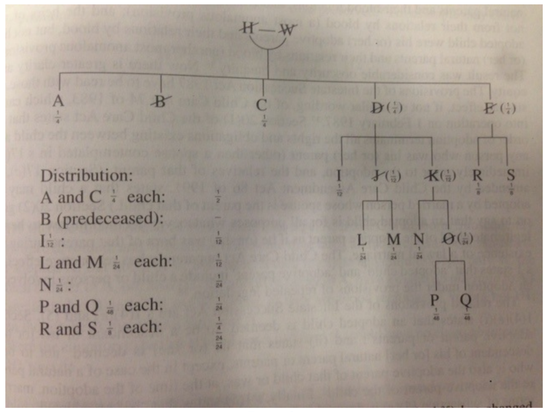
Intestate Succession

- **historical background**
- **General**
  - Intestate if:
    - No valid WILL
    - All appointed heirs have pre-deceased
    - Partial intestate if WILL dispose only partially of estate
    - Appointed heirs have pre-deceased and there is no accrual for co-heirs
    - rules governing legal position of heirs
    - adiation and repudiation
    - unworthiness to inherit
    - collation
    - Determining of when vesting will take place
- **Order of intestate succession**
  - Where there is a surviving spouse but no decendants
    - **childless marriage or pre-deceased children**
  - Where there are descendant/s, but there is no spouse
    - **Child is deemed to be "descendants " of the adoptive parents**
    - **Be mindful of the accrual system**
    - **Example**



  - Where there are no surviving spouse or descendants, but surviving parents
    - **50/50 share if both are alive**
  - Where there are no surviving spouse or descendants, but ONE surviving parent
    - **50% to the surviving parent and there rest is shared between the deceased parent's descendants**
  - Where there is no surviving spouse or descendants or parents, BUT the re is a descendant of a parent
    - **anyone before grandparents**
  - Where there is no surviving spouse or descendants or parents or descendant of a parent
    - **Blood line will inherit. Does not matter how far until nearest ancestor is found**
  - Disqualification of and renunciation by heir
    - **once renunciation takes place. it is deemed that the heir has no surviving descendants and cannot inherit or take share of the estate on his/her behalf**