



Australian Government
Department of Immigration and Citizenship

**NOTIFICATION OF DECISION NOT TO CANCEL
UNDER SECTION 116 OF THE *MIGRATION ACT 1958***

Client File: [Handwritten: 1001-1001-1001]
Client ID: [Handwritten: 1001]
Permission Request ID: [Handwritten: 1001]

Ms [Handwritten: Ms Grace Shen]
[Handwritten: 1001-1001-1001]

Letter sent by email to client's agent Mrs Grace Shen of GEIC Pty Ltd,
grace@geic.com.au.

Dear Ms [Handwritten: Shen]

On 7 October 2011 you were notified of the intention to consider cancellation of your subclass 572 Vocational Education and Training Sector visa granted on 9 October 2009. You replied in an email dated 13 October 2011. Your comments were taken into account in making this decision.

I have decided that there is a ground for cancellation of your visa under section 116(1)(b) of the Migration Act 1958 which states that:

Section 116

- (1) Subject to subsections (2) and (3), the Minister may cancel a visa if he or she is satisfied that:
 - (a) any circumstances which permitted the grant of the visa no longer exist;
or
 - (b) its holder has not complied with a condition of the visa;

because the Academy of Information Technology Pty Ltd (trading as: Academy of information Technology) on 13 September 2011 has certified you as not achieving satisfactory course progress in relation to course Diploma of Interactive Digital Media.

However, a decision has been made not to cancel your visa because I am satisfied that the non-compliance was due to exceptional circumstances beyond your control as prescribed in the Ministerial Direction under s499 of the Migration Act 1958.

Your visa therefore continues to provide you with permission to remain in Australia until 23 December 2011.

Please note that if further information comes to notice, cancellation of your visa may be reconsidered.

Yours sincerely

Signed electronically

[Faint signature]
Position No: *[Faint]*
Student Integrity Unit Officer
NSW Student Integrity Unit
Department of Immigration and Citizenship
Telephone: *[Faint]*
Fax: *[Faint]*
Email: *[Faint]*

Date: 25 November 2011