

*Motions*

The Government has accepted chastisement with respect to the fact that regulations were brought in at a date later than the announcement made by the Minister. However, at the same time, we did not penalize Canadians in any way, shape or form. They were well informed and properly advised. For the Hon. Member to say that they were not properly advised because it was not in the *The Canada Gazette* at the time is completely wrong.

**Mr. Waddell:** Mr. Speaker, I have two short questions for the Parliamentary Secretary. If what he is saying is true, then why would the Department of Energy, Mines and Resources tell the committee that there were no statistics available with respect to the number of people who had applied between December 31, 1984 and January 17, 1985?

Would the Hon. Member not agree with me that there is a difference between what he considers as the Government acting fairly, generously and properly and the Government acting according to law? Will he admit that in fact it did not act according to law? I will repeat my question. Representatives of the Department told the committee that when they received applications dated after December 31, 1984 claiming the 60 per cent rebate, there were no statistics available with respect to that matter. Why did they tell the committee that, if what the Hon. Member is saying is correct?

**Mr. McDermid:** Mr. Speaker, the question they were asked was with respect to how many were rejected on the grounds that a purchase commitment ought to have been registered before that date. The response was that, unfortunately, there is no record of those rejected on that basis. We do know how many came in and how many were approved. The question was: How many were rejected? If he had been asked how many were approved he would have told them that it was 25,000.

**Mr. Kaplan:** Mr. Speaker, I wish to ask one other question of the Parliamentary Secretary, and it has to do with individuals who applied after January 17 and received only the 33-1/3 per cent. What the Member has virtually conceded is that the regulation was invalid and that steps considered appropriate were taken to compensate for its invalidity. If the regulation is invalid, then people who applied after January 17 should not be receiving 33-1/3 per cent but, rather, 60 per cent. I say this because the regulation cutting the applicants down from 60 per cent to 33-1/3 per cent is invalid. The Government has admitted that. Is the Parliamentary Secretary prepared to follow the logical consequences of the argument he has just made, look up the people who received the 33-1/3 per cent and top up their contributions to the 60 per cent to which they are legally entitled?

**Mr. McDermid:** Mr. Speaker, that is convoluted Liberal thinking.

**Mr. Gauthier:** Because it is logical?

**Mr. McDermid:** Those who applied after January 17 knew full well what they would be receiving. They knew for what they were applying. The regulation was in place. For the Hon. Member to make a suggestion such as the one he has made, with a silly grin on his face at the same time—

**Mr. Kaplan:** I don't have a silly grin on my face.

**Mr. McDermid:** I love it. You are using up the time of the House. I think it is marvellous.

**The Acting Speaker (Mr. Paproski):** Order, please. The time allotted for questions and comments has now terminated.

**Mr. Russell MacLellan (Cape Breton—The Sydneys):** Mr. Speaker, I would like to say a few words about the report of the Standing Joint Committee on Regulations and Other Statutory Instruments. It is a very significant report which brings forward very important points. There are two matters in the report which are of utmost importance. The first matter is with respect to the way that consumers who applied for grants under the Canadian Home Insulation Program after December 31, 1984 were treated. The second matter, and perhaps the most important, is with respect to the way the Government is treating the legality of this whole situation.

I appreciate that the Government made a decision that it did not want to continue with CHIP. I do not agree with its decision but it is the right of the Government to make such decisions. It initially made an announcement concerning this matter on November 8, 1984, when the Minister of Finance (Mr. Wilson) delivered his economic statement. This was followed up by a press release by the Minister of Energy, Mines and Resources (Miss Carney) on November 16. These statements indicated that certain undertakings had to be obtained by applicants prior to December 31, 1984, and that anyone who could not apply prior to January 1, 1985 would not be eligible for the 60 per cent. After that date they would be eligible for only 33-1/3 per cent. Unfortunately, the regulations were not passed until January 17, 1985, making the action of the Government illegal, as has been stated by the Hon. Member for York Centre (Mr. Kaplan). The Government had no legal right to prohibit consumers who applied for CHIP prior to January 18, 1985 from receiving the 60 per cent to which they were entitled.

The Parliamentary Secretary has said that the Government gave the 60 per cent to those who applied prior to January 18. We do not know that. We do not know how many applied. The committee was told by a representative of the Department of Energy, Mines and Resources that, unfortunately, statistics were not kept with respect to the number of registrations which were rejected. Thus we really do not know.

More important, if someone called the Department after January 1, but perhaps before January 18, 1985, they would have been told that the time to obtain the 60 per cent which they were seeking had expired. Yet the Parliamentary Secretary would have us believe that the 60 per cent was granted to those who applied prior to January 17. Obviously