



भारतीय बीमा विनियामक और विकास प्राधिकरण  
INSURANCE REGULATORY AND  
DEVELOPMENT AUTHORITY OF INDIA

Ref: IRDAI/LIFE/CIR/PRO/138/6/2023

26.06.2023

To  
All Life Insurers

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

1. Reference is drawn to the circular Ref: IRDAI/HLT/CIR/PRO/01/05/2023 dated: 10.05.2023 wherein insurers were requested to comply with certain provisions of the said Acts and the relevant Rules thereunder.
2. Further, Reference is drawn to the following provisions of the above Acts/Rules:
  - (i). Section 2 (1) (q) of Surrogacy Act 2021 states as under  

“insurance” means an arrangement by which a company, individual or intending couple undertake to provide a guarantee of compensation for medical expenses, health issues, specified loss, damage, illness or death of surrogate mother and such other prescribed expenses incurred on such surrogate mother during the process of surrogacy;
  - (ii). Section 22 (4) (ii) of ART Act 2021 states as under  

"insurance" means an arrangement by which a company, individual or commissioning couple undertake to provide a guarantee of compensation for specified loss, damage, complication or death of oocyte donor during the process of oocyte retrieval; and
3. All Life insurers are hereby directed to comply with the said Acts / Rules with immediate effect and ensure that suitable products are made available.

J Meena Kumari  
Executive Director (Life)