

Exhibit 16

Agreement with Respect to Pension Protection Fund Eligibility Procedures

Registrar unless and until the solicitors for the Pension Scheme Trustees write to Kirkland & Ellis International LLP: attention of Lyndon Norley, 30 St Mary Axe, London EC3A 8AF confirming that they are to be so delivered;

1.2 provided that the Orders are obtained from the English court and the plan of reorganisation proposed for SCL, SCSL and SCC (the "**Plan**") has been confirmed, SCL, SCSL and SCC shall undertake in writing to the Pension Scheme Trustees that they shall not determine a Plan Effective Date (as defined in the Plan) before the delivery of office copies of the sealed Orders (together with a copy of the relevant scheme of arrangement) to the Companies Registrar giving effect to all the schemes of arrangement and that the Plan Effective Date so determined shall not be a date prior to the date on which such documents are delivered to the Companies Registrar;

1.3 as soon as reasonably practicable after

- (a) Kirkland & Ellis International LLP as solicitors for SCL, SCSL and SCC confirm in writing to the Pension Scheme Trustees that all the conditions set out in Article XII of the Plan other than satisfaction or waiver of conditions 7.1(c) and 7.1(d) under Article VII of the Pension Schemes Settlement Agreement dated — 2008 (the "**PSSA**") have been satisfied or waived;
- (b) Kirkland & Ellis International LLP as solicitors for SCL, SCSL and SCC confirm in writing to the Pension Scheme Trustees that all the conditions to the schemes of arrangement in respect of the Companies becoming Effective other than (i) satisfaction or waiver of conditions 7.1(c) and 7.1(d) under Article VII of the PSSA and (ii) delivery of an office copy of the sealed Order (together with a copy of the relevant scheme of arrangement) to the Companies Registrar in respect of the schemes have been satisfied or waived; and
- (c) Kirkland & Ellis International LLP as solicitors for SCL, SCSL and SCC confirm in writing to the Trustees of the 1990 Pension Scheme that the English Court has made an order for the winding up of Seacat Scotland Guernsey Limited and the Scottish Court has made an order for the winding up of Sea Containers Ferries Scotland Limited in accordance with the PSSA

the solicitors for the Pension Scheme Trustees will write to Kirkland & Ellis International LLP: attention of Lyndon Norley, 30 St Mary Axe, London EC3A 8AF confirming forthwith that

- (d) office copies of the sealed Orders (together with a copy of the relevant scheme of arrangement) may be delivered to the Companies Registrar; and
- (e) coincident with, but in no event before, the delivery of office copies of the sealed Orders (together with a copy of the relevant scheme of arrangement) to the Companies Registrar, the conditions 7.1(c) and 7.1(d) under Article VII of the PSSA which have not otherwise been satisfied are waived.

2 Each of the Parties warrants that this Agreement constitutes its legal, valid and binding obligation, that it has full power and authority to enter into and perform and has taken all necessary action to authorise its entry into and performance of this Agreement.

- 3 This Agreement may be executed in counterparts, each of which when so executed should be an original, but all the counterparts shall together constitute one and the same instrument.
- 4 This Agreement shall be governed by and construed in accordance with English law and the Parties submit to the exclusive jurisdiction of the English courts.

In witness whereof, this Agreement has been duly executed by the duly authorised officers of the Parties as of the date first above written.

SIGNED FOR AND ON BEHALF OF SC MARITIME LIMITED

By:

Name:

Title:

SIGNED FOR AND ON BEHALF OF 1882420 LIMITED

By:

Name:

Title:

SIGNED FOR AND ON BEHALF OF 0438490 TRAVEL LIMITED

By:

Name:

Title:

SIGNED FOR AND ON BEHALF OF YORKSHIRE MARINE CONTAINERS LIMITED

By:

Name:

Title:

SIGNED FOR AND ON BEHALF OF SEA CONTAINERS SERVICES LIMITED

By:

Name:

Title:

SIGNED FOR AND ON BEHALF OF SEA CONTAINERS LIMITED

By:

Name:

Title:

SIGNED FOR AND ON BEHALF OF SEA CONTAINERS CARIBBEAN INC

By:

Name:

Title:

**SIGNED FOR AND ON BEHALF OF THE TRUSTEES OF THE SEA CONTAINERS 1983
PENSION SCHEME**

By:

Name:

Title:

By:

Name:

Title:

**SIGNED FOR AND ON BEHALF OF CAPITA ATL PENSION TRUSTEES FOR THE SEA
CONTAINERS 1990 PENSION SCHEME**

By:

Name:

Title:

By:

Name:

Title:

DAVID STOCKS

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Name:

Title: