



Australian Government

Department of Immigration and Multicultural Affairs

NOTIFICATION OF DECISION TO REVOKE CANCELLATION UNDER s137L OF THE MIGRATION ACT 1958

File Number: CLF2007/108004

Ms SHEN, Yang
Sent to email: immi@geic.com.au

Dear Ms Shen,

I am writing to you in relation to your client Mr ZHU, (18/08/1985). On 31/07/2007 your client wrote to the Minister seeking revocation of the automatic cancellation under section 137J of the Migration Act 1958 of his student visa, number 8269558272027. The application set out the reasons why your client believed his visa should be reinstated. Your clients 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, your client must satisfy the Minister of one of the following:

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

Section 137L specifically precludes revocation on the grounds that you were unaware of the effect of the Notice issued to your client 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 clients application, the Department has decided to revoke his student visa cancellation on the following grounds:

[1] there are other matters prescribed in the regulations

The cancellation of your visa was revoked under s137L on 10/11/2007. As a consequence of the cancellation of your client's visa being revoked, the visa(s) of your clients dependant(s) have also been revoked.

Your clients visa therefore continues to provide him and his dependants with permission to remain in Australia until 15/03/2008. This decision does not affect your clients liability for possible visa cancellation if other grounds for cancellation come to notice.

Yours sincerely

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NSW Student Compliance
Sydney CBD Office
10/11/2007

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