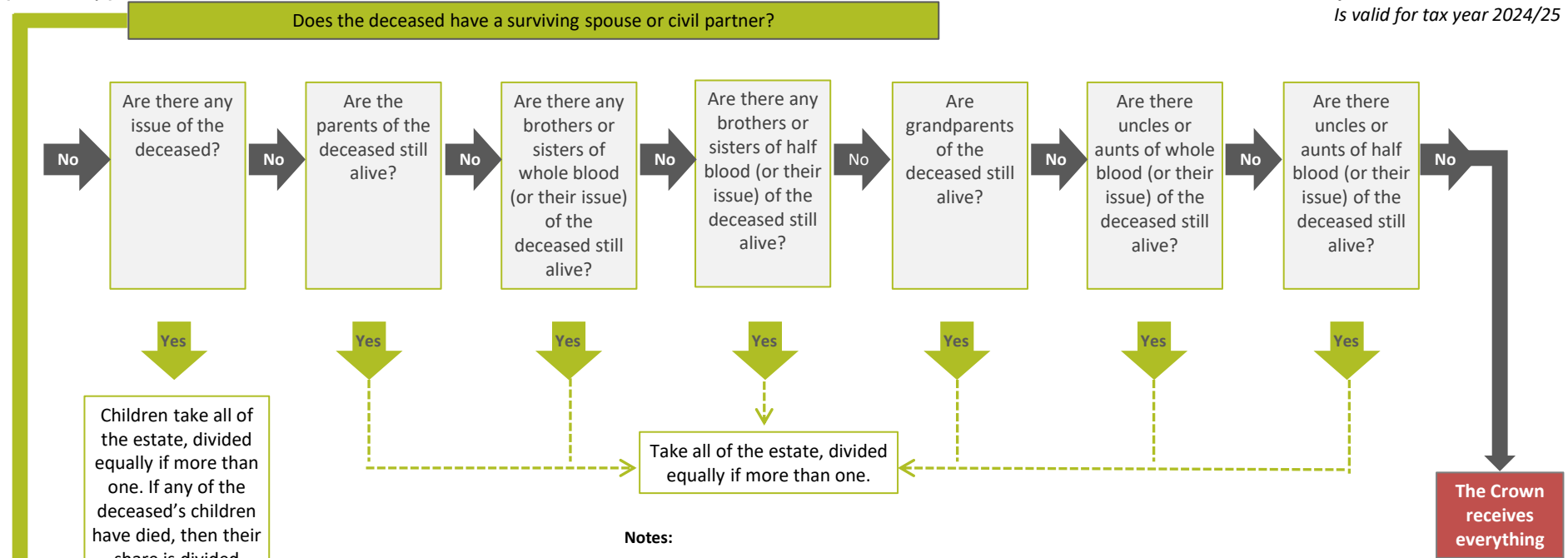


The laws of Intestacy in England and Wales

The Inheritance and Trustees' Powers Act 2014 introduced reforms to the intestacy rules. Here is a guide to who benefits where a Will has not been made or a valid Will has not been found for an individual who died on or after 6th February 2020

[Via Canada Life]

Information in this document is valid for tax year 2024/25



Notes:

1. Spouse/civil partner will only benefit if he/she survives the deceased by 28 days. If they do not survive for this period, the estate will be dealt with as though the deceased was not married or in a civil partnership at the time of death.
2. 'Issue' means children, grandchildren, great-grandchildren and so on. Issue will only benefit if their parent pre-deceased the deceased. 'Children' includes natural, adopted and illegitimate children but excludes step children.
3. The family home does not count as 'personal effects'.
4. In circumstances where the Crown would take a deceased's estate, the Duchy of Lancaster or the Duke of Cornwall (as opposed to the Crown) would take all for residents of those areas.
5. The personal representative must pay funeral and administration expenses and any debts of the deceased. The balance remaining (after setting aside an amount to meet any cash gift in the will if the deceased is partially intestate) is shared in accordance with the rules on distribution set out above.
6. Beneficiaries must be 18 years old (or married) before their interest vests. Until a child is 18 (or marries), trustees manage the inheritance on their behalf. If a child dies before they reach 18 (or marry or form a civil partnership) but has children, those children may inherit their parent's interest in the intestate's estate. If the child died but without having children, his/her interest is redistributed as if the child had not been alive when the deceased died.

Spouse/civil partner will receive all assets (including property) up to the value £322,000, and all personal effects as well as 50% of the remainder of the estate. The other 50% will be divided equally between the surviving children.

If a son or daughter (or other child where the deceased had a parental role) has already died, their children will inherit in their place.