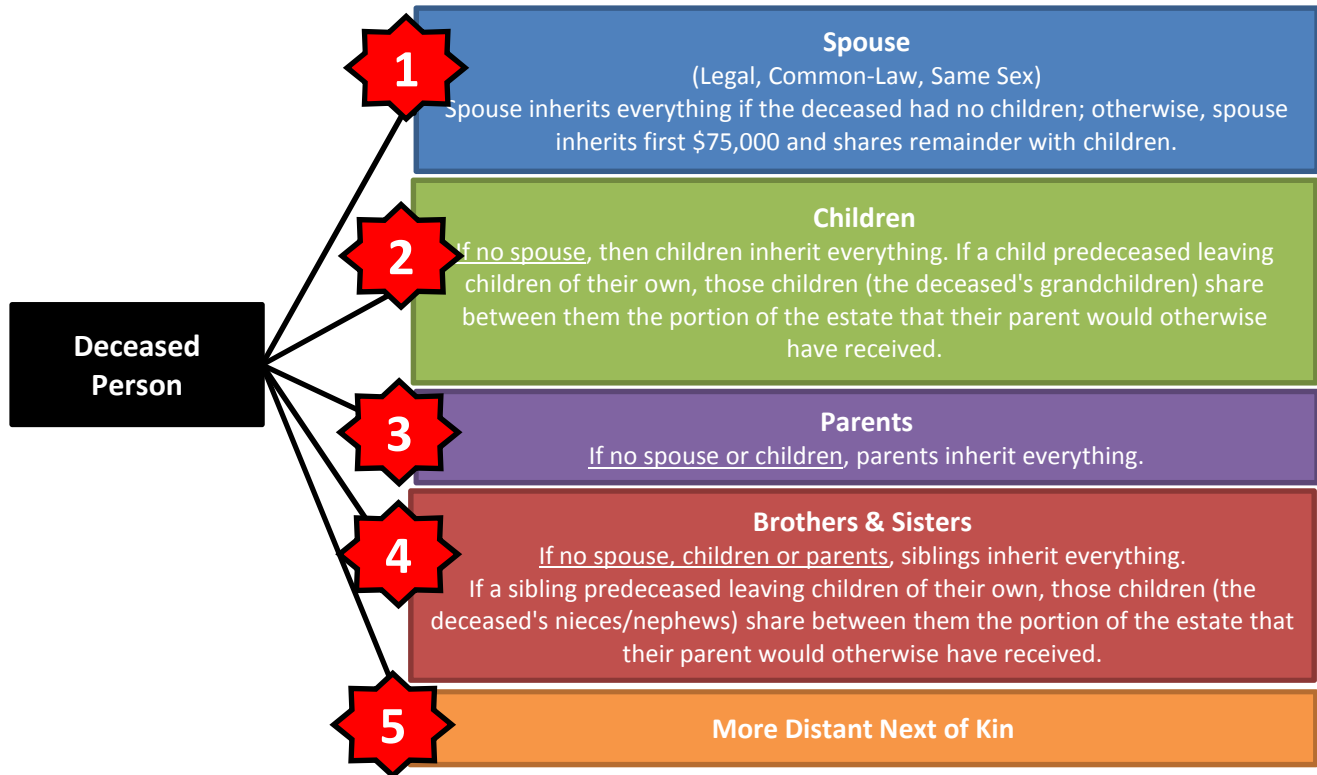


SECTION 48: WHO INHERITS WHEN THERE IS NO WILL?

(or: if there is a Will but it doesn't dispose of all of the deceased person's assets)



- 48(1): If the deceased left a surviving spouse, but no children, the spouse inherits everything.
- 48(2): If the deceased left a surviving spouse and 1 or more children, spouse gets the first \$75,000 and remainder is shared between spouse and children (if more than 1 child, spouse gets 1/3 of the remainder and children split 2/3; if only 1 child, child gets 1/2 of the remainder and spouse gets the other 1/2).
- 48(4): If the deceased left children but no spouse, children divide entire estate equally between them.
- If a child of the deceased died before him or her leaving children of their own, those children (the deceased's grandchildren) share between them the portion of the estate that their parent would otherwise have received.
- 48(5): If the deceased left no spouse and no children, the deceased's surviving parent(s) inherit everything
- 48(6): If the deceased left no spouse, children or parents, the deceased's siblings inherit everything
- If a sibling of the deceased died before him or her, but had children of their own, those children (the deceased's nieces and nephews) share between them the portion of the estate that their parent would otherwise have received.
- If anyone who is entitled to inherit from the deceased is alive at the time of the deceased's death, but dies before receiving their share of the deceased's estate, that share is payable to the estate of the deceased heir.
- 48(8): If the only surviving relatives of the deceased are nieces/nephews or more distant next of kin, any interest in reserve land held by the deceased reverts to the Band.
- 50: If anyone who is entitled to inherit some or all of the deceased's reserve land is not a member of the same First Nation as the deceased, the Superintendent of Indian Affairs must offer the non-member's interest for sale and pay them any sale proceeds.