

Ref: IRDAI/HLT/CIR/PRO/01/05/2023

10th May,2023

All Insurers

Re: Surrogacy Act, 2012 and ART Act, 2021 and the relevant Rules thereunder

1. Reference is drawn to the following provisions of the above Acts/Rules:

i. Section 4 (iii)(a)(III) of Surrogacy (Regulation) Act, 2021 states as under:

(III) an insurance coverage of such amount and in such manner as may be prescribed in favour of the surrogate mother for a period of thirty-six months covering postpartum delivery complications from an insurance company or an agent recognised by the Insurance Regulatory and Development Authority established under the Insurance Regulatory and Development Authority Act, 1999; (b) the surrogate mother is in possession.

Rule 5 of Surrogacy (Regulation) Rules, 2022 states as under:

Insurance coverage.- (1) The intending woman or couple shall purchase a general health insurance coverage in favour of surrogate mother for a period of thirty six months from an insurance company or an agent recognized by the Insurance Regulatory and Development Authority established under the provisions of the Insurance Regulatory and Development Authority Act, (41 of 1999) for an amount which is sufficient enough to cover all expenses for all complications arising out of pregnancy and also covering post- partum delivery complications.

ii. Section 22(1)(b) of ART Act, 2021 states as under:

An insurance coverage of such amount as may be prescribed for a period of twelve months in favour of the oocyte donor by the commissioning couple or woman from an insurance company or an agent recognised by the Insurance Regulatory and Development Authority established under the provisions of the Insurance Regulatory and Development Authority Act, 1999.

iii. Rule 12 of ART (Regulation) Rules,2022 states as under

Insurance coverage/Guarantee for oocyte donor. —

(i) The Intending couple or woman will purchase a general health insurance coverage in favor of oocyte donor for a period of 12 months from an insurance company or an agent recognized by the Insurance Regulatory and



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**INSURANCE REGULATORY AND
DEVELOPMENT AUTHORITY OF INDIA**

Development Authority established under the provisions of the Insurance Regulatory and Development Authority Act, 1999 for an amount which is sufficient enough to cover all expenses for all complications arising due to oocyte retrieval.

2. All insurers are hereby directed to comply with the aforesaid provisions of the two Acts with immediate effect and ensure that suitable products are made available.

**YEGNA PRIYA BHARATH
CHIEF GENERAL MANAGER**

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