

EXPLANATORY NOTES

HOMELESSNESS AND THE PREVENTION OF HOMELESSNESS (COVID-19 RESPONSE) BILL

Background and summary

1. The purpose of this Bill is to require local housing authorities in England to continue to provide accommodation for all those who have nowhere safe to sleep. On 26 March 2020 the Minister for Local Government and Homelessness wrote to local housing authorities in England instructing them to provide accommodation for people who are, or who are at risk of, sleeping rough, and accommodation for people who are in accommodation where it is difficult to self-isolate. The purpose was to safeguard as many homeless people as they can from Covid-19 and to reduce the impact of Covid-19 on people facing homelessness. Ultimately the purpose was to prevent deaths during the public health emergency.
2. The purpose of this Bill is further to prevent homelessness, in order to safeguard public health by temporarily:
 - a) extending the provision of accommodation to all those who have nowhere safe to stay for a period of 12 months after the Minister's instruction of 26 March 2020 is withdrawn and providing that people accommodated under this duty are eligible for public funds without restrictions being imposed by reference to their immigration status or nationality;
 - b) giving the Courts the flexibility to refuse to make possession orders or to make those possession orders suspended on terms where rent arrears have accrued due to financial pressure on the tenant as a result of the Covid-19 emergency; and
 - c) suspending the operation of the benefit cap for the period of the public health emergency to assist tenants in paying their rent.

Overview of the draft clauses

3. The Bill consists of four draft Parts:
 - a) Part 1 contains the draft clauses on homelessness, for England only (except for the provisions on eligibility for public funds, which apply to England, Wales, Scotland and Northern Ireland) ;
 - b) Part 2 contains the amendments to the Housing Act 1985 and the Housing Act 1988 giving greater flexibility to the Courts to refuse to make possession orders when rent arrears have arisen due to financial difficulties as a result of the Covid-19 emergency, or to make orders suspended upon terms, for England only;
 - c) Part 3 contains the suspension of the welfare benefit cap, for England, Wales Scotland and Northern Ireland.
 - d) Part 4 deals makes provision for 'Public Funds' in Wales, Scotland, and Northern Ireland to be treated in the same way as in England, for such an approach to be extended by Order to the Channel Islands and the Isle of Man, for the short title.

Territorial application of the draft clauses in the UK

4. Parts 1 and 2 draft clauses would extend to England and Wales, which is a single legal jurisdiction. But housing and homelessness are matters within the legislative competence of the National Assembly for Wales and the draft clauses would therefore apply only in relation

to England, (except for the provisions on eligibility for public funds, which apply to England, Wales, Scotland and Northern Ireland).

5. Part 3 is concerned with welfare benefits and applies to England, Wales, Scotland and Northern Ireland.
6. Part 4 is concerned with Wales, Scotland, Northern Ireland, the Channel Islands, and the Isle of Man.

Commentary on the draft clauses

Part 1 Homelessness

Overview

7. Part 1 imposes a duty on local housing authorities in England to accommodate people who are homeless and who do not qualify for homelessness assistance under Part 7 Housing Act 1996 (homelessness), usually because they do not have a priority need or are not eligible for assistance. The duties are intended to complement those under Part 7 of the Housing Act 1996.
8. These provisions are for a period of 12 months only, from Royal Assent. This is a critical period for the continued protection of public health.
9. Where someone approaches a local housing authority and there is a reason to believe that they are or may be homeless, the local housing authority must secure accommodation while it makes inquiries. If it is then satisfied that the applicant would fall within Part 7 of the Housing Act 1996 and be owed a duty to accommodate under that Act, the person's case should then be dealt with under Part 7 of the Housing Act 1996.
10. This section and this Part are intended to assist those who are not entitled to accommodation under Part 7 of the Housing Act 1996 (homelessness functions), either because they do not have a priority need, they have become homeless intentionally or they are not eligible for assistance. This Part provides that anyone who is homeless should be accommodated during the period irrespective of need, or their immigration or nationality status. The wide scope of this Part reflects the overriding objective of protecting public health by preventing homelessness.
11. If the person would not be entitled to accommodation under Part 7 Housing Act 1996, this Part requires the local housing authority to accommodate him or her until one of the following occurs:
 - a. He or she accepts an offer of suitable accommodation;
 - b. He or she is provided with accommodation under Part 7 Housing Act 1996, because of a change of circumstances;
 - c. He or she is provided with accommodation by the Home Office under the Immigration and Asylum Act 1999 or the Immigration Act 2016 or
 - d. The 12 months since the withdrawal of the Government's instruction of 26 March 2020 has elapsed.

12. The Part also provides for anyone receiving assistance under this Part to be eligible for public funds without restrictions being imposed by reference to their immigration status or nationality.

Clause 1: Application

13. This draft clause mirrors the provisions for applications for homelessness assistance made to local housing authorities under Part 7 of the Housing Act 1996. It applies the definition of “homeless” within Part 7 so that a person is homeless if he or she does not have accommodation available for their occupation or does have accommodation, but it is not reasonable for them to continue to occupy (ss.175 – 178 Housing Act 1996).
14. The definition explicitly excludes consideration of accommodation that might be available to the applicant from the Home Office. This is to ensure that homeless applicants are provided with accommodation without delay, and to reduce the scope for arguments between local housing authorities and the Home Office as to which is responsible for the applicant. If the applicant is being accommodated by the Home Office, then he or she would not be regarded as homeless. But if not, the fact that he or she might notionally be available for such accommodation at some point in the future were an application to be made, should not be a barrier to the local housing authority providing immediate assistance. However, the expectation would be that such an applicant would in due course make an application for Home Office support and when that support is provided the duty owed to him or her under the Part would come to an end. See draft clauses 9(5) and 9(6). In this way, the various statutory regimes work in harmony.
15. The effect of this clause is the local housing authority is required immediately to secure accommodation for someone and to make inquiries into his or her application where there is “*reason to believe*” that the person “*is or may be*” homeless. Case-law decided under Part 7 of the Housing Act 1996 has held that this is a low threshold. Provided that someone is or may be homeless, there is no additional test of eligibility or priority need.
16. The clause also contains power of the Secretary of State to make regulations subject to the made affirmative procedure and to give guidance. Regulations may not be made excluding part or all of these provisions from people on the basis of their immigration status or nationality.

Clause 2: Interim duty to accommodate

17. This draft clause provides that, once an application has been made under draft clause 1, the local housing authority must provide interim accommodation. The interim duty to secure accommodation continues until the local housing authority has given the applicant a written decision confirming whether or not a duty to accommodate is owed, under draft clause 3.
18. Where a written decision has been given, which the applicant disputes, the applicant can request a review of this decision under draft clause 8. Draft clause 2(3) provides that accommodation should continue to be provided until the decision on review has been notified to the applicant. In contrast to the equivalent provision under Part 7 of the Housing Act 1996 (s.188(3) Housing Act 1996), which gives a local housing authority power to secure accommodation pending review, the local housing authority is under a duty to continue to secure accommodation pending the review. This is in order to avoid the possibility of a

former rough sleeper having to return to sleep on the street pending the review, with the potential risks to public health involved.

Clause 3: inquiry into cases of homelessness

19. This draft clause contains the same mechanism for decision-making as that under Part 7 of the Housing Act 1996 (s.184 Housing Act 1996). The local housing authority will be making inquiries into questions:
 - a. Whether any duty is owed to the applicant under this Part ie whether the applicant is homeless; and
 - b. Whether the applicant would be owed an accommodation duty under Part 7 Housing Act 1996.
20. The inquiries referred to in draft clause 3(1)(b) would need to be made in any event, pursuant to the local housing authority's duties under s.184 of the Housing Act 1996. But in replicating this obligation here, in conjunction with the inquiries required under draft clause 3(1)(a), the draft clause ensures that the local housing authority considers the applicant's entitlement to assistance under both regimes simultaneously.
21. If the decision is that the applicant is owed an accommodation duty under Part 7 of the Housing Act 1996, this Part will cease to apply. Instead, he or she will be assisted under Part 7 of the Housing Act 1996. A person is owed an accommodation duty under Part 7 of the Housing Act 1996 if he or she is homeless, eligible for assistance, and has a priority need (ss.190(2) and 193(2) Housing Act 1996) or where the local housing authority has reason to believe that he or she may be homeless, eligible for assistance or have a priority need (s.188(1) Housing Act 1996).
22. If the applicant disagrees with the decision, he or she has the right to request a review of that decision. The provisions governing reviews are at draft clause 8.

Clause 4: duty to accommodate

23. This draft clause provides that, once the local housing authority is satisfied that the person is homeless and that no accommodation duty is owed to him or her under Part 7 of the Housing Act 1996, it shall accommodate that person.
24. Accommodation must be suitable for the needs of the applicant, as provided for at draft clause 5(1).
25. The duty to accommodate ends where:
 - a. The applicant accepts an offer of suitable accommodation that will be, or would have been, available for his or her occupation for at least six months or any longer period that the Secretary of State might prescribe by Regulations;
 - b. The applicant becomes entitled to accommodation under Part 7 Housing Act 1996 (because he or her circumstances have changed, for example a priority need or eligibility might have been acquired);
 - c. The applicant has been provided with accommodation by the Home Office; or

- d. The period of 12 months from the date when local housing authorities first become subject to the provisions of this Part, ie from the date when the Government's instruction of 26 March 2020 has been withdrawn.
26. Thus, where someone has made an application on day one of this Part coming into operation, he or she might be accommodated for up to 12 months (unless they find alternative accommodation or one of the other events occurs). But if someone applied eleven months after this Part came into operation, they would only be accommodated for one month.
27. If the local housing authority decides that the duty has ended, in accordance with draft clause 4(3), it must notify the applicant of that decision and of the reasons for it. The applicant has the right to request a review in accordance with draft clause 8(1)(b) and to be accommodated during that review.

Clause five: discharge of functions by local housing authorities

28. This draft clause mirrors the provisions of ss.176, 205, 206, 210, 211 and 212 of the Housing Act 1996.
29. Draft clause 5(1) provides that the accommodation secured must be suitable for the applicant. Draft clause 5(3) provides that accommodation must be secured both for the applicant and, if the applicant has family, for people who normally reside with him or her as a member of his or her family and for any other person who might normally be expected to reside with him or her. This formulation derives from s.176 of the Housing Act 1996. Draft clause 5(4) provides that the requirements at Part 7 of the Housing Act 1996 governing suitability of accommodation under those functions apply to accommodation provided under this Part. In addition, any guidance issued either by the Secretary of State for Housing or Secretary of State for Health and Social Care must be taken into account, so that guidance as to what sort of accommodation should be provided for people who are self-isolating will be relevant.
30. Draft clause 5(2) permits the local housing authority to charge for the accommodation, but only the amount that they consider to be "reasonable". Where a person is entitled to universal credit or housing benefit, the charges will be paid by those benefits. If the person is not entitled to benefit, case-law under Part 7 of the Housing Act 1996 has held that determination of the amount charged must take into account what that person can afford.
31. Draft clauses 5(5) and (6) provide that the local housing authority must also make arrangements to protect a person's property if there is reason to believe that there is a danger of its loss, or damage to it. The clauses reflect and import the same duty at s.211 and 212 of the Housing Act 1996.

Clause 6: Assessments and personalised plan

32. The policy aim behind the accommodation of rough sleepers is to help them to find longer-term accommodation. This draft clause, which reflects the same duty at s.189A of the Housing Act 1996, requires a local housing authority to assess the applicant's case, including the circumstances that caused him or her become homeless, his or her housing needs and

those of anyone residing with him or her, and what support would be necessary for him or her to have and keep suitable accommodation. Having carried out that assessment, the local housing authority and the applicant should agree what steps each of them will take in order to find accommodation, and should record that agreement (or advice given to the applicant if he or she does not agree) in a written personal housing plan. The plan should be reviewed if the applicant's circumstances change.

Clause 7: Relief duty

33. This draft clause provides that, whilst the applicant is accommodated, the local housing authority will take reasonable steps to help him or her find suitable accommodation. The steps that the local housing authority are to take will be recorded in the personal housing plan. This draft clause mirrors the relief duty at s.189B Housing Act 1996. The idea being that the local housing authority, while accommodating the applicant, will be assisting him or her to find somewhere to live in the longer term, which will allow it to bring the duty owed to the applicant to an end.

Clause 8: Reviews and appeals

34. This draft clause provides that the applicant has the right to request a review of any of the principal decisions that a local housing authority will take in relation to his or her application and subsequently appeal on a point of law to the county court. These provisions mirror those relating to reviews and appeals at ss.202 – 204A of the Housing Act 1996.
35. The applicant can request a review of any of these decisions:
 - a. A decision as to whether a duty is owed to him or her, ie whether he or she is homeless;
 - b. A decision that either of the accommodation duties at draft clause 2 or 4 has come to an end;
 - c. The suitability of any accommodation offered to him or her, under the accommodation duty at clause 4 or in respect of any accommodation offered in order to bring that accommodation duty to an end at clause 4(3)(a); or
 - d. A decision as to the steps to be taken by the local housing authority in order to help the applicant to secure suitable accommodation.
36. A review must be requested within 21 days, although the local housing authority can extend the timescale.
37. If the applicant is dis-satisfied with the decision on review, he or she can appeal to the county court but only a point of law. It is well established that the county court considers those appeals as if they were claims in judicial review.
38. The clause also contains power of the Secretary of State to make regulations subject to the made affirmative procedure and to give guidance. Regulations may not be made excluding part or all of these provisions from people on the basis of their immigration status or nationality.

Clause 9: consequential provision

39. Draft clause 9(1) exempts accommodation provided under the duties at draft clauses 2 or 4 from the “right to rent” provisions at Chapter 1, Part 3 of the Immigration Act 2014.
40. Draft clauses 9(2) – (4) and (9) make it clear that the duties under Part 1 apply to anyone who is homeless, whatever their immigration status, and that no person is disincentivised from seeking assistance under this Part for fear that they may be reported to the Home Office. This is important to achieve the public health objectives of the Bill.
41. Draft clauses 9(5)-(6) deal with the relationship between accommodation under this Part and accommodation from the Home Office. Where an applicant secures accommodation under this Part, and the Home Office may have a power to provide accommodation, the applicant must consider whether to make an application for such accommodation and support. In assessing whether that person is destitute, for the purposes of determining their eligibility for support, the Home Office should disregard the fact that they are accommodated under this Part. This ensures that those who are eligible for Home Office support duly apply and can and make the transition to it, without disputes arising as between local authorities and the Home Office as to where responsibility lies.
42. Draft clause 9(7) ensures that the duties to provide accommodation under this Part are not displaced or rendered ineffective by any other Act or Regulations.
43. Draft clause 9(8), ensures that legal aid can be made available for legal assistance in matters arising under this Part, to the same extent that legal aid is currently available in relation to matters arising under Part 7 of the Housing Act 1996.

Clause 10: benefits and tax credits

44. Draft clause 10 ensures that anyone receiving assistance under Part 1 is eligible for public funds without restrictions being imposed by reference to their immigration status or nationality. This will allow their housing costs for accommodation provided under this Part to be paid by universal credit.
45. As regards grants of limited leave to enter or remain under the Immigration Act 1971 and/or under the Immigration Rules, draft clauses 10(1) – (4) provide that no condition prohibiting recourse to public funds may be imposed during the time when a person is receiving assistance under this Part. Further, any condition already imposed is of no effect during the time a person is receiving assistance under this Part.
46. Equivalent provision is made at draft clause 10(5) and (6) for persons on immigration bail.
47. In addition, draft clauses 10(7) and (8) provide that any immigration or nationality test imposing an eligibility requirement that a person is or is treated as being habitually resident or in possession of a right to reside, is of no effect on a person receiving assistance under this Part.

48. Draft clause 10(9) provides that all such provisions extend to Wales, Scotland and Northern Ireland when legislation equivalent to that made for England under Part 1 of the Bill, is made in respect of those countries.
49. Draft clause 10(14) provides that, to ensure the necessary consistency in Common Travel Area, arrangements with the Crown Dependencies, the provisions may be extended to the Channel Islands and the Isle of Man by Order.

Clause 11: interpretation

50. Draft clause 11, read with draft clause 1(1), provides the timescale during which Part 1 should be in operation. The Secretary of State has the power to extend this timescale by Regulations.

Clause 12: Extent

51. This draft clause provides that the whole of this Part applies only to England (except for the provisions on eligibility for public funds, which apply to England, Wales, Scotland and Northern Ireland).

Part 2: Prevention of Homelessness

Overview

52. This Part 2 applies to England only. Its provisions are derived from those recommended by the House of Commons Committee on Housing, Communities and Local Government report on *Protecting rough sleepers and renters: Interim report, Annex: Draft Coronavirus (Protection of Assured Tenants) Bill*. The Part extends the terms of the Committee's draft Bill to secure tenancies.
53. This Part provides that, for a specified period, orders for possession will always be at the discretion of the Court where the reason for the claim is based on rent arrears which were accrued wholly or partly as a result of financial difficulties due to coronavirus, whether the tenant has themselves been infected with coronavirus or his or her finances have been effected by the effects of coronavirus and the public health emergency. In addition, the Court will always have the ability to make an order for possession suspended upon terms that the tenant repay the arrears, rather than be subject to an outright order for possession.

Clause 13: Application

54. The Part applies to tenancies in England only. The Part will come into effect the day after the Act is passed and will expire on a date specified in the Act and would apply at any court hearing during the period.

Clause 14: Housing Act 1985: high rent arrears court discretion

55. This draft clause would require a court, when considering a claim for possession brought against a secure tenant of a local housing authority on the grounds of rent arrears, when deciding whether it is reasonable to make an order for possession, to give particular consideration to the extent to which the arrears (or any part of them) were caused (or contributed to) by the coronavirus.
56. This draft clause is mirrored on the *Draft Coronavirus (Protection of Assured Tenants) Bill* and applies the same protection to secure tenants.

Clause 15: Housing Act 1988: high rent arrears court discretion

57. This draft clause would require the court to read the Housing Act 1988 as if Ground 8 were in Part 2 of Schedule 2 rather than Part 1. Under s.7 of the Housing Act 1988, if a ground appears in Part 1, the court must make an order for possession (except in very limited circumstances). If a ground appears in Part 2, the court has a discretion to order possession, if it considers it reasonable to do so. This draft clause requires that a court must treat a claim for possession under Ground 8 as a discretionary ground.
58. The draft clause would require a court, when deciding whether it is reasonable to order possession, to give particular thought to the extent to which the arrears (or any part of them) were caused (or contributed to) by the coronavirus. This would apply to all claims for possession on the grounds of rent arrears brought under the Housing Act 1988, whether those claims are brought under Grounds 8, 10 or 11.
59. Reading Housing Act 1988 as if Ground 8 were in Part 2 of Schedule 2 would also mean that the court would have the extended discretion (set out in section 9) to adjourn proceedings or to suspend or postpone possession, on condition the tenant pays towards the rent and arrears (unless this would be unreasonable or cause exceptional hardship).
60. The clause would allow a court to dispense with the need for a notice where it is just and equitable and ground 8 is relied on. The court has this power for most other grounds, but not for rent arrears under ground 8. However, if possession is no longer mandatory, allowing the court to grant possession in the absence of a notice (but only where this is fair) strikes an appropriate balance.
61. The draft clause ensures that nothing within it contains affects the validity of a notice. This ensures that a notice is not invalid because, for example, it refers to Ground 8 as a mandatory ground for possession (as does the currently prescribed form). It may be that the Government would prescribe new forms. But this would be a matter of discretion.
62. This draft clause is almost identical to draft clause 2 in the *Draft Coronavirus (Protection of Assured Tenants) Bill*. The sole addition is to extend the requirement that the court give particular thought to the extent to which the arrears (or any part of them) were caused (or contributed to) by the coronavirus to the existing discretionary grounds for possession relating to rent arrears, Ground 10 and 11.

Clause 16: expiry of termination of assured shorthold tenancies: court discretion

63. This draft clause is identical to draft clause 3 in the *Draft Coronavirus (Protection of Assured Tenants) Bill*.
64. This draft clause would deal with situations where a landlord seeks possession because of the expiry or termination by notice of an assured shorthold tenancy. Normally, the courts must grant possession if a landlord has served the right notice (often known as “a section 21 notice”) at the right time. The draft clause would operate by instead giving the court a discretion to order possession if satisfied that this would be reasonable.
65. The draft clause would also give the courts the extended discretion in section 9 (to adjourn proceedings or suspend or postpone possession) in these cases.
66. As with draft clauses 14, 15, 17 and 18, this clause would require the court to give particular thought to the extent to which the arrears (or any part of them) were caused (or contributed to) by the coronavirus to the existing discretionary grounds for possession relating to rent arrears. But it would also require the court to consider whether the landlord was motivated to seek possession because of rent arrears.

Clause 17: Rent Act 1977: high rent arrears court discretion

67. This draft clause would require a court, when considering a claim for possession brought against a Rent Act regulated tenant on the grounds of rent arrears, when deciding whether it is reasonable to make an order for possession, to give particular consideration to the extent to which the arrears (or any part of them) were caused (or contributed to) by the coronavirus.
68. This draft clause is mirrored on the *Draft Coronavirus (Protection of Assured Tenants) Bill* and applies the same protection to Rent Act tenants.

Clause 18: Powers of the court in other possession claims

69. This draft clause extends the courts’ discretion under s.89(1) Housing Act 1980 to postpone the date on which an occupier is required to give up possession of his or her accommodation. This discretion is available in various cases which are not covered by draft clauses 14-17. The draft clause extends the period by which the giving up possession shall be postponed from 14 days from the making of the possession order (or six weeks in cases of exceptional hardship) to three months.
70. Upon an application by the occupier, subsequent to the making of the possession order, the date for giving up possession may be extended at the discretion of the court for a further period of three months at a time.
71. In exercising its discretion the court is required to consider whether the landlord was motivated to seek possession because of rent arrears and, if so, the extent to which the arrears (or any part of them) were caused (or contributed to) by the coronavirus.

Clause 19: Guidance to authorities by the Secretary of State in relation to introductory and demoted tenancies

72. This draft clause allows the Secretary of State to issue guidance dealing with the circumstances in which it may, or may not, be appropriate for a local authority to seek possession of property let under an introductory or demoted tenancy, with regard to the incidences and effects of coronavirus.

Clause 20: Interpretation

73. This draft clause is identical to draft clause 4 in the *Draft Coronavirus (Protection of Assured Tenants) Bill*.
74. This draft clause defines what is meant by coronavirus (using an existing statutory definition) and explains that rent arrears should be considered to have arisen because of coronavirus:
- Regardless of whether a tenant has had the virus;
 - Where the arrears have built up or not been reduced because of the virus;
 - Whether the virus was the only cause or just one factor;
 - Whether the virus directly or indirectly (perhaps, for example, because of legislative measures to control the spread of the virus) caused the arrears.

Clause 21: Extent

75. This Part applies to tenancies in England only.

Part 3: Suspension of the benefit cap

Clause 22: suspension of the benefit cap

76. The benefit cap will be a major cause of arrears accrued during this public health emergency, leading to a risk of eviction. Working people who were previously able to afford rent will find themselves no longer working and will claim benefit. They may be affected by the cap and find themselves struggling to pay their rent. In addition, the increase to the local housing allowance – a measure implemented with the intention of assisting people to afford their rent during the crisis – has also had the unintended consequence that more people are subject to the cap, thereby inhibiting rather than increasing their ability to pay their rent. Those subject to the benefit cap will have their benefit entitlement capped at £20,000 (families) or £13,400 (single adult) a year outside Greater London or £23,000 (families) or £15,410 (single adult) a year inside Greater London.
77. Draft clauses 22(1) and (2) suspend the benefit cap for the whole of the emergency period as set out in the Coronavirus Act 2020, ss 89 – 90. That period is currently 25 March 2020 – 24 March 2022 but it may be extended, by Ministers (for England), by the Scottish Ministers (Scotland), the Welsh Ministers (Wales) or a Northern Ireland department under powers at section 90 Coronavirus Act 2020.
78. Draft clauses 22(3)-(4) suspend the benefit cap for the same period in Northern Ireland.

79. Welfare is not a devolved matter except in Northern Ireland. The benefit cap applies to England, Wales, Scotland and Northern Ireland.

Part 4: Miscellaneous and general provision

Clause 23: Public funds: Wales, Scotland, Northern Ireland, Channel Islands and the Isle of Man

80. Draft clauses 23(1) and (2) make provision for Wales, Scotland, and Northern Ireland, equivalent to that made for England in draft clause 9(4). This ensures that if the devolved authorities make provision equivalent to that made in Part 1 for England, no-one in those countries will be excluded from support by virtue of immigration or nationality status. Draft clause 23(3) confers power to extend the same to the Channel Islands and the Isle of Man.

Clause 24: commencement, extent and short title

81. The changes would come into force when enacted. The duties at Part 1 apply upon Royal Assent and continue for a period of 12 months. The duties at Part 2 expire on the date specified. The suspension of the benefit cap at Part 3 is for a period of two years from the beginning of the coronavirus powers under the Coronavirus Act 2020.