

NEWSLETTER

The Official Newsletter of SEENA Legal
Consult.



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PREFACE:

Season's Greetings and Thank You

As 2025 draws to a close, we would like to take this opportunity to sincerely thank you for your continued trust in Seena and your loyal support throughout the year. It has been a pleasure working alongside you.

We wish you, your families, and your teams a joyful festive season, a Merry Christmas, and a prosperous New Year. May this time be filled with rest, reflection, and well-deserved celebration.

Please be assured that our labour consultants remain committed to supporting and assisting you in the year ahead, and we look forward to continuing our partnership in 2026.

Kindly note that, due to our offices operating on skeleton staff over the festive period, no disciplinary hearings can be scheduled between 22 December and 2 January. Normal operations will resume on 5 January 2026. Our Windhoek and Swakopmund offices will however, be open throughout and will be able to provide telephonic assistance at all times.

Thank you once again for your support. We look forward to working with you in the new year.

SEENA greetings,

Kees Barkhuizen

Managing Director

SECTOR SPECIFIC NATIONAL MINIMUM WAGE INCREASES TAKING EFFECT IN JANUARY 2026

The Ministry of Labour, Industrial Relations and Employment Creation has confirmed further National Minimum Wage (NMW) increases effective from 1 January 2026, as part of the phased implementation of Namibia's first-ever national minimum wage framework.

These increases follow the National Minimum Wage Order published in Government Gazette No. 8409 (Government Notice No. 218 of 2024), read together with the amended Wage Order issued under Government Gazette No. 6 of 2025, which introduced a three-year phased approach for certain sectors.

General National Minimum Wage

For most employees, the national minimum wage remains set at N\$18.00 per hour, which came into effect on 1 January 2025. No further increase applies in January 2026 for employees already earning the general minimum wage.

Sector-Specific Increases from January 2026

However, employees in the following sectors will receive mandatory increases on 1 January 2026 as part of the agreed phase-in process:

- Agricultural workers

The minimum wage increases from N\$10.00 per hour to **N\$14.00** per hour.

- Domestic workers

The minimum wage increases from N\$12.00 per hour to **N\$15.00** per hour.

- Security workers

The minimum wage increases from N\$13.00 per hour to **N\$16.00** per hour.

Final Alignment in 2027

All three sectors will reach full alignment with the national minimum wage of N\$18.00 per hour on 1 January 2027, completing the transition period.

What Employers and Employees Should Know

Employers are legally required to implement the January 2026 increases, and employees in the affected sectors are entitled to the revised minimum rates. Non-compliance may expose employers to enforcement action under the Labour Act, 2007.

The Ministry has urged both employers and workers to familiarise themselves with the applicable wage schedules to ensure smooth and lawful implementation.

MAJOR CHANGES TO NAMIBIAN LABOUR LEGISLATION FOR FISHERS: 2016 VS 2025

Namibia's labour framework for fishers has shifted dramatically between the 2016 variation notice and the comprehensive 2025 Regulations, published as per Government Gazette 8785 on 17 November 2025. The 2016 notice offered only a temporary five-year adjustment to working-time rules under Chapter 3 of the Labour Act, modifying hours, overtime and shore-leave calculations. It did not create sector-specific rights beyond these limited variations.

In contrast, the 2025 Regulations establish a permanent and wide-ranging code aligned with the ILO Work in Fishing Convention. They regulate not only working hours, rest periods and overtime, but also remuneration, allowances, bonuses, pension and medical benefits, as well as accommodation, food, water quality, PPE, and detailed occupational safety and health duties. The regulations introduce mandatory written contracts (FCE1 and FCE2), criminal penalties for non-compliance, and explicit protections for sickness, injury, death and repatriation.

The 2025 framework further codifies union access, strengthens definitions of fishers and vessel owners, and expands obligations to include employers, vessel owners and their agents.

Overall, Namibia has moved from a narrow, temporary working-hours exemption in 2016 to a full, permanent regulatory regime in 2025 that sets comprehensive labour standards for all fishers.

The Gazette has been uploaded to our website and is available for download.