



NATIONAL ASSEMBLY

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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Passed in principle 15 June 2018
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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 mandatary 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.