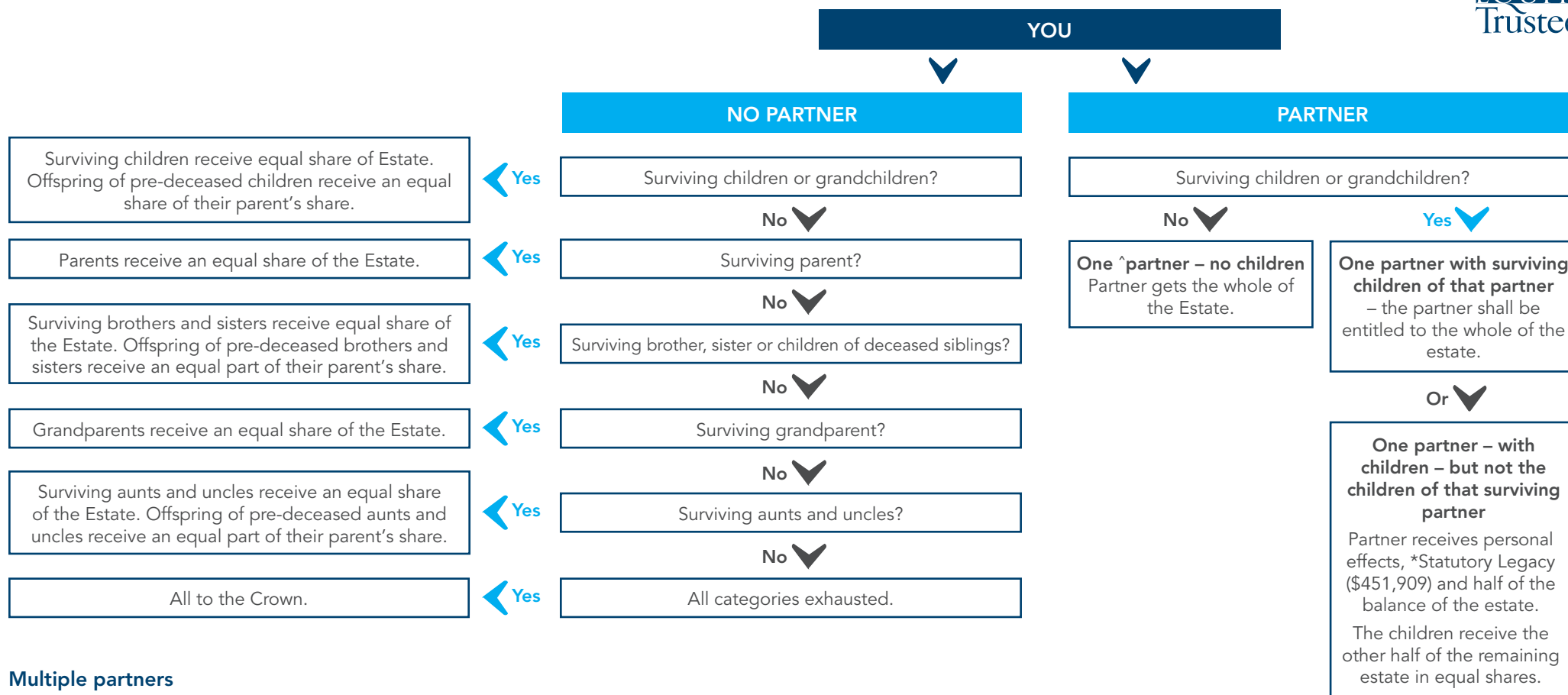


# Inheritance Guide (from 1 November 2017)



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.



## Multiple partners

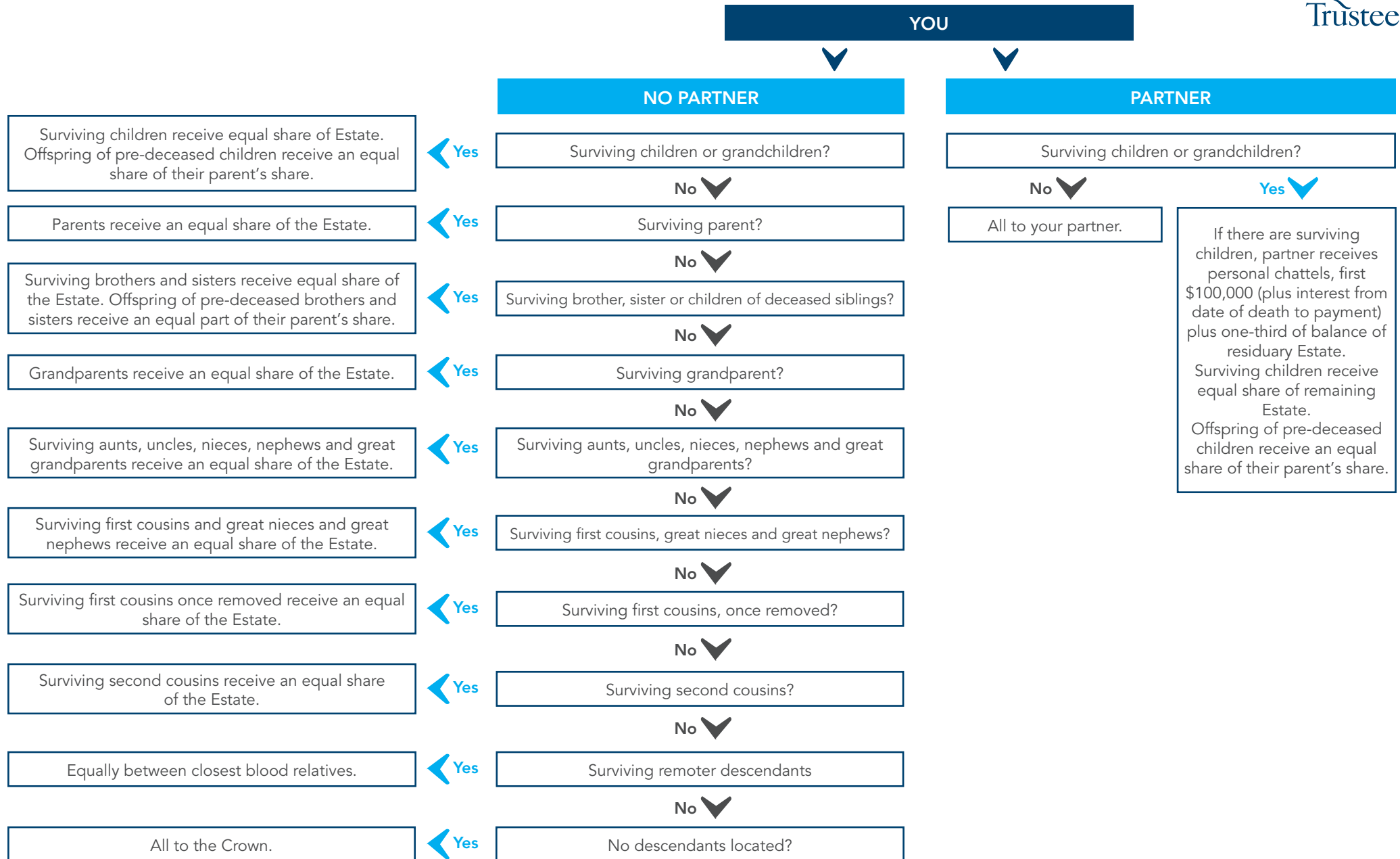
- If you leave:
  - more than one partner but no surviving children; or
  - more than one partner with children of either surviving partner, then partners are entitled to whole of estate in shares determined by an agreement made between them or by a court order. If neither an agreement nor an order is 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.

^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.

# Inheritance Guide (until 31 October 2017)

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.



## More than one partner

If you leave more than one partner, the following table applies:

Length of relationship of unregistered domestic partner	Entitlement of spouse/registered domestic partner	Entitlement of unregistered domestic partner
Less than 4 years	2/3	1/3
4 - 5 years	1/2	1/2
5 - 6 years	1/3	2/3
6 years or more	Nil	All

## Definitions

**Spouse** means the person to whom you are married at the time of your death.

**Registered domestic partner** means the person who, at the time of your death, is in a registered relationship with you within the meaning of the Relationships Act 2008.

**Unregistered domestic partner** means a person (other than a registered domestic partner) who, although not married to you is:

- Living with you at the time of your death as a couple on a genuine domestic basis (irrespective of gender)
- Either:
  - Had lived with you in that manner continuously for a period of at least two years immediately prior to your death
  - The parent of your child who is under the age of eighteen years at the date of your death.