

PHASES OF THE ADMINISTRATIVE PROCEEDING

Law n.º 30/2000, of November 29th

POLICE AUTHORITIES

- ▶ IDENTIFICATION OF THE INDIVIDUAL THAT IS CONSUMING; BUYING OR IN THE POSSESSION OF 'DRUGS'
- ▶ DISPATCH OF THE POLICE REPORT TO THE COMMISSION FOR THE DISSUASION OF DRUG ADDICTION OR TO THE COURTS

CDT

- ▶ OPENING OF THE ADMINISTRATIVE PROCEEDING
- ▶ CONSUMER PROFILE EVALUATION
- ▶ PROPOSAL FOR INTERVENTION AND / OR REFERRAL FOR SPECIALISED SUPPORT

- ▶ HEARING
- ▶ DECISION

Provisional suspension of proceedings or application of sanctions

- ▶ FILE OF PROCEEDINGS

After the end of the period of provisional suspension of proceedings or after compliance with the sanction.

Since the entry into force of Law 30/2000, more than 109.000 drug users have passed through the CDT, most of them young people.

About 20% were identified as high risk consumers or addicts and referred to specialised support in the treatment of addiction

Most consumers indicted in an administrative proceeding are not addicts, however, they are at risk.

The intervention carried out by CDT teams can make all the difference in their lives, providing an opportunity to make informed choices.

CONTACTS

SICAD

General Directorate for Intervention on Addictive Behaviours and Dependencies

E-mail: sicad@sicad.min-saude.pt | Site: www.sicad.pt

[sicad_portugal](#) [f SICADPortugal](#) [y SICAD Portugal](#)



Commission for the Dissuasion of Drug Addiction



WHAT YOU SHOULD KNOW

The consumption, the possession and the acquisition for personal consumption of narcotics and illicit psychoactive substances gives place to the opening of an administrative proceeding by the Commissions for the Dissuasion of Drug Addiction (CDT), services within the Ministry of Health, existing in each district capital.

THE CONSUMPTION OF "DRUGS" IS ILLEGAL

The Commissions are constituted by specialized teams in intervention in addictive behaviours and dependencies and have legal decision-making powers on the administrative proceeding.

Their mission is to enforce the Decriminalisation Law n.º 30/2000, of November 29th, that aims the dissuasion of consumption, health promotion and the accountability of the consumer towards his behaviour.

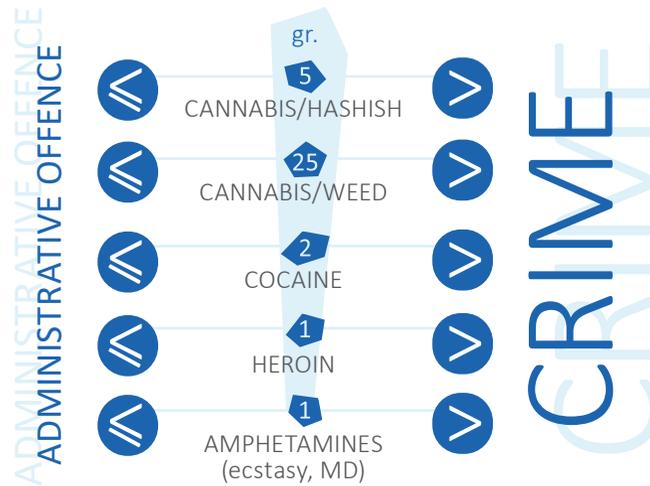
DECriminalISATION IS DIFFERENT FROM DEpenALISATION AND LEGALISATION

The detection of consumption, of possession and/or acquisition of illicit psychoactive substances by police authorities requires the identification of the consumer, the elaboration of a police report of the occurrence and his notification to appear at the CDT of the district of his residence.

Consumers may attend accompanied by legal counsel or therapist, but minors under the age of 18 must attend accompanied by legal representative.

If the quantities apprehended exceed the average individual consumption during a 10 day period, there is the suspicion of crime and the process takes place in the courts.

THE DISTINCTION BETWEEN ADMINISTRATIVE OFFENCE AND CRIME IS EVALUATED IN GRAMS



Source: Order Nº 94/96, of March 26

The CDT evaluate the consumer profile and motivation to stop / reduce the consumption of psychoactive substances, promoting at the same time a reflection on the risks associated with these consumptions in their life context.

KNOW TO BETTER DECIDE

It is important to know the reasons why he consumes and the effects of the substances, which differ, for example, according to: quantity, frequency, quality/ adulteration of the product, the route of consumption, context, age and physical and psychological situation of the consumer.

'DRUG' CONSUMPTION IS RISKY AND SHOULD BE CONSIDERED

NOT ALL CONSUMERS ARE ADDICTS, BUT ALL ADDICTS STARTED WITH OCCASIONAL CONSUMPTION

According to the consumer profile, specialised support may be proposed. Access to addiction prevention consultations, specialised addiction treatment programs, harm and risk reduction programs, among other health and / or social services is provided. After the hearing on the facts described in the police report, the consumer /indicted in the administrative proceeding takes cognisance of the decision.

The law provides for the application of measures (suspensive and sanctioning) depending on the situation in which the consumer/ finds himself and the circumstances in which the infraction occurred.

The humanist principle of the law defends the provisional suspension of the process as an opportunity for reflection and change regarding the consumption of psychoactive substances.

The penalties provided for include, among others, the payment of a fine, the compulsory presentation at a place to be determined or the provision of free services to the community.



DISSUASION
AN OPPORTUNITY TO CHANGE