

*Motions*

In committee, when we asked the representative of the Department how many applicants had missed the deadline of December 31, 1984, we were informed of the following:

Unfortunately, statistics were not kept on the number of registrations that were rejected.

This is indeed unfortunate. You will agree, Mr. Speaker, that an injustice done to a few is just as serious as an injustice done to the many. As we put it in our report, that many applicants knew of the Minister's intention to modify the law will not mask the failure in fairness to those who did not. These applicants were never even given the chance to preserve their entitlement to the higher rate of contribution. By the time the regulations were amended, it was too late.

This problem is entirely the result of the executive's failure to amend the regulations in good time. If the Minister's officials had time to draft a series of press releases as early as November, 1984, surely they had enough time to draft the appropriate amendments to the regulations. These amendments could then have been adopted before December 31 so as to give the applicants adequate notice of the new requirements. Because they were not, a distinction was made between two groups of applicants: those who chose to register their purchase commitment on the basis of the Minister's announcement and thereby preserved their entitlement to a 60 per cent contribution and those who did not hear of that requirement until it was too late and thereby lost their entitlement to the higher contribution.

In itself, the imposition of a registration requirement retroactively was illegal and a further group of applicants were deprived of the higher contribution notwithstanding the fact that they had met all of the legal requirements imposed by the regulations governing the payment of CHIP grants. In light of this, Mr. Speaker, I think you will agree that members of the joint committee were justified to conclude that the amendments reported upon were not authorized by the enabling legislation, amounted to an unusual use of the powers granted by Parliament and infringed on the rule of law and the principles of fairness and equity.

Lest there be some sense that this is an abstract or theoretical problem, I would venture to say that every Member of the Chamber had direct personal experience, as a Member of Parliament, with individuals who missed the deadline. I know that I did in my office and I know that other members of the committee did. I suggest that all Members of Parliament did. We are talking about something that is very concrete and real to our constituents.

This is not the first occasion on which the committee has dealt with a situation of this kind. In drawing these particular amendments to the attention of the House, we wish to underscore the general principle that regulatory initiatives which impose new burdens on citizens or which detrimentally affect their rights should be announced and enacted as a part of a law a reasonable time before they are to come into effect. I express the hope that this is a principle every parliamentarian, of whichever Party, can agree to and support. It is a

principle which is afforded by the Government in its regulatory reform policy. It is a principle that must be maintained by all of us as legislators and representatives of the people.

My purpose in asking the House to concur in the sixth report of the joint committee is for the House to send a clear message to all regulation-making authorities that it supports that general principle and that it intends to be vigilant in ensuring that it is respected in practice. Regulations generally impact on the daily lives of Canadians to a far greater degree than the statutes pursuant to which they are made. It is the responsibility of the Standing Joint Committee on Regulations and Other Statutory Instruments, a committee which I have the honour to chair, together with Senator Nurgitz and the Hon. Member for Halifax West (Mr. Crosby), to make certain that these subordinate laws are fair, non-discriminatory, and conform to the authority granted by Parliament. Respect for these values requires each of us to ensure that no legal obligations are imposed upon Canadians except those which Parliament itself has approved or authorized the executive to enact. For the making of laws, we must account to the people. When we delegate our legislative authority to the executive, we have a duty to hold it accountable for its exercise of authority.

● (1120)

The principles outlined in the sixth report of the joint committee deserve the support of all Members of the House. As I mentioned earlier, they have the support of all members of the committee, of all Parties and of both Houses, and I pray the House will add its support today.

**Some Hon. Members:** Hear, hear!

**Mr. Ian Waddell (Vancouver—Kingsway):** Mr. Speaker, I rise on behalf of the New Democratic Party to take part in this debate. I consider it to be a non-partisan debate, as far as that is possible in the House, because the issues are non-partisan issues. I congratulate the Hon. Member for York Centre (Mr. Kaplan). He is a former Minister, a senior Member of the House, and a co-chairman of the committee. I think he gave a very fine, very fair, and very important speech as we embark upon an era of parliamentary reform in which Parliament will try to keep the bureaucracy and executive accountable to the people of Canada.

I am a new member of the Standing Joint Committee on Regulations and Other Statutory Instruments. I confess that when I first attended one of its meetings a few months ago, I was confused and a little leery about dealing with what I considered to be picky, little things at that time. However, over the months I began to realize that it was a very important committee in that it dealt with the laws affecting the day-to-day lives of individuals, the general enabling laws passed by Parliament.

I will try to explain in a more simple way to Canadians how the committee works. The committee considers all regulations and statutory instruments. For example, let us say that Parliament passes a law dealing with wharfs in the Province of