



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 Jagroop SINGH
Client File: CLF2008/142528
Client ID: 53059074960
Permission Request ID: 1330513239

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 Jagroop SINGH's student visa, number 8269567672823. Your application set out the reasons why you believe Mr Jagroop SINGH'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 Jagroop SINGH 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 Jagroop SINGH's student visa cancellation on the following grounds:

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The cancellation of Mr Jagroop SINGH's visa was revoked under s137L on 11 December 2008. As a consequence of the cancellation of Mr SINGH's visa being revoked, the visa(s) of his dependant(s) have also been revoked.

Mr Jagroop SINGH'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,

Adam Blinman
Position Number 560
Assistant Manager
NSW Student Compliance
Department of Immigration and Citizenship
Telephone: 02 9032 4782

Date

Mar. 2009
received this letter

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