

TECHNICAL UNIVERSITY OF MOMBASA

FACULTY OF APPLIED AND HEALTH SCIENCES

DEPARTMENT OF ENVIRONMENT & HEALTH SCIENCES

UNIVERSITY EXAMINATION FOR THE DIPLOMA IN COMMUNITY HEALTH AND HIV MANAGEMENT.

DCHM 15J/YEAR3/ SEMESTER1

APH 2312: LAW AND COMMUNITY HEALTH

END OF SEMESTER EXAMINATION

SERIES: DECEMBER 2016

TIME: 2HOURS

DATE: DECEMBER 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). Attemptquestion ONE (Compulsory) and any other TWO questions.

SECTION A

QUESTION 1

- (a) What do you understand by the term” Sources of law” (2 marks)
- (b) Name and explain the sources of law in Kenya as outlined under the Judicature Act Cap.8 of laws of Kenya (12 marks)
- (c) Define tort and outline the functions of the law of torts. (10 marks)
- (d) State the penalties for unsafe practices or procedures under the HIV and AIDS Act. (6 marks)

SECTION B

QUESTION 2

- (a) State at least **FIVE** ways in which a contract can be terminated. (5 marks)

- (b) Discuss the provision on the Central Board of Health under the Public Health Act. (4 marks)
- (c) Outline **SIX** functions of the medical department. (6 marks)

QUESTION 3

- (a) Explain the provisions under the Public health Act on notification of infectious diseases. (5 marks)
- (b) Under the Food, Drugs and Chemical Substances Act, what does Chemical Substance mean? (5 marks)
- (c) In relation to the health law no health service may be provided to a user without the user's informed consent. State FIVE exceptions to this rule (5 marks)

QUESTION 4

- (a) Explain to what extent African customary law is applicable as a source of Kenya law. (10 marks)
- (b) Explain what privity of contract means (5 marks)

QUESTION 5

Write short notes on the following:

- (i) Res ipsa loquitor. (5 marks)
- (ii) Contributory negligence. (5 marks)
- (iii) Nuisance. (5 marks)