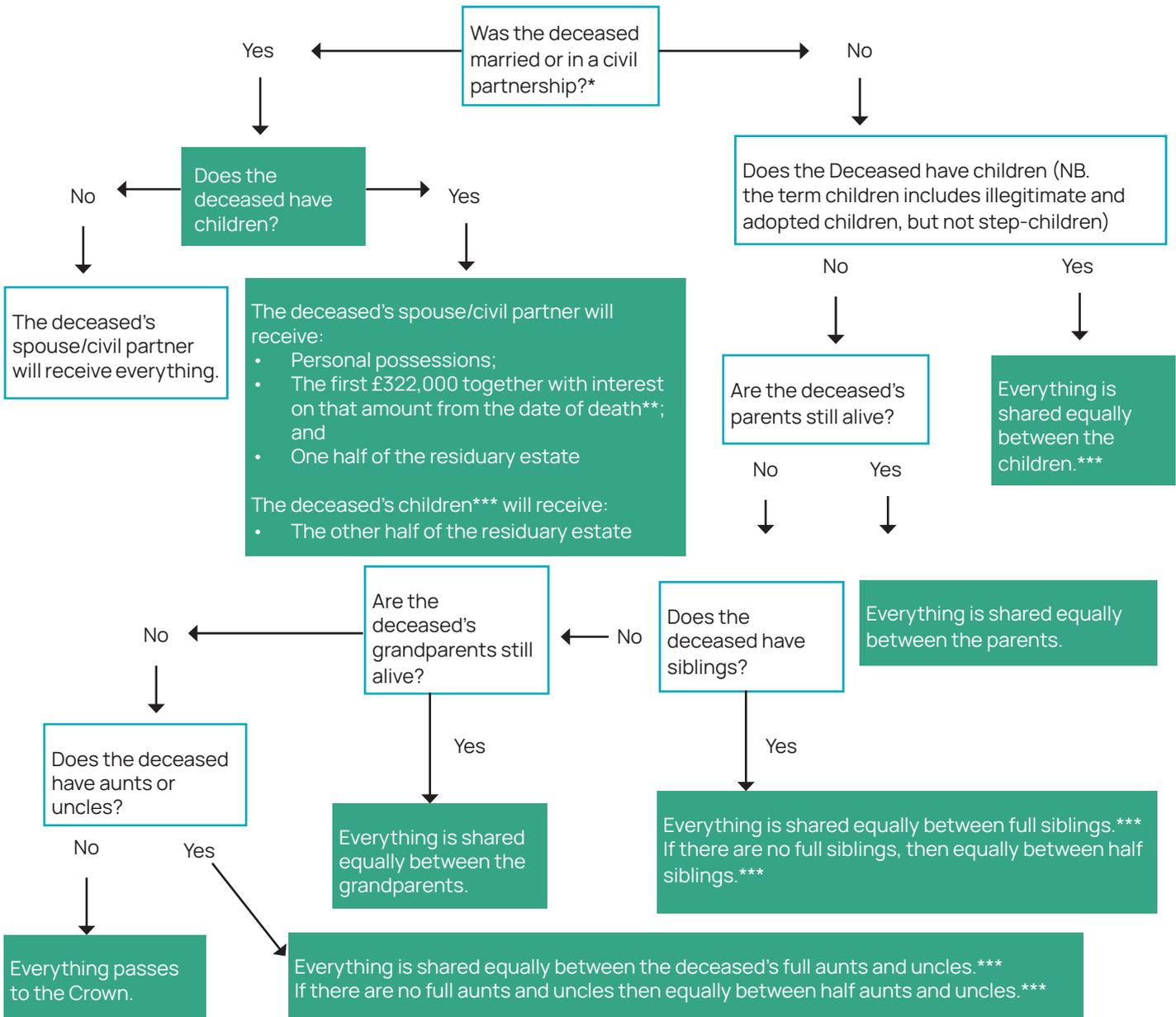


# The Intestacy Rules

When a person dies without leaving a valid will (i.e. they have died intestate), their estate will pass in accordance with the rules of intestacy. There can also be a “partial intestacy” which occurs where there is a valid will, but that will fails to distribute the whole of the estate.

The order of entitlement under the rules of intestacy is set out in S.46 of the Administration of Estates Act 1925 and is as follows:



\* The spouse/civil partner will benefit if he/she survives the deceased by 28 days, otherwise, the estate will be dealt with as if there had been no spouse/civil partner.

\*\* The statutory legacy increased to £322,000 on 26 July 2023. If the deceased died between 6 February 2020 and 25 July 2023, the statutory legacy is £270,000.

\*\*\* If those relatives were not living at the date of the deceased's death but they left descendants who were, then those descendants would usually inherit their parent's share.

If you would like advice on challenging an intestacy, or indeed on any other will, inheritance or trust dispute, please contact our Disputed Wills & Trusts team on freephone 0800 0931 336, or email [willdisputes@ashfords.co.uk](mailto:willdisputes@ashfords.co.uk).