

# Rules of intestacy in England and Wales

Was the deceased married or  
in a civil partnership?

Yes

No

Did they have  
children?

Did they have  
children?\*

No

Yes

The spouse or  
civil partner  
will inherit  
everything

No

Yes

Everything is  
split equally  
between all  
children

**The spouse or civil partner will inherit:**

- Personal possessions and property
- The first £322,000 of the estate (if the estate is valued over this amount)
- Half of the remaining estate

**The children will inherit:**

- The other half (shared between them equally if there are multiple children)

Do they have  
living parents?

No

Yes

Everything is  
split equally  
between  
surviving parents

Do they have  
living siblings?

No

Yes

Everything is  
split equally  
between full  
siblings\*\*

\*Includes illegitimate  
and adopted children  
but not step-children

\*\*If there are no full  
siblings, then it will be  
split equally between  
half-siblings

\*If pre-deceased, their  
issue inherits

Do they  
have living  
grandparents?

No

Yes

Everything is  
split equally  
between  
grandparents

Do they  
have living  
aunts or uncles?

No

Yes

Everything  
passes to the  
Crown (known as  
Bona Vacantia)

Everything is  
split equally  
between  
aunts/uncles\*