

for and shall pay the expense of such examination in accordance with Section 33 of this Article.

~~499.~~

Every report made pursuant to this subtitle, including every report of examination or investigation, and any duly authenticated copy thereof in the possession of any person subject to the provisions of this subtitle, shall be a confidential communication, shall not be subject to subpoena and shall not be made public unless the Commissioner determines that the interests of policyholders, shareholders or the public will be served by the publication thereof, in which event he may make a public record or publish all or any part thereof in such manner as he may deem appropriate and notwithstanding any other provision of this Article.

499.

ALL INFORMATION, DOCUMENTS AND COPIES THEREOF OBTAINED BY OR DISCLOSED TO THE COMMISSIONER OR ANY OTHER PERSON IN THE COURSE OF AN EXAMINATION OF INVESTIGATION MADE PURSUANT TO THIS SUBTITLE AND ALL INFORMATION REPORTED PURSUANT TO THIS SUBTITLE, SHALL BE GIVEN CONFIDENTIAL TREATMENT AND SHALL NOT BE SUBJECT TO SUBPOENA AND SHALL NOT BE MADE PUBLIC BY THE COMMISSIONER OR ANY OTHER PERSON WITHOUT THE PRIOR WRITTEN CONSENT OF THE INSURER TO WHICH IT PERTAINS UNLESS THE COMMISSIONER, AFTER GIVING THE INSURER AND ITS AFFILIATES WHO WOULD BE AFFECTED THEREBY NOTICE AND OPPORTUNITY TO BE HEARD, DETERMINES THAT THE INTERESTS OF POLICYHOLDERS, STOCKHOLDERS OR THE PUBLIC WILL BE SERVED BY THE PUBLICATION THEREOF, IN WHICH EVENT HE MAY PUBLISH ALL OR ANY PART THEREOF IN SUCH MANNER AS HE MAY DEEM APPROPRIATE.

500.

(a) *Any person who willfully violates any of the provisions of this subtitle, or the rules and regulations promulgated by the Commissioner under authority thereof, or any person who willfully, in a filing pursuant to the provisions of Section 494 of this subtitle or a registration pursuant to the provisions of Section 495 of this subtitle, makes any untrue statement of a material fact or omits to state any material fact required to be stated therein or necessary to make the statements therein not misleading, shall upon conviction be fined not more than \$10,000 or imprisoned not more than five years or both.*

(b) *Any person who is found, after notice and opportunity to be heard, to have wilfully violated any of the provisions of this subtitle, or any rule or regulations promulgated by the Commissioner under the authority thereof, shall, in addition to any other penalty provided by law, forfeit to the state of Maryland, the sum of \$1,000 for a first violation, and an additional sum of \$100 for each day thereafter that such violation shall continue.*