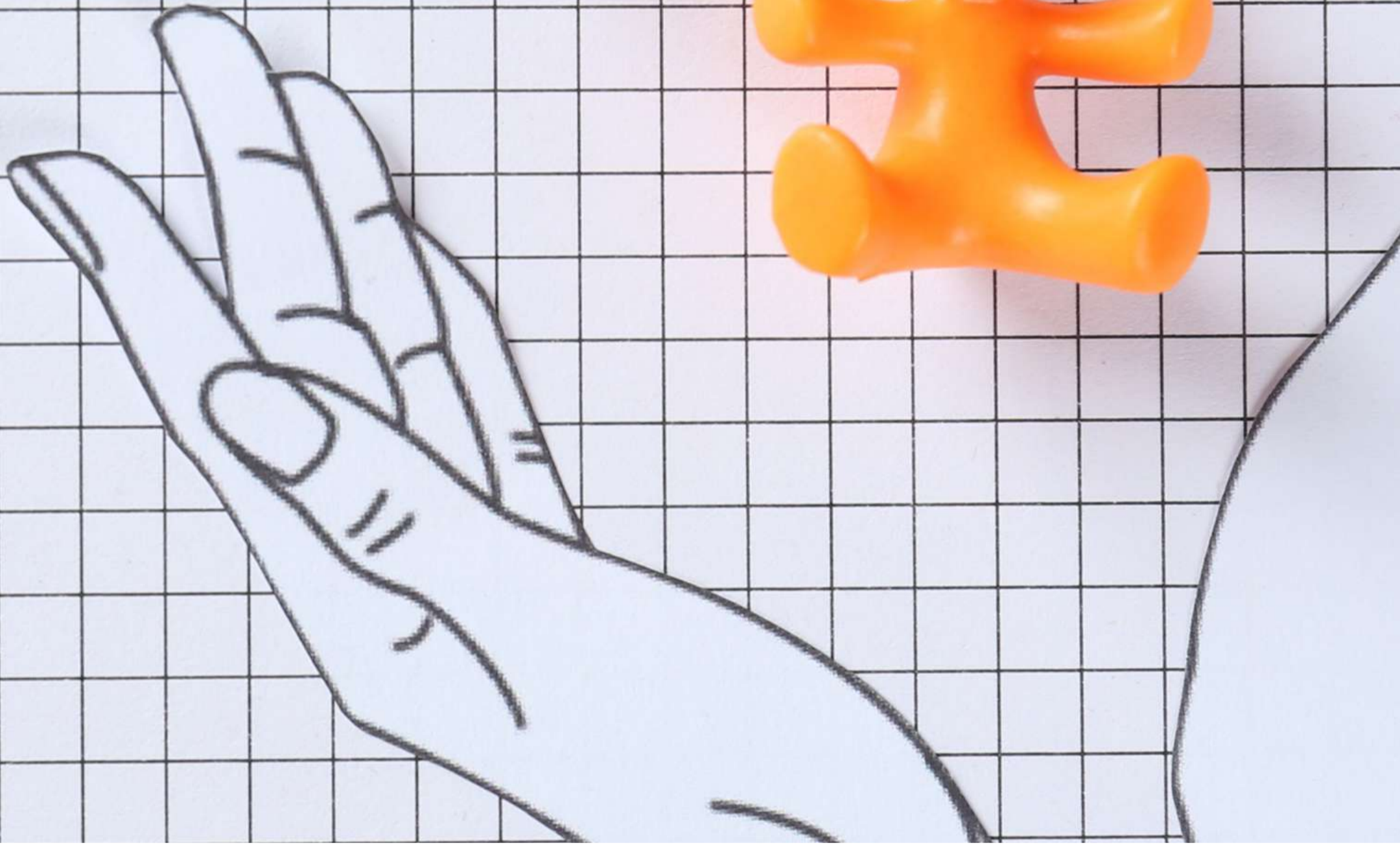


The logo for Corpbiz, featuring a stylized 'C' with a blue and orange gradient and a small blue circle above the 'i', followed by the word 'orpbiz' in a black sans-serif font.

Corpbiz



**MoHFW Publishes the Surrogacy
Regulations, 2023**

On 05th April 2023, the Ministry of Health and Family Welfare (MoHFW) published the Surrogacy Regulations, 2023, where the regulations are deemed to be effective from 05th April 2023.

The Amended Regulation states the following -

- In Section 4 clause (iii) which states “no surrogacy or surrogacy procedures shall be conducted or initiated, unless the Director or in-charge of the surrogacy clinic and the person qualified to do so are satisfied, for reasons to be recorded in writing, that the following conditions have been fulfilled” in sub-clause (c) the following condition shall be added namely -

“If the appropriate authority is of opinion that the eligibility condition for surrogacy other than those mentioned in the Act, the same may be sent to the National Board for consideration and approval before issuing the eligibility certificate”

- In Section 19 which contains provisions pertaining to the Meetings of the Board, the sub-section 1 shall be substituted as follows namely -

(1) The National Board shall meet at least once in six months and fifty percent of the members shall constitute the quorum.

(2) If there is no quorum at any meeting of the National Board, the meeting shall be adjourned and the business of the such adjourned meeting shall be transacted in the meeting which may be scheduled after two hours, but not beyond seven days, irrespective of there being a quorum or not.

(3) The meeting of the National Board may conduct virtually or physically on such date, place, and venue as decided by the Chairperson of the Board.

(4) (a) The Member Secretary of the National Board shall issue a notice of every meeting of the National Board to every Member of the Board not less than fifteen days before the date of the meeting.

(b) The Member Secretary shall issue, with the notice of the meeting an agenda emphasizing the business to be brought before the National Board in the scheduled meeting: Provided that in exceptional circumstances, the Chairperson of the National Board may dispense with the requirement of notice before the specified period for a meeting of the Board.

(5) A Member who desires to move any motion not included in the agenda so circulated by the Member Secretary of the National Board shall give notice for inclusion of the same at least seven days before the meeting”.

- In Section 22 which states “Temporary association of persons with the Board for particular purposes” under sub-section (1) the following shall be substituted namely -

The National Board may co-opt a person to attend any meeting, or to temporarily associate with the National Board as per the requirement.



Sushree Dash
Legal Researcher