# GRETSA UNIVERSITY - THIKA

## UNIVERSITY EXAMINATIONS
## SEPTEMBER – DECEMBER 2021 SEMESTER

## CERTIFICATE IN PUBLIC/COMMUNITY HEALTH

**COURSE CODE: CIPH 056**

**COURSE TITLE: BASIC PUBLIC HEALTH LAW**

**DATE: 16 NOVEMBER 2021**        **TIME: 8:00 AM – 10:00 AM**

**INSTRUCTIONS TO CANDIDATES**
1. SECTION A IS **COMPULSORY.**
2. SECTION B: ANSWER ANY OTHER **THREE** QUESTIONS.
3. **DO NOT** WRITE ANYTHING ON THIS QUESTION PAPER AS IT WILL BE AN EXAM IRREGULARITY.
4. ALL ROUGH WORK SHOULD BE AT THE BACK OF YOUR ANSWER BOOKLET AND CROSSED OUT.

**SECTION A: COMPULSORY**

**MULTIPLE CHOICE QUESTIONS [1-5]**                    **[ONE MARK EACH]**

1. Which one of the following is above the law of Kenya?

    **A.** Mwananchi

    **B.** Cabinet Secretaries

    **C.** The President

    **D.** Nobody is above the law

2. The following are terms used in Health Law, EXCEPT?

    **A.** Prosecutor

    **B.** Dynasty

    **C.** Complainant

    **D.** Defendant

3. A _____ is a civil injury.

    **A.** Tort

    **B.** Misdemeanour

    **C.** Felony

    **D.** Blue collar crime

4. Which of the following about The Supreme Court of Kenya is NOT TRUE

    **A.** Has Seven Judges

    **B.** Is the highest court in Kenya

    **C.** Its president is the principal Judge.

    **D.** Hears appeals from Court of appeal

5. One of the following is not true about public health restriction of persons

    **A.** Compulsory examination

    **B.** Compulsory change of behavior

    **C.** Isolation and quarantine

    **D.** Compulsory hospitalization and quarantine

**SHORT ANSWER QUESTIONS: ANSWER ALL QUESTIONS IN THIS SECTION**

1. Distinguish the following terms as used in public health law

    a) Proof and Evidence **[2 Marks]**

    b) Intentional and Unintentional Torts **[2 Marks]**

    c) Felony and misdemeanour **[2 Marks]**

2. Briefly explain four principles of the rule of law **[2 Marks]**

3. Elucidate any three functions of health laws in the society **[3 Marks]**

4. Briefly explain any three sources of health law     s in Kenya **[3 Marks]**

5. Outline any three public health acts in Kenya **[3 Marks]**

6. Outline any three types of judicial evidence **[3 Marks]**

7. What is the link between health and human rights? **[2 Marks]**

8. What does "the right to health" mean? **[2 Marks]**

9. Elucidate any three functions of KNDI as outlined in the Nutritionists and Dieticians Act, 2007 (Cap. 253B) **[3 Marks]**

10. Highlight four functions of the National Environmental Management Authority (NEMA)

    **[2 Marks]**

11. List four offences as per the Penal code cap 65 LOK **[2 Marks]**

12. State four challenges facing the judiciary in Kenya **[2 Marks]**

13. Outline two functions of the executive **[2 Marks]**

**SECTION B**         **[CHOOSE ANY THREE QUESTIONS]**

### QUESTION ONE

a) Discuss five objectives of the criminal law in Kenya     **[10 Marks]**

b) Discuss five aspects which indicate independence of the judiciary     **[10 Marks]**

### QUESTION TWO

a) Describe the principles of liability in crime     **[5 Marks]**

b) Discuss any three types of law     **[9 Marks]**

c) Discuss three aspects indicating the supremacy of the constitution     **[6 Marks]**

### QUESTION THREE

a) Explain the contribution of public health laws in disease control     **[6 Marks]**

b) Discus any four offences as outlines in the Public Health Act Cap 24 ,LOK     **[8 Marks]**

c) Discuss three applications of the Public Health Act Cap 242,LOK  in the health sector

    **[6 Marks]**

### QUESTION FOUR

a) Discus any four offences as outlines in the Nutritionists and Dieticians Act, 2007 (Cap. 253B)

    **[8 Marks]**

b) Discuss the applications of the Nutritionists and Dieticians Act, 2007 (Cap. 253B) in the health sector     **[6 Marks]**

c) Discuss how the Nutritionists and Dieticians Act, 2007 (Cap. 253B)  aid  in health promotion

    **[6 Marks]**

### QUESTION FIVE

a) Discus any four offences as outlines in the Health Records Act No. 15 of 2016 LOK

    **[8 Marks]**

b) Discuss the applications of the Health Records Act No. 15 of 2016 LOK in the Health Sector

    **[6 Marks]**

c) Discuss how the Health Records Act No. 15 of 2016 LOK  aid in Health promotion

    **[6 Marks]**