This is a guide to who will inherit an Estate, under Victorian law, if a valid Will is not left. It is a guide only and specific advice should be obtained in relation to individual circumstances.

**INHERITANCE GUIDE**

**VICTORIA**

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**Partner**

- Surviving children or grandchildren?
  - Yes
  - No

**No Partner**

- Surviving children receive equal share of Estate. Offspring of pre-deceased children receive an equal share of their parent’s share.

- Surviving parent?
  - Yes
  - No

- Surviving brother, sister or children of deceased siblings?
  - Yes
  - No

- Surviving grandparent?
  - Yes
  - No

- Surviving aunts and uncles?
  - Yes
  - No

- All categories exhausted
  - Yes
  - No

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^-Partner of an intestate means the person’s spouse, domestic partner or registered caring partner at the time of the intestate’s death.

*From Financial year starting from July 2018 and for each subsequent financial year, the amount of partner’s statutory legacy is calculated in accordance with the formula provided in s70M(2) of the Administration and Probate Act 1958(VIC). In July each year the partner’s statutory legacy amount for the following year will be published in the Government Gazette.*
MANY PARTNERS

• If you leave:
  – more than one partner but no surviving children; or
  – more than one partner with children of either surviving partner, then
  partners are entitled to whole of estate in shares determined by an agreement made between them or by a court order.
  If neither an agreement nor an order is in place, then the Legal Personal Representative (LPR) shall distribute the estate
  between multiple partners in equal shares.

• If you leave more than one partner and surviving children who are not issue of a surviving partner, the partners are entitled
  to share the Personal effects, statutory legacy (that would have been payable if you had left only one partner) and one half
  of the remainder of the estate in accordance with the distribution agreement (if any) or a Distribution order. In absence of
  an agreement or an order, the LPR will divide it in equal shares between the partners. The surviving children receive the
  remaining one-half in equal shares.