

How eBrevia helped PT Bayan Resources streamline their contract review process



Client: **PT Bayan Resources Tbk**

Company HQ: **Jakarta, Indonesia**

No. of Employees: **3000+**

Industry: **Mining**

Contracts reviewed using eBrevia: **NDA's, coal mining agreements, land use agreements, etc.**

Company website: <https://www.bayan.com.sg/>

Streamlining the Contract Review Process and Corporate Governance

PT Bayan Resources Tbk is a company listed on the Indonesia Stock Exchange. To streamline its contract review process, as well as achieve better corporate governance and management visibility, the group turns to technology.



Questions & Answers

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With: **Oliver Khaw**

Head of Legal and Director | PT Bayan Resources

A Chat with Oliver Khaw, Head of Legal and Director of PT Bayan Resources

In an interview with Oliver Khaw, the Head of Legal of the Bayan Group and Director (Legal) of the parent holding company, PT Bayan Resources Tbk, Oliver shares more about the goals and objectives he has in mind for the Bayan group, and how he sees the role of technology in this process.

The interview was conducted by Stephanie Siu, Director of Strategic Development and Legal Counsel, APAC at eBrevia in November 2022.

Could you share a bit more about what you do at PT Bayan Resources, and what your day- to-day work scope looks like?

I lead the Bayan in-house legal team which comprises of 4 Indonesian qualified lawyers, a legal translator and a legal secretary.

Our team undertakes the legal review of all contracts, government correspondence, PR material (in all media formats), as well as provides legal advisory support for contentious and non-contentious matters, litigation, KYC due diligence, M&A due diligence and other special projects.

As the Head of Legal of Bayan, and a director sitting on the board – what's your vision for Bayan group?

From a legal function perspective, I am looking to improve the speed and consistency of the deliverables coming out of the Bayan legal department, free from personal bias of different lawyers due to their background, experience and personality.

For consistency – I hope to get Bayan to a point where the quality of the deliverables from the legal department is consistent even when e.g. some lawyers are suddenly incapacitated due to illness or family emergencies, staff turnovers, or when there is a sudden increase in ad hoc work.

Speed-wise – I hope to reduce the response time to counterparties, and one of the ways in achieving that is to empower and increase the knowledge of other business units in the contract review process so that the workload does not fall solely on legal. In addition to the above, better contract documentation and reporting are also important from a risk management standpoint.

How are you leading the team to meet the above objectives? How do you see technology come into play, and what are some considerations that you take into account when choosing technology vendors?

I believe the key to achieve quality and consistent deliverables is through a consistent training regime, similar to what large law firms do.

Of course, technology plays a big part in this process.

For example, we rely on technology to manage our contract expiration dates, use VPNs to allow our travelling colleagues to connect to our internal data rooms, shifted in-person meetings to video meeting platforms, use DFIN's VENUE virtual data room for internal document repository functions and to facilitate external party due diligence on us.

We have also started adopting AI-based contract review technology, which can help with repetitive contract review (specifically with run-of-the-mill NDAs, non-critical SLAs and standard coal sale contracts) and reporting work. I see these tools being utilized in lieu of a lawyer when dealing with standard contract reviews, thus reducing the turnaround time of our business units to counterparties.

When considering what tech solutions to adopt, some of the factors I take into account include:

1. whether the solution can be accessed/used regardless of geographical location;
2. whether the solution can help support the business team where none of the in-house lawyers are available for whatever reason;
3. whether the solution makes commercial sense considering the local labour market for lawyers; and
4. whether the solution can deal with multiple languages of English and Bahasa Indonesia, as we deal with documents in multiple languages all the time.

Regarding AI-assisted contract review and management, you and the team are using our AI-assisted contract review and management platform – DFIN eBrevia. What are the use cases you have in mind? How was the experience?

or initial use cases, it would mainly be to streamline the review of our day-to-day contracts (NDAs, coal mining agreements, land use agreements etc), and to pull out granular data quickly for management visibility/review. At a later stage, we will deploy eBrevia to help with the review of all types of agreements that we handle to maximize its value.

In general, the experience was good. Support was consistent and responsive, we found the training sessions, follow-up guides, and training videos very helpful. Some of the key considerations in deciding to onboard eBrevia include APAC support (same time zone), a user-friendly UI, and integration with our contract repository Venue.

Did you notice any preliminary benefits, and how do you see eBrevia's value for Bayan in the long run?

Speed of contract review has been improved in the initial stages, and I would expect this to be further improved and replicated once the entire team onboards it. We are in the process of further configuring the software to suit our review needs. While we are in the early stages of adoption, I'd say it shows great promise.

From your point of view, how do you see contract review and management tools like DFIN generally benefiting the in-house legal sector?

From my perspective as an in-house legal counsel, by having repetitive bread-and-butter contract review work automated, this allows us to redeploy time and resources towards more value-added tasks – essentially move up the value chain, e.g. upskilling our “hard” and “soft” (which is something many in-house lawyers fall short on or take for granted due to working for only 1 “client”) skills.

From the company's perspective, there are several benefits. For one, these tools help to ensure consistency in the legal department's deliverables. With a quicker turnaround time and consistent quality, there will also be less risk of disruption due to e.g. a turnover in the legal department.

Further, when these tools are configured and trained sufficiently, it can potentially be deployed beyond the legal department, and be directly accessed by the end user (i.e. other business units within the company) for run-of-the-mill contract reviews.

Last question – how do you see the development of legaltech generally in the coming years?

I think technological development in the legal field is slower than other fields due to the reliance on human skills and expertise. The practice of law, be it in-house or private practice, is still very much benchmarked against the individual lawyer's skill and expertise.

At this point in time, I think that the state of legaltech can help enhance productivity, but it is still very much dependent on human output, and there are still gaps between

what legaltech can achieve vs the ultimate end deliverable. Further, from an APAC developing market perspective, there are considerably more hurdles to overcome as the cost of employing a lawyer is substantially lower than in the US and Europe, so it may take more to justify a business case of adopting legaltech in the region. The fact that business in the APAC region tends to be done in languages other than English represents a challenge that legaltech needs to recognise and bridge.

As a last general comment, be it law firms or a corporation, I believe that there is considerable benefit and increase in productivity and quality that can be achieved with legaltech if promoters and implementors are committed to the end goal, and approach the onboarding of such technologies with a skillful, consistent and strategic touch; but vice versa, without these – results may be inconsistent which may in turn affect adoption rate and lead to a slower development of legaltech in the grander scheme of things.