



Australian Government
Registered Organisations Commission

11 January 2023

Robert Graauwmans
Divisional Branch President
Construction, Forestry, Maritime, Mining and Energy Union-Construction and General
Division, Victoria-Tasmania Divisional Branch
Sent via email: vicqueries@cfmeu.org

cc: nationalcompliance@cfmeu.org

Dear Robert Graauwmans

**The Construction, Forestry, Maritime, Mining and Energy Union-Construction and
General Division, Victoria-Tasmania Divisional Branch's Amended Officer and
related party disclosure statement (ORP Statement)**

Thank you for lodging your amended ORP statement. We note the amended ORP statement included non-cash benefits that Mr Setka obtained from legal services paid by the Branch.

Section 293J of the Fair Work (Registered Organisations) Act 2009 (the RO Act) requires that, as well as being lodged, ORP statements must also be provided to members. We therefore take this opportunity to remind you to make the amended ORP statement available to Branch members if you have not already done so.

Summary of your ORP Statement and Review Outcome

Financial year ending	31 March 2021
Matter number	ORP2021/20
Lodgement date	23 September 2021 (original lodgement) and 13 December 2022 (amended statement lodged)
Review	Primary Review
Result	FILED

Your primary review

Your ORP statement had a **primary review** by ROC staff, which checked whether it was signed by an officer, lodged on time, included the required NIL statements and whether the Branch met the requirements that the Registered Organisations Commission (the ROC) raised with you last year.



Your ORP statement satisfied the requirements of the primary review and has been uploaded to the ROC website.

The ROC's risk-based approach

This year your ORP statement was assessed against a primary review. A primary review does not check all legislative requirements.

Over a five year period the ORP statement of every organisation and branch will generally be subject to at least one advanced review. An advanced review is a more comprehensive review.

The ROC's [advanced review checklist](#) is published on our website.

Do you have any questions?

Information and education materials are available on our [website](#). These materials are regularly updated. We recommend you [subscribe to the ROC's subscription service](#).

If you have any queries we can be contacted on 1300 341 665 or by email at regorgs@roc.gov.au.

Yours sincerely

Registered Organisations Commission

AMENDED OFFICER AND RELATED PARTY DISCLOSURE STATEMENT in accordance with Section 293J Fair Work (Registered Organisations) Act 2009

I, Robert Graauwmans, being the President of the Construction, Forestry, Maritime, Mining & Energy Union, Construction and General Division Victoria-Tasmania Divisional Branch, declare the following Amended Officer and Related Party Disclosure Statement.

Organisation Name:	Construction, Forestry, Maritime, Mining & Energy Union	Branch Name:	Construction, Forestry, Maritime, Mining & Energy Union, Construction and General Division Victoria-Tasmania Divisional Branch
Financial year start date:	1/4/2020	Financial year end date:	31/03/2021

Top Five Rankings of Officers – Relevant remuneration and non-cash benefits

Full Name	Office	Actual Amount of Relevant Remuneration paid including salary, allowances, superannuation, accrued leave, leave loading	Value of Relevant non-cash benefits	Form of relevant non-cash benefits (e.g. car)
1. Smith Malcolm	<i>Elected organiser- now retired</i>	\$303,105.88	\$15,952.00	<i>Reportable Fringe Benefit amount - Motor Vehicle</i>
2. Benstead Gerard	<i>Elected organiser- now retired</i>	\$236,013.51	\$10,644.00	<i>Reportable Fringe Benefit amount - Motor Vehicle</i>
3. Graauwmans Robert	<i>President</i>	\$234,514.56	\$21,363.00	<i>Reportable Fringe Benefit amount - Motor Vehicle</i>
4. John Setka	<i>Secretary</i>	\$229,468.26	\$18,994.00	<i>Reportable Fringe Benefit amount - Motor Vehicle</i>
			The benefit that Mr Setka obtained from legal services paid by the Branch in the amount of \$416,599.30	<i>Legal services (See Note 1 below)</i>

5. Elias Spernovasilis	Senior Assistant Secretary	\$229,911.56	\$18,511.00	Reportable Fringe Benefit amount - Motor Vehicle
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Note 1: During the financial year, the Branch funded a malicious prosecution and false imprisonment proceeding brought by John Setka that related to matters that arose in the course of performing his role as Secretary of the Branch. The proceeding sought to: (a) recover legal fees that had been incurred in relation to defending earlier criminal charges brought against Mr Setka and another officer of the union; (b) publicly vindicate Mr Setka's legal rights in order to deter similar wrongs being committed against officers of the Branch in future; and (c) recover compensation for damages suffered by Mr Setka as a result of the original prosecution.

Payments to related parties and declared persons or bodies

During the financial year, the Construction, Forestry, Maritime, Mining & Energy Union, Construction and General Division Victoria-Tasmania Divisional Branch made the following payments to related parties or declared persons or bodies. The details of these payments are included below. This list does not include payments that have been exempted from disclosure under section 293G.

Date	Name	Nature of relationship (e.g. company owned by Secretary)	Purpose of payment (e.g. catering)	Amount	Other relevant details

The branch did not make any payments to related parties or declared persons or bodies that are required to be disclosed.

Signed by the officer:



Dated: 31/10/2021