

Northern Developments



Protect yourself and take the time to plan your trip

By Maurice Fenelon
Northern Development Officer
There's good news for those who intend to join a health club this year: Ontario's new Prepaid Services Act, came into effect on October 1st, 1988.

The new law restricts prepaid service contracts to one year in length, and requires clubs to offer customers the option of paying by installments. The new legislation provides a five-day reflection period to all who enter into contracts of \$50 or more with clubs associated with health, fitness, modeling, diets, talent schools, martial art academics, sports and dance clubs. The reflection period will help consumers reduce the effects of pressure selling and impulse buying.

The act does not apply where services are provided on a non-profit or co-operative basis; by a private club primarily owned by its members; incidental to the main business of the operator or by an operator funded or run by a charitable or municipal organization or by the Province of Ontario or any associated agency.

One new provision gives club members the right to pay in installments if preferred. Clubs are

required to offer a monthly installment plan, and a premium of no more than 25% can be charged to customers who pay their fees this way.

Clubs can continue to charge initiation fees on top of yearly membership fees, but, the initiation charges cannot be greater than twice the cost of annual membership.

Since October 1988, all new memberships are subject to the five-day cooling off period. All membership dues must remain in a trust account during this period. If the club sells memberships before opening day, however, the money must be held in trust until five days after the club's official opening.

A customer is not liable for payment for services received or used

during the rescission period and is entitled to a full refund of any payment made with respect to the contract.

Club members who hold a long-term membership signed before October 1st, 1988, should be aware that the law requires clubs to continue to honor their existing multi-year and lifetime contracts. On the other hand, automatic renewals are permitted only with the prior written notification of members, reminding them of their right to refuse to renew.

For additional information, contact the office of the Ministry of Northern Development and Mines at 2 Stevens Avenue, Marathon, Ontario P0T 2E0 - 229-1153. For areas outside of Marathon ask your operator for Zenith 33160.

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The first leg of any major holiday should involve an early tour of a few travel agencies, experts say.

Even the most seasoned travellers are taking risks by trying to plan vacations on their own, says Hal Burns, registrar of the Ontario Travel Industry Act.

Unless a trip is booked through a travel agent registered to operate in Ontario, it will not be covered by the province's compensation plan. The Ontario Travel Industry Compensation Fund covers financial losses to a maximum of \$3,500 per person if any of the companies involved in a trip goes bankrupt without providing prepaid services.

"It's impossible to keep tabs on the financial health of every hotel and airline on earth," says Burns. "Yet, at one time or another, Ontario travel agents deal with most of them. Without the compensation fund, people would lose a lot of money. Last year, we covered \$1.3 million in losses."

Travel agency customers also enjoy a number of other safeguards and benefits. Numerous new regulations to protect travellers were enacted recently. Details are available from the Ministry of Consumer and Commercial Relations.

One of the most visible impacts of this new legislation has been on travel brochures. Previously criticized for making misleading and exaggerated claims, promotional literature distributed by Ontario agents must now follow strict guidelines.

"There has been a much more realistic approach to brochure advertising this year," Burns says. "Prices are easier to pin down and customer rights are clearly explained--none of which does any good if people don't read the brochures. As good as the new laws are, they can't protect you if you don't take the time to understand and take advantage of them."

An agent's expertise is another good resource. After finding an agency -- hopefully by recommendation -- explain what you want and ask questions about suggested destinations.

Don't pick a newly discovered spot just to be trendy. Like many trends, the results may be disappointing, aggravating or expensive," says the registrar.

Once a trip is chosen, add up all the costs. Although the new laws ensure extras such as taxes, service charges and other fees are dis-

closed, the consumer has to do the math.

When shopping around for the best deal, be sure to compare similar trips. Burns says consumers can get caught two ways. Sometimes the prices being compared don't include the same charges. In other situations, quality of services differs.

The question of quality is one of the stickiest for the registrar's office as it is impossible to legislate.

"The new laws are designed to ensure consumers are told what they're getting, but that doesn't mean what they're getting is going to be great," he says. "Personal preferences and expectations plays a major role in whether a vacation is enjoyable or not and that's not something we can pin down. The best advice I can give people is not to expect the earth at bargain prices."

In efforts to save money, Ontario consumers have been turning in droves to last minute trips. Burns warns that travellers must be flexible about destinations and departure times to take advantage of the sales. However, this may be changing.

The skyrocketing popularity of these last-minute sell offs is taking a heavy toll on regular trade and some travel dealers have responded by matching price cuts.

"If the same package is available at a cheaper price later, some tour companies will rebate the difference," Burns says. "The last-minute market has become difficult for tour operators. Companies have trouble planning packages properly with bookings trickling in until a few days before departure, when the floodgates open. The industry just can't function that way, so they're trying to stem the tide. You'll probably see more price matching in future."

"On the surface, this is good for travellers, but if price competition gets too stiff, the quality of the product could suffer."

For information about travel in general, the new regulations or the compensation plan, contact the Consumer Information Centre at 555 Yonge Street, Toronto, Ontario M7A 2H6 -- (416) 963-1111 or toll free at 1-800-268-1142. Ontario residents with an 807 area code may call the 416 number collect. The TTY/TDD line for the hearing/speech impaired is (416) 963-0808.

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