

UAE's New IVF Regulations: A Comprehensive Overview

Introduction

In a significant development for family matters in the UAE, particularly in the field of Medically Assisted Reproduction, recent amendments to Federal Law No. 7/2019 have introduced some essential provisions. This article provides a detailed examination of the key amendments and their implications for the regulation of assisted reproduction in the UAE.

Expanding the Scope of the Law

The recent amendments have redefined Article 2 under Federal Law No. 7/2019, effectively expanding the law's application. This expansion was introduced through Federal Decree-Law No. 17/2023, including all centres in the UAE, even those established within Free Zones. Additionally, the updated law now grants each emirate the authority to regulate Medically Assisted Reproduction through local legislation. In cases where local laws do not provide specific provisions, the regulations outlined in Federal Law No. 7/2019 become applicable.

The amended law aims to bring organization and oversight to Medically Assisted Reproduction techniques, restrict illegal practices, and promote the use of the latest scientific methods for assisted reproduction.

Key Amendments to Article 8

One of the most significant recent changes is the revision of Article 8 by Federal Decree-Law No. 17/2023. This article outlines the conditions and rules for practising Medically Assisted Reproduction techniques in the UAE.

As per the amended Article 8, when utilizing any Medically Assisted Reproduction techniques, centres must follow several key requirements outlined under Article 8(1). Importantly, the revised Article 8(2) of Federal Law No. 7/2019 may now allow unmarried non-Muslim concerned parties to apply for Medically Assisted Reproduction techniques, even in cases where no marriage certificate is available.

However, unmarried couples should provide a declaration specifying which one of them will establish the child's parentage. This declaration requires approval by the competent entity in the spouse's country of nationality and the child's anticipated citizenship.

Furthermore, Article 9 of the amended law addresses prohibited practices during the use of Medically Assisted Reproduction techniques, while taking into account the rules outlined in Article 8(2) of the amended law. These prohibitions include:

- Uniting sperm taken from the husband with an ovum taken from a woman other than his wife.

- Inseminating an ovum taken from the wife with sperm taken from a man other than her husband.
- Any other practices as determined by a cabinet decision.

Article 19 of Federal Law No. 7/2019 deals with the transfer of frozen fertilized or unfertilized eggs and sperm between centres. This article underlines the importance of obtaining consent from the concerned parties.

The law recognizes the significance of safeguarding individuals' rights and following proper procedures when transferring reproductive materials, thereby providing much-needed legal clarity in the field of assisted reproduction.

Conclusion

While these amendments maintain necessary regulations to ensure the ethical and legal practice of IVF, they also underline the importance of protecting the rights of patients and maintaining the highest standards of care.