

The Fallen Tree: Clarifying Responsibilities for Effective Urban Tree Management

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Abstract: *Malaysia has recently witnessed one unfortunate event involving a 144-year-old tree in Kuala Lumpur which have resulted in fatalities, injuries as well as damage to property. This tragic incident has sparked vigorous debates and significant public concern by raising questions about accountability throughout the country. This research paper aims to delve into the issues surrounding the incident to enhance understanding of it. Beginning with a detailed overview of the accident, this paper will meticulously examine the circumstances leading to the tree's collapse and the subsequent aftermath. It also analyses the involvement and duties of various stakeholders such as local authorities, property owners, and arborists, in ensuring public safety and reducing risks associated with unforeseen occurrences. Moreover, the concept of liability in this context is determined by analysing legal frameworks and judicial precedents. Through an awareness survey and comprehensive analysis of the legal provisions, this paper seeks to identify measures that can be taken to ensure that similar incidents can be prevented in the future. By shedding light on this issue, proactive tree management practices can be implemented, fostering a culture of shared responsibility for public safety.*

Keywords: Fallen Tree, Negligence, Vicarious Liability, Local Authorities

1. Introduction

Circumstances

On Tuesday, May 7, 2024, a massive 144-year-old tree fell across one of Kuala Lumpur's busiest roads, Jalan Sultan Ismail, causing disruption and damage. The incident occurred due to strong winds and heavy rain following a thunderstorm. The storm's intensity caused the tree to uproot and topple across the road in front of the Shangri-La Hotel.

The incident resulted in the tragic death of a 47-year-old man, whose body was later recovered from the scene. Additionally, two other individuals were injured: a 26-year-old Malaysian ride-share driver and his passenger, a 72-year-old Swedish woman. Both were treated by paramedics at the location and were sent to the hospital for further treatment.

The fallen tree pinned down 17 vehicles, resulting in significant damage. Videos and photos of the tree sprawled across the road in the midst of heavy traffic were circulated on social media. Along with the road, an elevated monorail track was also affected by the tree's branches.

Aftermath

As an aftermath, extensive damage occurred to both private property and public infrastructure. The fallen tree seriously disrupted the monorail operation in Kuala Lumpur. In order to assist cleaning and repair work, four monorail stations—Bukit Nanas, Raja Chulan, Bukit Bintang and Imbi— were temporarily closed after branches fell across the elevated track between the stations.

In response to the disruption, Rapid KL, the operator of the monorail, provided alternative transportation options. Shuttle buses and a shuttle train service between Titiwangsa and Medan Tuanku were arranged to reduce the impact on commuters.

The Kuala Lumpur City Hall (DBKL) and Rapid KL collaborated to resolve the issue promptly. DBKL undertook the task of clearing the affected areas and repairing the infrastructure to quickly return the situation to normal.

Government Response

Following the incident, the Federal Territories Minister, Dr. Zaliha Mustafa, directed DBKL to take immediate and preventive measures to avoid similar occurrences in the future. The minister ordered the chopping down of high-risk trees across the city and the development of the city's Shade Tree Management Plan as a new guideline for managing aged and high-risk trees.

DBKL was also instructed to focus on tree replacement programs, aiming to maintain environmental sustainability while ensuring public safety. These actions were deemed necessary to prevent future incidents and to protect the residents and infrastructure of Kuala Lumpur. For the affected victims, DBKL will assist in facilitating any claims to the appropriate parties.

For further information, DBKL will consider the necessity of enhancing the 'Pelan Pengurusan Pokok Rendang' and creating a guideline for preserving older trees under its jurisdiction. The plan emphasizes the importance of considering potential dangers to the public and outlines specific guidelines for planting trees, including details on tree heights, risks, and suitable species for replanting. It includes arborists, society, and contractors as authorities responsible for tree protection and preservation. However, the plan lacks sufficient emphasis, leading to leeway among these authorities.

Several methods are also proposed for tree felling and replacement of trees in the plan includes appointing certified arborists, conducting scheduled systematic inspection and documenting inspections.

Nevertheless, these measures may not effectively address the central problem at hand, which is determining the degree of liability for the parties involved. This is mainly due to the lack of legal authority within these guidelines to explicitly identify which parties should bear the responsibility for the incident.

Moreover, it was verified by DBKL that the tree was located on private property, making it the responsibility of the property owner to maintain the tree without posing imminent danger to the public. This has sparked a debate among the public regarding which party is liable for the mismanagement. Therefore, a thorough research into each party's duties will be conducted to determine the degree of their liabilities.

2. Methodology

This study employed a mixed-methods design to explore the awareness and opinions of the public regarding the fallen tree incident. The quantitative component involved a survey, while the qualitative component included an in-depth interview with an expert in the environmental legal field and the analysis of specific sections in statutory provisions and case laws. These methods were chosen to gain a comprehensive understanding of the public's perspectives through both numerical data and detailed personal insights.

The survey consisted of 108 individuals who participated, open to the public from varied educational and age backgrounds. This diverse group was selected to ensure a wide range of opinions and awareness levels about the incident. Since differences in generational perspectives and educational backgrounds can significantly influence how individuals perceive and interpret societal issues, gathering their viewpoints provides valuable insights that help shed light on how the incident is viewed from multiple angles.

For data collection, a structured questionnaire and a semi-structured interview guide were utilised. The structured questionnaire provided quantitative data, while the semi-structured interview offered qualitative insights. The survey was distributed online via a link, making it accessible to participants at their convenience. The interview was conducted through Google Meet, allowing for an in-depth discussion despite geographical barriers.

An in-depth interview was conducted with a former government environmental officer, who provided valuable guidance on reviewing relevant laws and provisions applicable to various authorities, including local authorities and arborists. He offered insights into the existing legal framework and highlighted a critical lacuna—a significant gap in the law—that has created a major loophole in this case. His expertise shed light on how this legal gap might contribute to the challenges in addressing the issue effectively and emphasized the significance of addressing these shortcomings to strengthen enforcement and accountability. Additionally, the qualitative component also involved the analysis of specific sections in statutory provisions and case laws to gain deeper insights into the legal framework pertaining to the issue.

The validity of the questionnaire was established after a thorough discussion with a lecturer, ensuring that the questions accurately addressed the issues of the topic. To maintain ethical standards, informed consent was obtained from all participants, and their confidentiality was protected by anonymizing the data. Ethical approval was granted by our lecturer, further affirming the study's adherence to ethical guidelines.

Data collection took place over four days, followed by a week dedicated to data analysis. Quantitative data from the surveys were analysed using descriptive and inferential statistics, while qualitative data from the interviews and legal analyses were examined using thematic analysis. This approach provided a robust analysis of the public's awareness and opinions regarding the fallen tree incident.

In summary, this mixed-methods study effectively combined quantitative and qualitative approaches to provide a comprehensive understanding of the public's perspectives on the fallen tree incident. The meticulous methodology ensured the validity, reliability, and ethical integrity of the research process.

3. Analysis

Table 1: Question 1

Question 1	Yes (Percentage, persons)	No (Percentage, persons)
Are you aware of the fallen tree incident that occurred on May 7 at Jalan Sultan Ismail?	76.9% (83)	23.1% (25)

From the survey that has been conducted, 23.1% of the respondents seem to not be aware of the fallen tree incident that happened on the 7th of May at Jalan Sultan Ismail. Meanwhile, 76.9% of the remaining respondents appear to be aware of it.

Table 2: Question 2

Question 2	News media (TV, radio, newspapers)	Social media	Word of mouth	Directly witnessed the event	Never heard
If yes, how did you hear about the fallen tree incident at Jalan Sultan Ismail?	18.5% (21)	54.6% (59)	3.7% (4)	-	22.2% (24)

According to Figure 2, it is obvious that the majority of respondents (54.6%) have heard about the fallen tree incident through social media platforms. While 18.5% of the respondents were enlightened by mass media such as television, radio, and newspapers. In particular, 22.2% of the respondents had never heard of the fallen tree incident at all. From the data, it is assured that social media has a large impact on society, serving as the primary source of information for the incident.

Table 3: Question 3

Question 3	Yes	No	Unsure
Do you believe such incidents pose a significant safety risk in the area?	90.7% (98)	3.7% (4)	5.6% (6)

Based on Figure 3, the respondents who believed that this incident posed a significant risk to the public, which are the most numerous, at 90.7%, showing their concerns about the threat. In the meantime, 5.6% of the respondents feel unsure of the risk, and 3.7% of the last respondents do not believe that there is a significant risk. The risks included potential injuries to the community and public and private property damage.

Table 4: Question 4

Question 4	The government (Dewan Bandaraya Kuala Lumpur)	Private property owner (If the tree is located within a private property)	Natural causes (e.g. storm)	Unsure
In your opinion, who do you think is responsible for the fallen tree incident?	67.6% (73)	12% (13)	15.7% (17)	4.6% (5)

Figure 4 shows from 108 respondents, 67.6% of them believe that the government is entirely responsible for the incident that happened. For the moment, 15.7% blame it on natural causes, like rainstorms, and 12% hold private property owners responsible for the circumstances in which the tree is located within their property. A minority of the respondents, 4.6% were unsure of the one who was actually liable for the fallen tree incident.

Table 5: Question 5

Question 5	Compensation for damages (e.g. give money)	Property repairs (e.g., vehicles, monorail track)	Medical and health support	Public Apology	Others
What actions do you believe should be taken by the responsible party to address the victims' loss? (Choose multiple answers)	88.9% (96)	77.8% (84)	78.7% (85)	30.5% (33)	-Crowdfunding by NGO -Updates about the progress

For Figure 5, respondents can choose multiple answers that are according to their tendencies. The survey sampled a few actions that can be taken to address the incident, and the most popular action, which is supported by 88% of respondents, is to provide compensation for damages to the injured parties. Following this, 78.7% of respondents also emphasised the provision of medical health and health support for the injured parties involved. Moreover, 77.8% of respondents support the idea of repairing property damaged by the fallen tree. Another action that can be taken is a public apology from the responsible parties also encouraged by 30.5% of respondents.

Some respondents gave suggestions on the additional measures that can be taken, one of them being to organise a crowdfunding campaign that involves the government or nongovernmental organisations (NGOs) to raise awareness among the public and to provide financial support to the aggrieved parties. Other respondents' opinion is that updating the progress of the preventive measures taken by the responsible authorities is also crucial to keep the public informed.

Table 6: Question 6

Question 6
What measures do you think should be taken to prevent similar incidents in the future?

For the last question, the respondents were inclined to give numerous suggestions as it is an open-ended question. One of the most common recommendations to prevent similar incidents in the future by respondents includes regular maintenance of trees. Some respondents recommend specifically trimming large trees to prevent them from falling, cutting down large trees that pose a danger to the public, and removing old trees on the side of the streets. In addition, respondents also suggested cutting off big branches on trees that may block the road or other public transport facilities like monorail track, chopping off all the trees that are bent, have weak roots, or are unhealthy.

Furthermore, respondents advised to improve urban planning and landscaping, such as to revisit planting and maintaining procedures, ensure stronger support structures for trees to avoid such incidents, and avoid planting species of large trees in the middle of the city. Maintenance and infrastructure planning by local authorities should be planting new trees to replace old and dangerous ones. But before planting, it is crucial to analyse first whether they can grow large over time and determine if they are suitable for the area. With thorough planning of these measures, the city's safety and the environment can be improved while reducing risks posed by dangerous trees.

Apart from this, the local government should conduct routine checks, as suggested by the respondents, to ensure all trees in the area are not at risk of being uprooted during bad weather like heavy storms and strong winds. Local governments should also conduct regular inspections

of trees, particularly along busy roads, and schedule proper observations and preservations to ensure the safety of the citizens. The government must remain vigilant regarding trees at the roadside especially if the tree becomes too large and poses a threat to road users, actions should be taken to remove it immediately and plant a new one.

The condition of trees can be monitored through routine tree inspections which helps identify potential risks. Immediate removal and trimming can be initiated if hazardous trees are identified. To prevent such incidents from occurring, trees need to be planted at a safe distance from busy roads through infrastructure planning. Regular inspections should be conducted by authorities like DBKL or other local entities as it is crucial in detecting signs of disease, decay, or structural weakness in trees.

4. Discussions

Principle Of Statutory Duty

To delve deeper into the discussion of the incident, it is essential to first examine the relevant legal principles relating to the issue. The primary concern or question regarding the fallen tree incident revolves around the liability of the parties, which falls under the principle of statutory duty. This principle imposes legal obligations made by the Parliament on specific individuals, organizations, or authorities to either take certain actions or refrain from certain activities as required by law. Failure to obey these laws constitutes a breach of statutory duty in which the authorities can be held accountable and liable for their actions and allow the affected parties to seek damages.

Furthermore, it is crucial to consider several essential elements in order to determine whether there has been a breach of statutory duty, as outlined in Halsbury's Law of England:

- i. The statute allows a cause of action in tort.
- ii. The defendant must be in breach of his statutory duty.
- iii. A duty must be owed to the Plaintiff.
- iv. The statutory breach must have caused the damage.
- v. The injury or damage must be of the kind which the statute is intended to prevent.

Continuing further discussions, in the case of *Dato' Ambiga Sreenevasan Ors v Menteri Dalam Negeri & Ors* [2012] MLJU 710, the Government filed a lawsuit to the Defendants, which they seek declaration that the Defendants had breached their statutory duties under Section 6(2)(g) of the Peaceful Assembly Act 2012 (PAA), whereby the section mandates that the organisers of the assemblies shall ensure that such gathering will not endanger health and cause damage to property and environment. Alternatively, the Government argued that the Defendants were negligent and had breached their common law duty or were vicariously liable for the damages the Government suffered as a result of their actions.

The court held that the responsibilities outlined in Section 6(2) of the PAA do not automatically create statutory liabilities for organisers. If the legislature intended to impose statutory civil liability for non-compliance, it would have explicitly included it in the Act itself. Section 6(2)(g) of the PAA does not impose a statutory duty or liability on the organisers. From this case, the statutory duties are not imposed recklessly for one who does not comply with, but rather it follows the legislation. But in the following incident of the fallen tree, the legislation itself lacks description on who should take the responsibility for the actions caused.

In other words, the principle of statutory duty is an important principle of law that helps ensure specific obligations are adhered to protect the public welfare. It also provides a mechanism for determining the accountability and liabilities of any organizations that fail to fulfill their obligation as imposed by the statute.

Duties of Various Stakeholders

i. Local Authorities

According to the Town and Country Planning Act 1976 (Act 172), it shall be the duty of the local authority to locate, observe, preserve, and replant trees that fall under its jurisdiction. Additionally, they may prohibit the felling of trees in any certain area that is of a specific size, age, kind, or species. The act states that the term “felling a tree” here refers to any of the following: cutting down, topping, lopping, uprooting, damaging, or destroying a tree. This prohibition is stated under Section 35A, named the Tree Preservation Order which is a legal order issued by the local planning authority in the interest of preserving trees that contribute to the local amenity. Once the order is made, it normally includes provisions that forbid cutting down the protected trees without the local authorities’ permission. Nonetheless, there are certain cases in which one can cut down a tree even if there is a Tree Preservation Order:

- If the tree is already dead or dying.
- If the tree poses an imminent danger
- If cutting down the tree is needed to uphold another law.

Moreover, following Section 101 of the Local Government Act 1976 (Act 171), the local government has the authority to require property owners or occupants to take specific actions regarding trees, bushes, or hedges that are posing a risk to public safety or convenience. They can instruct the owner to remove, lower, or trim any trees that are obstructing or hanging over a road or street. If a tree is deemed to present a risk to public safety according to the local authority's judgment, they can request action to mitigate the risk. In addition, when a tree from private land falls onto a public road or street, the local authority has the right to remove it. The costs incurred for this removal can then be billed to and collected from the owner or occupier of the property where the tree originated.

Furthermore, by referring to Section 101 of the Local Government Act 1976, the court found in the case of *KPS-HCM Sdn Bhd v Shahrul Izewan Mat Husin & Ors* [2018] MLJ 11, that if a tree is likely to endanger the public, the local authority should prevent any unwanted tragedy by removing or trimming the tree. The first defendant, Majlis Perbandaran Selayang, is statutorily bound to ensure the safety of the public and any road users.

In another case being mentioned is the case of *X (minors) v Bedfordshire CC* [1995] 3 All ER 353 at page 363. It is a set of joint appeals brought by children in two categories of cases. The first category involved abuse cases where the children alleged that they suffered harm because local authorities failed to properly investigate reports of abuse. The court held that if, upon proper construction of the statute, no private cause of action arises, one cannot rely on liability for negligence in the performance of the duty. To establish a cause of action based on the careless exercise of statutory duty, the plaintiff must demonstrate that the circumstances create a duty of care at common law. There is no cause of action for the careless exercise of statutory duty instead it arises from the careless performance of a statutory duty.

Hence, in this case it was crystal clear that the local authority may have a responsibility in preserving and maintaining the tree to avoid harm for the public.

To put it simply, local authorities have been given significant responsibility for managing and caring for trees under their supervision. This involves taking preventative steps including implementing the Tree Preservation Orders to address any public safety issues. They are also empowered to take any necessary actions against property owners whose trees might endanger the public to safeguard the community's well-being. In the case of the aforementioned incident involving a fallen tree, the local authority is held liable for failing to prevent the tree from falling onto the public road, consequently causing harm and damage to the general public.

ii. Private Property Owner

The private property owner has the responsibility to preserve the tree according to the law, if anything happens to the tree, they are considered liable. At the same time, it cannot pose any danger to the general public. If a private property owner wishes to cut down the tree because it is too near to the building, they need to replace it with another tree and pay compensation for it.

The Town and Country Planning Act of 1976 (Act 172):

- Section 35A (4) stated that “Any person who contravenes any provision in the tree preservation order commits an offence and is liable, on conviction, to a fine not exceeding * one hundred thousand ringgit or to imprisonment for a term not exceeding six months or to both.”
- Section 35D (1) stated that “If the owner of the land to which a tree preservation order relates proves that he has, in complying with paragraphs 35C(a) to (d), suffered damages in the form of depreciation in the value of the land, he may claim compensation from the local planning authority.”
- Section 35E (1), “It shall be the duty of the person who is found guilty under subsection 35A(4) for felling any tree in respect of which a tree preservation order is for the time being in force, in contravention of the tree preservation order, to replace such tree by planting another tree— (a) of an appropriate size and species; (b) at or near the same place or such other place (c) within the time; and (d) subject to such terms and conditions.”
- Section 35H (1), “No person shall, without the written permission of the local planning authority, fell a tree with a girth exceeding 0.8 metre which is not subjected to a tree preservation order unless the felling— (a) is in respect for such tree which is dying or dead; (b) is for the prevention of an imminent danger; or (c) is to comply with any written law.”

Since the fallen tree was positioned on private property, this calls for a thorough examination of the private property owners' roles in this matter according to the existing law. Therefore, the owner is only responsible for preserving the tree and any action opposing the provision is considered an offence. Hence, it is not upon them to determine the felling of any trees which is the responsibility of the local authority. At the same time, it is worth noting that the owner is also an affected party in this incident, therefore to solely confer the responsibility on them is not the most effective approach.

iii. Arborists

Arborists are specialized professionals dedicated to the care and maintenance of trees in urban environments. Their expertise is crucial for ensuring the health and safety of trees, which plays a significant role in maintaining a sustainable and aesthetically pleasing urban landscape. In Malaysia, the Persatuan Arborist Malaysia (PArM) is a prominent organization that represents arboriculture practitioners. PArM is committed to promoting the best management practices

for tree care through continuous education and professional development. The organization's members, including certified arborists and researchers, work towards creating a safe and sustainable urban forest landscape.

Arborists evaluate the health of trees, diagnose issues, and suggest treatments. They are responsible for selecting and planting appropriate tree species, performing pruning and trimming for safety and appearance, and removing hazardous trees. They also manage soil conditions and fertilization, control pests and diseases using environmentally friendly methods, and provide expert advice and education on tree care. Additionally, arborists handle emergency situations related to fallen trees and branches to ensure public safety.

In the context of incidents involving fallen trees, arborists play a preventative role by maintaining tree health and safety. However, it is important to understand that the responsibility for incidents involving fallen trees often extends beyond arborists. Government authorities and private property owners also have crucial roles in managing and maintaining trees within their jurisdictions. While arborists provide essential services to minimize risks, they are not solely responsible for incidents involving fallen trees.

5. Results

In light of this incident, the private property owner is portrayed as the responsible party in several news reports. Nonetheless, the complexity of the situation was prominent when a thorough examination of the role of the involved parties was made. From a legal perspective, the private property owner is legally obligated to ensure the trees on their property will not pose any risk to the public through regular maintenance and preservation. However, a conflict comes into existence when they are also prohibited from cutting down any trees without authorization from the local authority. On the contrary, one of the local authorities' duties is to remove trees that may be harmful to the public.

On the other hand, arborists are not under any statutes as they are not considered professionals despite being a registered organization. It should be noted that its duties are only to educate the public and provide advice regarding the maintenance of the health and safety of trees. It is worth noting that their duties are many but not limited to providing expert advice for the maintenance of the trees' health and educating the public. Hence, they have no direct ties to the incident legally.

Inquiries concerning liability were made by the public as local authorities and private property owners seem to share a dual responsibility. Hand in hand, private property owners must take measures to preserve and maintain their trees while actions need to be taken by the local authorities when a tree becomes hazardous. The private property owner did not fulfill their obligation by failing to adequately maintain and preserve the tree, thereby allowing it to become a danger. At the same time, the local authority is also liable for neglecting its duty to protect public safety by not removing the hazardous tree proactively. Thus, further strengthening the concept of shared liability which highlighted the conflict between the role of property owners and local authorities to prevent such incidents from occurring.

Recommendations

To efficiently address this issue of fallen trees, several measures can be proposed which will prevent future occurrences. From the get-go, arborists should be formally recognized as professionals under the statute thus granting them statutory authority to manage tree-related

incidents. In return, the criteria and qualifications of arborists will be established and conveniently help in ensuring their decisions are well-informed, reliable, and in the best interest of public safety and environmental preservation. Despite the possibility of the government bearing high costs in utilizing arborists' expertise, it is undoubtedly valuable in maintaining the health of trees in urban areas without risking the public's safety. In conjunction with that, when arborists are considered as professionals under the name of law, the government could issue a certification to the private property owners similar to how one must be admitted to the Bar to become an advocate and solicitor or by modelling frameworks of professionals like Human Resource Manager that was certified by their institute, Malaysian Institute of Human Resource Management (MIHRM).

Then, specific roles and accountabilities between local authorities and private property owners must be clearly defined and communicated. This can be achieved by amending the Town and Country Planning Act 1976 (Act 172) through incorporating new provisions that clearly define the responsibilities of arborists, local authorities, and private property owners. For a detailed outline of the proposed amendments, please refer to Appendix A. Consequently, this will significantly guarantee an improvement in the management of tree-related issues by portraying which party is responsible for maintenance, risk assessments, and remedial actions. Public spaces and regulatory enforcement should be the focus of local authorities while private property owners should take accountability for trees on their premises with emphasis and extra care on those that could impact public areas.

With the implementation of these specific measures, the management of urban trees can be improved, promising enhanced public safety, with systematic and efficient response to tree-related incidents addressing this issue of fallen trees, several measures can be proposed to enhance such situations and prevent future occurrences.

6. Conclusion

In this work, the degree of liability for each party involved in this incident is presented by carefully examining and analyzing the legislation as well as judicial precedent. As a result, it has been determined that:

- The local authority is entrusted with the task of safeguarding the welfare of the community. At the same time, private property owners are responsible for preserving the trees within their land and ensuring that they do not pose any potential risks to the public. Lastly, it is important to note that arborists are not legally bound and therefore cannot be held responsible.
- The main conflict lies in the extent of the liability of private property owners.
- Several recommendations should be implemented to prevent similar incidents, such as recognizing arborists as professionals under the statute and providing a clear distinction between the responsibilities of local authorities and private property owners in such incidents involving fallen trees.

To conclude, effective urban tree management requires a collaborative approach involving all stakeholders. By implementing these recommendations, it can ensure a stronger framework for addressing and preventing tree-related issues, ultimately safeguarding public safety and enhancing the quality of our urban environments.

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APPENDIX A

This appendix contains proposed legal provisions aimed at addressing responsibilities related to arborists, local authorities, and private property owners to enhance urban tree management.

Provision 1: Statutory Recognition of Arborists

Arborists shall be recognized as certified professionals under the amended Act 172.

Certified arborists will be authorized to:

- Collaborate with local authorities for routine tree inspections.
- Issue certifications to private property owners confirming the safety and health of their trees.
- Provide expert advice on tree management and maintenance to both local authorities and private property owners.

Provision 2: Duties of Local Authorities

Local authorities shall be responsible for:

- Regular maintenance and pruning of trees in public spaces.
- Developing urban tree management plans to minimize potential risks.
- Responding promptly to reports of hazardous trees.
- Adhere to the recommendations of arborists for effective tree management and maintenance.

Provision 3: Responsibilities of Private Property Owners

Property owners must:

- Regularly inspect and maintain trees on their premises, especially those near public spaces.
- Obtain arborist certification for trees that could identify any potential risks associated with their trees.
- Comply with directives issued by certified arborists or local authorities regarding tree safety and maintenance.