offer, and the offeror before making any such purchase, or before July 1, 1978, whichever is later, failed:

(1) To make a public announcement fairly and accurately stating the offeror's intentions with respect to changing or influencing the management and acquiring or changing control of the target company at the time of the public announcement and at the times of the initiation and completion of the take-over offer; and

(2) To file with the Commissioner and with the target company a statement which sets forth the information specified in subsection (g)(1) of this section and such additional information as the commissioner may by rule prescribe.]

[11-906.

In addition to the powers of the Commissioner specified in Subtitle 7 of this title, whenever any person, including a controlling person of an offeror or target company, has engaged or is about to engage in any act or practice constituting a violation of this subtitle or any rule or order under this subtitle, the offeror, the target company, or any record or beneficial owner of an equity security may bring an action in any court of competent jurisdiction to enjoin the acts or practices and to enforce compliance with this subtitle or any rule or order under this subtitle. On proper showing, the court may grant a permanent or temporary injunction or restraining order or may order rescission of any sales, tenders for sale, purchases, or tenders for purchase of securities determined to be unlawful under this subtitle or any rule or order under this subtitle. The court may, in its discretion, require a private party to post a bond. In addition, upon request of a target company made within 10 days after the filing of the notice specified in Section 11-902(a) or the filing of any amended notice, if in the opinion of the Commissioner good cause is shown, the Commissioner shall institute an investigation to determine whether the take-over offer is being made in compliance with this subtitle.]

[11-907.

(a) This subtitle does not apply if:

(1) The target company is an insurance company or an insurance holding company and the take-over is subject to the approval of the Insurance Commissioner under § 494 of the Insurance Code; or

(2) The target company is a public utility, public utility holding company, bank, national banking association, bank holding company or savings and loan association subject to regulation by federal agency and the take-over is subject to approval by a federal agency having regulatory jurisdiction over that company.