

Legal Implications of Trafficking Prohibited Substances



Hong Kong Anti-Doping Committee
香港運動禁藥委員會
www.antidoping.hk

Trading prohibited substances may breach the law

- The sale of unregistered pharmaceutical products is an offence (Pharmacy and Poison Ordinance Cap. 138). Some of the performance enhancing drugs, obtainable from the internet or black market, are not registered pharmaceutical products with the Department of Health.
- It is an offence if a pharmaceutical product classified as a poison is not sold with a proper licence or under the supervision of a registered pharmacist (Pharmacy and Poison Ordinance Cap. 138). In general, products containing steroids are classified as poisons under the said Ordinance in Hong Kong.

Any person selling unregistered pharmaceutical products or steroids, through internet and black market, is liable for criminal prosecution of an offence and a fine of HK\$100,000 and imprisonment of two years upon conviction.

Trafficking of prohibited substances regarded as Dangerous Drugs is a serious offence

- Some of the prohibited substances in sport (including examples in the S6 (stimulants), S7 (narcotics), and S8 (cannabinoids) classes of the WADA Prohibited List) are regarded as Dangerous Drugs in Hong Kong.
- Dangerous drugs must be sold in pharmacies under the supervision of a registered pharmacist with the support of a prescription by medical practitioner (Dangerous Drugs Ordinance Cap. 134).

Any person who traffic in a dangerous drug, offer to traffic in a dangerous drug or in a substance he believes to be a dangerous drug is liable for criminal prosecution of an offence and a fine of HK\$5 million and life imprisonment upon conviction.

Import of any pharmaceutical product into Hong Kong is under control

- Import licence should be obtained from the Department of Health before any pharmaceutical product could be imported into Hong Kong (Import and Export Ordinance Cap. 60). This requirement also applies to the importing of pharmaceutical product from offshore websites.

Any person who fails to observe the licensing requirement under the Import and Export Ordinance (Cap. 60) is liable for criminal prosecution and a fine of HK\$500,000 and imprisonment for two years upon conviction.



Never take the risk!

The consequences of trafficking prohibited substances could be serious. In addition to the ineligibility to participate in sports due to Anti-Doping Rules Violation, criminal prosecution and resulting sentence of fine and imprisonment could also be the possible outcomes. Therefore, athletes, athlete supporting personnel and other person must not sell or possess prohibited substances through the internet and the black market.

Reporting

If you have any information on the sale, possession or use of prohibited substances, please do not hesitate to contact HKADC.

Disclaimer: This pamphlet is published for reference purpose only, and is not intended to give any legal / medical advice by HKADC who shall disclaim any liability arising therefrom. Relevant individuals are recommended to refer to the Anti-Doping Rules of HKADC, and seek for professional / legal advice on important decisions.

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