

## TERMS OF REFERENCE

### Certificates of Application

June 2022

The inquiry will examine whether the Home Office has fulfilled its obligations under Article 18(1)(b) of the Withdrawal Agreement and Article 17(1)(b) of the EEA EFTA Separation Agreement to issue Certificates of Application to applicants to the EU Settlement Scheme (EUSS) immediately.

The purposes of the inquiry are for the IMA to decide whether the United Kingdom has failed to comply with the abovementioned Articles and/or whether the Home Office is acting in a way that prevents persons exercising a right created or arising under Part 2 of the Withdrawal Agreement and/or Part 2 of the EEA EFTA Separation Agreement, and to identify any recommendations that it considers appropriate to be made to promote the adequate and effective implementation or application of Part 2 of those Agreements.

The IMA is satisfied as to the matters referred to in paragraph 25(3) of Schedule 2 to the EUWAA 2020 and has had regard to the matters referred to in paragraph 24

In pursuit of these purposes the IMA will aim:

1. to objectively review and assess the policy and process adopted by the Home Office for issuing Certificates of Application to EUSS applicants
2. to assess and analyse how this process is implemented and applied in practice, and
3. to assess any impact on citizens lives caused by the way in which Certificates of Application are issued.

In conducting the inquiry, the IMA will consider:

1. listening to citizens and consider their experience by:
  - a. issuing a Call for Evidence,
  - b. reviewing existing complaints,
  - c. taking accounts directly from citizens, and
  - d. considering information from stakeholders and other third parties;
2. investigating the Home Office by:
  - a. examining data and information requested of the Home Office,
  - b. performing on-site visits, and
  - c. interviewing staff;
3. seek representations from any person it considers appropriate.