



Reports of Cases

Order of the Court (Ninth Chamber) of 4 October 2021 – Comune di Camerota

(Case C-161/21)¹

(Reference for a preliminary ruling – Article 53(2) of the Rules of Procedure of the Court – Directive 2011/85/EU – Directive 2011/7/EU – Economic and monetary policy – Local authority in financial difficulty – Financial rebalancing plan – National legislation suspending the investigative powers of the Court of Auditors due to the health crisis related to the COVID-19 pandemic – Article 267 TFEU – Definition of ‘court or tribunal of a Member State’ – No dispute before the referring body – Manifest inadmissibility)

Questions referred for a preliminary ruling – Reference to the Court – National court or tribunal for the purposes of Article 267 TFEU – Definition – To be determined on the basis of criteria relating to the body’s constitution and function – Corte dei conti – Sezione regionale di controllo per la Campania (Court of Auditors – Regional Audit Division for Campania, Italy) – Not included – Main proceedings of an administrative nature – No judicial function

(Art. 267 TFEU)

(see paragraphs 30-33, 37-40)

Operative part

The request for a preliminary ruling from the Corte dei conti – Sezione regionale di controllo per la Campania (Court of Auditors – Regional Audit Division for Campania, Italy), made by decision of 9 March 2021, is manifestly inadmissible.

¹ OJ C 217, 7.6.2021.