

**The Laws of Intestacy**

Who inherits *your* money if you do not have a Will?

Are you married or in a civil partnership?

YES

NO

Everything passes to your spouse or civil partner

Is your Estate worth more than £325,000?

YES

Everything passes to your spouse or civil partner

Do you have any children, grandchildren, or other direct descendants?

YES

Your spouse or civil partner is entitled to all assets (including property) up to 325,000, as well as all of your personal possessions, irrespective of their value. Your spouse or civil partner will also receive half of the remainder of the estate after that initial £325,000. The other half of the estate, is then divided equally between your children, given that if any have died before you, then their children would inherit that share divided equally.

ALL OF YOUR ASSETS, EVERYTHING, IS GIVEN TO THE GOVERNMENT

Do you have any children?

Each of your children is entitled to an equal share, and provided that if any have died before you, then their children would inherit that share divided equally

NO

Are your parents still alive?

Everything is shared equally between your parents

NO

Do you have any brothers and sisters?

Everything is shared equally between your brothers and sisters, given that if any of your siblings have died before you, their children would inherit that share divided equally

NO

Do you have any half-brothers and half-sisters?

Everything is shared equally between your half-brothers and half-sisters, given that if any of your half-siblings have died before you, their children would inherit that share divided equally

NO

Are your grandparents still alive?

Everything is shared equally between your grandparents

NO

Do you have any aunts or uncles?

Everything is shared equally between your aunts and uncles, given that if any of your aunts or uncles have died before you, their children would inherit that share divided equally

NO

Do you have any half-aunts or half-uncles?

Everything is shared equally between your half-aunts and half-uncles, given that if any of your half-aunts or half-uncles have died before you, their children would inherit that share divided equally

**IMPORTANT NOTES TO REMEMBER**  
Intestacy rules do not recognise Common Law Spouses (i.e. cohabiters), irrespective of the length of the partnership, so unless you are married, or in a civil partnership, you MUST make a will to provide for your partner.  
"Children" includes legally adopted sons and daughters. Step-children and foster children are not provided for under intestacy laws.

This information is the legal position England and Wales only, and is correct as of 09-08-2022.

To find out more about writing your will, advice about probate, and about Powers of Attorney, [CLICK HERE](#)