

the decision to grant the 60 per cent to those who applied prior to January 17 was a decision taken after that date when the Department realized that the regulation was only passed on that date.

● (1220)

A great many people had been told by the Department that they were not eligible. Had they put in their applications against the advice of the Department they would have been eligible. It is highly unlikely that anyone would put in an application after having been told by the Department that he would not be eligible. There was quite a problem there.

The Parliamentary Secretary would have us believe that there was no time to put a regulation in place prior to January 17. He would have us believe that the fact that an announcement was made on January 8 without a regulation being put in place until January 17 was no one's fault and that it just could not be done before that. The Government did not open Parliament until November 5 or 6, two or three days prior to the Minister's Economic and Fiscal Statement. The Government was elected on September 4 and the House did not sit until the week of November 5, yet the regulation could not be put in place until January 17. That is highly incredible. There is no reason the regulation could not have been prepared at the same time the Government was drafting its Economic and Fiscal Statement. That is irresponsible.

The Government is putting things into law retroactively. That will not sit well with the Canadian people. That is not legal. It is not as though the Government only did that on this occasion. The Government is planning to do the same thing with respect to the grandfathering clause in the Bill that eliminates the Petroleum Incentives Program, as we heard when we were debating Bill C-85. The Government is applying regulations retroactively.

The Parliamentary Secretary indicated that the Government is more concerned with the welfare of Canadians than with passing regulations quickly, but that is just hogwash. The Government never gave any consideration to the concerns of Canadians because first it did not give them adequate time to apply for the 60 per cent, and second, it forced them to accept 33-1/3 per cent instead of 60 per cent without any legal justification. The Government cannot be concerned with the welfare of Canadians if it is going to break the law to reduce the benefits that flow to Canadians.

This is a very important question. I would ask all Hon. Members to concur in the report of the committee. The report of the committee is on the side of law. The stance of the Government is that it is trying to justify the breach of a law, but that is contrary to the laws of Canada. I would ask all Hon. Members to vote with the committee and not with the Government.

First and foremost, this question is a point which all Canadians must consider. If we are going to continue to pass regulations and apply them retroactively, Canadians cannot

possibly have any confidence in or respect for the laws of Canada. It was stated that in the last Parliament, 4,000 regulations were passed. Regulations are out of control. They are passed but are never reviewed. They are costing Canadians millions of dollars. Regulations under one Act contradict regulations under another Act. Federal regulations contradict provincial regulations. The whole thing is out of control. What is most out of control is the attitude of this Government which is taking away the rights of Canadians without passing the proper laws. The Government is deciding arbitrarily that Canadians are not going to have these benefits, not only without compassion but without the legal capacity to do so.

**Mr. Waddell:** Mr. Speaker, I have a comment to make on this issue. I see that the Parliamentary Secretary is now here. Perhaps he would reply to this.

Say there are two people who did not complete the program by January 17 but both made commitments to complete by the end of March. We should ask ourselves if they would both receive 60 per cent of the cost, and the answer is, not necessarily.

**The Acting Speaker (Mr. Paproski):** Order, please. Is the Hon. Member asking the Hon. Member a question? I wish he would direct the question to—

**Mr. Waddell:** I am sorry. I do wish to make a comment and I hope that the Hon. Member does return.

**The Acting Speaker (Mr. Paproski):** Please direct the question to the Hon. Member who just spoke.

**Mr. Waddell:** Here he is now. Let me repeat the question. I wonder if the Hon. Member who just spoke might consider the situation of two people who did not complete by January 17 but had both made commitments to complete by the end of March and they did complete by the end of March. I wonder if the Hon. Member would agree that it is possible that they may not both have received 60 per cent of the costs. If one of them registered his commitment between January 1 and January 17 and the other registered his commitment before December 31, is it not possible that one of them would receive 60 per cent of the costs and one of them would only receive 33-1/3 per cent of the costs?

Let me put it another way. Suppose someone comes to the Government on January 22 with a contract made on January 2 committing him to complete by the end of March. Is it not possible that the Department would tell that person that he did not register before December 31 and would therefore receive only 33-1/3 per cent of the costs? This is surely where the Government's position is flawed. Since it did not have the proper Order in Council, the Government is trying to finesse the point of the so-called fairness of the procedure. Is it not possible and indeed probable that one would receive 60 per cent of the costs and one would receive only 33-1/3 per cent of the costs?