

chapter I-10

FOREST ENGINEERS ACT



The Minister Responsible for Government Administration and Chair of the Conseil du trésor is responsible for the administration of this Act. Order in Council 1638-2022 dated 20 October 2022, (2022) 154 G.O. 2 (French), 6513.

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REPEAL SCHEDULE

1. All the persons qualified to practise the profession of forest engineer in Québec constitute a professional order called the “Ordre professionnel des ingénieurs forestiers du Québec” or the “Ordre des ingénieurs forestiers du Québec”.

R. S. 1964, c. 264, s. 1; 1973, c. 62, s. 1; 1977, c. 5, s. 229; 1994, c. 40, s. 349.

2. The following expressions used in this Act and the regulations made thereunder shall have the meaning given hereinafter, unless the text contains something inconsistent with such interpretation:

(1) the expression “board of directors” means the board of directors of the Ordre des ingénieurs forestiers du Québec;

(2) the expression “member of the Order” means a member in good standing of the said Order;

(3) the expression “the Order” means the Ordre des ingénieurs forestiers du Québec;

(4) the expression “forest engineer” means any person practising the profession of engineer and qualified to give advice upon or supervise, execute, or direct the execution of the following works: the inventory, classification and valuation of the soil and crops of forest, the preparation of maps and topographical plans of forests; the management, maintenance, conservation, lumbering, reforestation and protection of woods and forests, silviculture; forest photogrammetry; logging and transportation of woods, the exploitation of forests and other forest resources; the application of forest engineering sciences to economical wood utilization; the preparation of maps, estimates and specifications, working plans and reports concerning forest management and any engineering work relating to the execution of the above-mentioned purposes and the preparation of plans in connection with such works;

(5) *(paragraph repealed)*.

R. S. 1964, c. 264, s. 2; 1973, c. 62, s. 2; 1974, c. 65, s. 50; 1977, c. 5, s. 229; 1994, c. 40, s. 350; 2008, c. 11, s. 212.

3. Notwithstanding the foregoing provisions, the members of the Ordre des ingénieurs du Québec and of the Ordre des ingénieurs forestiers shall have common jurisdiction as to the engineering works mentioned in the Engineers Act (chapter I-9) and comprised in the expression “engineering work” used in this Act. The execution as contractor, foreman or artisan of any of the above-mentioned works, projects, developments prepared or directed by a member of the Ordre des ingénieurs forestiers shall not be considered as acting or practising as a forest engineer. This Act shall not apply to farmers with respect to the cutting, felling, floating and transportation of timber for forestry operations.

R. S. 1964, c. 264, s. 3; 1973, c. 60, s. 31; 1973, c. 62, s. 3; 1977, c. 5, s. 229.

4. Subject to this Act, the Order and its members shall be governed by the Professional Code (chapter C-26).

R. S. 1964, c. 264, s. 4; 1973, c. 62, s. 4.

5. The Order shall be governed by a board of directors constituted in accordance with the Professional Code (chapter C-26).

R. S. 1964, c. 264, s. 6; 1973, c. 62, s. 6; 2008, c. 11, s. 212.

6. *(Repealed)*.

R. S. 1964, c. 264, s. 7; 1973, c. 62, s. 7; 1994, c. 40, s. 351.

7. *(Repealed)*.

R. S. 1964, c. 264, s. 8; 1970, c. 57, s. 18; 1973, c. 62, s. 8; 1994, c. 40, s. 351.

8. *(Repealed).*

R. S. 1964, c. 264, s. 9; 1973, c. 62, s. 9; 1994, c. 40, s. 351.

9. The annual meeting of the Order shall be held within nine months from the end of its fiscal year.

R. S. 1964, c. 264, s. 11; 1973, c. 62, s. 11; 1994, c. 40, s. 352.

10. No person may take the title of forest engineer in Québec, or use any name, title or designation which may cause it to be understood that he is a forest engineer nor advertise himself as an expert or a professional in the matters within the competence of the forest engineer nor execute works within the competence of the forest engineer unless he be or become under the provisions of this Act a member of the Ordre des ingénieurs forestiers du Québec.

No person shall practise or exercise, in Québec, the profession of forest engineer within the meaning of section 2 unless he is a member of the Ordre des ingénieurs forestiers du Québec or becomes a member under the provisions of this Act.

No one acts contrary to the provisions of this Act when, without assuming the title of Forest Engineer and without doing work required for purposes of inventory or forest management or any other works the execution whereof requires the knowledge of the sciences of engineering he carries out or causes to be carried out forest fire protection work or the work of laying out logging areas or of organizing lumbering therein, or exploration work required for that purpose, or other exploitation works from and including the felling of the trees.

Every person who contravenes this section is liable to the penalties provided in section 188 of the Professional Code (chapter C-26).

R. S. 1964, c. 264, s. 12; 1973, c. 62, s. 12; 1977, c. 5, s. 229; 1990, c. 4, s. 495.

11. No person practising the profession of forest engineer as defined in section 2 without having the right to do so under this Act may claim before any court any sum of money for professional services rendered in such capacity.

Actions taken by forest engineers to recover sums of money due them for professional services are matters to be tried and decided by preference in accordance with the Code of Civil Procedure (chapter C-25.01).

R. S. 1964, c. 264, s. 13; 1973, c. 62, s. 13; 1992, c. 61, s. 347; 1999, c. 40, s. 152; I.N. 2016-01-01 (NCCP).

12. *(Repealed).*

R. S. 1964, c. 264, s. 14; 1973, c. 62, s. 14; 1992, c. 61, s. 348.

13. The secretary shall keep, in accordance with the Professional Code (chapter C-26), a roll containing the names of all the members of the Order.

R. S. 1964, c. 264, s. 15; 1973, c. 62, s. 15; 1994, c. 40, s. 353.

14. Nothing in this Act shall be considered as affecting the rights and privileges conferred upon the members of the Ordre des ingénieurs du Québec, the members of the Ordre des arpenteurs-géomètres du Québec, upon any university of the Province of Québec or upon the Montréal Polytechnic School.

Nothing in this Act shall prevent a person from performing acts reserved for members of the Order, provided he performs them in accordance with the provisions of a regulation adopted pursuant to paragraph *h* of section 94 of the Professional Code (chapter C-26).

R. S. 1964, c. 264, s. 16; 1973, c. 62, s. 16; 1977, c. 5, s. 229; 1994, c. 40, s. 354.

15. *(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 264 of the Revised Statutes, 1964, in force on 31 December 1977, is repealed effective from the coming into force of chapter I-10 of the Revised Statutes.

