



NAMIBIA

# Mining & Minerals

THOUGHT LEADERSHIP



## An overview of our law firm

At Cliffe Dekker Hofmeyr (CDH) we believe the right partnership can lead to great things. The partnerships we cherish and value most are those we have forged through time and experience with our clients and, of course, our people.

We are a full service corporate and commercial law firm and provide experienced support wherever in the world you conduct business. We offer an authentic knowledge-based and cost-effective service for clients looking to do business in Africa. Our Africa practice brings together the resources and expertise of leading business law firms across the continent. Whatever the scope of your transaction, we offer a depth of skills and experience to support your day-to-day business needs and long-term strategies. Our structure suits many clients that operate on a national and international basis. We are able to project manage complex cross-border activity and offer a seamless experience through a single point of contact with a trusted CDH adviser who understands your business and strategic objectives.

Doing business in Africa offers unique opportunities and challenges, and with these come a need to understand the cultural, economic and political nuances that exist across the vast continent.

CDH is strongly positioned to serve your legal needs. Our team, together with our partner law firms on the continent have direct experience acting for governments, state agencies and multinational private organisations across the continent.

We focus on a number of key sectors, including Mergers & Acquisitions; Agriculture, Aquaculture & Fishing; Commercial Real Estate; Consumer Goods, Services & Retail; Energy and Power; Oil & Gas; Financial Institutions, Services & Fintech; Corporate Debt, Turnaround & Restructuring; Government & State-owned Entities; Healthcare & Pharmaceuticals; Hospitality & Leisure; Gambling & Regulatory Compliance; Industrials, Manufacturing & Trading; Infrastructure, Transport & Logistics; Mining & Minerals; Private Equity; and Technology & Communications.

With first hand, in-depth experience, CDH is able to offer sector-specific expertise and knowledge of regulatory nuances to provide an exceptional integrated service across Africa.

This includes:

- A proven track record and deal experience across multiple jurisdictions in Africa
- A practical and commercial approach
- A multi-disciplinary team of lawyers managed from a single point
- Extensive sector experience
- Substantial and established alliances with African firms
- A dedicated, partner-led team and a cost-effective service at locally competitive billing rate

Our Windhoek office, Barendse Inc, is a leading Namibian law firm that provides personalised legal services of the highest quality in key specialist areas of practice. We support our clients' strategic and operational needs by offering innovative, integrated and high quality legal advice across our full range of legal services, tailored to their requirements. We have the depth of skills to respond to our clients' business operations locally, across Africa or anywhere else in the world.

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## Namibia's mining sector shifts gears

Operators in Namibia's mining sector can expect significant growth in the coming years but must be prepared to navigate an increasingly complex and demanding regulatory environment. Exploration conducted over the past 18 months has confirmed that the country possesses a unique combination of natural resources, positioning it to benefit from emerging trends in global energy and metals markets.

### Uranium: potential for renewed activity

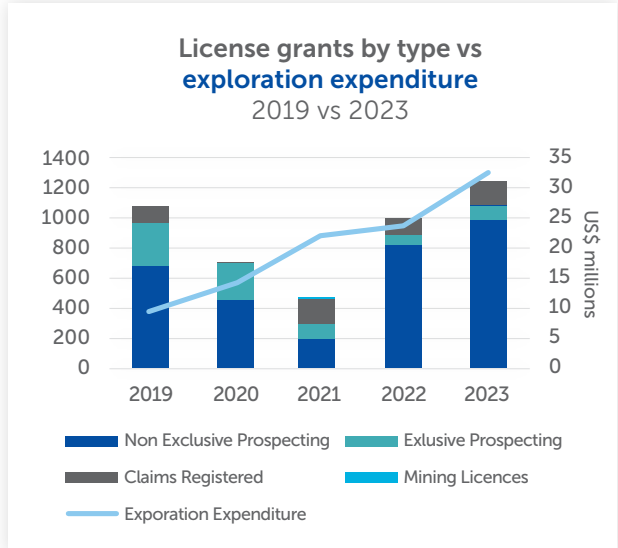
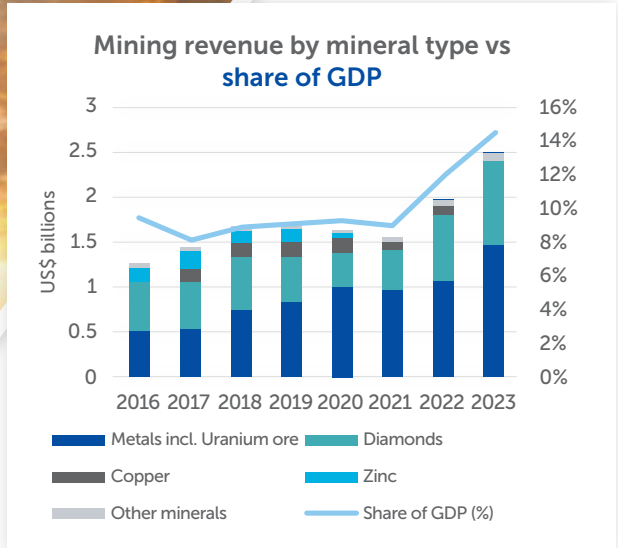
One of the most notable trends is the steady rise in uranium prices, which are approaching their 2007-2008 peak. This indicates the potential for renewed uranium mining activity after years of operations remaining under care and maintenance. As Africa's largest uranium supplier, Namibia is well-placed to support the growing demand for nuclear energy, driven by power rollouts in developing markets and the shift by US-based technology companies towards nuclear power as an efficient energy source for AI developments.

Although some operations, including Orano's Trekkopje site, are nearing the end of their production cycles, exploration in the Erongo region has shown that with sufficient investment, a stable supply can be maintained. This positions Namibia to continue supporting global nuclear energy developments well into the future.

### Critical minerals: strategic opportunities

Namibia is also gaining prominence as a supplier of critical minerals, including rare earth elements (REEs). Investor interest has grown since Namibian Critical Metals Inc., though is wholly-owned subsidiary Namibia Rare Earths, received a mining permit for the Lofdal mine in 2021. Late last year, the company announced a feasibility study to explore the potential of supplementing its Lofdal operations with a rare earth separation plant. If successful, this would position Namibia as a significant global supplier of magnetic components for electric vehicles and wind turbines.





The contribution of Namibia's mining sector to GDP has increased in recent years with exploration expenditure rising steadily in parallel.

*Chamber of Mines, 2023-2024*

These developments are just the beginning. Exploration conducted in Namibia's Zambezi province last year revealed over fifteen different critical mineral deposits. This has attracted international attention, with stakeholders from Japan, South Korea and other markets approaching Namibian authorities to secure exploration licenses. Amid growing geopolitical competition for these resources, Namibia's stability and investor-friendly environment are viewed as significant advantages.



## An evolving regulatory environment

Namibian authorities are fully aware of the country's substantial natural resource potential and are leveraging this position in negotiations with both existing and prospective license holders. A new draft mining law is expected to be introduced when the new presidential administration takes office in March. The law is anticipated to expand local ownership and beneficiation requirements, contributing to an already complex tax and regulatory framework for the predominantly foreign-owned mining sector.

### Key aspects of the proposed regulations include:

- Local Content Requirements: Building on existing policies applied to upstream oil and gas operations.
- Local Equity Participation: Requirements for Namibian ownership in mining company equities, which could encourage more entities to list locally. A min 5% is currently proposed.
- Increased Royalties and Taxes: Higher royalties and an expanded tax base, further increasing operational costs for mining companies. A 10% royalty cap is also proposed for non-diamond minerals.
- Value Addition Requirements: Restrictions on the export of raw commodities, requiring companies to invest in local processing and refining facilities.
- Formalisation of Small-Scale Mining: The possibility of instituting regulation for the formalisation of small-miners is on the cards.

Experiences in the Democratic Republic of Congo suggest that exceptions to such regulations can be negotiated, particularly in cases where infrastructural challenges exist. However, doing so in Namibia will require strategic legal guidance and local expertise.







### Changes to licensing and exploration regulations

Additional changes are anticipated in the administration of mining and exploration licenses. Although exploration expenditure and applications have grown substantially over the past decade, investigations have found that many license holders are inactive. In some cases, licenses are being used as financial assets for resale or share price enhancement, while in others, companies face financial or technical constraints that hinder project development. Additionally, some projects have stalled due to a lack of support from traditional leaders and other landowners.

Authorities have indicated that they will apply greater scrutiny and due diligence to mining applications going forward. This will increase the need for legal guidance to help stakeholders navigate the evolving regulatory landscape.

### Thought Leadership

Scan the QR codes or click on the links for more on our diverse Africa-focused thought leadership initiatives and service offerings:



[Corporate Guide](#)



[Doing Business in Africa](#)



[Corporate Brochure](#)



[Oil & Gas Brochure](#)

## MARKET RECOGNITION

Our Mining & Minerals team is externally praised for its depth of resources, capabilities and experience.

*Chambers Global 2017–2025* ranked our Mining & Minerals sector in Band 2 for energy & natural resources: mining. *Chambers Global 2012–2016* ranked our Mining & Minerals sector in Band 3 for energy & natural resources: mining. *The Legal 500 EMEA 2012–2024* recommended us in Tier 2 for mining. *The Legal 500 EMEA* client describes the CDH mining team “as an exceptional team of professionals. They are extremely pragmatic and approachable individuals who truly understand their clients, the environment and pressures we operate under.” *IFLR1000 2016–2024* ranked us in Tier 2 for project development: mining.

The way we support and interact with our clients attracts significant external recognition.

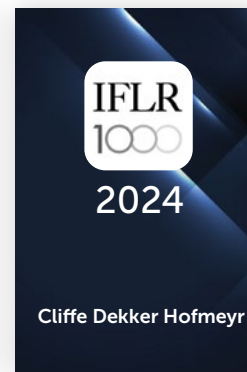
**Vivien Chaplin** heads up our Mining & Minerals sector in Johannesburg and is a director in our Corporate Commercial Practise. *Chambers Global 2023–2024* ranked Vivien in Band 5 for M&A and Band 4 for Mining. *The Legal 500 EMEA 2021–2024* recommended her for both commercial law and mining, with clients stating that “Viv Chaplin is a very experienced attorney and has the ability to deal with complex transactions, both commercial and mining related. She provides the client with practical and workable solutions.” *IFLR1000 2021–2024* ranked her as highly regarded for M&A.

**Tim Fletcher** is the Chairperson and a director in our Dispute Resolution practice. He was ranked by *Chambers Global 2025* as an ‘Eminent Practitioner’; a category in which lawyers are ranked as highly influential lawyers and exceptional individuals. *Chambers Global 2022–2024* ranked Tim in Band 2 for dispute resolution. *Chambers Global 2019–2021* ranked him in Band 3 for dispute resolution. *The Legal 500 EMEA 2024* recommended Tim in the ‘Hall of Fame’ for dispute resolution. *The Legal 500 EMEA 2016–2023* recommended him as a ‘Leading Individual’ for dispute resolution.

**Sammy Ndolo** is the Kenya Managing Partner. *Chambers Global 2025* ranked Sammy Ndolo in Band 3 for Fintech. *Chambers Global 2021–2025* ranked Sammy in Band 4 for corporate/M&A. *Chambers Global 2023–2025* ranked him in Band 4 for banking & finance. *The Legal 500 EMEA 2024* recommended Sammy as a ‘Leading Individual’ for banking, finance & capital markets. *The Legal 500 EMEA 2022–2023* recommended him for banking, finance & capital markets. *The Legal 500 EMEA 2023–2024* also recommended Sammy for corporate, commercial/M&A. *IFLR1000 2021–2024* ranked him as a ‘Notable Practitioner’.

**Megan Rodgers** is the Head of our Oil & Gas sector, and a director in our Corporate & Commercial practice. *Chambers Global 2025* ranked Megan in Band 4 for projects & energy. *Chambers Global 2024–2025* ranked Megan in the Namibia General Business Law category as ‘Foreign Expertise Based in South Africa Spotlight’. *The Legal 500 EMEA 2017–2024* recommended her for projects & infrastructure. Megan was named one of *IFLR1000 2021–2024* Women Leaders – the elite cohort of the leading female experts in local markets globally. *IFLR1000 2020–2024* ranked Megan as highly regarded for project development: oil and gas.

**Jackwell Feris** is Head of our Industrials, Trade & Manufacturing sector, and a director in our Dispute Resolution practice. *Chambers Global 2023–2024* ranked him as an ‘Up & Coming’ dispute resolution lawyer. *The Legal 500 EMEA 2022–2024* recommended him for dispute resolution. The *Association of Young Arbitrators* recognised Jackwell as an expert arbitration practitioner. Jackwell is a Director in our Dispute Resolution practice focused on the mining, energy and natural resources sector, including the Africa and international factors. Jackwell’s is focused on the entire value chain within such sectors to provide client with holistic advice and assistance.



## OUR TEAM

For more information about our Mining & Minerals sector and services South Africa and Kenya, and Namibia, please contact:

**Vivien Chaplin**

Sector Head: Mining & Minerals  
Director: Corporate & Commercial  
T +27 (0)11 562 1556  
E [vivien.chaplin@cdhlegal.com](mailto:vivien.chaplin@cdhlegal.com)

**Bonita de Silva**

Managing Partner | Namibia  
T +264 (0) 811 222 884  
E [bonita.desilva@cdhlegal.com](mailto:bonita.desilva@cdhlegal.com)

**Tim Fletcher**

Chairperson  
Director: Dispute Resolution  
T +27 (0)11 562 1061  
E [tim.fletcher@cdhlegal.com](mailto:tim.fletcher@cdhlegal.com)

**Brent Williams**

Chief Executive Officer  
Director: Corporate & Commercial  
T +27 (0)11 562 1167  
E [brent.williams@cdhlegal.com](mailto:brent.williams@cdhlegal.com)

**Sammy Ndolo**

Managing Partner | Kenya  
T +254 731 086 649  
+254 204 409 918  
+254 710 560 114  
E [sammy.ndolo@cdhlegal.com](mailto:sammy.ndolo@cdhlegal.com)

**Roy Barendse**

Executive Consultant:  
Dispute Resolution  
T +27 (0)21 405 6177  
E [roy.barendse@cdhlegal.com](mailto:roy.barendse@cdhlegal.com)

**Ilda-Manuela dos Santos**

Director | Namibia  
T +264 081 125 0996  
E [ilda.dossantos@cdhlegal.com](mailto:ilda.dossantos@cdhlegal.com)

**Megan Rodgers**

Sector Head: Oil & Gas  
Director: Corporate & Commercial  
T +27 (0)21 481 6429  
E [megan.rodgers@cdhlegal.com](mailto:megan.rodgers@cdhlegal.com)

**Jackwell Feris**

Joint Sector Head: Industrials,  
Manufacturing & Trade  
Director: Dispute Resolution  
T +27 (0)11 562 1825  
E [jackwell.feris@cdhlegal.com](mailto:jackwell.feris@cdhlegal.com)



**BBBEE STATUS: LEVEL ONE CONTRIBUTOR**

Our BBBEE verification is one of several components of our transformation strategy and we continue to seek ways of improving it in a meaningful manner.

**PLEASE NOTE**

This information is published for general information purposes and is not intended to constitute legal advice. Specialist legal advice should always be sought in relation to any particular situation. Cliffe Dekker Hofmeyr will accept no responsibility for any actions taken or not taken on the basis of this publication.

**JOHANNESBURG**

1 Protea Place, Sandton, Johannesburg, 2196. Private Bag X40, Benmore, 2010, South Africa.  
Dx 154 Randburg and Dx 42 Johannesburg.  
T +27 (0)11 562 1000 F +27 (0)11 562 1111 E [jhb@cdhlegal.com](mailto:jhb@cdhlegal.com)

**CAPE TOWN**

11 Buitengracht Street, Cape Town, 8001. PO Box 695, Cape Town, 8000, South Africa. Dx 5 Cape Town.  
T +27 (0)21 481 6300 F +27 (0)21 481 6388 E [ctn@cdhlegal.com](mailto:ctn@cdhlegal.com)

**NAIROBI**

Merchant Square, 3<sup>rd</sup> floor, Block D, Riverside Drive, Nairobi, Kenya. P.O. Box 22602-00505, Nairobi, Kenya.  
T +254 731 086 649 | +254 204 409 918 | +254 710 560 114  
E [cdhkenya@cdhlegal.com](mailto:cdhkenya@cdhlegal.com)

**NAMIBIA**

1<sup>st</sup> Floor Maerua Office Tower, Cnr Robert Mugabe Avenue and Jan Jonker Street, Windhoek 10005, Namibia  
PO Box 97115, Maerua Mall, Windhoek, Namibia, 10020  
T +264 833 730 100 E [cdhnamibia@cdhlegal.com](mailto:cdhnamibia@cdhlegal.com)

**STELLENBOSCH**

14 Louw Street, Stellenbosch Central, Stellenbosch, 7600.  
T +27 (0)21 481 6400 E [cdh Stellenbosch@cdhlegal.com](mailto:cdh Stellenbosch@cdhlegal.com)

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