

spadaNEWS

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Got some feedback? Something you want to get off your chest? Drop us a line. You'll find us at...

info@spada.co.nz or PO Box 9567,
Wellington or
Fax 64 4 385 8755

THE QUOTA QUESTION

The worst-kept secret in town is that SPADA has nearly put the finishing touches to a proposed quota model. Many thanks to those of you who phoned and emailed your ideas over the Christmas break as per the discussion at the AGM and in our December newsletter.

There's a policy vacuum in the corridors of power at present, and it's critical that we act swiftly. A paper will be given to the Minister of Broadcasting shortly. It is a working document designed to stimulate discussion. We assume the Government will consider it, formulate a position and consult widely. SPADA has also talked to the other industry guilds, so they are kept up to speed. The guilds support the paper in principle and intend to make their own submissions on areas of concern. SPADA members can, of course, do this as well.

The main thing is to speak with a united voice wherever possible. The devil, as they say, is in the detail, and we hope the debate focuses on how to make quota the most effective intervention mechanism possible.

The goals we've defined for a quota system are that it should improve and protect the **quantity, diversity and accessibility** of local programmes for local audiences. The system should also be **affordable** and **administratively simple** to operate (to minimise compliance costs).

The paper proposes a single model (which takes the best parts of the two that were being considered, and solves some of the problems of each). The proposed system is a points-based system, which involves:

- A *transmission quota* for programmes screening between 6am – midnight which includes all genres, first run and repeat (so all local programmes receive credit). Each hour gets one point.
- Within which is a *genre quota* made up of six special genres which attract extra points. As already outlined, the genres are: Drama/Comedy, Children's Drama, Children's Programmes, Documentary, Maori/Maori language and Performance.

Each genre hour receives either one or two additional points depending on 'difficulty' (high cost or low commercial appeal) and most must commence screening between certain times to qualify for the extra points.



THE QUOTA QUESTION, continued...

A large number of assumptions have had to be made and we assume that there will be considerable discussion about the targets and definitions, especially once further data becomes available.

One great development is the Government commitment to a TVNZ charter, as quota and charter together solve most of the programming issues currently facing us as a nation.

There are also some political issues for the Government, relating to the CER agreement (the paper predicates that Australian programmes are included in the quota, and the targets are raised accordingly) and to the GATS agreement.

The quota working paper will be finalised shortly. Please email jane@spada.co.nz if you would like a copy in due course. Questions and comments are welcome.

The ongoing support of members for the quota strategy has been terrific. It's a complex issue and we expect robust debate from many quarters opposed to broadcasting regulation. Your ongoing support is vital if we are to achieve what has been an impossible dream for the last fifteen years.

spadaFACTS

Enclosed with this newsletter you should find the first two spadaFACTS, on Privacy and Health and Safety in the Workplace.

These Fact Sheets are a new initiative from SPADA – we hope you find them useful. If there are issues, topics or legislation you would like us to cover, contact Kate at SPADA.

New Zealand Academy of Film and Television Arts

Nokia New Zealand Film Awards 2000

The Board of AFTA is delighted to announce that this year's Film Awards will be held on Saturday 1 July in Wellington. This year, at least seven feature films are eligible.

The Board of the Academy has agreed on revised voting procedures for this year's Film Awards. These awards are the second film-only awards and it is with the benefit of the experience gleaned from the 1999 Film Awards that these procedures have been developed.

The judging process has been simplified dramatically, so all judging will be done by panels of experienced industry professionals.

All categories except Best Film and Best Short Film

- Five-person specialist industry judging panels view all entries and select, by mutual agreement, three (or two if there are insufficient entries) finalists in each category.
- Each judging panel member then votes individually and privately for the winner.

Best Film and Best Short Film

- All members of the specialist industry judging panels view all entries and vote as individuals for one Best Film or one Best Short Film winner.
- That is, all members of the judging panels for feature film categories will also vote on Best Film, and all members of judging panels for short film categories will also vote on Best Short Film.
- Each person will nominate a first, second and third film. These will be assigned points, three for first, two for second, one for third. Scrutineers will count the votes while the voters wait. If there is no clear winner they will be asked to vote again. This system will result in a clear winner and two finalists.

While there will be no formal member voting screenings this year, the Board wishes to emphasise that all judging is nevertheless done by members. We want to encourage industry members to put their names forward to be judging panel members, and in due course we will be asking all member guilds to include an application form in their newsletter.

The criteria for judging panel members are:

- Must be an experienced member of the industry in their specific field.
- Must have had no involvement in any capacity with any of the entered films (NB this is specific to either feature film or short film - that is, the director of an entered feature would be eligible to judge in short film categories).
- Must be available for the two to three days over which the judging panel screenings and judging will take place (probably 20-22 May).
- Must be prepared to abide by strict confidentiality requirements.

You should have received an application form from AFTA. If not, or for more information, contact Ali Duffey at AFTA, phone (09) 360 6019, fax (09) 360 6018, awards@afta.co.nz.

spadaCLASSIFIEDS to advertise contact Kate Production Designer/Art Director

Lizz Santos has recently moved to NZ from Europe, where she has had a decade of design experience in 7 countries.

Call 04 475 3234, 021 263 4044, or email lizzsantos@hotmail.com.



SCREEN PRODUCTION SURVEY 1999

SPADA released the annual production survey in February. We are indebted to the 94 companies and individuals who participated.

This data is vital for us to be able to take an accurate snapshot of the screen production industry. It helps measure our growth and the areas which are slipping behind, and provides hard evidence in our representations to Government and industry. Our foreign exchange levels show that we're bigger than the wine industry and the venison industry.

Key highlights from this year's survey are as follows:

- Total production expenditure is up 47% to \$307m;
- Company turnover is up 22% to \$805m;
- Foreign exchange earnings are up 68% to \$155m. Consistent with past survey results, the majority of foreign exchange earned by the industry took the form of investment in productions, rather than sales of completed films or television projects. The United States and the United Kingdom continue to be the main sources of foreign exchange earnings:
- Domestic funding of the industry is up 25% to \$156m;
- NZ public funding (NZ On Air, Film Commission, Creative NZ) has steadily declined over the last three years:
 - \$57m in 1996-97
 - \$51m in 1997-98
 - \$47m in 1998-99Public funding now makes up only 30% of all domestic funding of the industry;
- The proportion of foreign funding of the industry is increasing, relative to domestic funding of the industry;
- Feature film expenditure has increased 66% to \$15.5m (*The Lord of the Rings* and *The Vertical Limit* are not included in this survey as production had not commenced within the survey period. Neither, as usual, are the networks' in-house news, current affairs and sport production);
- Growth genres in television are drama, documentaries, and information/magazine programmes; television comedy is in decline.

The results obtained in the survey suggest the industry is buoyant. All of the key performance indicators such as total production expenditure and foreign exchange earnings are at the highest level since surveying began. There is a danger in reading too much into the trends, as at least some of the apparent growth will be due to progressively better reporting of all types of production activity. Nevertheless, Colmar Brunton is confident that the exhaustive efforts made this year to obtain information from all sectors of the industry have produced a reasonably accurate picture of activity in the year ended 31 March 1999.

Copies of the survey can be emailed free to all survey respondents. Contact jane@spada.co.nz

Bound copies may be purchased for \$40 plus GST.

SPADA STAND AT MIP-TV, CANNES, FOR SECOND YEAR

For the second year running a group of SPADA members will be winging their way to Cannes in April for MIP-TV - the largest Television Programme market in the world.

With the assistance of Trade New Zealand, SPADA initiated this 'Export Network' in late 1998, taking advantage of the MIP-TV stand vacated by the New Zealand Film Commission, who had been in the same spot for some two decades.

The original Network of five production companies has now expanded to six (Foreign Films, Greenstone Pictures, Ninox Films, Pinflicks, Te Reo Television and Top Shelf).

Last year the Export Network made immediate sales of almost \$300,000 and established contacts that may lead to significant foreign investment in New Zealand screen production. Trade New Zealand was so pleased with these results they agreed to continue funding the Export Network for 2000.

The Export Network members have found that by working together at MIP-TV and having a base from which to work, they were able to achieve much more for only a modest increase in costs. They welcome new members who are also interested in selling their television programmes overseas, and wish to attract foreign investment for their projects.

For more information about the Export Network contact Bronwen Stewart at Ninox (04 801 6546) or Kate at SPADA (04 802 4577).



LOCATION, LOCATION, LOCATION

This month we transport you (in words, rather than pictures – look out for photos of the fab FNZ stand in the next issue) further afield, to the Location location - Locations Expo in LA

Jane Gilbert emerged from her growing mountain of post-Expo enquiries to pen this report...

We invited Mayors Mark Blumsky and Bob Harvey and a representative of Destination Queenstown Vicki Bretherton (General Manager of the Millennium Hotel) as guests on our stand. During the 3 days at the Expo they were able to see first hand how necessary it is for the NZ Film and TV Industry to have a presence in LA if we are to be effective in increasing the level of overseas production in NZ. There were 81 international representatives exhibiting at the show, as well as 170 US State, Regional and County representatives.

Friday was the most successful day for FNZ's stand. We had visits from Columbia TriStar Television, Fox Family, Kushner-Locke, Leo Burnett, Disney, Dreamworks, NBC, Warner Bros to name a few. Companies that we have been working with during the past year dropped by to say hi, and I collected plenty of information about new Internet innovations for marketing locations, and international database searches for locations.

And now for the (completely justified) skite...

At the Expo, Film New Zealand scooped a worldwide film marketing award for its book *The Production Guide to the World in One Country*. This detailed guide to New Zealand and what it has to offer beat off entries from heavyweight countries like America and England to top the poll.

This award is amazing. Other countries spend massive amounts on promotion. We are tiny by comparison and every dollar spent is eked out. We've had a great response to our book from the international production community, and this recognition is the icing on the cake.

As well as the premier print award, Film New Zealand took out second place worldwide for its website (designed by Graphic Solutions) and was also placed in three other marketing categories for different publications.

Not bad eh!

PLONKER OF THE MONTH

With so many candidates for this honour in the past couple of months, the decision was a tough one. But top honours go to Patrick Macfarlane of Onehunga.

Who? You might well ask. This dedicated letter writer was one of the ugly little band which campaigned for the abolition of the Broadcasting Fee. Now he's on another crusade, still whingeing that people have to pay until 30 June this year.

Some people...

PRODUCTION LEVIES

As a SPADA member, you have undertaken to pay Production Levies to SPADA - a small percentage or flat fee based on the total budget of each project you produce. These levies are an essential part of SPADA's funding, and help us to develop membership services for you, to lobby on issues that affect New Zealand producers & directors, and to maintain our position as the leading advocate for screen culture in New Zealand.

To make the administration of the Production Levy system easier, please 'log' with SPADA each new project you undertake. For now, this should be done on a

levy form (master copy enclosed), but soon you will also be able to do this on the SPADA website. Make this part of your pre-production process.

Thank you. Keep those levy forms rolling in!

NEW LAWYERS ON THE BLOCK

SPADA welcomes new law firm Crengle Shreves and Ratner to our Legal Hotline service. They join Buddle Finlay (Auckland and Wellington) in providing 15 minutes free legal advice to SPADA members.

Teresa Shreves, a principal in the firm, may be familiar to Wellingtonians through her work in entertainment law with Rudd Watts and Stone.

*The new legal hotline number is
04 473 6655*

CONGRATULATIONS...

To SPADA member *Ian Taylor*, for the success of his company's Virtual Spectator – the graphics behind the America's Cup.

To *Gregor Nicholas* of Flying Fish, whose Adidas commercial "Black" won the best commercial of the year award in Italy – as voted by the public



TECHOS IN PUBLIC LIABILITY INSURANCE 'CRUSADE'

You're a freelance DP shooting a doco in a jetboat just beyond the surfline at Piha. A freak wave nearly swamps the boat causing your assistant to drop your \$100,000 hired camera which disappears forever into the ocean.

A minor disaster, maybe. But no worries because the production company that hired you has the crew covered by public liability insurance (pli), right?

Actually, no. The fact is that very few – if any – producers provide freelancers with pli. You're on your own, and the hire company will soon come knocking ...

The Technicians Guild's Paul Richards, who says an alarmingly high proportion of techos are blissfully unaware of their exposure, has launched a guild drive to raise members' awareness of the risks.

He likens the situation to ... plumbing problems. "We've all had to hire, at vast cost, a plumber for an urgent repair," he says. "But who among us has ever asked the plumber if they have pli? We expect that if the repair goes wrong and the carpet's ruined that we'll be covered by someone else – namely, the plumber.

"It's the same for producers. They typically assume that their technicians will have done their duty as freelancers or contractors and paid for their own independent pli."

SPADA chief executive Jane Wrightson agrees there's a widespread misconception among contractors that they're covered by the company that hires them. "Every indie contractor should have a pli policy," she told *Onfilm*. "We've all got responsibilities, and this one's theirs."

To this end, the Technicians Guild is currently arranging a deal with film industry broker Mahony & Associates that will give members a discount on their own independent pli policy. "It's about a week away from confirmation," Richards told *Onfilm*. "When your article comes out I want our members to know they can ring Mahony & Associates or the guild office [09 360 6032] and get the guild's discounted deal at the best price available."

Typically, a non-guild member will pay around \$280 for a \$2 million pli policy with a reputable broker (a list of brokers, with phone numbers, can be found at the end of this article). Richards believes the Mahony deal will produce a saving, but stresses that whatever the deal, technicians must have cover. "Am I on a crusade?" he asks. "I sure am – guild visits to film sets around the country confirmed our worst fears ... the levels of ignorance about pli throughout the entire industry are shocking and scary."

The guild-Mahoney deal is intended to produce a policy specifically designed for the production industry. It will offer technicians legal support and representation in court, even if they are not at fault. It will have features not commonly included in regular pli policies, such as cover where the technician is responsible for property directly under their control, as opposed to being responsible for damage to property belonging to a third party.

Mahoney's Martin Trendall says contractors need pli cover

because they are businesses in their own right, and if they damage other people's property through their negligence, they can be sued by the owners or the owners' insurers for costs associated with that damage.

"A big problem in this area is that when a contractor goes on a production, they feel part of a big happy family, like an employee," Trendle says. "The reality, of course, is they're no – they're self-employed, either as a sole trader or sometimes as a company in their own right.

"This situation falls into the category of 'it won't happen to me'. But it can, and New Zealand is becoming a far more litigious country." He says producers prefer not to cover contractors partly because it can compromise a producer's ongoing insurance record.

The ITVA's Steve King says his members share cross-membership benefits with the Technicians Guild and recommends they take up the guild's discount deal. "I'd certainly recommend it," he says. "I personally have pli. I've not had to use it ... yet."

Meanwhile, the guild is invited anybody from the industry who wants to know more about pli to an Auckland seminar at the Kodak Theatre @ 8pm on Sunday March 13, and hopes to organise a similar event in Wellington in the near future. Watch this space.

Insurance brokers specialising in production industry policies:
Aon Risk Services (09 309 2870), Crombie Lockwood Group/Pacific Insurance Brokers (04 802 0040), Mahony & Associates (09 309 5188), Willis Corroon (ph 03 366 5715).

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EXECUTIVE

The first SPADA Executive meeting of the new millennium was held in Wellington on 16 February. Among other things, the Executive:

- Provisionally confirmed **9-11 November** as date for 2000 Conference, to be held in Auckland.
- Discussed Government Board appointments
- Worked through quota detail

WHAT ELSE HAS SPADA BEEN UP TO?

- We provided a detailed critique for REP Film Distributors to help them appeal the classification of Rocket Pictures' Screenvisionz film *Savage Honeymoon* to the Film & Literature Board of Review. The appeal succeeded in overturning the film's classification from a humourless R18 to a more reasonable "R15".
- Karen Soich and Jane Wrightson met with TVNZ to discuss improvements to contracting processes and rights issues. The meeting was productive and discussions are continuing.
- We've facilitated a meeting of the Wellington Film Focus Group, resulting in a meeting being organised with the NZFC. The Auckland FFG will meet shortly – contact Caterina De Nave for more information.
- Karen Soich and Jane Wrightson met with the boards of the NZFC to discuss quota and ongoing industry issues.



jane's email

From: Bill Carruthers
To: Jane Gilbert
Re: English doco disaster in the Cooks

Hi Jane
Just to update how things are going with the RDF TV doco.

The series producer Peter Webber arrived last week and he and Lawrence Yarwood went off to re-scout the locations. One of the islands we were considering is a place called Takutea which is about 23 km north of Atiu island which is about 160 km from Raro. We weren't really all that interested in that island due to difficulty of access, as if the weather gets bad the boats can't make it from Takutea back to Atiu.

So on Tuesday they arrive in Atiu and go by boat to Takutea where they land in an exciting fashion over the reef. They look around for a couple of hours by which time the weather has gotten too bad to get them off and the boat that brought them struggles back to Atiu without them. **THEY ARE STILL THERE !!**

The weather is still too windy to go get them so they and 3 locals (fortunately) are stuck there for an unknown length of time. Just got a radio message that they are desperate to get off so am organising our Patrol Boat to go and rescue them by tomorrow morning.

They are really living their project. Will keep you posted, ...
Cheers
Bill

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SWINGERS EVENING

A Night of Professional Matchmaking for Producers, Writers and Directors

Looking for a writer and/or director? SPADA, The New Zealand Writers Guild and the Screen Directors Guild present an opportunity for a ménage à trois. Find the writer and/or director of your dreams!

7pm Monday 29 May
The Classic Comedy & Bar
321 Queen St, Auckland

Registrations for the evening are essential – contact Dominic at the Writers' Guild, 09 360 1408 email nzwg@clear.net.nz



Drifting Clouds Short Film Festival Soundshell, Wellington Botanical Gardens, 18 March @ 8pm. An outdoor film viewing experience, featuring local and Australian short films.

A Cast of Thousands – Casting Workshop presented by WIFT Auckland Saturday 25 March. Featuring breakfast with Shauna Wolifson, a Sydney casting agent, followed by a full day workshop at the Production Village. For more info, call 09 378 72721 or email wiftauckland@titan.co.nz.

BSA Symposium on the Protection of Children Tuesday 28 March 9am-5pm, Wellington Town Hall. Speakers include *Hon. Marian Hobbs MP, Barbara Biggins* of Young Media Australia, *Bronwyn Hayward* of the NZ Children's Television Foundation, *Rex Simpson* of Kids TV (Dunedin) and *Hon Roger McClay*, Commissioner for Children. Registration fees are \$30.00 and include lunch and refreshments. For further information contact Dr Wiebe Zwaga at the BSA - Phone 04 382 9508, or E-mail wzwaga@bsa.govt.nz

Humboldt International Film Festival, North California 4-8 April. Super 8 or 16mm film, students/independent filmmakers. For more info email filmfest@axe.humboldt.edu

World Cinema Showcase 2000 Auckland, Wellington, Christchurch and Dunedin from 6 April. Look out for programmes in early March. Features the NZ premiere of Michael Thorp's *The Lunatic's Ball*, which won the Special Jury Award at the Shanghai Film Festival late last year.

Hong Kong – Asia Film Financing Forum (HAF) 13-17 April. Brings together new sources of financing and co-production, with particular focus on Asian filmmaking. Includes Project Market. Held

concurrently with **Hong Kong International Film Festival** (12-27 April). For more info see www.haf.com.hk or email wouter@haf.com.hk.

DocAviv Documentary Film Festival TelAviv, Israel, 21-26 April 2000. For more info see www.docaviv.netvision.net.il.

Hot Docs Canadian International Documentary Festival 1-7 May, Toronto. Includes screenings from Canada and around the world (featuring this year a Spotlight on Australia programme), symposium, producer breakfasts and for the first time the Toronto Documentary Pitching Forum. For more information, visit their website (www.hotdocs.ca), fax 001 416 203 0446 or email pgrove@hotdocs.ca.

worldmediafestival Global Competition for Modern Media Hamburg May 10. Entry deadline March 15. For more information see www.worldmediafestival.org.

Mountainfilm Telluride Colorado, 26-29 May 2000. Festival of mountain, adventure, environmental and cultural film & video. Deadline for entries: 1 March, 2000. For more info email mountainfilm@rmi.net, or fax 001 970 728 6458.

Banff Television Festival – BTVF 2000 Banff, Canada, June 11 - 16. Prior to the festival itself a Conference - **Public Service Broadcasting: Beyond 2000** will be held from 9 - 11 June. For further information about the Banff Television Festival e-mail info@banfftvfest.com or fax 001 403 678 9269. Entries close 21 February. For information about the conference contact Peter

Senchuk e-mail tvconfer@ualberta.ca

Marseille 2000 Festival International du Documentaire 23-28 June, Marseille, France. One of the world's top documentary festivals. Entries close 17 March. For more info see www.filmfestivals.com or email vuesurlesdocs@wanadoo.fr

Nescafé Short Film Awards The "NESCAFÉ Short Film Awards" offer a commercial return to short film makers, through the payment of screening fees for year-round screenings of short films at NESCAFÉ Cafés in Australia, festivals sponsored by Nescafé, and through RealVideo at www.nescafe.com.au, as well as prizes awarded to the 3 best films. Entries for the 2000 "NESCAFÉ Short Film Awards" are open from May 1 until July 31. See www.nescafe.com.au for more information, or call 0800 430 043.

5th Annual MilanoFilmFestival Milan 17-20 September. Short and feature films, entry deadline 17 April. For further information, see website www.milanofilmfestival.it, email info@milanofilmfestival.it or ph/fax +39 02 8942 1256

14th Leeds International Film Festival 5-20 October 2000. Two competitive strands: New Directors and Short Film, as well as a variety of non-competitive strands, including new films, children's and interactive. Deadline for entries 23 June 2000. For more info email filmfestival@leeds.gov.uk, fax +44 113 247 8397, or website www.leedsfilm.com

London Effects and Animation Festival (LEAF) 14-16 November celebrates the best work in Computer Generated Animation and film special effects. For more information see www.digimedia.co.uk.



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Kodak is a major investor in the New Zealand Film industry. Internationally Kodak has won eight academy awards for quality and service. For more information about any Kodak product or service, call Peter or Chris on 0800 500 135.

LEGAL ADVICE

Members receive first 15 minutes of advice free. For larger enquiries members should seek a quote.

Buddle Findlay

- Call Auckland 09 358 2555, Wellington 04 499 4242.

Crengle Shreves and Ratner

- Call Wellington 04 473 6655

TRAVEL

Ansett New Zealand

- First obtain a flightcard. Any bookings made on this flightcard attract a 5% discount (ie this discount comes off an already discounted fare).
- Flightcards can be obtained by calling Amanda Thomson on 0800 243 000. Tell her you are a SPADA member.

Budget Rent A Car

- Offer members the best rate available on the day.
- Ask for the SPADA rate when making your booking or call Nikolas Cheals 04 388 0987.

The Corporate Traveller

- 2% discount on all Trans-Tasman airfares.
- 4% discount on all other International Published airfares.
- Management of existing travel discounts (eg. Ansett).
- Call Richard Withell, 021 504 499 or 04 473 5533 and tell him you are a SPADA member.

LOCATIONS

DOC

- 10% off all charges (except consents) associated with filming on Department of Conservation land.
- Ask for the SPADA discount at any Conservation office.

ACCOMMODATION

CDL - Millennium, Quality and Copthorne Hotels

- Discounts vary from 25% to 43%, depending on the day of the week and the hotel.
- Ask for the SPADA discount when you make your booking at any CDL hotel.

Flag Choice

- Discounts vary from 10% to 50%, depending on the day of the week and the hotel.
- Call reservations on 0800 803 524, Quote the following "ID" numbers: **2205322** (SPADA InnClub membership) and **00203360** (SPADA ID)

