



Speech by

CHRIS CUMMINS

MEMBER FOR KAWANA

Hansard 27 May 2003

PASSEGGI FAMILY

Mr CUMMINS (Kawana—ALP) (2.08 a.m.): I rise to plead for some compassion to be shown by the federal government to a Sunshine Coast family. Horacio, Stella Maris and their children have lived with us in the Sunshine Coast for close to eight years. They originally came from Uruguay in South America. When they came, they had a visa to establish a business, which they did. The visa had difficult conditions attached and now they have exhausted almost all of their appeal processes.

Their children attended the Stella Maris School in Maroochydore and now attend Siena College in my electorate of Kawana. I know that there are hundreds of letters of support, signatures on petitions and the like from teachers, parents, grandparents—from people from all walks of life—supporting this family. Our community is making a heartfelt plea to the federal member for Fisher, Peter Slipper, to make a personal plea directly to the federal Minister for Immigration, Philip Ruddock, to grant the Passeggis a special pardon. Mr Ruddock has the ability and has done this, I believe, in special circumstances. If no compassion is forthcoming, I know that they may be transported to the Baxter Detention Centre or similar.

The family arrived on 4 January 1997 on a visitors visa. After two months of travelling they started inquiring about the possibility of becoming residents. The family, driven by the possibility of staying, came to the Sunshine Coast, where they tasted a bit of heaven. In September 1997 they were granted a business visa, valid until August 2001, with the possibility of applying for permanent residency once all of the requirements were fulfilled.

In September 1997 they bought a car rental franchise on the Sunshine Coast and invested close to \$250,000. Unfortunately, a lot of the spoken promises were not honoured and they had to close the doors in June 1998 with a considerable loss. At that time they were selling all of their assets back in Uruguay.

The business visa was going to run out in August 2001, and they were advised to wait until July 2001 since the laws were going to change. Once the application was launched, a business visa was granted. On 20 September 2001 the application was rejected. Not satisfied with the decision, they applied for a review. In November 2002 the application was relodged.

They have been active in our community by joining various social groups and a local church, by participating in school plays and by volunteering in festivals, at the Sydney Olympics and for the boy scouts. They have performed well above average academically and are proud to embrace the Australian heritage.

Under section 351 of the Migration Act 1958, the minister may substitute a more favourable decision if the minister thinks it is in the public interest to do so. The minister may substitute for a decision of the tribunal under section 349 another decision, being a decision that is more favourable to the applicant, whether or not the tribunal had the power to make that decision. I plead with the minister to do so.