



Australian Government
Department of Immigration and Citizenship

16 May 2013

Sent by Registered Mail

Email: GPO@immi.gov.au

In reply please quote:

Client Name [REDACTED]
Date of Birth [REDACTED]
Cancellation ID [REDACTED]
File Number [REDACTED]

Dear [REDACTED]

Notice of Decision Not to Cancel under section s116 (General Power) of the *Migration Act 1958*.

On 03 April 2013 you were notified of the intention to consider cancellation of your Student (Temporary) (class TU) Higher Education Sector (subclass 573) visa which was granted on 06 December 2011.

You replied in a letter dated 19 March 2013. Your comments have been taken into account in making this decision.

I have decided that there is a ground(s) for cancellation of your visa under s116(1)(b) breach of condition - 8202, s116(3) prescribed ground - r 2.43 (2)(b) of the *Migration Act (1958)* which states that:

116. (1) Subject to subsections (2) and (3), the Minister may cancel a visa if he or she is satisfied that:

(b) its holder has not complied with a condition of the visa; or
because

Condition 8202(3)(a) states the visa holder meets the requirements if an education provider has not certified the visa holder as... 'not achieving satisfactory course progress'. On 4 March 2013 the University of Melbourne certified you as 'not achieving satisfactory course progress' in relation to Bachelor of Environments.

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