



Australian Government

Immigration Assessment Authority

Decision and Reasons

Referred application

IRAN

IAA reference: IAA21/09631

Date and time of decision: 14 September 2021 14:53:00

G Deal, Reviewer

Decision

The IAA affirms the decision not to grant the referred applicant a protection visa.

Any references appearing in square brackets indicate that information has been omitted from this decision pursuant to section 473EC(2) of the Migration Act 1958 and replaced with generic information which does not allow the identification of a referred applicant, or their relative or other dependant.

Background to the review

Visa application

1. The referred applicant (the applicant) claims to be from Tehran, Iran. [In] March 2013 he arrived by boat in Australia. On 7 August 2017 the applicant lodged an application for a Safe Haven Enterprise Visa (protection visa application) with the then Department of Immigration, now the Department of Home Affairs (the Department). On 5 July 2021 he attended a visa interview with the Department via remote video link. His de facto partner also attended as a support person.
2. On 2 August 2021 a delegate of the Minister for Immigration (the delegate) refused to grant the visa. The delegate did not find the applicant to be generally credible and noted inconsistencies and contradictions in the applicant's evidence and that his claims were briefly stated. The delegate also noted that the applicant's responses to concerns put to him in the visa interview were often inadequate or unconvincing. While the delegate was willing to accept the applicant had a relationship in Iran with a woman out of wedlock and a personal dispute with her father on account of this, the delegate did not accept her father worked for the Iranian Revolutionary Guard or that the applicant was wanted by authorities when he left Iran on account of this relationship. Overall, the delegate found the applicant did not meet the relevant definition of refugee, did not face a real risk of significant harm, and was not a person in respect of whom Australia had protection obligations.

Information before the IAA

3. I have had regard to the material given by the Secretary under s.473CB of the *Migration Act 1958* (the Act).
4. No further information has been obtained or received.

Applicant's claims for protection

5. The applicant's claims can be summarised as follows:
 - He is a Shia Muslim from Tehran, Iran.
 - After completing his primary and secondary schooling he completed his compulsory military service. He then worked in his father's [business] until 2013. Since being in Australia he has entered a de facto relationship and he works as [an Occupation 1].
 - His parents, sister and two brothers live in Tehran, Iran.
 - In 2013 he fled Iran in fear of his life as he was wanted by the authorities and his former girlfriend's father, a high-ranking member of the Revolutionary Guards Corps, for having sexual relations with her outside of marriage. The father and the authorities have continued to harass his family in connection with him and there is an outstanding warrant for his arrest. Since being in Australia he has called his former girlfriend's father who has said he still wants revenge.
 - He fears being arrested and executed by the authorities, killed by his former girlfriend's father or otherwise harmed.

Refugee assessment

6. Section 5H(1) of the Act provides that a person is a refugee if, in a case where the person has a nationality, he or she is outside the country of his or her nationality and, owing to a well-founded fear of persecution, is unable or unwilling to avail himself or herself of the protection of that country; or in a case where the person does not have a nationality—is outside the country of his or her former habitual residence and owing to a well-founded fear of persecution, is unable or unwilling to return to it.

Well-founded fear of persecution

7. Under s.5J of the Act ‘well-founded fear of persecution’ involves a number of components which include that:
 - the person fears persecution and there is a real chance that the person would be persecuted
 - the real chance of persecution relates to all areas of the receiving country
 - the persecution involves serious harm and systematic and discriminatory conduct
 - the essential and significant reason (or reasons) for the persecution is race, religion, nationality, membership of a particular social group or political opinion
 - the person does not have a well-founded fear of persecution if effective protection measures are available to the person, and
 - the person does not have a well-founded fear of persecution if they could take reasonable steps to modify their behaviour, other than certain types of modification.
8. Based on the applicant’s evidence, including his documentary evidence, I accept he is a citizen of Iran and Shia Muslim from Tehran Iran. In the visa application and interview he confirmed he was not a citizen of any other country and that he did not have a right to reside elsewhere. I consider Iran the receiving country. Based on the consistency of his background information I also accept his education and work history and that his family continue to live in Tehran, as claimed. As the applicant has lived most of his life in Tehran where he still has family, I consider that if he were to return it would very likely be to there. In his arrival interview the applicant said when he left Iran, he flew from Tehran to [country] using his genuine passport. Similarly, in his visa application he said that he left Tehran legally at the airport on his passport. He has not indicated he experienced any issues on departure at the airport in Iran. I consider the applicant left Iran legally on his genuine passport and without issue. The applicant very briefly mentioned in the visa interview that he had to undertake a men’s behaviour course in connection with a police matter in Australia, although I do not consider this relevant to his claims, or whether he is a refugee or otherwise owed protection in Australia.
9. The applicant’s main claim is that he fled Iran in fear of his safety because he was wanted by the authorities for having a prohibited relationship with a woman whose father was a high-ranking member of the Revolutionary Guard Corps. While he has also mentioned some more minor incidents with authorities while in Iran when asked generic questions about his past interactions with Iranian authorities, he did not elaborate on these incidents, and in both his arrival and visa interviews he clearly stated that the incident with his former girlfriend and the claimed events that followed were the only reasons he fled Iran. The applicant has consistently claimed that in Iran he had a girlfriend. They were not that serious. At her request they went

away and stayed in a hotel and had consensual sexual relations. When they returned home, he got into trouble with her father for having these prohibited relations. However, the applicant's evidence about what happened after they returned from the trip, in particular in relation to his claimed targeting by the father and authorities, has varied considerably. In his biodata interview the applicant said that after they returned from the trip the girlfriend's father lodged a complaint against him with the court. The court decided the applicant should marry the girlfriend, but he did not want to. He also said that the father paid someone to hurt him. In contrast, a few days later in the arrival interview he said that after returning from the trip and about a month before he left Iran, ultimately bound for Australia (making it about February 2013) he was charged with kidnapping and raping his girlfriend and arrested by police at his home and that the charges were still outstanding. In contrast, in his visa application lodged in 2016, he said that after returning from the trip he went out with friends and while out his mother called him and said the police had gone to the house and that they wanted to arrest him for abducting and raping the girl. The police told his mother that after examination it was apparent the girl was no longer a virgin. He did not return home and instead went and hid at a friend's house and arranged to flee from Iran while staying with this friend. However, in the visa interview when asked if he were arrested by the police in relation to this incident he said "yes". If this were the case, and as he has otherwise claimed there is an outstanding warrant for his arrest, I am surprised he was able to leave Iran legally at the airport on his genuine passport without issue. While the applicant claims in his visa application that the evidence provided in his biodata interview was not correct and that the matter did not go to court, he did not explain how this purported error arose, and while I appreciate arrival interviews are not intended as a substitute for visa interviews and can suffer certain limitations, I find this brief explanation unconvincing, particularly in light of the other significant variations in his narrative of these events. I also note that these claims concern significant events said to have occurred only a month or so prior to the biodata and arrival interviews. When some of these variations in his account of the events were put to the applicant in the visa interview I did not find the applicant's explanation elucidating or convincing; the applicant said that they had never arrested him, he said that if they had arrested him how was he able to be in Australia now.

10. In his visa application the applicant mentioned that his former girlfriend's father was in a high-ranking position in the Revolutionary Guards Corps. He said the father was a violent man and had many contacts. However, I found the applicant's evidence about her father unconvincing. When questioned in the visa interview the applicant did not even know the father's name. When asked how he knew the father was a high-ranking member of the Revolutionary Guards Corps he said he could just tell by the way her father took him with a group of other men into a car and bashed him. He also mentioned something about his aunt knowing the man's name and that he was high ranking, although I am surprised his aunt knew the father's name as the applicant has said he himself does not know the father's name. In his visa application he also said that since being in Australia he had called his former girlfriend's father and the father had indicated he still wanted revenge. When asked in the visa interview why he called the father while in Australia, the applicant said the father was harassing his family in Iran and he called to tell him to stop.
11. As noted above the applicant claimed in his visa application that the police had issued a warrant for his arrest which remains outstanding. When questioned about this in the visa interview the applicant said that on the day that they returned home they sent an arrest warrant and that they kept sending them. They would go to the house, search for him and when they could not find him, they would leave the warrant with his family. It had a phone number for him to call and he was supposed to turn himself into the police station. When the delegate asked if he still had one of these letters the applicant said that he did and that he

would provide one. The delegate said that he had up to seven days after the interview to provide a copy, and that he could provide him with a further extension of seven days, if needed. However, to date no copy of this document or documents have been provided. Five days after the visa interview the applicant's partner, who also attended the visa interview as a support person, advised the Department that they had asked the applicant's parents for the arrest warrant papers but that the family had said they lost them when they moved house. Given multiple letters were purportedly sent and that the applicant claims the warrant is still outstanding I am surprised he has been unable to provide a copy to date.

12. On the evidence, I am willing to accept that the applicant had consensual sexual relations with his former girlfriend in Iran some eight years ago and that her father was unhappy about this and harassed and may have even assaulted the applicant in this regard. However, based on the significant inconsistencies and variations, the unconvincing evidence and that the claim is unsupported I do not accept her father was high ranking with the Revolutionary Guard Corps, that the applicant was taken to court, arrested, charged or that there is an outstanding arrest warrant for him in relation to this as has been variously claimed. The applicant left Iran legally and without issue in 2013 and I do not accept he was wanted by the authorities in connection with his prohibited relationship as claimed. It follows that I do not accept the authorities have looked for the applicant in his absence as claimed.
13. The country information before me¹ indicates that close contact between unmarried men and women in Iran is illegal and that mixed-gender parties are prohibited by law. However, it also reports that while being frowned upon by the religious establishment and more conservative Iranians, relations outside of marriage occur in practice in Iran and there is now greater tolerance for mixed-gender interactions, particularly in large cities like Tehran. Men are able to marry more than one woman, including in what are called 'white marriage's which is where unmarried couples live together in long term relationships. These white marriages are reportedly common in Tehran. The authorities also reportedly tolerate unmarried couples being together in public, particularly in major cities, and it is reported that this does not meet social resistance. Even if arrested, it is reported that a couple would be required to sign a written statement and that fines are imposed, occasionally. While there has been a more recent crackdown on mixed gender parties, in-line with a crackdown on the anti-Hijab movement, raids on these are reportedly not common and DFAT understands it is common practice for the authorities to accept bribes in order to turn a blind eye. Honour killings are where murder is committed or ordered by a relative as a punishment to a family member, who is perceived to have damaged the family's reputation through actions like extramarital sex. It is reportedly an established phenomenon in many of Iran's outermost provinces and while it can happen in all kinds of families the likelihood decreases with education, urbanisation and access to social services. Women and girls are also reportedly most likely to be the victims.
14. The country information before me² reports that the security forces in Iran are conspicuous and comprise several groups responsible for different aspects of security in Iran. The police are responsible for internal security such as public security and criminal investigation. They are highly organised in responding to crime. There is reportedly a functioning security and criminal justice system in Iran and in general, a person should be able to obtain state protection against persecution or serious harm from non-state actors.

¹ Department of Foreign Affairs and Trade (DFAT), 'DFAT Country Information Report - Iran', 14 April 2020, 20200414083132.

² DFAT, 'DFAT Country Information Report - Iran', 14 April 2020, 20200414083132; UK Home Office, 'Country Policy and Information Note - Iran: Actors of protection', November 2019, 20200110110533.

15. While I accept the applicant had a personal dispute with his former girlfriend's father, I note that this was now some eight years ago and in the visa interview the applicant said he had not had contact with his former girlfriend since which I accept. He is now in another relationship. The country information above also indicates that there is now greater tolerance for mixed-gender interactions in public in Iran, particularly in major cities like Tehran where white marriages are also reportedly common. While honour killings are an established phenomenon in Iran's outmost provinces, they mostly affect women and girls and their likelihood decreases with urbanisation, among other things. Additionally, the country information indicates he should be able to obtain protection from the state against non-state actors. The applicant is now [approximate age], his family, including two brothers who are also [of a similar age], live in Tehran, which is where I consider he would most likely return to should he return to Iran. I do not accept the applicant was wanted by the authorities when he left Iran in 2013, whether on account of his prohibited relationship with his former girlfriend or otherwise. Based on the applicant's profile and the country information above I am not satisfied he faces a real chance of harm on account of his experiences in Iran including his prohibited relationship with his former girlfriend in Iran, whether by the authorities or his former girlfriend's family including her father or anyone else.

16. I am not satisfied the applicant has a well-founded fear of persecution.

Refugee: conclusion

17. The applicant does not meet the requirements of the definition of refugee in s.5H(1)The applicant does not meet s.36(2)(a).

Complementary protection assessment

18. A criterion for a protection visa is that the applicant is a non-citizen in Australia (other than a person who is a refugee) in respect of whom the Minister (or Reviewer) is satisfied Australia has protection obligations because there are substantial grounds for believing that, as a necessary and foreseeable consequence of the person being removed from Australia to a receiving country, there is a real risk that the person will suffer significant harm.

Real risk of significant harm

19. Under s.36(2A), a person will suffer 'significant harm' if:

- the person will be arbitrarily deprived of his or her life
- the death penalty will be carried out on the person
- the person will be subjected to torture
- the person will be subjected to cruel or inhuman treatment or punishment, or
- the person will be subjected to degrading treatment or punishment.

20. The expressions 'torture', 'cruel or inhuman treatment or punishment' and 'degrading treatment or punishment' are in turn defined in s.5(1) of the Act.

21. In considering the applicant's refugee status, I have concluded that there was no 'real chance' the applicant would suffer harm on his return to Iran for the reasons claimed. 'Real chance'

and 'real risk' involve the same standard. For the same reasons, I am also not satisfied the applicant would face a 'real risk' of significant harm.

Complementary protection: conclusion

22. There are not substantial grounds for believing that, as a necessary and foreseeable consequence of being returned from Australia to a receiving country, there is a real risk that the applicant will suffer significant harm. The applicant does not meet s.36(2)(aa).

Decision

The IAA affirms the decision not to grant the referred applicant a protection visa.

Applicable law

Migration Act 1958

5 (1) Interpretation

In this Act, unless the contrary intention appears:

...

bogus document, in relation to a person, means a document that the Minister reasonably suspects is a document that:

- (a) purports to have been, but was not, issued in respect of the person; or
- (b) is counterfeit or has been altered by a person who does not have authority to do so; or
- (c) was obtained because of a false or misleading statement, whether or not made knowingly

...

cruel or inhuman treatment or punishment means an act or omission by which:

- (a) severe pain or suffering, whether physical or mental, is intentionally inflicted on a person; or
- (b) pain or suffering, whether physical or mental, is intentionally inflicted on a person so long as, in all the circumstances, the act or omission could reasonably be regarded as cruel or inhuman in nature;

but does not include an act or omission:

- (c) that is not inconsistent with Article 7 of the Covenant; or
- (d) arising only from, inherent in or incidental to, lawful sanctions that are not inconsistent with the Articles of the Covenant.

...

degrading treatment or punishment means an act or omission that causes, and is intended to cause, extreme humiliation which is unreasonable, but does not include an act or omission:

- (a) that is not inconsistent with Article 7 of the Covenant; or
- (b) that causes, and is intended to cause, extreme humiliation arising only from, inherent in or incidental to, lawful sanctions that are not inconsistent with the Articles of the Covenant.

...

receiving country, in relation to a non-citizen, means:

- (a) a country of which the non-citizen is a national, to be determined solely by reference to the law of the relevant country; or
- (b) if the non-citizen has no country of nationality—a country of his or her former habitual residence, regardless of whether it would be possible to return the non-citizen to the country.

...

torture means an act or omission by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person:

- (a) for the purpose of obtaining from the person or from a third person information or a confession; or
- (b) for the purpose of punishing the person for an act which that person or a third person has committed or is suspected of having committed; or
- (c) for the purpose of intimidating or coercing the person or a third person; or
- (d) for a purpose related to a purpose mentioned in paragraph (a), (b) or (c); or
- (e) for any reason based on discrimination that is inconsistent with the Articles of the Covenant;

but does not include an act or omission arising only from, inherent in or incidental to, lawful sanctions that are not inconsistent with the Articles of the Covenant.

...

5H Meaning of refugee

(1) For the purposes of the application of this Act and the regulations to a particular person in Australia, the person is a refugee if the person:

- (a) in a case where the person has a nationality—is outside the country of his or her nationality and, owing to a well-founded fear of persecution, is unable or unwilling to avail himself or herself of the protection of that country; or
- (b) in a case where the person does not have a nationality—is outside the country of his or her former habitual residence and owing to a well-founded fear of persecution, is unable or unwilling to return to it.

Note: For the meaning of *well-founded fear of persecution*, see section 5J.

...

5J Meaning of well-founded fear of persecution

- (1) For the purposes of the application of this Act and the regulations to a particular person, the person has a well-founded fear of persecution if:
 - (a) the person fears being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion; and
 - (b) there is a real chance that, if the person returned to the receiving country, the person would be persecuted for one or more of the reasons mentioned in paragraph (a); and
 - (c) the real chance of persecution relates to all areas of a receiving country.
Note: For membership of a particular social group, see sections 5K and 5L.
- (2) A person does not have a well-founded fear of persecution if effective protection measures are available to the person in a receiving country.
Note: For effective protection measures, see section 5LA.
- (3) A person does not have a well-founded fear of persecution if the person could take reasonable steps to modify his or her behaviour so as to avoid a real chance of persecution in a receiving country, other than a modification that would:
 - (a) conflict with a characteristic that is fundamental to the person's identity or conscience; or
 - (b) conceal an innate or immutable characteristic of the person; or
 - (c) without limiting paragraph (a) or (b), require the person to do any of the following:
 - (i) alter his or her religious beliefs, including by renouncing a religious conversion, or conceal his or her true religious beliefs, or cease to be involved in the practice of his or her faith;
 - (ii) conceal his or her true race, ethnicity, nationality or country of origin;
 - (iii) alter his or her political beliefs or conceal his or her true political beliefs;
 - (iv) conceal a physical, psychological or intellectual disability;
 - (v) enter into or remain in a marriage to which that person is opposed, or accept the forced marriage of a child;
 - (vi) alter his or her sexual orientation or gender identity or conceal his or her true sexual orientation, gender identity or intersex status.
- (4) If a person fears persecution for one or more of the reasons mentioned in paragraph (1)(a):
 - (a) that reason must be the essential and significant reason, or those reasons must be the essential and significant reasons, for the persecution; and
 - (b) the persecution must involve serious harm to the person; and
 - (c) the persecution must involve systematic and discriminatory conduct.
- (5) Without limiting what is serious harm for the purposes of paragraph (4)(b), the following are instances of **serious harm** for the purposes of that paragraph:
 - (a) a threat to the person's life or liberty;
 - (b) significant physical harassment of the person;
 - (c) significant physical ill-treatment of the person;
 - (d) significant economic hardship that threatens the person's capacity to subsist;
 - (e) denial of access to basic services, where the denial threatens the person's capacity to subsist;
 - (f) denial of capacity to earn a livelihood of any kind, where the denial threatens the person's capacity to subsist.
- (6) In determining whether the person has a **well-founded fear of persecution** for one or more of the reasons mentioned in paragraph (1)(a), any conduct engaged in by the person in Australia is to be disregarded unless the person satisfies the Minister that the person engaged in the conduct otherwise than for the purpose of strengthening the person's claim to be a refugee.

5K Membership of a particular social group consisting of family

For the purposes of the application of this Act and the regulations to a particular person (the **first person**), in determining whether the first person has a well-founded fear of persecution for the reason of membership of a particular social group that consists of the first person's family:

- (a) disregard any fear of persecution, or any persecution, that any other member or former member (whether alive or dead) of the family has ever experienced, where the reason for the fear or persecution is not a reason mentioned in paragraph 5J(1)(a); and
- (b) disregard any fear of persecution, or any persecution, that:
 - (i) the first person has ever experienced; or

- (ii) any other member or former member (whether alive or dead) of the family has ever experienced;

where it is reasonable to conclude that the fear or persecution would not exist if it were assumed that the fear or persecution mentioned in paragraph (a) had never existed.

Note: Section 5G may be relevant for determining family relationships for the purposes of this section.

5L Membership of a particular social group other than family

For the purposes of the application of this Act and the regulations to a particular person, the person is to be treated as a member of a particular social group (other than the person's family) if:

- (a) a characteristic is shared by each member of the group; and
- (b) the person shares, or is perceived as sharing, the characteristic; and
- (c) any of the following apply:
 - (i) the characteristic is an innate or immutable characteristic;
 - (ii) the characteristic is so fundamental to a member's identity or conscience, the member should not be forced to renounce it;
 - (iii) the characteristic distinguishes the group from society; and
- (d) the characteristic is not a fear of persecution.

5LA Effective protection measures

- (1) For the purposes of the application of this Act and the regulations to a particular person, effective protection measures are available to the person in a receiving country if:
 - (a) protection against persecution could be provided to the person by:
 - (i) the relevant State; or
 - (ii) a party or organisation, including an international organisation, that controls the relevant State or a substantial part of the territory of the relevant State; and
 - (b) the relevant State, party or organisation mentioned in paragraph (a) is willing and able to offer such protection.
- (2) A relevant State, party or organisation mentioned in paragraph (1)(a) is taken to be able to offer protection against persecution to a person if:
 - (a) the person can access the protection; and
 - (b) the protection is durable; and
 - (c) in the case of protection provided by the relevant State—the protection consists of an appropriate criminal law, a reasonably effective police force and an impartial judicial system.

...

36 Protection visas – criteria provided for by this Act

...

- (2) A criterion for a protection visa is that the applicant for the visa is:
 - (a) a non-citizen in Australia in respect of whom the Minister is satisfied Australia has protection obligations because the person is a refugee; or
 - (aa) a non-citizen in Australia (other than a non-citizen mentioned in paragraph (a)) in respect of whom the Minister is satisfied Australia has protection obligations because the Minister has substantial grounds for believing that, as a necessary and foreseeable consequence of the non-citizen being removed from Australia to a receiving country, there is a real risk that the non-citizen will suffer significant harm; or
 - (b) a non-citizen in Australia who is a member of the same family unit as a non-citizen who:
 - (i) is mentioned in paragraph (a); and
 - (ii) holds a protection visa of the same class as that applied for by the applicant; or
 - (c) a non-citizen in Australia who is a member of the same family unit as a non-citizen who:
 - (i) is mentioned in paragraph (aa); and
 - (ii) holds a protection visa of the same class as that applied for by the applicant.
- (2A) A non-citizen will suffer **significant harm** if:
 - (a) the non-citizen will be arbitrarily deprived of his or her life; or
 - (b) the death penalty will be carried out on the non-citizen; or
 - (c) the non-citizen will be subjected to torture; or
 - (d) the non-citizen will be subjected to cruel or inhuman treatment or punishment; or
 - (e) the non-citizen will be subjected to degrading treatment or punishment.

- (2B) However, there is taken not to be a real risk that a non-citizen will suffer significant harm in a country if the Minister is satisfied that:
- (a) it would be reasonable for the non-citizen to relocate to an area of the country where there would not be a real risk that the non-citizen will suffer significant harm; or
 - (b) the non-citizen could obtain, from an authority of the country, protection such that there would not be a real risk that the non-citizen will suffer significant harm; or
 - (c) the real risk is one faced by the population of the country generally and is not faced by the non-citizen personally.

...

Protection obligations

- (3) Australia is taken not to have protection obligations in respect of a non-citizen who has not taken all possible steps to avail himself or herself of a right to enter and reside in, whether temporarily or permanently and however that right arose or is expressed, any country apart from Australia, including countries of which the non-citizen is a national.
- (4) However, subsection (3) does not apply in relation to a country in respect of which:
- (a) the non-citizen has a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion; or
 - (b) the Minister has substantial grounds for believing that, as a necessary and foreseeable consequence of the non-citizen availing himself or herself of a right mentioned in subsection (3), there would be a real risk that the non-citizen will suffer significant harm in relation to the country.
- (5) Subsection (3) does not apply in relation to a country if the non-citizen has a well-founded fear that:
- (a) the country will return the non-citizen to another country; and
 - (b) the non-citizen will be persecuted in that other country for reasons of race, religion, nationality, membership of a particular social group or political opinion.
- (5A) Also, subsection (3) does not apply in relation to a country if:
- (a) the non-citizen has a well-founded fear that the country will return the non-citizen to another country; and
 - (b) the Minister has substantial grounds for believing that, as a necessary and foreseeable consequence of the non-citizen availing himself or herself of a right mentioned in subsection (3), there would be a real risk that the non-citizen will suffer significant harm in relation to the other country.

Determining nationality

- (6) For the purposes of subsection (3), the question of whether a non-citizen is a national of a particular country must be determined solely by reference to the law of that country.
- (7) Subsection (6) does not, by implication, affect the interpretation of any other provision of this Act.