

上海市公安局文保分局温馨提示

Safety and Security Tips

留学生安全防范之禁毒专辑

A collection of incidents international students has faced

About Drug

一、认识毒品 About Drug

根据《中华人民共和国刑法》、《中华人民共和国禁毒法》的规定，毒品是指鸦片、海洛因、甲基苯丙胺（冰毒）、吗啡、大麻、可卡因以及国家规定管制的其他能够使人形成瘾癖的麻醉药和精神药品。

According to Criminal Law and Anti—drug Law of the People' s Republic of China, drug refers to opium, heroin, methamphetamine, morphine, marijuana, cocaine and other controlled narcotic and psychotropic substances that cause addictions.

二、常见的涉毒违法行为 Common Illegal Acts Related to Drug

非法持有毒品；

向他人提供毒品；

贩卖毒品；

吸食、注射毒品；

容留他人吸食、注射毒品或者介绍买卖毒品；

强迫、引诱、教唆、欺骗他人吸食、注射毒品。

Illegal drug possession;

Supply drug to others;

Drug trafficking;

Taking or injecting drug;

Supply accommodation for others to take or inject drug, or introduce drug trafficking ;

Force, induce, instigate, cheat others to take or inject drug.

三、 相关法律法规节选 **Relative Laws and Regulations Excerpts**

《中华人民共和国禁毒法》第五十九条 有下列行为之一，构成犯罪的，依法追究刑事责任；尚不构成犯罪的，依法给予治安管理处罚：

- (一) 走私、贩卖、运输、制造毒品的；
- (二) 非法持有毒品的；
- (六) 强迫、引诱、教唆、欺骗他人吸食、注射毒品的；
- (七) 向他人提供毒品的。

Anti—drug Law of the People's Republic of China, Item 59: For these following behaviours, considered as a crime, criminal responsibility shall be affixed:

- (1) Smuggling, trafficking, transporting, producing drug;
- (2) Illegal drug possession;
- (6) Force, induce, instigate, cheat others to take or inject drug;
- (7) Provide drug for others.

《中华人民共和国禁毒法》第六十一条 容留他人吸食、注射毒品或者介绍买卖毒品，构成犯罪的，依法追究刑事责任；尚不构成犯罪的，由公安机关处十日以上十五日以下拘留，可以并处三千元以下罚款；情节较轻的，处五日

以下拘留或者五百元以下罚款。

Anti—drug Law of the People's Republic of China, Item 61: For supply accommodation for others to take or inject drug, or introduce drug trafficking, considered as a crime, criminal responsibility shall be affixed; not considered as a crime, the public security organization shall impose detention of 10 to 15 days, and shall charge no more than 3000 yuan; if the case is slight, detention of no more than 5 days or charge no more than 500 yuan.

《中华人民共和国治安管理处罚法》第七十二条 有下列行为之一的，处十日以上十五日以下拘留，可以并处二千元以下罚款；情节较轻的，处五日以下拘留或者五百元以下罚款：

- (一) 非法持有鸦片不满二百克、海洛因或者甲基苯丙胺不满十克或者其他少量毒品的；
- (二) 向他人提供毒品的；
- (三) 吸食、注射毒品的；
- (四) 胁迫、欺骗医务人员开具麻醉药品、精神药品的。

Security Administration Punishment Act, Item 72: For these following behaviours, detention of 10 to 15 days, and impose a fine of no more than 2000 yuan; if the case is slight, detention of no more than 5days or fine of no more than 500 yuan:

- (1) Illegal possession of opium of no more than 200g, heroin or methamphetamine of no more than 10g, or a small amount of other drug;
- (2) Supply drug to others;

(3) Taking or injecting drug;

(4) Force, cheat medical staff to issue narcotic and psychotropic substances.

《中华人民共和国治安管理处罚法》第七十三条 教唆、引诱、欺骗他人吸食、注射毒品的，处十日以上十五日以下拘留，并处五百元以上二千元以下罚款。

Security Administration Punishment Act, Item 73: Instigate, induce, cheat others to take or inject drug, the case shall impose detention of 10 to 15 days, and a fine of 500 yuan to 2000 yuan.

《中华人民共和国刑法》第三百四十七条 走私、贩卖、运输、制造毒品。无论数量多少，都应当追究刑事责任，予以刑事处罚。

Criminal Law of the People' s Republic of China, Item 347: Smuggling, trafficking, transporting, producing drug, no matter the amount, shall impose criminal liability and punishment.

《中华人民共和国刑法》第三百四十八条 非法持有鸦片一千克以上、海洛因或者甲基苯丙胺五十克以上或者其他毒品数量大的，处七年以上有期徒刑或者无期徒刑，并处罚金；非法持有鸦片二百克以上不满一千克、海洛因或者甲基苯丙胺十克以上不满五十克或者其他毒品数量较大的，处三年以下有期徒刑、拘役或者管制，并处罚金；情节严重的，处三年以上七年以下有期徒刑，并处罚金。

Criminal Law of the People' s Republic of China, Item 348: Illegal possession of opium of more than 1000g, heroin or methylamphetamine of more than 50g, or a large amount of other drug shall impose set term of imprisonment of more than 7 years or life imprisonment, and subject to fine;

illegal possession of opium of more than 200g but less than 1000g, heroin or methylamphetamine or more than 10g but less than 50g, or quite a large amount of other drug, shall impose set term imprisonment of no more than 3 years, or detention or surveillance, and charge fine; for severe cases, set term imprisonment of 3 to 7 years, and charge fine.

《中华人民共和国刑法》第三百五十三条 引诱、教唆、欺骗他人吸食、注射毒品的，处三年以下有期徒刑、拘役或者管制，并处罚金；情节严重的，处三年以上七年以下有期徒刑，并处罚金。

强迫他人吸食、注射毒品的，处三年以上十年以下有期徒刑，并处罚金。

引诱、教唆、欺骗或者强迫未成年人吸食、注射毒品的，从重处罚。

Criminal Law of the People's Republic of China, Item 353: Induce, instigate, cheat others to take or inject drug, set term imprisonment of no more than 3 years, detention or surveillance, and charge fine; for severe cases, set term imprisonment of 3 to 7 years, and charge a fine.

Force others to take or inject drug, set term detention of 3 to 10 years, and charge a fine.

Induce, instigate, cheat or force juveniles to take or inject drug, shall impose a heavier punishment.