

EXPLANATORY STATEMENT

Issued by the Authority of the Minister for Finance

Medical Research Future Fund Act 2015

Medical Research Future Fund (Amount to be Transferred from the Health and Hospitals Fund) Determination 2015

Section 12 (1) (a) of the *Medical Research Future Fund Act 2015* (the Act) provides that the Minister for Finance must determine by writing an amount to be transferred from the Health and Hospitals Fund to the Medical Research Future Fund.

The purpose of the Medical Research Future Fund (Amount to be Transferred from the Health and Hospitals Fund) Determination 2015 (the Determination) is to specify that \$1,010,000,000 is to be transferred from the Health and Hospitals Fund to the Medical Research Future Fund. This amount consists of the value of the uncommitted funds in the Health and Hospitals Fund.

The Future Fund Board of Guardians will have 28 days from the date this Determination commences to effect a transfer of financial assets to the value of the amount determined in this Determination. During this period the Future Fund Board of Guardians will identify the assets to be transferred and make whatever commercial arrangements are required to manage these assets as investments of the Medical Research Future Fund.

Section 12(2) of the Act provides that the Determination is a legislative instrument for the purpose of the *Legislative Instruments Act 2003* but is not subject to disallowance under section 42 of the *Legislative Instruments Act 2003*.

The Determination commences on the day it is registered on the Federal Register of Legislative Instruments.

Consultation

The Government announced the Medical Research Future Fund and the applicable credits in the 2014-15 Budget.

The Future Fund Board of Guardians who have responsibility for the Health and Hospitals Fund were consulted on the amount to be transferred.

The Office of Best Practice Regulation (OBPR) assessed that the impact of the changes made by the Determination are minor and do not require a Regulation Impact Statement (OBPR ID: 19553).

Statement of compatibility with Human Rights

The legislative instrument does not:

- engage any of the applicable rights or freedoms outlined in the *Human Rights (Parliamentary Scrutiny) Act 2011*, such as encompassed in the International Covenant on Civil and Political Rights; or

- limit any human rights, nor propose any offences or penalties.

This legislative instrument is therefore compatible with the human rights and freedoms recognised or declared in the international instruments listed in subsection 3(1) of the *Human Rights (Parliamentary Scrutiny) Act 2011*.