

Probate threshold increases from \$15,000 to \$40,000 on 24 September 2025

The government has adjusted the probate threshold to make distribution of smaller estates easier

In New Zealand, probate is a legal process under which a High Court application is made to validate a deceased person's will and authorise the executor(s) to administer the estate. Probate is required if someone dies with an asset of more than \$15,000.00.

As of 24 September 2025, the threshold amount will increase to \$40,000. This means that banks, insurers, KiwiSaver providers and others will be able to release funds where the balance is under \$40,000, and families/executors will no longer be required to obtain a grant of probate to deal with those assets.

The probate threshold of \$15,000 was set before the introduction of KiwiSaver, in 2009. Many estates that would have met the lower threshold except for the deceased's KiwiSaver still had to apply to the High Court and incur the associated costs. Unsurprisingly, this generally had the effect of estate funds being whittled away by costs, and created additional stress for families.

This increase reflects a recommendation by the Law Commission in its 2021 review of succession law. The Parliament's Petitions Committee also recommended a change in 2024.

The change will benefit both the High Court and many families in New Zealand, allowing faster access to funds, lower legal costs and modest estates to be dealt with quickly with less stress for families.

If the deceased owns real estate, probate must be obtained to deal with any land interests, regardless of the threshold. The change does also not apply if your loved one had more than \$15,000 in government bonds

or securities (central or local government) or company shares. The threshold for those assets is still \$15,000.

This is a positive development in the estate administration space and will have a positive impact on families where the deceased person's assets are modest or they have settled most of their wealth into a family trust. However, you will still need a will even if your assets are below the threshold, and as there are more complexities in the estate administration space including blended families, trusts, high net worth individuals and cross-border considerations, it is essential that robust succession planning is put in place.

Want to know more?

If you have any questions about the probate process, or estate planning, please contact our specialist private client team.