

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

10<sup>th</sup> 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



भारतीय बीमा विनियामक और विकास प्राधिकरण  
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.

YEGNAPRIYA  
A BHARATH

Digitally signed by YEGNAPRIYA BHARATH  
DN: c=IN, o=INSURANCE REGULATORY AND  
DEVELOPMENT AUTHORITY, ou=MINISTRY OF FINANCE,  
pseudonym=e14b0961634cd479ea0e07ba1ba8b6af6e0a  
54cccd40a26a7fee4b8470d8651, postalCode=500032,  
st=TELANGANA,  
serialNumber=ba524d0c14c848fb92be8ee3fe0ba26df12  
933024dfbd22f61ed0a1c56efa543, cn=YEGNAPRIYA  
BHARATH  
Date: 2023.05.10 16:13:50 +05'30'

YEGNA PRIYA BHARATH  
CHIEF GENERAL MANAGER