

ACTS
OF THE
PARLIAMENT
OF THE
DOMINION OF CANADA

PASSED IN THE SESSION HELD IN THE
SEVENTY-FOURTH AND TWENTY-FIFTH YEARS OF THE REIGN OF HIS MAJESTY

KING GEORGE V

BEING THE
FIFTH SESSION OF THE SEVENTEENTH PARLIAMENT

begun and holden at Ottawa, on the Twenty-Fifth day of January, 1934, and closed by
Prorogation on the Third day of July, 1934



HIS EXCELLENCY THE RIGHT HONOURABLE
THE EARL OF BESSBOROUGH
GOVERNOR GENERAL

PART II
LOCAL AND PRIVATE ACTS

OTTAWA
PRINTED BY JOSEPH OSCAR PATENAUDE
LAW PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
ANNO DOMINI 1934

24-25 GEORGE V.

CHAP. 63.

An Act respecting the Buffalo and Fort Erie Public Bridge Company.

[Assented to 28th March, 1934.]

WHEREAS by chapter seventy-four of the statutes of 1923. c. 74.
Canada, 1923, and by chapter three hundred and Preamble.
seventy-nine of the laws of the state of New York, 1922,
two companies were incorporated under the name of
Buffalo and Fort Erie Public Bridge Company, with
authority to construct, maintain and operate a bridge
across the Niagara River between the city of Buffalo, in
the state of New York, and the village (now the town) of
Fort Erie, in the province of Ontario, and by agreement
dated thirteenth day of June, 1925, the said two companies
were amalgamated and consolidated so as to form one and
a new single company under the same name in accordance
with, and subject to, the provisions of the said Acts of
incorporation; and whereas for the purpose of the re-
organization and refinancing of the said bridge undertaking
upon a basis which will permit of a considerable reduction
of fixed charges and consequent reduction of tolls now
charged, by an Act of the Legislature of the state of New
York, being chapter eight hundred and twenty-four of the
laws of the said state for 1933, (hereinafter called "Act of
Incorporation", and a copy of which is, for the information
only of Parliament, attached as a Schedule hereto), a
Board, known as the Buffalo and Fort Erie Public Bridge
Authority, was created a body corporate and politic,
constituting a public benefit corporation, with power to
acquire, hold and manage the property and assets of
the Buffalo and Fort Erie Public Bridge Company; and
whereas by the Act of Incorporation it is provided that
the said Board shall consist of nine members, six of whom
are required to be citizens of the United States and residents
of the state of New York, to be appointed and removed
by the Governor of the said state, and three of whom are
required to be residents of the Dominion of Canada, to be
appointed and removed as may be determined by the

Government of the Dominion of Canada; and whereas the Buffalo and Fort Erie Public Bridge Company has by its petition requested that authority be granted to it to convey all its property and assets within the Dominion of Canada to the Buffalo and Fort Erie Public Bridge Authority: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Company may acquire and manage property and assets.

1. (1) Subject to the provisions of this Act, the Buffalo and Fort Erie Public Bridge Authority, created by the Act of Incorporation (hereinafter called "the Bridge Authority"), is hereby authorized and empowered to acquire, hold and manage the property and assets within Canada of the Buffalo and Fort Erie Public Bridge Company.

Transfer.

(2) Subject to the provisions of section eleven of this Act the Buffalo and Fort Erie Public Bridge Company is hereby authorized and empowered to transfer and convey to the Bridge Authority all of its property and assets within Canada.

Members not employees of His Majesty.

2. Nothing in this Act shall be deemed to have effect to give the members, officers or employees of the Bridge Authority the status of officers or employees of His Majesty.

Members to be British subjects.

3. The three members to be appointed by the Dominion of Canada to the Board constituting the Bridge Authority, as provided in its Act of Incorporation, shall be British subjects and residents of the province of Ontario, and appointed by the Governor in Council to hold office during pleasure.

Attorney to be appointed.

4. (1) The Bridge Authority shall, within sixty days from the passing of this Act, by resolution appoint a person resident in the county of Welland, in the province of Ontario, its attorney to receive service of process in all suits and proceedings instituted in Canada against the Bridge Authority.

Certified copy.

(2) The Bridge Authority shall cause a certified copy of such resolution to be filed forthwith after the adoption thereof, in the office of the Secretary of State of Canada.

Powers of Bridge Authority.

5. The Bridge Authority is hereby authorized and empowered, subject to the provisions of this Act, to exercise its powers and,

R.S., c. 170.

(a) To maintain and operate the property acquired or held by it, and subject to the provisions of the *Railway Act*, charge tolls in respect thereof;

- (b) To sue and be sued;
- (c) To issue, sell or exchange from time to time, its negotiable bonds in the aggregate principal amount not exceeding at any one time four million dollars, subject to the terms, conditions and restrictions set forth in its Act of Incorporation;
- (d) To secure such negotiable bonds by mortgage, charge or pledge of property and assets acquired and held by it, including the tolls and revenues arising therefrom, and
- (e) To apply the proceeds of any such bonds in the manner and for the purposes provided by its Act of Incorporation.

6. The bonds and other obligations of the Bridge Authority shall not be a debt of the Dominion of Canada, nor shall the Dominion of Canada be liable thereon. Bonds.

7. In the event of default being made under any bonds issued by the Bridge Authority, the Trustee for the bondholders shall, with respect to the property and assets within Canada constituting the security, or a part thereof, for the said bonds, have in addition to such remedies as may otherwise be available to him, all remedies available to a mortgagee under the laws of the province of Ontario. Default.

8. (1) The remedies of the bondholders and the trustee provided in the Act of Incorporation of the Bridge Authority or under this Act, are subject to the limitation that, before taking any proceeding to enforce such remedies, or any of them, the Trustee shall first give notice in writing to the Attorney General of Canada; and if when such notice is given to the said Attorney General, Parliament shall be in session, the Trustee shall not declare the principal of the bonds due before Parliament prorogues, provided, however, that Parliament has been in session for at least four weeks after notification shall have been given to the Attorney General as aforesaid. Notice to the Attorney General.

(2) If Parliament be not then in session, or has not been in session for at least four weeks after notification shall have been given to the Attorney General as aforesaid, the Trustee shall not declare the principal of the bonds due until the next regular session of Parliament is ended by prorogation. When principal of bonds to be declared due.

(3) If at any session of Parliament referred to in subsections one and two of this section, Parliament shall take any action as a result of which past due principal and interest, with interest on past due interest, together with fees, counsel fees and expenses of the trustee and of the Default remedied.

receiver, if any, as fixed by the Court of competent jurisdiction shall be paid within sixty days after prorogation, default in the payment thereof shall thereby be remedied.

Comptroller
of the
Treasury
to act.

9. Wherever in the Act of Incorporation of the Bridge Authority provision is made for the designation of an authority by the Dominion of Canada, such authority shall, except as otherwise provided herein, be the Comptroller of the Treasury of the Department of Finance of Canada.

When
bonds
discharged.

10. When all of the bonds issued by the Bridge Authority shall have been paid in full, or shall have otherwise been discharged, the powers, jurisdiction and duties of the Bridge Authority shall cease and the property acquired and held by it within the Dominion of Canada shall become the property of His Majesty the King and shall be under such jurisdiction, authority or agency as the Governor in Council shall designate.

Bridge
Authority
to be
subject to
assessment
and
taxation.

11. Nothing herein contained shall in any way affect, prejudice, limit, or alter any right or interest in respect of provincial or municipal assessment and taxation, or deprive the province of Ontario or any municipality thereof of the right to assess and tax the real property within Canada of the Buffalo and Fort Erie Public Bridge Company, or of the Bridge Authority and the said real property acquired, held or managed by the Bridge Authority; and the Bridge Authority itself, shall be subject to assessment and taxation.

Jurisdiction
and control
of Niagara
Parks
Commission.

12. Notwithstanding anything in this Act contained, the jurisdiction and control of the Niagara Parks Commission in respect to the matters placed under its jurisdiction and control by virtue of chapter eighty-one of the Revised Statutes of Ontario, 1927, shall continue the same as if this Act had not been passed.

SCHEDULE

"LAWS OF NEW YORK.—By Authority
CHAPTER 824

AN ACT creating Buffalo and Fort Erie Public Bridge Authority providing for its appointment and defining its jurisdiction, powers and duties; authorizing it to issue and sell or exchange its bonds and authorizing their use for certain purposes; authorizing it to acquire all the assets and property of the Buffalo and Fort Erie Public Bridge Company; authorizing it to maintain and operate such property and assets and to charge tolls for the use thereof and to acquire other assets; authorizing it to exercise authority, powers and duties not inconsistent herewith, granted by the Dominion of Canada, and generally to define its purposes and to provide for the exercise of its powers

Became a law August 31, 1933, with the approval of the Governor. Passed, on message of necessity, three-fifths being present

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Buffalo and Fort Erie Public Bridge Authority. A board to be known as Buffalo and Fort Erie Public Bridge Authority is hereby created which shall be a body corporate and politic, constituting a public benefit corporation, to consist of nine members.

§ 2. The board shall constitute the municipal corporate instrumentality of the state of New York, for the purpose of carrying out the provisions of this Act. The Board is hereby authorized and empowered to act for and become the agency or instrumentality, corporate or otherwise, of the Dominion of Canada, with like duties and authority, or with such duties, powers, authority and purposes as may be determined by the Dominion of Canada with reference to the lands, bridges, terminals, approaches and properties within the Dominion of Canada connected with or usable with the property and assets authorized to be acquired and conveyed to the board hereunder and now constituting the property and assets of the Buffalo and Fort Erie Public Bridge Company.

§ 3. Six members of the board, who shall be citizens of the United States and residents of the state of New York, shall be appointed and may be removed by the governor; three members of the board, who shall be residents of the

Dominion of Canada, shall be appointed, and may be removed, in such manner and at such time and may hold office for such period as may be determined by the Dominion of Canada. Of the members first appointed by the governor, two shall be designated by him to serve for two years from the date of their appointments; two shall be designated by him to serve for four years from such date and two shall be designated by him to serve for six years from such date. Thereafter each member appointed by the governor shall serve for a term of six years from the date of his appointment.

§ 4. Vacancies in the board caused by the death, disqualification, resignation or removal of a member appointed by the governor shall be filled by appointment by the governor. If a vacancy shall occur by reason of the death, disqualification, resignation or removal of a member who is a resident of the Dominion of Canada, the person appointed to fill such vacancy must be a resident of the Dominion of Canada and such appointment shall be made in the manner and by such authority as the Dominion of Canada may require.

§ 5. The members of the board shall serve without compensation, but the board shall have authority to compensate its members for expenses and disbursements from funds collected by it in the operation of properties acquired by it.

§ 6. The board shall appoint annually a chairman, a vice-chairman or vice-chairmen, a secretary, an assistant secretary, a treasurer, and an assistant treasurer, and may delegate to them such powers and duties as it may deem proper.

§ 7. The Board may adopt such by-laws, rules and regulations for the calling and conduct of its meetings and the management of its affairs as it may deem necessary or proper, not inconsistent with the provisions of this Act. A majority of the board shall constitute a quorum for the transaction of any business and the concurrence of a majority of the members of the board shall be necessary to the validity of any action by the board.

§ 8. The Board may appoint agents and employees with such powers and duties as it may determine, and shall fix their compensation and pay the same out of any funds collected by it in the operation of properties acquired by it.

§ 9. The Buffalo and Fort Erie Public Bridge Authority shall have power:

1. To sue and be sued.
2. To have a seal and alter the same at pleasure.
3. To acquire, hold and dispose of real and personal property for its corporate purposes.
4. To make contracts and to execute all instruments necessary or convenient.

5. To maintain, reconstruct, repair and replace and operate any properties acquired by it, and pay for the same out of any funds collected by it in the operation of properties acquired by it.

6. To do any other act or thing necessary or proper to carry out, accomplish or effectuate the purposes of this act.

§ 10. The board is authorized to lease and permit to be maintained under such lease, over or along the property acquired by it, telephone, telegraph or electric wires, cables, gas mains, water mains and other mechanical equipment, not inconsistent with the use of the property for vehicular and pedestrian traffic, on such terms and at such consideration as it shall determine, provided, however, that no lease shall be made for a period extending beyond the term of the existence of the board.

§ 11. The board is hereby authorized to acquire title to all of the assets and property of the Buffalo and Fort Erie Public Bridge Company and to pay therefor a sum not exceeding the aggregate of

(a) The amount necessary to redeem bonds of such company issued and now outstanding;

(b) The amount necessary, not exceeding fifty thousand dollars and accrued dividends, to retire the capital stock of such company;

(c) The amount necessary to pay other indebtedness which such company is obligated to pay.

The Buffalo and Fort Erie Public Bridge Company is hereby authorized to transfer and convey to the board all of its assets and property.

§ 12. The board is hereby authorized to accept deeds, bills of sale and other transfers deemed necessary or proper to transfer and convey to the board all of the assets and property of the Buffalo and Fort Erie Public Bridge Company and to hold the same under the provisions of this act, until such time as all of the bonds issued by the board hereunder shall have been paid in full or shall have otherwise been discharged.

§ 13. When all of the bonds issued by the board hereunder shall have been paid in full or shall have otherwise been discharged, the powers, jurisdiction and duties of the board shall cease and the property and assets acquired and held by it within the state of New York shall thereafter be under such jurisdiction, authority or agency as the legislature may designate, and the assets and property acquired or held by it within the Dominion of Canada shall be under such jurisdiction, authority or agency as the Dominion of Canada may designate.

§ 14. The Buffalo and Fort Erie Public Bridge Authority shall have power and is hereby authorized from time to time to issue its negotiable bonds in the aggregate principal amount of not exceeding at any one time four million dollars.

5. The bonds, if the board so determines, may be issued under an indenture between the board and a trustee for bondholders in such form and containing such terms and conditions not inconsistent with this act, as the board may determine.

§ 15. Before any such bonds shall be issued or sold or exchanged, and before any such conveyance shall be made or property acquired, all proper and requisite authority for the issuance of such bonds shall be obtained from the Dominion of Canada. The Dominion of Canada may attach such conditions not inconsistent with this act with respect to the transfer of the properties, rights and franchises of the corporation situated within the Dominion of Canada as it may deem necessary.

§ 16. Subject to any contract with the holders of any bonds, the board shall have power at any time or from time to time to issue new bonds in place of those then outstanding having like or different terms and secured by like or different provisions. Such bonds may be exchanged for outstanding bonds or may be sold and the proceeds applied to the payment of the outstanding bonds.

§ 17. Neither the members of the board nor any person executing such bonds shall be liable personally on the bonds or be subject to any personal liability or accountability by reason of the issuance thereof.

§ 18. The board shall have power, out of any funds available therefor, to purchase any bonds issued by it at a price not more than the principal amount thereof and the accrued interest.

§ 19. The bonds shall be a first lien on the real estate and bridge property of the Buffalo and Fort Erie Public Bridge Authority, including structures and approaches and lands and easements used therewith, except as to first mortgage bonds now outstanding against such real estate and property, and as to debenture bonds now outstanding.

§ 20. In the event that the board shall default in the payment of principal or of interest on any of the bonds after the same shall become due, whether at maturity or upon call for redemption, and such default shall continue for a period of thirty days or in the event that the board shall fail or refuse to comply with the provisions of this act or shall default in any agreement made with the holders of the bonds, the trustee appointed in the indenture under which such bonds are issued, or if there be no indenture, then a trustee appointed by twenty-five per centum in face amount of bonds then outstanding, may and upon written request of the holders of twenty-five per centum in principal amount of the bonds then outstanding, shall in his or its own name:

- (a) By mandamus or other suit, action or proceeding in law or in equity, enforce all rights of the bondholders including the right to require the board to collect tolls and rentals adequate to carry out any agreement as to or pledge of such tolls and rentals and to require the board to carry out any other agreements with the bondholders and to perform its and their duties under this act;
- (b) Bring suit upon the bonds;
- (c) By action or suit in equity, require the board to act as if it were the trustee of an express trust for the bondholders;
- (d) By action or suit in equity, enjoin any acts or things which may be unlawful or in violation of the rights of the bondholders;
- (e) Declare all bonds due and payable and if all defaults shall be made good, then with the consent of the holders of twenty-five per centum of the principal amount of the bonds then outstanding, to annul such declaration and its consequences.
- (f) To enforce any remedy by foreclosure or suit and the supreme court is hereby given jurisdiction of any suit, action or proceeding by the trustee on behalf of the bondholders, the venue of which shall be laid in the county of Erie and state of New York.

Any such trustee on default in the payment of principal and interest, whether or not all bonds have been declared due and payable, shall be entitled as of right to the appointment of a receiver who may enter and take possession of the assets and property or any part or parts thereof and operate and maintain the same and collect and receive all tolls, rentals and other revenues thereafter arising therefrom in the same manner as the board itself might do and shall deposit all such moneys in a separate account and apply the same in such manner as the court shall direct. In any suit, action or proceeding by the trustee the fees, counsel fees and expenses of the trustee and of the receiver, if any, shall constitute taxable disbursements and all costs and disbursements allowed by the court shall be a first charge on any tolls, rentals and other revenues derived from such assets. Such trustee shall, in addition to the foregoing, have and possess all of the powers necessary or appropriate for the exercise of any functions specifically set forth herein or incident to the general representation of the bondholders in the enforcement and protection of their rights.

The foregoing remedies of the bondholders and of the trustee, however, are subject to the limitations that before declaring the principal of all bonds due and payable, the trustee shall first give notice in writing to the board and to the attorney-general of the state of New York, and if, when

such notice is given to the attorney-general, the legislature shall be in session, the trustee shall not declare the principal of the bonds due before the legislature adjourns sine die or if the legislature be not then in session, the trustee shall not declare the principal of the bonds due until such an adjournment of the next regular session. If at such session the legislature shall take any action as a result of which past due principal and interest, with interest on past due interest, together with fees, counsel fees and expenses of the trustee and of the receiver, if any, as fixed by the court, shall be paid within sixty days of adjournment, default in the payment thereof shall thereby be remedied.

§ 21. The bonds and other obligations of the Buffalo and Fort Erie Public Bridge Authority shall not be a debt of the state of New York nor of the Dominion of Canada and neither the state of New York nor the Dominion of Canada shall be liable thereon nor shall they be payable out of any funds other than those of the Buffalo and Fort Erie Public Bridge Authority.

§ 22. The bonds are hereby made securities in which all public officers and bodies of this state and all municipalities and municipal subdivisions may properly and legally invest funds in their control or accept as security for deposits and all insurance companies and associations, all savings banks and savings institutions, including savings and loan associations, administrators, guardians, executors, trustees and other fiduciaries of the state may properly and legally invest funds in their control.

§ 23. Bonds and property to be tax exempt. The properties of the Buffalo and Fort Erie Public Bridge Authority shall be exempt from all taxes and assessments by the state or any municipality or municipal subdivision thereof and the bonds shall be exempt from taxation except for transfer, estate and inheritance taxes.

§ 24. The board, subject to the authority vested in the secretary of war of the United States and the authority of the Dominion of Canada, shall have power and be required to fix the rate of tolls for the use of the bridge, approaches, connections and appurtenances; provided, however, that the toll charges for pedestrian and vehicular traffic shall be discretionary and adjusted from time to time, but at a rate consistent with any contract with the holders of its bonds, and shall not be higher than, in the judgment of the board, is necessary to provide for the payment of interest, operating expenses, maintenance and insurance, repairs, replacements and proper working funds and to mature from two and one-half per centum to not more than ten per centum of the total outstanding bonds in any one year, except that no provision shall be made for the redemption of bonds issued by the board before January first, nineteen hundred thirty-seven.

§ 25. Within thirty days after the execution and delivery of the deeds of conveyance authorized by this act, the board shall execute and file with the comptroller of the state of New York and with such authority as the Dominion of Canada may designate, a detailed verified statement of the assets and liabilities of the corporation. The board annually in the month of February or oftener when required shall file with the comptroller of the state of New York and with such authorities of the Dominion of Canada as may be designated by the Dominion of Canada, an itemized detailed verified report of all receipts and disbursements of the corporation subsequent to the execution and delivery of the deeds of conveyance as authorized by this act.

§ 26. All moneys received by the Buffalo and Fort Erie Public Bridge Authority shall be paid to the treasurer thereof or other officer or officers designated by the board for the purpose. The treasurer and each other officer of the board receiving moneys of the Buffalo and Fort Erie Public Bridge Authority shall execute in duplicate an undertaking in such amount or amounts and with such sureties as may be approved by the comptroller of the state of New York, and by such authority as may be designated for the purpose by the Dominion of Canada, conditioned for the safekeeping and lawful application of all moneys which may come to his hands, and shall file one copy in the office of the state department of audit and control and one copy in such office or department as may be designated by the Dominion of Canada. Such bond may be increased or reduced from time to time in the discretion of the comptroller and of such authority designated by the Dominion of Canada. The state treasurer and his legally authorized representatives and the state comptroller and his legally authorized representatives and such authority as may be designated by the Dominion of Canada are hereby authorized and empowered from time to time to examine the accounts and books of the board, including its receipts, disbursements, contracts, leases, sinking funds, investments and any other matters relating to its financial standing.

§ 27. The following terms, whenever used, or referred to in this act, shall have the following meaning unless a different meaning clearly appears from the context:

1. The term "Buffalo and Fort Erie Public Bridge Authority" shall mean the corporation created by section one of this act.

2. The term "board" shall mean the members of the Buffalo and Fort Erie Public Bridge Authority.

3. The term "bridge" shall mean terminals, approaches buildings, rights, easements and privileges.

4. The term "bonds" shall mean bonds issued by the Buffalo and Fort Erie Bridge Authority pursuant to this act, except where reference is made to the bonds of Buffalo and Fort Erie Public Bridge Company.

5. The term "Buffalo and Fort Erie Public Bridge Company" and the term "Company" as used herein shall mean the Buffalo and Fort Erie Public Bridge Company which is a consolidation of a corporation organized under chapter three hundred and seventy-nine of the laws of nineteen hundred and twenty-two and a corporation authorized under thirteen and fourteen, George V, chapter seventy-four of the Parliament of the Dominion of Canada.

§ 28. If any section, clause or provision of this Act shall be unconstitutional or be ineffective, in whole or in part, to the extent that it is not unconstitutional, it shall be valid and effective and no other section, clause or provision shall on account thereof be deemed invalid or ineffective.

§ 29. Insofar as the provisions of this act are inconsistent with the provisions of any other act, general or special, the provisions of this act shall be controlling.

§ 30. This act shall take effect immediately."

OTTAWA: Printed by JOSEPH OSCAR PATENAUD, Law Printer to the
King's Most Excellent Majesty.



ACTS OF THE
PARLIAMENT OF CANADA

PASSED IN THE SESSION HELD IN THE

SIXTH YEAR OF THE REIGN OF HER MAJESTY

QUEEN ELIZABETH II

BEING THE

FIRST SESSION OF THE TWENTY-THIRD PARLIAMENT

Begun and holden at Ottawa, on the Fourteenth day of October, 1957,
and prorogued on the First day of February, 1958.

HIS EXCELLENCY THE RIGHT HONOURABLE

VINCENT MASSEY

GOVERNOR GENERAL

PART I

PUBLIC GENERAL ACTS

EDMOND CLOUTIER, C.M.G., O.A. D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1958

6 ELIZABETH II.

CHAP. 10

An Act to amend an Act respecting the Buffalo and
Fort Erie Public Bridge Company.

[Assented to 20th December, 1957.]

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows: 1934. c. 63.

1. Section 3 of an Act respecting the Buffalo and Fort Erie Public Bridge Company is repealed and the following substituted therefor:

"3. (1) The Governor in Council may appoint, to hold office during pleasure, five persons, being Canadian citizens resident in Canada, to be the members of the Bridge Authority that under the provisions of the Act of Incorporation are to be appointed by Canada. Appointment of Canadian members.

(2) A member of the Bridge Authority appointed under the authority of subsection (1) may with the approval of the Minister of Finance appoint a deputy in writing to attend any meeting of the Bridge Authority and act and vote in his place and stead." Deputies.

2. Sections 9 and 10 of the said Act are repealed and the following substituted therefor:

"9. Except as otherwise provided in this Act, the Minister of Finance, or a person designated by him, is the authority or agency that under any provision of the Act of Incorporation is to be designated by Canada. Minister of Finance designated as authority.

"10. On the later of the following days, namely, Termination of rights, powers, etc.
(a) the 1st day of July, 1992, or
(b) the day that any bonds issued by the Bridge Authority prior to the 1st day of July, 1992, are paid in full or are otherwise discharged,
the rights, powers and jurisdiction of the Bridge Authority under this Act are terminated, and the property acquired

or held by it within Canada becomes the property of Her Majesty in right of Canada, to be held, administered or disposed of as the Governor in Council may direct."

3. The said Act is further amended by adding thereto the following sections:

Money paid to Canada.

"13. Any money payable to the Government of Canada under the Act of Incorporation shall be paid to the Minister of Finance and shall form part of the Consolidated Revenue Fund.

Reference to "Act of Incorporation".

"14. A reference in this Act to the Act of Incorporation shall be construed as a reference to the Act of Incorporation as amended from time to time."

Coming into force.

4. This Act shall come into force on a day to be fixed by proclamation of the Governor in Council.

EDMOND CLOUTIER, C.M.C., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1953



Acts of the Parliament
of Canada

Lois du Parlement
du Canada

passed in the session held in the
tenth-twentieth-twenty-first
of the Reign of Her Majesty
QUEEN ELIZABETH II

Adoptées pendant la session tenue les
dix-neuvième-vingtième-vingt et unième
années du Règne de Sa Majesté
LA REINE ELIZABETH II

session of the Twenty-Eighth
Parliament

Troisième session du
vingt-huitième Parlement

begun and held at Ottawa
eighth day of October, 1970
and prorogued on the
ninth day of February, 1972

Commencée et tenue à Ottawa
le huitième jour d'octobre 1970
et prorogée le
seizième jour de février 1972

by His Excellency the Right Honourable
ROLAND MICHENER
Governor General

Son Excellence le très honorable
ROLAND MICHENER
Gouverneur général

19 ELIZABETH II

19 ELIZABETH II

CHAPTER 5

CHAPITRE 5

An Act to amend An Act respecting the Buffalo and Fort Erie Public Bridge Company

Loi modifiant la Loi concernant la «Buffalo and Fort Erie Public Bridge Company»

[Assented to 18th December, 1970]

[Sanctionnée le 18 décembre 1970]

1934, c. 63;
1957-58,
c. 10

Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

Sa Majesté, sur l'avis et du consentement du Sénat et de la Chambre des communes du Canada, décrète:

1. Paragraph (c) of section 5 of *An Act respecting the Buffalo and Fort Erie Public Bridge Company* is repealed and the following substituted therefor:

1. L'alinéa c) de l'article 5 de la *Loi concernant la «Buffalo and Fort Erie Public Bridge Company»* est abrogé et remplacé par ce qui suit:

"(c) to issue, sell or exchange from time to time, its negotiable bonds in the aggregate principal amount not exceeding at any one time fifteen million dollars, subject to the terms, conditions and restrictions set forth in its Act of Incorporation;"

«c) d'émettre, vendre ou échanger, à l'occasion, ses obligations négociables jusqu'à concurrence d'un principal global de quinze millions de dollars, à une même époque, subordonnément aux termes, conditions et restrictions énoncés dans la Loi de constitution en corporation;»

1957-58,
c. 10, s. 2

2. Paragraphs (a) and (b) of section 10 of the said Act are repealed and the following substituted therefor:

2. Les alinéas a) et b) de l'article 10 de ladite loi sont abrogés et remplacés par ce qui suit:

"(a) the 1st day of July, 2020, or
(b) the day that any bonds issued by the Bridge Authority prior to the 1st day of July, 2020, are paid in full or are otherwise discharged,"

«a) le 1^{er} juillet 2020, ou
b) la date où toutes obligations émises par l'Autorité du pont avant le 1^{er} juillet 2020 auront été pleinement acquittées ou autrement libérées.»

3. This Act shall come into force on a day to be fixed by proclamation.

3. La présente loi entrera en vigueur à une date qui sera fixée par proclamation.

C-81

First Session, Thirty-fifth Parliament,
42-43-44 Elizabeth II, 1994-95

THE HOUSE OF COMMONS OF CANADA

BILL C-81

Act to amend An Act respecting the Buffalo and Fort
Erie Public Bridge Company

First reading, March 31, 1995

THE MINISTER OF TRANSPORT

WEIR &

C-81 APR 18

LIBRA
Première session, trente-cinquième législature
42-43-44 Elizabeth II, 1994-95

CHAMBRE DES COMMUNES DU CANADA

PROJET DE LOI C-81

Loi modifiant la Loi concernant la «Buffalo and Fort
Erie Public Bridge Company»

Première lecture le 31 mars 1995

LE MINISTRE DES TRANSPORTS

SUMMARY

This enactment amends *An Act respecting the Buffalo and Fort Erie Bridge Company*.

The principal amendments are as follows:

The limit on the borrowing power of the bridge authority is increased from fifteen million dollars to one hundred million dollars;

Authority is granted to the Governor in Council, on the recommendation of the Minister of Transport and with the concurrence of the Minister of Finance, to increase the borrowing limit; and

The administrative responsibility for the Act is transferred from the Minister of Finance to the Minister of Transport.

EXPLANATORY NOTES

Article 1: Subsection 3(2) reads as follows:

... member of the Bridge Authority appointed under the authority of section (1) may with the approval of the Minister of Finance appoint in writing to attend any meeting of the Bridge Authority and act in his place and stead.

Article 2: The relevant portion of section 5 reads as follows:

... The Bridge Authority is hereby authorized and empowered, subject to the provisions of this Act, to exercise its powers and...

... issue, sell or exchange from time to time, its negotiable bonds in aggregate principal amount not exceeding at any one time fifteen million dollars, subject to the terms, conditions and restrictions set out in its Act of Incorporation;

Article 3: Section 9 reads as follows:

... If not otherwise provided in this Act, the Minister of Finance, or a person designated by him, is the authority or agency that under any provision of the Act of Incorporation is to be designated by Canada.

SOMMAIRE

Le texte modifie la *Loi concernant la «Buffalo and Fort Erie Bridge Company»*.

Les principales modifications apportées par le texte sont les suivantes :

—l'augmentation de la limite de la capacité d'emprunt de l'Autorité du pont de quinze millions de dollars à cent millions de dollars;

—le pouvoir accordé au gouverneur en conseil d'augmenter la limite, sur recommandation du ministre des Transports et avec l'accord du ministre des Finances;

—le transfert de la responsabilité administrative de cette Loi du ministre des Finances au ministre des Transports.

NOTES EXPLICATIVES

Article 1. — Texte du paragraphe 3(2) :

(2) Un membre de l'Autorité du pont nommé sous le régime du paragraphe (1) peut, avec l'approbation du ministre des Finances, nommer par écrit un suppléant, qui assistera à toute réunion de l'Autorité du pont et agira et votera en son lieu et place.

Article 2. — Texte des passages introductif et visé de l'article 5 :

5. Les autorités du pont sont par les présentes investies de l'autorité et de la faculté, sous réserve des dispositions de la présente Loi, d'exercer leurs pouvoirs et...

... c) d'émettre, vendre ou échanger, à l'occasion, ses obligations négociables jusqu'à concurrence d'un principal global de quinze millions de dollars, à une même époque, subordonnément aux termes, conditions et restrictions énoncés dans la Loi de constitution en corporation;

Article 3. — Texte de l'article 9 :

9. Sauf ce que prévoit autrement la présente Loi, le ministre des Finances, ou une personne par lui désignée, est l'autorité ou l'organisme qui, aux termes d'une disposition quelconque de la loi de constitution en corporation, doit être désigné par le Canada.

Case 4: Section 13 reads as follows:

Any money payable to the Government of Canada under the Act of
incorporation shall be paid to the Minister of Finance and shall form part
Consolidated Revenue Fund.

Article 4. — Texte de l'article 13 :

13. Toute somme d'argent payable au gouvernement du Can.
la loi de constitution en corporation doit être versée au min.
Finances et faire partie du Fonds du revenu consolidé.



First Session, Thirty-fifth Parliament,
42-43-44 Elizabeth II, 1994-95

Première session, trente-cinquième législature,
42-43-44 Elizabeth II, 1994-95

STATUTES OF CANADA 1995

LOIS DU CANADA (1995)

CHAPTER 14

CHAPITRE 14

An Act to amend An Act respecting the Buffalo and Fort Erie Public Bridge Company

Loi modifiant la Loi concernant la « Buffalo and Fort Erie Public Bridge Company »

BILL C-81

PROJET DE LOI C-81

ASSENTED TO 15th JUNE, 1995

SANCTIONNÉ LE 15 JUIN 1995

SUMMARY

SOMMAIRE

This enactment amends *An Act respecting the Buffalo and Fort Erie Public Bridge Company*.

Le texte modifie la *Loi concernant la « Buffalo and Fort Erie Public Bridge Company »*.

The principal amendments are as follows:

Les principales modifications apportées par le texte sont les suivantes :

- the limit on the borrowing power of the bridge authority is increased from fifteen million dollars to one hundred million dollars;
- authority is granted to the Governor in Council, on the recommendation of the Minister of Transport and with the concurrence of the Minister of Finance, to increase the borrowing limit; and
- the administrative responsibility for the Act is transferred from the Minister of Finance to the Minister of Transport.

- l'augmentation de la limite de la capacité d'emprunt de l'Autorité du pont de quinze millions de dollars à cent millions de dollars;
- le pouvoir accordé au gouverneur en conseil d'augmenter cette limite, sur recommandation du ministre des Transports et avec l'accord du ministre des Finances;
- le transfert de la responsabilité administrative de cette loi du ministre des Finances au ministre des Transports.

CHAPTER 14

An Act to amend An Act respecting the Buffalo and Fort Erie Public Bridge Company

[Assented to 15th June, 1995]

1934, c. 63;
1957-58, c. 10;
1970-71-72,
c. 5

Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1957-58, c. 10,
s. 1

1. Subsection 3(2) of *An Act respecting the Buffalo and Fort Erie Public Bridge Company* is replaced by the following:

Deputies

(2) A member of the Bridge Authority appointed under subsection (1) may, with the approval of the Minister of Transport, appoint a deputy in writing to attend any meeting of the Bridge Authority and to act and vote in the member's place.

1970-71-72,
c. 5, s. 1

2. Paragraph 5(c) of the Act is replaced by the following:

(c) subject to the terms, conditions and restrictions set forth in its Act of Incorporation, to issue, sell or exchange from time to time its negotiable bonds in the aggregate principal amount not exceeding at any one time one hundred million dollars or such greater amount as the Governor in Council, on the recommendation of the Minister of Transport and with the concurrence of the Minister of Finance, may fix:

1957-58, c. 10,
s. 2

3. Section 9 of the Act is replaced by the following:

Minister of
Transport

9. Except as otherwise provided in this Act, the Minister of Transport, or a person designated by that Minister, is the authority or agency that under any provision of the Act of Incorporation is to be designated by Canada.

2

C. 14

Buffalo and Fort Erie Public Bridge Company

42-43-44 ELIZ. II

1957-58, c. 10,
s. 3

4. Section 13 of the Act is replaced by the following:

Money paid to
Canada

13. Any money payable to the Government of Canada under the Act of Incorporation shall be paid to the Minister of Transport and shall form part of the Consolidated Revenue Fund.

CHAPITRE 14

Loi modifiant la Loi concernant la «Buffalo and Fort Erie Public Bridge Company»

[Sanctionnée le 15 juin 1995]

Sa Majesté, sur l'avis et avec le consentement du Sénat et de la Chambre des communes du Canada, édicte :

1934, ch. 63;
1957-58,
ch. 10;
1970-71-72,
ch. 5

1. Le paragraphe 3(2) de la *Loi concernant la «Buffalo and Fort Erie Public Bridge Company»* est remplacé par ce qui suit :

1957-58,
ch. 10, art. 1

(2) Un membre de l'Autorité du pont nommé sous le régime du paragraphe (1) peut, avec l'approbation du ministre des Transports, nommer par écrit un suppléant pour assister à toute réunion de l'Autorité du pont et agir et voter en son nom.

Suppléants

2. L'alinéa 5c) de la même loi est remplacé par ce qui suit :

1970-71-72,
ch. 5, art. 1

c) sous réserve des termes, conditions et restrictions énoncés dans la Loi de constitution en corporation, d'émettre, vendre ou échanger, à l'occasion, ses obligations négociables jusqu'à concurrence d'un principal global, à une même date, de cent millions de dollars ou du montant supérieur que le gouverneur en conseil peut fixer, sur recommandation du ministre des Transports et avec l'accord du ministre des Finances:

3. L'article 9 de la même loi est remplacé par ce qui suit :

1957-58,
ch. 10, art. 2

9. Sauf disposition contraire de la présente loi, le ministre des Transports, ou la personne qu'il désigne, est l'autorité ou l'organisme qui, aux termes d'une disposition quelconque de la loi de constitution en corporation, doit être désigné par le Canada.

Le ministre
des Transports

4. L'article 13 de la même loi est remplacé par ce qui suit :

1957-58,
ch. 10, art. 3

13. Toute somme d'argent payable au gouvernement du Canada selon la loi de constitution en corporation doit être versée au ministre des Transports et faire partie du Trésor.

Montant payé
au Canada

or agency that under any provision of the Act of Incorporation is to be designated by Canada.

ganisme qui, aux termes d'une disposition quelconque de la loi de constitution en corporation, doit être désigné par le Canada.

4. Section 13 of the Act is replaced by the following:

4. L'article 13 de la même loi est remplacé par ce qui suit :

1957-58, ch. 10, art. 3

13. Any money payable to the Government of Canada under the Act of Incorporation shall be paid to the Minister of Transport and shall form part of the Consolidated Revenue Fund.

13. Toute somme d'argent payable au gouvernement du Canada selon la loi de constitution en corporation doit être versée au ministre des Transports et faire partie du Trésor.

Montant payé au Canada

10