



Australian Government
Department of Immigration and Citizenship

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

Client File:
Client ID:
Permission Request ID:

Ms

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

Dear Ms

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.

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