

Rules of Intestacy

When someone dies without having made a Will or a valid Will the person is said to have died intestate. Basically this means the state decide how the persons estate should be divided. A person call also die partially intestate, if all of the estate is not distributed by a Will.

The spouse is not entitled to inherit everything and unmarried partners are not entitled to inherit anything under the rules. A Personal Representative is appointed, usually the persons closest relative but NOT the persons unmarried partner or common law partner, to distribute the estate in line with the Rules of Intestacy

Who gets what & when?

Husband/wife with children

- Spouse
- All husband's /wife's personal possessions
- Up to £250,000 inheritance tax free
- Life interest in half of net estate above £250,000

- Children
- Half of net estate above £250,000 in equal shares
- Remaining half after parent dies in equal shares

Husband/wife with no children

- Spouse
- All husband's /wife's personal possessions
- Up to £450,000 inheritance tax free
- Half of net estate above £450,000 absolutely

- Husband's /wife's parents
- Half of net estate above £450,000 absolutely
- If no parents then brothers/sisters will take parents entitlement in equal shares

No spouse or children

- Estate distributed in the following order of priority
 - Grandchildren or remoter issue
 - Parents
 - Brothers and sisters
 - Nephew/nieces of any who have died
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- Grandparents
 - Uncles and aunts
 - Cousins of any who have died

No relatives

- Estate goes to the Crown

Help & Support

Will Makers of Ashton offer an expert estate administration service that will lift the burden from your shoulders and help you get through this stressful period.