

**BANFF RAIL CO. INC.**  
**FORTRESS SKI RESORT (FORTRESS)**

This Director's Order was issued under s. 157 of the *Fair Trading Act* in response to, in the opinion of the Director, contraventions of the Act. As mandated by s. 157.1 of the *Fair Trading Act*, this Director's Order is part of the public record.

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**DIRECTOR'S ORDER UNDER SECTION 157 OF THE FAIR TRADING ACT**

**TO**

**BANFF RAIL CO. INC. O/A FORTRESS SKI RESORT (FORTRESS)**

**AND TO**

**ANY EMPLOYEE, REPRESENTATIVE, OR AGENT OF FORTRESS**

**Issues**

- Fortress is unlikely to be in a position to operate as a fully operational ski facility as advertised by the tentative opening date of December 1, 2006.
- Fortress is offering for sale and selling season ski passes without making customers and potential customers aware that it may not be able to provide all services advertised.

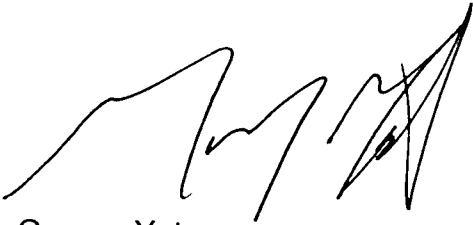
**Order**

Fortress must immediately:

- Cease advertising services that it cannot currently provide.
- Amend its website to accurately describe the facility and the services as they exist at this time.
- Stop misleading consumers on its website and in any other advertisements and/or representations by alluding to services that do not currently exist.
- Stop selling ski passes for 2006-07 and 2007-2008 ski seasons and comply with the Fair Trading Act (FTA) and the FTA Internet Sales Contract Regulation.

**NON COMPLIANCE WITH ORDER**

- **ANY PERSON WHO FAILS TO COMPLY WITH AN ORDER OF THE DIRECTOR UNDER SECTION 157 OF THE FAIR TRADING ACT CONTRAVENES THIS ACT AND IS GUILTY OF AN OFFENCE AND MAY BE PROSECUTED PURSUANT TO SECTION 163 OF THE FAIR TRADING ACT.**

A handwritten signature in black ink, appearing to be 'G. Yates', written in a cursive style.

George Yates  
Director of Fair Trading  
November 2, 2006