Rules of Intestacy
for deaths before 1st October 2014

Did the deceased have a spouse or civil partner?

YES

Spouse/civil partner gets all if survives 28 days

NO

Is the estate worth more than £250,000?

YES

Did the deceased have surviving or deceased children?

NO

Shared equally among the children or descendants of a deceased child

YES

Did the deceased have children?

NO

Shared equally between the parents or all to the surviving parent if one has died

YES

Did the deceased have surviving parents?

NO

Shared equally among siblings of whole blood (brothers or sisters with both parents in common) or descendants of deceased siblings

YES

Did the deceased have surviving or deceased siblings of whole blood (brothers or sisters with both parents in common)?

NO

Shared equally among siblings of half blood (brothers or sisters with one parent in common) or descendants of deceased siblings

YES

Did the deceased have surviving parents and/or surviving or deceased siblings?

NO

Spouse/civil partner gets all if survives 28 days

YES

Did the deceased have surviving grandparents?

NO

Shared equally among surviving grandparents

YES

Did the deceased have surviving or deceased uncles & aunts of whole blood (with both parents in common) or descendants of deceased uncles/aunts?

NO

Shared equally among uncles/aunts of half blood (with one parent in common) or descendants of deceased uncles/aunts

YES

Did the deceased have surviving or deceased uncles & aunts of half blood (with one parent in common)?

NO

All managed by Treasury Solicitor for the Crown, Duchy of Lancaster or Duchy of Cornwall

Other notes

- Step relations, relations by marriage only & cohabitees never qualify
- Formally adopted children are treated as being of whole blood (with both parents in common)
- Blood children who have been formally adopted into a different family before the death lose their entitlement

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