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In issuing the DIGICUR, it was declared a policy that any revelation by any person of an ongoing investigation of the AMLC is considered inimical to the public interest as it leads to immediate movement of funds from accounts subject of investigation to another account, thereby depriving the State the opportunity to recover proceeds of unlawful activity. Thus, the objectives of the DIGICUR are:

- a) To maintain the confidentiality of the financial investigations of the AMLC by preventing tipping off to customers under investigation; and
- b) To ensure swift retrieval of customer records by covered persons, which in turn, ensures promptness in the AMLC's financial analysis, investigations, and legal actions.

Therefore, as a general rule, all covered persons are obliged to comply with the DIGICUR. In the same guidelines, however, an exemption was made for money service businesses (MSBs). Thus, the DIGICUR does not apply to MSBs as they generally do not maintain accounts or electronic wallets (e-wallets) for their customers, thereby rendering inexistent the danger sought to be prevented by the DIGICUR, i.e., the immediate movement of funds from accounts subject of an investigation. Nevertheless, the DIGICUR shall still apply when the business model of an MSB is such that the customer is able to open, keep, and maintain an account as an e-wallet or other similar electronic products or services.

Following the foregoing rationale and extending the same to all covered persons, it is hereby clarified that the DIGICUR shall apply only to covered persons whose business involves customers who are able to open, keep, and maintain accounts, e-wallets, or other similar electronic products or services with them. As such, ARI No. 6, Series of 2021, requires said covered persons to:

- a) Complete and fully comply with the requirements of the DIGICUR on or before the final and non-extendable deadline of 30 September 2022; and
- b) Submit a Quarterly DIGICUR Status Report of Compliance (QUADSREC) within fifteen (15) calendar days after each reference quarter, except that the first report shall be submitted on or before 31 October 2021. Submission of the QUADSREC shall continue until such time that such covered persons have completely and fully complied with all the requirements of the DIGICUR.

On the other hand, covered persons who do not maintain such accounts or e-wallets for their customers are exempted from the DIGICUR. Therefore, they are not obliged to comply with its requirements, and they do not need to submit the QUADSREC on a regular basis. A one-time submission of said QUADSREC, however, shall still be required, indicating that the covered person is exempted from the coverage of the DIGICUR as herein provided. Said one-time submission shall be due on 31 October 2021.

Please be reminded that non-compliance with the DIGICUR requirements constitutes a Grave Violation, with penalties ranging from PhP37,500.00 to PhP375,000.00 per customer under Table A.A, Section 2, Rule IV of the Rules of Procedure in Administrative Cases (RPAC).

On the other hand, failure to submit the QUADSREC within the period prescribed shall constitute a Serious Violation (i.e., with penalties between PhP15,000.00 to PhP150,000.00 per account) under Item C.25, Table A, Section 2, Rule IV of the RPAC for violation of orders, resolutions, and issuances of the AMLC.

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