unfairly treated. As to the last point, I believe that the House will be the judge of the correctness of the report.

Concerning the other two matters, I point out to the Minister that the only announcement made on November 8 was that the Canadian Home Insulation Program would gradually be phased out. This was a budgetary decision of the Government with which the report does not take issue. It is the process that was followed in implementing this decision with which the joint committee takes issue. I believe the Minister must accept responsibility for this aspect of the situation.

I have in hand the press release issued by the Minister announcing that starting on January 1, 1985, until termination:

> The CHIP contribution to eligible costs will be reduced from 60 per cent to 33-1/3 per cent.

The press release, which is the one mentioned in our sixth report, goes on to state:

> Miss Carney stated that the 60 per cent contribution by CHIP will apply to all commitments to purchase eligible conservation materials and services signed by applicants before January 1, 1985, if the related conservation work is completed by March 31, 1985.

As for the report being based on inaccurate or misleading information, I think this is an assertion upon which the Minister should reflect. It is a rather serious matter to charge a committee of the House with misleading Members of Parliament. In any event, the factual information contained in the committee's report comes from the Minister's own officials and press releases. If our committee has been misled by these, it is up to the Minister to explain.

• (1110)

I would now like to turn to the Sixth Report of the Joint Committee. I want to emphasize that this is a unanimous report of a committee on which members of all Parties and both Houses are represented. It is not a partisan report.

I would like to explain the factual situations in terms of the report. Until January 18, 1985, applicants under the Canadian Home Insulation Program were entitled to a payment representing 60 per cent of the cost of insulating a family housing unit or residential building. As part of the phasing out of the program, which was a policy of the new Government, it was decided to reduce the level of contributions from 60 per cent to 33-1/3 per cent of insulating costs. Applicants could maintain their entitlement to the higher rate of contribution if they met two conditions: first, they had to register a purchase commitment by December 31, 1984; and second, they had to complete the insulation work on their residences by the end of March 1985.

Lest the Minister misunderstand the purpose of our report, permit me to emphasize that these policy decisions are not objected to as such by the committee. The committee recognizes that these are decisions which are for the Government and its Ministers to make. However, the decisions that were announced on November 16, 1984, were not reflected in the regulations governing the payment of CHIP grants until some three months later; that is, on January 17, 1985. On that date, two amendments were made to the regulations and were later registered as SOR/85-85 and SOR/85-86. It is to these amendments that the joint committee objects.

Although the amendments were adopted some 17 days after December 31, 1984, they nevertheless required applicants to meet the two conditions I outlined earlier in order to obtain a grant representing the full 60 per cent of insulating costs. The joint committee had before it two regulatory amendments which were made on January 17, 1985, but which required CHIP applicants to have registered their purchase commitments 17 days before the date of the regulations as a legal condition of obtaining the higher contribution. In effect, these amendments imposed a retroactive requirement on home owners.

Members of the House will agree that retroactive regulations are undesirable. Not only are they undesirable and offensive but by clear precedent they are also illegal unless they are sanctioned clearly by Parliament. The relevant legislation did not give any authority to make retroactive regulations. It is an established principle of law that subordinate laws made by the executive may not have a retroactive application unless this is expressly authorized by the Statutes pursuant to which they are made. If the condition according to which an applicant had to register a purchase commitment was illegal, it follows then that applicants who met the second condition, the completion of the insulation work by the end of March 1985, were entitled to the higher rate of contribution after January 17 irrespective of whether or not they had registered a purchase commitment.

The Department took the position in defence of what it had done that most applicants were aware before December 31 that they should register a commitment. The only place where such a requirement was expressed, however, was in the Minister's press release. A press release is not a legal instrument. As the committee said in its report:

> Citizens have a right to rely exclusively on the laws adopted by Parliament and its delegates and should not be made to govern their conduct and affairs in accordance with press releases and other public announcements. The right of all to the equal protection and benefit of the law must always come ahead of administrative convenience or expediency and in no circumstances should citizens be expected or compelled to obey anything but the published laws of Canada.

This, Mr. Speaker, is what the report of the joint committee is all about. When our committee sought an explanation from the Deputy Minister of Energy, Mines and Resources, it was assured in a letter received from the Deputy Minister the following:

> The 83,950 signed commitments which were registered with CHIP by December 31st, 1984, are evidence that the Minister's announcement was effectively communicated to the public.

I want to reiterate that citizens cannot, in a society founded on the rule of law, be expected to obey announcements that have no legal force whatsoever.