

**TECHNICAL UNIVERSITY OF MOMBASA**

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FACULTY OF APPLIED AND HEALTH SCIENCES  
DEPARTMENT OF ENVIROMENT & HEALTH SCIENCES

**UNIVERSITY EXAMINATION FOR:**

DIPLOMA IN COMMUNITY HEALTH AND HIV MANAGEMENT

ACH 2301: LAW AND COMMUNITY HEALTH

END OF SEMESTER EXAMINATION

**SERIES: APRIL 2016**

**TIME: 2 HOURS**

**DATE: 10 May 2016**

**Instructions to Candidates**

You should have the following for this examination

-Answer Booklet, examination pass and student ID

This paper consists of **TWO** Section(s). Attempt question ONE (Compulsory) and any other TWO questions.

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**SECTION A**

**Question 1**

- (a) Define law and describe the various classifications of law. (10 marks)
- (b) Discuss FIVE essential elements of a contract. (10 marks)
- (c) State the general defences in respect of torts. (10 marks)

**SECTION B**

**Question 2**

- (a) State SEVEN ways in which an offer can be accepted. (7 marks)
- (b) Explain FOUR exceptions to the mandatory offer of HIV testing. (8 marks)

**Question 3**

- (a) In relation to the law of contract the contractual capacity of minors. (10 marks)

(b) Explain what “ informed consent “ means (5 marks)

#### **Question 4**

(a) Under the Public Health Act, give the provisions on notification of infectious diseases (9 marks)

(b) Under the law of tort outline the elements of negligence (6 marks)

#### **Question 5**

Write short notes on the following:

(i) Privity of contract. (5 marks)

(ii) Confidentiality. (5 marks)

(iii) Volenti non fit injuria. (5 marks)