Australian Government

Department of Immigration and Citizenship

NOTIFICATION OF DECISION TO REVOKE CANCELLATION UNDER s137L OF THE *MIGRATION ACT 1958*

DIAC Ref:

Mr

Dear Mr

On 29/05/2007 you wrote to the Minister seeking revocation of the automatic cancellation under section 137J of the Migration Act 1958 of your student visa, number Your application set out the reasons why you believe your visa should be reinstated. Your comments have been taken into account in making this decision.

Section 137L prescribes the grounds on which the Minister may revoke the automatic cancellation of a visa. In order to have the cancellation revoked, you must satisfy the Minister of one of the following:

- that you did not in fact breach the relevant visa condition or conditions; or
- that the breach was due to exceptional circumstances beyond your control or
- any other matter prescribed in the regulations.

Section 137L specifically precludes revocation on the grounds that you were unaware of the effect of the Notice issued to you by your education provider under section 20 of *the Education Services for Overseas Students Act 2000,* and the effect of s 137J of the *Migration Act 1958*.

After considering the issues raised in your application, the Department has decided to revoke your student visa cancellation on the following grounds:

[✓] you did not in fact breach the relevant visa condition or conditions

[ ] the breach was due to exceptional circumstances beyond your control

[ ] there are other matters prescribed in the regulations

The cancellation of your visa was revoked under s137L on 08/11/2007. As a consequence of the cancellation of your visa being revoked, the visa(s) of your dependant(s) have also been revoked.

Your visa therefore continues to provide you and your dependants with permission to remain in Australia until 13/07/2008. This decision does not affect your liability for possible visa cancellation if other grounds for cancellation come to notice.

Yours sincerely