Intestacy Flow Chart

Are you married or in a Civil Partnership?

YES

Is your estate worth more than £250,000?

YES

Do you have children (incl. adopted and/or illegitimate)?

YES → Spouse/Civil Partner gets 1st £250,000 & personal belongings; and life interest** in half the rest. Children share the rest

NO

Are there any parents?

YES → Spouse/Civil Partner gets 1st £450,000 & personal belongings; and half the rest. Parents share the rest

NO

Are there any brothers sisters nephews or nieces?

YES → Spouse/Civil Partner gets 1st £450,000 & personal belongings; and half the rest. Brothers sisters nephews or nieces share the rest

NO → Spouse/Civil Partner inherits the whole estate

NO → **Only the surviving spouse or Civil Partner will inherit**

NO

Are there any children? *

YES → Estate divided equally between children *

NO

Are there any parents?

YES → Estate divided equally between parents

NO

Are there any brothers or sisters? *

YES → Estate divided equally between brothers & sisters *

NO

Are there any half-brothers or half-sisters? *

YES → Estate divided equally between half-brothers & half-sisters *

NO

Are there any grandparents?

YES → Estate divided equally between grandparents

NO

Are there any aunts or uncles?*

YES → Estate divided equally between aunts and uncles *

NO → Estate passes to Crown

* If anyone in this category dies before the deceased but leaves children of their own – then their children inherit the share that their parent would have had;

** A life interest is a trust from which only income can be taken