



TSB Recommendation M25-01

Guidance to authorized representatives

The Transportation Safety Board of Canada recommends that the Department of Transport provide comprehensive guidance for authorized representatives, outlining the full scope of their responsibilities. This guidance should support authorized representatives in understanding and complying with applicable regulations, thereby reducing the risk of vessels and crews operating without the minimum safety defences afforded by regulatory compliance.

Marine transportation safety investigation report	M22A0258
Date the recommendation was issued	23 July 2025
Date of the latest response	October 2025
Date of the latest assessment	December 2025
Rating of the latest response	Satisfactory Intent
File status	Active

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Summary of the occurrence

The ferry *Holiday Island* operated on a 75-minute route that crosses the Northumberland Strait between Caribou, Nova Scotia, and Wood Islands, Prince Edward Island (PEI). On 22 July 2022, the vessel departed for Wood Islands on the 2nd voyage of the day. As the vessel approached Wood Islands, the fire alarm sounded in response to an engine room fire. The engines were shut down immediately and the fuel supply valves were closed shortly afterward. The master purposely beached the vessel on a sandbar to the west of the channel, outside the entrance to the Wood Islands terminal, and both anchors were dropped. The crew attempted to fight the fire locally but were unable to do so successfully. In part because of the smoke and heat, the air intake vents on the housetop deck were not closed. A remote release of carbon dioxide (CO₂) fixed fire suppression system was unsuccessful. When the crew noticed this, the system was

activated with a manual release and was partially successful. The vessel's fire team began boundary cooling.

Preparations for evacuating passengers and non-essential crew members began while the fire teams were responding to the fire. Crew members assisted passengers down both marine evacuation system slides and into the life rafts. The crew of nearby vessels evacuated passengers and non-essential crew from the life rafts and took them to the reception point at the Wood Islands dock. Approximately 1.5 hours after the fire alarm sounded, all passengers and crew members who were not part of the fire response had left the vessel.

As shore-based firefighters boarded the vessel to assist, boundary cooling was expanded to the housetop deck and to the funnel deck and the firefighters began to monitor temperatures. At this time, a significant amount of smoke was coming out of the air intake and exhaust vents for the engine room.

Close to high tide, at 1850, the stern of the *Holiday Island* floated free. The *Holiday Island* had been listing approximately 2° to 3° to port since the early afternoon. By 2017, the list had increased to approximately 5° and by 2044, it was listing approximately 10° to port.

At 2148, out of concern for their safety, persons still on board (approximately 40) were evacuated. The fire continued to burn, and smoke from the engine room vents and stack continued to be visible until mid-afternoon on 23 July. On the morning of 24 July, the *Holiday Island* was towed to the Wood Islands terminal and the on-board vehicles were unloaded later that day. The vessel was later declared a constructive total loss.

In the course of the occurrence, different numbers of passengers and crew were recorded. The master initially reported a passenger count of 182 and a crew count of 23 (a total of 205). In total, 236 passengers were counted at the reception point.

The investigation found that a series of temporary repairs to a leaking fuel rail had been made over a period of approximately 1 month before the occurrence using non-standard materials and methods, while the vessel remained in service. When the final temporary repair to the leaking fuel rail failed, fuel sprayed onto the hot engine components and ignited.

The investigation also found the following:

- At the beginning of the firefighting response, water from a fire hose likely spread the burning engine fuel around the engine room and contributed to the spread of the fire.
- An unlubricated component of the fuel valve assembly prevented the fuel valve from closing fully, allowing the contents of the day tank to drain through the damaged fuel rail and fuel the fire in the engine room.
- The crew believed they had activated the CO₂ fire suppression system, because the resistance felt when the CO₂ release mechanism cable was pulled provided a false indication of success.
- The guidance posted was not explicit. Consequently, the CO₂ release was delayed, allowing the fire to grow. When the CO₂ was released, the engine room was not

completely sealed. Air continued to enter the space through open vents, likely displacing the released CO₂ and also adding oxygen to the fire. Consequently, the fire continued to burn.

- The flexible connection between the cooling system and the forward main engine was not protected against heat and fire. When the flexible connection was damaged by the fire, seawater from the vessel's cooling system entered and began flooding the closed engine room.

The investigation identified safety deficiencies related to policies and procedures for the emergency responses and communication on the part of the crew, the vessel operator, and first responders. Specifically, the investigation also identified safety deficiencies related to accounting for passengers in case of an emergency. Lastly, the investigation identified safety deficiencies related to oversight by the authorized representatives (AR) or their delegate, leading the Board to issue a recommendation.

The Board concluded its investigation and released report M22A0258 on 23 July 2025.

Rationale for the recommendation

Under the *Canada Shipping Act, 2001*, an AR, typically the vessel's owner, is the person who is responsible for acting with respect to all matters relating to the vessel that are not otherwise assigned to another person. The AR must keep up with the changes in safety knowledge, standards and regulations. Where matters are assigned by regulation to another role, such as the master, the AR remains responsible for oversight of these matters. In addition to ensuring regulatory compliance, the AR or the AR's delegate plays a proactive role in ensuring safety. Given the scope of the AR's responsibilities, the relationship between the master and AR is critical and collaboration is essential for the continued safe operation of the vessel. For example, this collaboration requires ongoing assessment by both the master and the AR to ensure that procedures are understood, followed, and accurately represent all operations and that they also comply with regulations.

As this investigation and many others demonstrate, the role of the AR is not always clearly understood. Transport Canada expects the AR to understand the scope of the role – that is, to take proactive measures to learn which regulations apply to their vessel and how to follow them.

Therefore, the Board recommended that

the Department of Transport provide comprehensive guidance for authorized representatives, outlining the full scope of their responsibilities. This guidance should support authorized representatives in understanding and complying with applicable regulations, thereby reducing the risk of vessels and crew operating without the minimum safety defences afforded by regulatory compliance.

TSB Recommendation M25-01

Previous responses and assessments

N/A

Latest response and assessment

October 2025: response from Transport Canada

Transport Canada (TC) agrees with safety recommendation M25-01. The Authorized Representative plays a central role in ensuring the safety, compliance, and operational integrity of Canadian vessels. The scope of their responsibilities is clearly stated in Section 14 of the *Canada Shipping Act, 2001* (CSA 2001), whereby every Canadian vessel must have an Authorized Representative who is responsible for acting on all matters relating to the vessel that are not already assigned to another person, such as the master, crew, or others.

TC acknowledges that guidance for Authorized Representatives should clearly outline their responsibilities and recognizes that such guidance should support them and their designates in understanding and complying with applicable regulations. TC agrees that it is vitally important to reduce the risk of vessels and crews operating without the minimum safety defences that regulatory compliance seeks to ensure.

Recent changes to the CSA 2001 now allow an authorized representative to be designated by the vessel owner(s) when the owner(s) are not directly involved in the operation of the vessel. The CSA 2001 also specifies that the owner of the vessel is ultimately responsible for any failures or omissions of the designated authorized representative.

In response to Recommendation M25-01, TC will develop high-level guidance that outlines the core legal obligations and underlying principles of the responsibilities of authorized representatives, owners, operators, and others. The guidance will clearly explain how the responsibilities of the authorized representative can be delegated to a third party when the vessel owner is not its operator. Guidance will be shared with stakeholders through various mechanisms, such as a dedicated webpage, a Ship Safety Bulletin, social media messaging, and through the Canadian Marine Advisory Committee.

December 2025: TSB assessment of the response (Satisfactory Intent)

The Board appreciates Transport Canada's plan to develop high-level guidelines outlining the legal obligations and responsibilities of authorized representatives and that these guidelines should support them, to ensure that the owners understand and comply with applicable regulations.

However, although the legal description of the AR's responsibilities is found in section 14 of the *Canada Shipping Act, 2001* (CSA 2001), the scope of these responsibilities includes all matters not assigned to another person. From an operational and safety perspective, these matters are not well defined, requiring each AR to develop their own understanding of their scope of

responsibilities within the Act. The Board cautions that high-level guidance may not have the necessary details needed for the industry.

With recent amendments to the CSA 2001 allowing delegation of AR responsibilities, the Board emphasizes the importance of maintaining clarity and accountability. Given that ultimate responsibility remains with the vessel owner, detailed guidance on the specific responsibilities they are delegating and how delegation will work in practice will be essential, because without it there is still a risk of failure or omissions by the AR. The same detailed guidance is required for vessel owners that do not delegate the role of the AR, to ensure that all persons filling the role of the AR understand the scope of their responsibilities for operational and safety matters.

The Board looks forward to reviewing the guidelines and requests the anticipated publication timeline.

Therefore, the Board considers TC's response to Recommendation M25-01 to be **Satisfactory Intent**.

File status

This deficiency file is **Active**.