

chapter P-37

## TREE PROTECTION ACT



*As regards parks, the functions of the Minister of Sustainable Development, Environment and Parks provided for in this Act are assigned to the Minister of Forests, Wildlife and Parks. Order in Council 692-2020 dated 30 June 2020, (2020) 152 G.O. 2 (French), 3107.*

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## REPEAL SCHEDULE

**1.** Notwithstanding any general or special law authorizing same, any person or any legal person constituted in Québec or elsewhere by any authority whatsoever, destroying or damaging, wholly or partly, a tree, sapling or shrub, or any underwood, anywhere other than in a forest under the management of the Minister of Natural Resources and Wildlife, without having obtained, upon petition therefor notified to the interested parties, the authorization of the Minister of Sustainable Development, Environment and Parks, unless a consent has been previously given by the owner of such tree, sapling, shrub or underwood, shall be bound to pay to the owner of such tree, sapling, shrub or underwood, in addition to actual damages, punitive damages in an amount not exceeding \$200 for each such tree, sapling, shrub or underwood so wholly or partly destroyed or damaged.

Nevertheless, this section shall not apply in cases where such trees or shrubs accidentally come in contact with wires or apparatus of a public utility in a manner to endanger life or property or to interrupt service, nor in the cases falling under article 985 of the Civil Code.

R. S. 1964, c. 95, s. 1; 1973, c. 38, s. 101; 1977, c. 5, s. 14; 1979, c. 49, s. 19; 1984, c. 27, s. 83; 1988, c. 23, s. 97; 1990, c. 64, s. 37; 1994, c. 13, s. 16; 1994, c. 17, s. 75; 1999, c. 40, s. 229; 1999, c. 36, s. 158; 2003, c. 8, s. 6; 2006, c. 3, s. 35; I.N. 2016-01-01 (NCCP).

**2.** The sums claimed for actual or punitive damages, or both, under the authority of section 1, shall be recoverable before the Court of Québec or the Superior Court, according to the amount claimed.

R. S. 1964, c. 95, s. 2; 1965 (1st sess.), c. 17, s. 2; 1988, c. 21, s. 66; 1999, c. 40, s. 229.

**3.** *(This section ceased to have effect on 17 April 1987).*

1982, c. 21, s. 1; U. K., 1982, c. 11, Sch. B, Part I, s. 33.

REPEAL SCHEDULE

In accordance with section 17 of the Act respecting the consolidation of the statutes (chapter R-3), chapter 95 of the Revised Statutes, 1964, in force on 31 December 1977, is repealed effective from the coming into force of chapter P-37 of the Revised Statutes.

