

# 《海上安全(酒精及藥物)條例》

## 非機動船隻 同樣受規管



### 《海上安全(酒精及藥物)條例》

為加強海上安全和保障船上人士的安全，《海上安全(酒精及藥物)條例》(第649章)於2025年1月1日實施。

#### 適用範圍

- 香港水域內所有在航船隻，包括非機動船隻如龍舟、獨木舟、直立板及風帆等。(註一)
- 參與操作在航船隻或於在航船隻上履行指定職責的人士。(註二)

註一：一般在游泳人士正常使用如水泡、浮床等浮力物品，則不屬操作船隻。

註二：指定職責指：在船隻上關乎該船隻的安全或保安或保護海洋環境的職責。

#### 海上醉駕和藥駕罪行

任何參與操作在航船隻的人士，或於在航船隻上履行指定職責的人士，如有以下情況即屬違法：

- 受酒精或藥物影響，而其程度達到有關人士沒有能力妥當地操作船隻或履行指定職責；
- 在其呼氣、尿液或血液中的酒精比例超過訂明限度；
- 在其尿液或血液中含有任何濃度的指明毒品(註三)；或
- 無合理辯解而沒有接受測試或提供樣本作分析。

註三：指明毒品指：海洛英(「白粉」)、可卡因、氯胺酮(「K仔」)、甲基苯丙胺(「冰」)、大麻(「草」)、以及3,4-亞甲二氧甲基安非他明(「搖頭丸」)。

#### 罰則

海上醉駕和藥駕一經定罪，可處下列一項或多項罰則：

- 最高罰款港幣25,000元
- 最高監禁3年
- 最高可判處終身取消相關資格

**罰則**

有關法例詳情，請參閱《海上安全(酒精及藥物)條例》及其附屬法例。



市民切勿在酒精或藥物影響下操作任何機動或非機動船隻(包括龍舟、獨木舟、直立板及風帆等)，以免因判斷力和警覺性受影響而發生意外，危及自己和海上其他人士的安全。

#### 酒精測試

第一步：  
要求有關人士接受檢查呼氣測試



如有關人士未能通過測試

第二步：  
要求有關人士提供呼氣、尿液或血液樣本，以進行酒精分析或化驗

#### 藥物測試

第一步：  
要求有關人士接受一項或多項初步藥物測試：

- 快速口腔液測試
- 尿液檢查測試
- 海上現場清醒度測試



如有關人士未能通過測試

第二步：  
要求有關人士提供尿液及 / 或血液樣本作化驗

#### 非機動船隻例子

龍舟



獨木舟



直立板



風帆





# Marine Safety (Alcohol and Drugs) Ordinance

## Non - Mechanised vessels are also regulated



### Marine Safety (Alcohol and Drugs) Ordinance

To enhance marine safety and protect the safety of persons on board vessels, the Marine Safety (Alcohol and Drugs) Ordinance (Cap. 649) came into effect on 1 January 2025.

#### Scope of Application

- All vessels underway in the waters of Hong Kong, including non-mechanised vessels such as dragon boats, kayaks, stand up paddles and sailing dinghies. (Note 1)
- All persons involved in operating a vessel or performing designated duties on board a vessel that is underway. (Note 2)

**Note 1:** Swimmers using buoyancy devices such as swimming rings and floating beds in a normal manner are not considered as operating vessels.

**Note 2:** Designated duties refer to: Duties on board a vessel relating to the safety or security of the vessel, or the protection of the marine environment.

#### Drink and Drug Boating Offences

Any person involved in operating a vessel or performing designated duties on board a vessel that is underway commits an offence in the following circumstances:

- Under the influence of alcohol or drugs to such an extent as to be incapable of having proper control of the vessel or performing designated duties properly;
- While the proportion of alcohol in the person's breath, urine or blood exceeds the prescribed limit;
- While any concentration of a specified illicit drug is present in the person's urine or blood (Note 3); or
- Fails to undergo tests or provide specimen for analysis without reasonable excuse.

**Note 3:** Specified illicit drugs mean: Heroin, Cocaine, Ketamine ( "K" ), Methamphetamine ( "Ice" ), Cannabis ( "Grass" ), and MDMA ( "ecstasy" ).

#### Penalty

Upon conviction of drink and drug boating, offenders are liable to one or more of the following penalties:

- A maximum fine of \$25,000
- A maximum imprisonment for 3 years
- A maximum penalty of disqualification of relevant qualifications for life



**For details, please refer to the Marine Safety (Alcohol and Drugs) Ordinance and its subsidiary legislation.**



Members of the public shall not operate any mechanised or non-mechanised vessels (including dragon boats, kayaks, stand up paddles, and sailing dinghies) while under the influence of alcohol or drugs in order to avoid accidents caused by impaired judgment and alertness, which may endanger their own safety and the safety of other people at sea.

#### Alcohol test

##### Step 1 :

Require the person concerned to undergo a screening breath test



↓ **If the concerned person fails the test**

##### Step 2 :

Require the person concerned to provide a specimen of breath, urine or blood for alcohol analysis or laboratory test

#### Drug test

##### Step 1 :

Require the person concerned to undergo one or more preliminary drug tests :

- Rapid oral fluid test
- Urine screening test
- Marine field sobriety test (MFST)



↓ **If the concerned person fails the test**

##### Step 2 :

Require the concerned person to provide specimen of urine and/or blood for laboratory test

#### Examples of non-mechanised vessels:



Dragon Boat



Kayak



Stand Up Paddle



Sailing Dinghy