



香港醫學會
THE HONG KONG
MEDICAL ASSOCIATION



THE
LAW SOCIETY
OF HONG KONG
香港律師會

**Launch of Public Education Flyer on Anti-Youth Drug Abuse
– Joint Effort by The Hong Kong Medical Association
and The Law Society of Hong Kong**

In view of the overwhelming youth drug abuse problem in the community, The Hong Kong Medical Association (HKMA) and The Law Society of Hong Kong (LSHK) have today launched a Public Education Flyer on Anti-Youth Drug Abuse as attached. The Hon. WONG Yan Lung, SC, JP, Secretary for Justice of the Government of the HKSAR joined [the press conference](#) and supported the event. An ex-drug abuser was invited to share her experience and unfold the scourge by abusing drug.

This is the second joint initiative by the two professional bodies since their first collaboration on Drink Driving in April this year. Both HKMA and LSHK share concerns about the harm of abusing drugs and understand the adverse consequences to the society due to drug abuse. They express their professional views via producing the educational flyer to the public. To shorten the distance between the two professional bodies and the public, the flyer is written in Chinese and illustrated with cartoons, adopting a light presentation style.

In the medical section of the flyer, HKMA illustrates the harmful effects of drug abuse and dispels misconceptions on drug abuse. On the legal side, HKLS highlights the serious criminal consequences of drug trafficking, possession and storage.

The Education Flyer is targeted at the general public, especially youth and parents. The flyer contains answers to frequently asked questions regarding the medical and legal aspects of anti-youth drug abuse. It will be placed and disseminated through the offices of HKMA and LSHK, the Hong Kong Jockey Club Drug InfoCentre of the Narcotics Division, the 7 centres of Counselling Centre for Psychotropic Substance Abusers (CCPSA) and 18 Federation of Parent-Teacher Associations (FPTA). The flyer will also be uploaded to the webpages of HKMA, LSHK and the Narcotics Division.

The Law Society of Hong Kong is a professional body of solicitors in Hong Kong vested with the statutory powers to regulate the professional conduct of solicitors. It establishes and promotes professional standards and the solicitors' code of conduct and practice and ensures its compliance. The Law Society assists its members to promote Hong Kong legal services and

offers its views from time to time on legal issues that are of public concern. For more information, please visit: www.hklawsoc.org.hk

The Hong Kong Medical Association, founded in 1920, aims to bring together Hong Kong's government, institutional, university and private medical practitioners for an effective exchange of views and co-ordination of efforts. The foremost objective of the Association is to safeguard and promote public health. The Association speaks collectively for its members and aims to keep its members abreast of medical ethics, issues and advances around the world. In fulfilling these goals, the association hopes to better serve the people of Hong Kong.

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The Law Society of Hong Kong
The Hong Kong Medical Association
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毒品

法律

你要知!



小珊珊

1. 販運毒品是否犯罪行為?



海洛英


販運毒品包括售賣、分享和攜帶危險藥物出入香港境內。管有毒品用作販賣屬犯罪行為，例如送遞危險藥物予另一人或至某一地方。

2. 販運毒品的刑罰是什麼?



販運毒品的刑罰會被判處即時監禁。刑期視乎涉及毒品的類型及數量，最高為終身監禁。

3. 在那些情況下會觸犯管有毒品罪行?




觸犯管有毒品罪行者如
(i) 他管有和控制危險毒品及
(ii) 他管有危險藥物並明知其為危險藥品。對管有的危險藥物類型的錯誤認知並非抗辯理由。即使管有的危險藥物數量不足使用，亦屬有罪。若服用毒品時被拘捕亦屬同等罪行。

4. 管有危險藥物的刑罰是甚麼?




管有危險藥物的最高刑罰為判監七年。根據藥劑業及毒藥條例，非法管有指定類型咳藥又沒有醫生紙即屬違法。最高刑罰可判監兩年。

5. 身為任何場所的擁有人、租客或佔用人准許場所用作吸食或儲存危險藥物之用，是否會觸犯法例?



身為任何場所的擁有人、租客或佔用人准許場所用作吸食或儲存危險藥物之用，一經定罪，最高刑罰為監禁15年。公共屋苑住戶，政府可終止其租約。

6. 執法人員在何種情況下可執行截查管有危險藥物的人士或搜查某場所?



綠豆仔、藍精靈、五仔

警員或海關執法人員均可(i)在合理懷疑某人實際管有危險藥物下載查任何人士或其物件，或(ii)在合理懷疑該場所存有危險藥物，可在沒有法庭搜查令下搜查該場所。

7. 若某人士涉及有關毒品罪行而被逮捕，他/她在調查期間可否獲准保釋?



白瓜子

若涉及有關毒品罪行而被逮捕，他/她在調查期間可能不獲准保釋。若被判犯有關危險毒品罪行，法庭可批准被告保釋或扣留，索取判刑報告。若法庭要求戒毒所報告，被告須還押監房直至報告完成。至於被控管有危險藥物，若法庭認為需即時監禁，法庭必須先索取戒毒所報告。

8. 有關判刑方面，法庭通常會考慮甚麼因素而作出裁決?



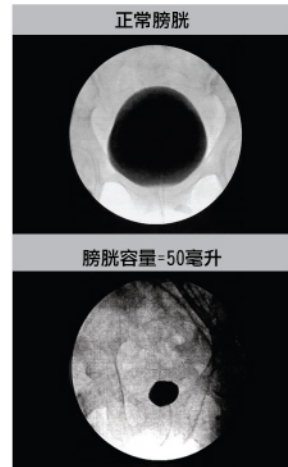
判刑方面，法庭會首先考慮如何協助被告更新多於刑罰。若被告不願接受自願戒毒療程，亦會被安排接受強制的戒毒療程以戒除毒癮。戒毒所將會按接收吸毒罪犯的配額而安排被告入住，為期2個月至12個月。被告於期滿離開戒毒所後，仍須接受12個月的監管，如果被告未能遵守監管令規定的要求，將會被召回戒毒所戒毒或被判罰監禁12個月。

9. 若因毒品罪行被判刑，犯罪人是否會留有案底?



所有人士(包括兒童)被判有關毒品罪行，無論什麼判刑都將留有刑事案底。此情況亦應用於在兒童法庭被判刑的少年犯罪者。

10. 案底會否對前途有影響?



正常膀胱
膀胱容量-50毫升

根據罪犯自新條例，若沒有案底的人定罪後被判3個月以下的刑期，或罰款不超過港幣一萬元，若他在三年內沒有再被定罪，他的刑事犯罪紀錄將不能被披露。該定罪本身亦不能成為解僱、不接受或侵害其獲得工作的恰當理由。不過，這項保障並不包括一些專業職業，如法律、會計、保險、銀行業等或其他須要牌照或許可證的工作。