Is there a surviving legal spouse, civil partner or de facto spouse ("spouse")?

- Yes

  Is the estate worth less than $100,000?

    - Yes
      - Are there any children?*
        - Yes
          - Are the parents of the deceased alive?
            - No
              - Are there any brothers or sisters alive?
                - No
                  - Are the grandparents of the deceased alive?
                    - No
                      - Are there any aunts or uncles alive?
                        - No
                          - The Crown will take the entire estate
                        - Yes
                          - The estate is shared equally between the surviving aunts or uncles* 
                    - Yes
                      - The estate is shared equally between the surviving grandparents
                - Yes
                  - The estate is shared equally between the surviving brothers or sisters*
          - No
            - Are there any children?*
              - Yes
                - Are the parents, siblings, or other relatives of the deceased alive?*
                  - Yes
                    - The spouse inherits the entire estate
                  - No
                    - The spouse will receive $100,000, the personal belongings and a half share of the remainder. The remaining half will be divided equally between the children.
                - No
                  - The spouse inherits the entire estate
        - No
          - Are there any children?
            - Yes
              - The estate is shared equally between any children*
            - No
              - Are the parents of the deceased alive?
                - No
                  - Are there any brothers or sisters alive?
                    - Yes
                      - The estate is shared equally between the surviving brothers or sisters*
                    - No
                      - Are the grandparents of the deceased alive?
                        - Yes
                          - The estate is shared equally between the surviving grandparents
                        - No
                          - Are there any aunts or uncles alive?
                            - Yes
                              - The estate is shared equally between the surviving aunts or uncles*
                            - No
                              - The Crown will take the entire estate
        - Yes
          - The estate is shared equally between the parents.

- No
  - Yes
    - The spouse inherits the entire estate
  - No
    - The spouse inherits the entire estate
GENERAL INFORMATION

The following information relates to the ‘Guide to the Rules of Intestacy’:

- The spouse or civil partner will only benefit if he / she survives the intestate by 28 days, otherwise the estate will be dealt with as if there had been no spouse or civil partner.

- If a class of relative existed but has died, the children of that relative (if there are some) will inherit in equal shares what would have been their parent’s share (*). For example, where the brother of the intestate has died leaving children, the intestate’s nieces and nephews will take their father’s share.