Dear Lilian,

Thank you for your letter of 28 November to John Hayes, enclosing correspondence from Mr Nathan Sparling of HIV Scotland, about application of EASE rules when accessing a restricted medical in order to obtain a Commercial Pilots License. I am replying as the Minister responsible for this area of policy.

The Civil Aviation Authority (CAA) is the United Kingdom’s competent authority for EU regulation relating to Civil Aviation. The CAA is obliged to apply EU regulation. For applicants who are living with HIV, the relevant regulations are found in Commission Regulation (EU) 1178/2011 Annex IV (Part MED).

Under EU law, applicants for a Class 1 medical certificate who are HIV positive, if their condition is stable and a certificate can be issued, require an Operational Multi pilot Limitation (OML) on their medical certificate. An OML can only be applied to an EU Class 1 medical certificate if the applicant already holds a Commercial Pilot Licence (CPL), Air Transport Pilot Licence (ATPL) or Multi Pilot Licence (MPL) and therefore initial applicants for these licences must have an unrestricted medical certificate.

The DfT and CAA support a rule change in this area, which will enable an initial class one medical certificate to be granted to applicant pilots with HIV, where this is supported by evidence-based medical research. With this in mind the CAA has written to EASA and asked that they commission research without delay, which the CAA will proactively assist with. The CAA has already been working with, and is seeking advice from, HIV experts including the British HIV Association, to further its understanding and gather the necessary information, which could enable a change in the rules.

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