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# NATIONAL ASSEMBLY

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FIRST SESSION

FORTY-FIRST LEGISLATURE

Bill 237

(Private)

**An Act to amend the Act respecting the  
Société du port ferroviaire de  
Baie-Comeau – Hauterive**

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**Introduced 9 May 2018**

**Passed in principle 15 June 2018**

**Passed 15 June 2018**

**Assented to 15 June 2018**

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## **Bill 237**

(Private)

### **AN ACT TO AMEND THE ACT RESPECTING THE SOCIÉTÉ DU PORT FERROVIAIRE DE BAIE-COMEAU – HAUTERIVE**

AS there is reason to update certain provisions of the Act respecting the Société du port ferroviaire de Baie-Comeau – Hauterive;

AS the town of Hauterive was amalgamated with the town of Baie-Comeau under the Act to regroup the towns of Baie-Comeau and Hauterive (1982, chapter 23);

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

**1.** The title of the Act respecting the Société du port ferroviaire de Baie-Comeau – Hauterive (1975, chapter 48) is replaced by the following title:

“Act respecting the Société du port ferroviaire de Baie-Comeau”.

**2.** Section 2 of the Act is amended by striking out “– Hauterive”.

**3.** Section 4 of the Act is replaced by the following section:

“**4.** The affairs of the company shall be administered by a board of seven directors appointed in accordance with section 5.”

**4.** Section 5 of the Act is replaced by the following section:

“**5.** The Minister and the Canadian National shall each appoint one director, and the town of Baie-Comeau shall appoint three directors. The general meeting shall appoint two independent directors. A director is independent if he qualifies as such within the meaning of section 4 of the Act respecting the governance of state-owned enterprises (chapter G-1.02) and is not an employee, director, officer or mandatory of the Minister, the Canadian National or the town of Baie-Comeau.

The president shall be chosen by the board of directors from among the directors appointed by the town of Baie-Comeau or, failing such, from among the independent directors.”

**5.** Section 6 of the Act is amended by replacing “Three” in the first paragraph by “Five”.

**6.** Section 8 of the Act is amended by replacing “five” and “three” by “three” and “two” respectively.

**7.** Section 10 of the Act is amended by striking out “or of the town of Hauterive”.

**8.** Section 16 of the Act is replaced by the following section:

“**16.** The company is governed by Part III of the Companies Act (chapter C-38).”

**9.** Section 18 of the Act is amended by striking out “or Hauterive” in paragraph c.

**10.** Section 24 of the Act is amended by striking out “the town of Hauterive,” in the first paragraph.

**11.** Section 25 of the Act is replaced by the following section:

“**25.** The books and accounts of the company shall be audited each year by an independent auditor chosen through an invitation to tender involving at least two tenderers.”

**12.** Section 27 of the Act is amended by striking out “or the town of Hauterive” in the first paragraph.

**13.** Section 28 of the Act is amended

(1) by striking out “or of the town of Hauterive” in the first paragraph;

(2) by replacing the second paragraph by the following paragraph:

“Such loans shall be governed by section 569 of the Cities and Towns Act (chapter C-19).”

**14.** Section 29 of the Act is amended by striking out “, the town of Hauterive”.

**15.** The Act is amended by replacing “Lieutenant-Governor in Council” wherever it occurs by “government” and by replacing “he” by “it” in section 21.

**16.** The Act is amended by replacing “general manager” wherever it occurs by “chief executive officer”.

**17.** This Act comes into force on 15 June 2018.