



Australian Government  
Department of Immigration and Citizenship

**NOTIFICATION OF DECISION TO REVOKE CANCELLATION UNDER  
s 137L OF THE MIGRATION ACT 1958**

Ms Grace Yang Shen  
Global Education and Immigration  
PO Box K595  
HAYMARKET NSW 1240

grace@geic.com.au

Reference to: Mr [REDACTED]  
Client File: [REDACTED]  
Client ID: [REDACTED]  
Permission Request ID: [REDACTED]

Dear Ms Shen,

On 14 October 2008 you wrote to the Minister seeking revocation of the automatic cancellation under section 137J of the Migration Act 1958 of Mr [REDACTED]'s student visa, number [REDACTED]. Your application set out the reasons why you believe Mr [REDACTED]'s 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, Mr [REDACTED] must satisfy the Minister of one of the following:

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





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Section 137L specifically precludes revocation on the grounds that he was unaware of the effect of the Notice issued to him by his 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 Mr [redacted]'s student visa cancellation on the following grounds:

- Mr [redacted] did not in fact breach the relevant visa condition or conditions
- the breach was due to exceptional circumstances beyond his control
- there are other matters prescribed in the regulations

The cancellation of Mr [redacted]'s visa was revoked under s137L on 11 December 2008. As a consequence of the cancellation of Mr [redacted]'s visa being revoked, the visa(s) of his dependant(s) have also been revoked.

Mr [redacted]'s visa therefore continues to provide him and his dependants with permission to remain in Australia until 3 June 2010. This decision does not affect his liability for possible visa cancellation if other grounds for cancellation come to notice.

Yours sincerely,

[redacted]  
Position Number [redacted]  
Assistant Manager  
NSW Student Compliance  
Department of Immigration and Citizenship  
Telephone: [redacted]  
Date