

The *Administration and Probate Act 1958* applies to those dying intestate (without leaving a valid Will) on or after 27 November 1995.

Where the deceased was survived by:

(a) spouse and issue:	if the value of the estate is — (i) \$100,000 or less spouse takes personal chattels (as defined in Section 5(1) of the Act) and the whole estate (ii) more than \$100,000 spouse takes personal chattels plus the first \$100,000 plus interest thereon at 10.7 % from the date of death to date of distribution plus one-third of residue. The balance passes to the issue per stirpes;
(b) issue but no spouse:	issue take the whole estate per stirpes;
(c) spouse but no issue:	spouse takes the whole estate;
(d) parent(s) but no spouse or issue:	parent(s) take the whole estate;
(e) brothers and sisters and their children but no spouse, issue or parent:	brothers and sisters and the children of predeceased brothers and sisters take the whole estate per stirpes;
(f) grandparents and children of brothers and sisters and uncles and aunts:	(i) grandparent(s) take the whole estate, or, if none; (ii) nephews and nieces and uncles and aunts take per capita, or, if none; (iii) cousins and great-nephews/nieces take per capita, or, if none; (iv) next-of-kin of equal degree per capita.

