriate plan; and (3) qualified personnel. The ability to respond in a timely manner to any reasonably foreseeable emergency depends on a good risk-management programme and an appropriate emergency plan. Preparing such a plan may be your most important preparation for being able to respond to emergencies. Qualified personnel who are capable of executing the plan must meet certain specific conditions. Facilities should have at least one person scheduled to be on site at all times who is certified in cardiopulmonary resuscitation (CPR) by a recognised organization/ HAS approved trainer and comply with occupational first aider regulations.

STANDARD 7

A facility that offers youth services or programmes will provide appropriate supervision and Garda vetting of staff and have a code of ethics in place in line with ISC/NISC and HSE Guidelines.

Interpretation: This standard has three primary goals: (1) It aims to make each young person’s facility experience a safe and enjoyable one. (2) It reassures the parents that the facility has instituted policies and enforces practices that ensure their children’s safety. (3) It suggests guidelines that allow facilities to operate more efficiently.

Individuals hired to oversee children at the facility should be carefully screened, appropriately accredited, thoroughly trained, and closely supervised. Background checks, including Garda vetting which can be conducted via ILAM, are appropriate. At least one individual certified in CPR and first aid should be scheduled to be on site at all times when children are present. Facility policy should clearly identify—and place off-limits—any facility areas, equipment or activities that might pose a hazard to youngsters—e.g. saunas, whirlpools, aerobics studios, fitness floors, etc.

STANDARD 8

The facility will open its membership to persons of all races, creeds, nationalities and abilities.

Interpretation: This standard sets a minimum level of conduct, and does not supersede local, state, or EU discrimination laws, which may be more comprehensive. State or EU discrimination agencies are good sources of information in this area, and are listed in local telephone directories.

STANDARD 9

The facility will comply with all relevant laws and NCA Guidelines concerning pre-sell membership fees.

Interpretation: This standard applies to facilities that are in the process of being built and are not yet open, as well as to operating facilities that are building another facility which is not yet open. For the purposes of this standard, the term “pre-sell membership fees” means any monies collected from members before a facility is operational, including initiation fees and dues. A facility can generally be considered “operational” when its major facilities are open and available for use.

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STANDARD 10

The facility will not sell prepaid, lifetime memberships, and will not guarantee membership or renewal fees beyond a three-year period or the period permitted by applicable law or NCA Guidelines

Interpretation: This standard prohibits facilities from selling new memberships, or memberships to existing members, with a one-time, up-front fee in exchange for lifetime, unlimited use of the facility. For the purposes of this standard, the term “lifetime” specifically refers to the individual member’s lifetime, and should not be construed to mean the length of time the facility is in operation. Facilities may be obligated to continue to honour such contracts that have already been sold, or that existed when the facility was purchased. An attorney can advise facilities of their responsibility in this area.

STANDARD 11

The facility will not engage in membership sales tactics contrary to NCA guidelines or other relevant regulations/ legislation.

Interpretation: This standard applies to actions meant to negatively impact on competitors for the purposes of growing a facility’s own membership. ILAM urges its member facility operators to conduct themselves in an honourable way within the competitive environment, keeping in mind that negative or deceptive advertisements or activities detract from the reputation of all facilities in the community and the industry as a whole.

STANDARD 12

The facility will respond to and endeavour to resolve, within 60 days, any consumer complaints made to the National Consumer Agency (NCA) or other such agencies.

Interpretation: This standard requires facilities to both respond to consumer complaints made through third-party agencies and to endeavour to resolve such complaints. ILAM recognizes that, occasionally, consumers complain about circumstances that cannot—and perhaps, should not—be resolved. ILAM facilities should respond directly and promptly to complaints made by their members. The application of this standard will take into account the specific nature of the complaint, whether the complaint has been resolved, and/or whether it is part of a pattern or practice of illegal or unethical behaviour.