

在中国工作必看：外籍人士社会保险实用指南

Must-Know for Working in China: A Practical Guide to Social Insurance for Foreign Nationals

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一、“中国社保”是什么

“中国社保”，全称中华人民共和国社会保险（以下简称：社保），是国家通过立法形式，按照权利与义务相对应原则，多渠道筹集资金，为公民提供的一项重要保障福利。对于来华/在华工作的外籍人士而言，是与合同、薪资同等重要的法定权益。根据《在中国境内就业的外国人参加社会保险暂行办法》（2011年人力资源社会保障部令第16号公布，2024年12月修订，以下简称《暂行办法》），依法获得就业证件与居留证件、在中国境内合法就业的外国人，必须参加社保，这既是用人单位的义务，也是保障自身医疗、养老等需求的“安全网”。无论你是受海外企业派驻来华工作，还是通过招聘独立在华就业，了解社保规则都是融入中国职场、保障自身权益的关键一步。

二、“中国社保”包括什么

“中国社保”体系中的“五险”是外籍人士参保的核心内容，《暂行办法》第三条明确规定，在中国境内依法注册或者登记的用人单位依法招用的外国人应依法参加职工基本养老保险、职工基本医疗保险、工伤保险、失业保险和生育保险。

I. What is "China's Social Insurance?"

"China's Social Insurance", full name is Social Insurance of the People's Republic of China (referred to as: Social Insurance), is a crucial social security system established by the state through legislation. Based on the principle of linking rights and obligations, it raises funds through multiple channels to provide protection for citizens. For foreigners working or seeking employment in China, it is a statutory right as important as an employment contract and salary.

According to the "Interim Measures for the Participation in Social Insurance by Foreigners Employed in China" (promulgated by Ministry of Human Resources and Social Security Order No. 16 in 2011, revised in December 2024, referred to as the "Interim Measures"), foreigners who have legally obtained employment permits and residence permits and are working legally in China, are required to participate in social insurance. This is not only a legal obligation for employers but also an essential "safety net" for employees' own needs in healthcare, retirement, and other areas.

Whether you are posted to work in China by an overseas company or directly employed by a local Chinese entity, understanding the social insurance rules is a key step to integrating into the Chinese workplace and safeguarding your rights and interests.

II. What Does China's Social Insurance Cover?

There are "Five Core Social Insurances" components of the system for foreigners. Article 3 of the "Interim Measures" clearly stipulates that foreigner legally employed by registered Chinese employers shall participate in the following: Basic

险,由用人单位和本人按照规定缴纳社会保险费。每项保险都对应着不同的生活场景保障:

1.养老保险

核心作用: 缴纳满15年且达到法定退休年龄(2025年1月1日起,男63岁、女干部58岁、女工人55岁),即可按月领取养老金,保障退休后的基本生活。

政策明确条款: 根据《暂行办法》第五条,在达到规定的领取养老金年龄前离境的,其社会保险个人账户予以保留,再次来中国就业的,缴费年限累计计算;经本人书面申请终止社会保险关系的,也可以将其社会保险个人账户储存额一次性支付给本人。

特别说明: 即使未缴满年限离境,个人账户余额也可保留或提取,再次来华就业时缴费年限可累计计算,权益不中断。

2.医疗保险

核心作用: 覆盖门诊、住院、药品等医疗费用,参保后可持社保卡在定点医院直接结算,大幅降低就医成本。

实用提示: 部分地区还包含大病保险,可报销高额医疗费用的额外支出;就医时需确保使用的是《暂行办法》第十条规定的、由社保经办机构发放的中华人民共和国社会保障卡,避免影响待遇享受。

3.工伤保险

核心作用: 因工作受伤、患职业病时,医疗费用由保险基金支付,停工期间还能领取伤残津贴或生活护理费。

关键特点: 缴费完全由用人单位承担,个人无需出钱;一旦发生工伤,需及时向单位申请认定,确保符合《暂行办法》中“依法享受社会保险待遇”的条件。

Pension Insurance, Basic Medical Insurance, Work-Related Injury Insurance, Unemployment Insurance, and Maternity Insurance. Employers and employees must pay social insurance premiums according to regulations. Each insurance type offers protection for different life scenarios:

1. Basic Pension Insurance

Core Function: Employees who make contributions for at least 15 years and reach the statutory retirement age (effective January 1, 2025: 63 for males, 58 for female cadres/managers, and 55 for female workers), can receive a monthly pension to ensure their basic living standards after retirement.

According to Article 5 of the "Interim Measures", if an employee leaves China before reaching the pensionable age, their individual social insurance account will be retained. Their contribution periods will be cumulative, upon their return to work in China. An employee may also apply in writing to terminate the relationship and receive a lump-sum payment of the savings in your individual pension insurance account.

Special Note: Even if you leave the country without having completed the required contribution period, the balance in your individual account can still be retained or withdrawn. When you return to China for employment again, the contribution period can be accumulated, and your rights and interests will remain uninterrupted.

2. Basic Medical Insurance

Core Function: It covers medical expenses such as those for outpatient services, inpatient services, and medication. After enrolling in the insurance, you can use your social security card to settle accounts directly at designated hospitals, greatly reducing medical costs.

Useful Tips: In some regions, the cost for medical insurance can be high especially for critical illnesses. It is therefore advisable to always utilize the official Social Insurance Card of the People's Republic of China when seeking treatment, as stipulated in Article 10 of the "Interim Measures", to ensure you receive benefits, and reduce the cost of healthcare services.

3. Basic Work-Related Injury Insurance

Core Function: When suffering from work-related injuries or occupational diseases, medical expenses are covered by the insurance fund. During the work suspension period, you can also receive disability allowances or living care allowances.

4. 失业保险

核心作用: 非因本人意愿中断就业 (如被裁员、公司倒闭等), 且已缴满1年, 可按月领取失业金, 最长领取期限达24个月。

附加福利: 领取失业金期间, 医疗保险费用由失业保险基金代缴, 保障就医不受影响, 确保在失业阶段仍能享受基础医疗保障。

5. 生育保险

核心作用: 女性职工可报销生育医疗费用 (如产检、分娩), 并领取数月的生育津贴; 男性职工的未就业配偶也可享受部分医疗费用报销。

覆盖范围: 无论是否为中国国籍, 只要按《暂行办法》参保, 即可享受相应待遇, 缴费由用人单位承担, 个人无需缴纳。

三、“我”要缴多少钱?

缴费金额是外籍人士关心的核心问题, 中国社保缴费遵循“缴费基数*缴费比例”的计算规则, 具体标准由各省市制定, 存在地域差异。《暂行办法》第三条明确“由用人单位和本人按照规定缴纳社会保险费”, 具体缴费细节需结合参保地政策执行:

1. 缴费基数

定义: 以职工月工资收入为基础, 设定上下限, 上限通常为当地上年度全口径城镇单位就业人员月平均工资的3倍, 下限为该平均工资的60%。以北京市2025年相关规定示例, 具体基数需以参保地当年政策为准:

根据北京市人力资源和社会保障等部门联合发布的《关于2025年度各项

Key Features: The payment is fully borne by the employer, and individuals do not need to contribute. In the event of a work-related injury, it is necessary to promptly apply to the employer for certification to ensure the legal enjoyment of social insurance benefits.

4. Basic Unemployment Insurance

Core Function: The policy also provides protection for employees who are become involuntarily unemployed (e.g., laid off, company closure) and have contributed for at least one year. It stipulates, employees who were involuntarily laid-off or lost their jobs due to the closure of companies, are duly entitled to receive monthly unemployment benefits for up to 24 months.

Additional Benefits: during the benefit period, medical insurance contributions are paid by the Unemployment Insurance Fund, ensuring basic medical coverage continues uninterrupted.

5. Basic Maternity Insurance

Core Function: During maternity periods, female employees can get reimbursed for maternity medical expenses (e.g., prenatal check-ups, childbirth) and receive monthly maternity allowances. The unemployed spouses of male employees may also enjoy partial reimbursement of medical expenses.

Coverage Scope: Regardless of nationality, anyone participating in the insurance according to the "Interim Measures" is entitled to benefits. Premiums are borne entirely by the employer.

III. How Much Do "I" Need to Pay?

The contribution amount is a core concern. China's social insurance contributions follow the rule of "Contribution Base is multiply by the Contribution Rate." Specific standards are set by each province-level division, leading to regional variations. Article 3 of the "Interim Measures" states that "employers and individuals shall pay social insurance premiums according to regulations," with details based on local policies:

1. Contribution Base

Definition: This is based on your monthly salary income, with upper and lower limits set by the local government. The upper limit is typically three times of the local average monthly salary from the previous year, and the lower limit is

北京地区 2025 年示例 (单位: 元) Example for Beijing Area in 2025					
险种 Insurance Type	单位缴纳比例 Employer Rate		个人缴纳比例 Individual Rate		个人 (元) Contribution (Employee) - CNY
养老保险 Pension Insurance	16%		8%		2,000
医疗保险 Medical Insurance	9.8%	含生育 0.8% incl. 0.8% Maternity	2% + 3	大病统筹 Major Illness Pooling	503
失业保险 Unemployment Insurance	0.5%		0.5%		125
工伤保险 Work-Related Injury	0.2%	按行业浮动 varies by industry	0%		0
生育保险 Basic Maternity Insurance	含于医疗保险中 be included in medical insurance		0%		0
合计 Total					2,628

社会保险缴费工资基数上下限的通告》(京人社发〔2025〕11号), 自2025年7月起, 北京职工月缴费基数上限为35811元, 下限为7162元。例如: 你的月工资为25000元, 且处于当地上下限之间, 则以25000元作为缴费基数。

特殊说明: 工资低于下限按下限缴费, 高于上限按上限缴费, 确保缴费公平性; 用人单位及个人不得擅自降低缴费基数。

2. 缴费比例

各险种由用人单位和个人按比例共同缴纳(工伤保险、生育保险个人无需缴纳), 以北京市2025年相关规定, 25000元为基数示例, 具体比例需以参保地当年政策为准(如图所示)。

3. 缴费实操: 何时缴纳? 如何缴纳?

根据《暂行办法》第四条, 用人单位或境内工作单位需在为外国人办理就业证件之日起30日内, 到当地社会保险经办机构为其办理社会保险登记, 逾期未办理的, 将按社保登记违规情形处理。社保费用每月

60%。Using Beijing's 2025 regulations as an example (always refer to current local policies):

According to "Announcement on the Upper and Lower Limits of the Contribution Wage Base for Various Social Insurance Programs in 2025" (Document No. 11 [2025] Issued by Beijing Municipal Human Resources and Social Security Bureau) jointly issued by the Beijing Municipal Bureau of Human Resources and Social Security and other relevant departments, from July 2025, the upper limit in Beijing is 35,811 RMB, and the lower limit is 7,162 RMB. If your salary is 25,000 RMB, which falls between the local upper and lower limits, then 25,000 RMB will be used as your contribution base.

Special Note: If an employee salary is below the lower limit, contributions are calculated using the lower limit; if it exceeds the upper limit, the upper limit is used for calculating benefits. This means, the base cannot be arbitrarily lowered.

2. Contribution Rate

Premiums are shared by the employer and the individual (individuals do not pay for Work-Related Injury or Maternity Insurance). Using Beijing's 2025 rates and a 25,000 RMB base as an example, the specific ratio shall be subject to the current year's policy of the local place of insurance participation (as shown in the figure).

由用人单位统一代扣代缴, 缴费记录可通过线上渠道或线下经办机构查询, 具体平台或机构以参保地公布为准。

四、如何参加社会保险

1. 参保条件

《暂行办法》第二条明确规定, 必须同时满足以下核心条件:

依法获得《中华人民共和国外国人工作许可证》、《外国常驻记者证》等就业证件;

持有外国人居留证件或外国人永久居留证件, 在中国境内合法就业的非中国国籍的人员。

2. 办理材料 (具体材料需结合参保地政策执行)

本人有效护照或《外国人居留证》/《外国人永久居留证》;

《外国人工作许可通知》或已激活的电子社保卡;

用人单位填写的《参加社会保险人员基本情况表》(线上/线下);

就业证件的复印件。

3. 领卡及权益查询

《暂行办法》第十条, 社会保险经办机构应当根据《外国人社会保障号码编制规则》, 为外国人建立社会保障号码, 并发放中华人民共和国社会保障卡。社会保障号码在中国唯一且终身不变, 即使证件号码变更, 初次参保登记的号码仍为唯一标识, 社保经办机构会记录变更情况。

社保卡类型包括实体社保卡和电子社保卡。实体社保卡, 作为就医结算、领取养老金、查询缴费记录的核心凭证; 电子社保卡, 支持通过官方APP在线申领电子社保卡, 可替代实体卡完成就医结算、查询等基础功能。不同地区在社保卡发放类型、激活

3. Payment Practice: When and How to Pay?

According to Article 4 of the "Interim Measures", the employer must complete the social insurance registration for a foreign employee at the local agency within 30 days of obtaining the employee's work permit. Those who fail to do so within the time limit will be handled in accordance with the circumstances of social insurance registration violations, Premiums are withheld and paid monthly by the employer. Employees can check their payment records through an online portal, or at the local social insurance agencies.

IV. How to Participate in Social Insurance?

1. Eligibility for Participation

Article 2 of the "Interim Measures" states that employees must simultaneously meet the following conditions:

Legally obtain an employment permit (e.g., Foreigner's Work Permit or Permanent-Press Card for journalists).

Hold a valid Residence Permit for Foreigners or Permanent Residence Permit for Foreigners and be working legally in China.

2. Application Materials (Subject to local requirements)

A valid passport and residence permit.

The Foreigner's Work Permit Notice.

A Social Insurance Enrollment Form filled out by your employer (Online Version/Offline Version).

A copy of your employment permit.

3. Obtaining the Card and Inquiring About Rights

Article 10 of the "Interim Measures" states that social insurance agencies will assign you a unique, lifelong social insurance number and issue the Social Insurance Card of the People's Republic of China.

There are two card types:

Physical Card: The core credential for medical settlement, pension collection, and inquiries.

Electronic Card: Can be applied for via official apps and used for most basic functions.

Note: Card types, functions, and inquiry channels can vary by region. After enrollment, consult your HR department or the local social insurance agency to confirm local procedures.

Channels for inquiring about information such as social

要求、功能使用范围上存在差异,建议参保后咨询用人单位人力资源部门或参保地社保经办机构,确认本地具体政策,避免影响使用。

社保缴费记录、个人账户余额等信息的查询渠道,同样因地区不同有所区别,查询前可先确认参保地推荐的官方查询渠道,或直接咨询社保经办机构,确保能准确、便捷获取个人社保信息。

五、关键问题解答

1. 离境了, 社保账户怎么办?

按照《暂行办法》第五条规定, 有两种合法选择来保障权益:

①保留账户: 再次来华就业时, 缴费年限可累计计算, 个人账户余额会按规定计息, 不会清零;

②提取余额: 需提交书面申请、有效护照、与用人单位解除劳动关系的证明等材料, 向社保经办机构申请终止社保关系, 可一次性支取养老保险个人账户储存额(医疗、失业等账户按参保地规定处理)。

2. 可以不缴社保吗? 有没有免缴的情况? 不缴有什么后果?

绝对不可以。要求在本国就业的外国人参加就业国的社会保险是履行国际公约和遵守国际惯例的要求, 以及是国际社会的通行做法。根据《暂行办法》第十一条, 社保是法定强制保险, 用人单位未为外籍人士参保、或未足额缴费的, 外籍人士可向社保行政部门投诉, 要求用人单位补缴; 同时, 用人单位将面临罚款, 并可能影响企业信用。

同时, 对个人而言, 未参保期间若发生医疗、工伤等情况, 所有费用需自行承担, 无法享受社保报销; 若因用人单位未参保

insurance payment records and individual account balances also vary by region. Before inquiring, you may first confirm the official inquiry channels recommended by the place of insurance participation or consult social insurance agencies directly, to ensure you can obtain your personal social insurance information accurately and conveniently.

V. Answers to Key Questions

1. What happens to my social insurance if I leave China?

According to Article 5 of the "Interim Measures", you have two options:

① Retain the account: If you plan to return to work in China, your contribution periods will be cumulative, and your individual account balance will remain, and accrue interest.

② Withdraw the balance: Submit a written application, along with your passport and proof of termination of employment, to terminate the relationship and withdraw the accumulated savings in your individual pension account in a lump sum. (Other accounts are handled per local rules).

2. Can I refuse to participate? Are there exemptions? What are the consequences of not paying?

It is absolutely not allowed. Requiring foreigners employed in one's own country to participate in the social insurance of the country of employment is a requirement for fulfilling international conventions and abiding by international practices, as well as a common practice in the international community. Article 11 of the "Interim Measures" clarifies that social insurance is a statutory mandatory requirement. Employers who fail to enroll foreign employees or make full contributions may be reported to the social insurance authorities by the employees, and the employer will be required to make retroactive payments. Meanwhile, the employer will face fines and potential impacts on their corporate credit.

For individuals, failure to participate in social insurance means that during the non-contribution period, all expenses related to medical treatment, work-related injuries, etc., must be borne out-of-pocket, with no access to social insurance reimbursement. If rights are infringed upon due to the employers' failure to enroll, the employee may seek compensation through legal channels.

导致权益受损,可通过法律途径要求用人单位赔偿。

当然满足特定条件,也存在免缴的情况。根据《暂行办法》第九条,具有与中国签订社会保险双边或者多边协议国家国籍的人员在中国境内就业的,其参加社会保险的办法按照协议规定办理。

目前,中国已经和德国、韩国、丹麦、吉尔吉斯斯坦等13个国家签署了双边社保协定。建议查询“中国与外国签订的社会保险双边协议”名单,确认本国是否在列,若你来自协议国家,可凭本国社保机构出具的《参保证明》或符合协议规定的其他认证方式,向中国社保经办机构申请免除部分险种的缴费义务(具体以协议内容为准),避免“双重缴费”。

3.就医时,如何用社保报销呢?

持社保卡就医,即可完成挂号、就诊、缴费等一系列流程。在社保定点医院就诊时,直接出示实体社保卡或电子社保卡,系统会自动扣除社保报销部分,个人只需支付自付金额;若未带卡,需保留好医疗票据,在规定时间内到社保经办机构申请手工报销,避免超过时限无法报销。具体需以参保地当年政策为准。

4.如果变更了不同省市的工作单位,社保也可以转移吗?

可以。流程与中国公民一致。例如,从上海跳槽到北京工作,可向北京社保经办机构申请,提交相应材料办理社保转移。具体需以参保地当年政策为准。

5.在国外能领养老金吗?需要什么证明?

可以。根据《暂行办法》第七条,在境外按月领取养老金的,每年需核验一次社会保险待遇享受资格。可通过三种方式办理:

Under specific conditions, exemptions may apply. According to Article 9 of the "Interim Measures", nationals of countries that have signed bilateral or multilateral social insurance agreements with China may follow the provisions of such agreements regarding social insurance participation while employed in China.

To date, China has signed bilateral social insurance agreements with 13 countries, including Germany, South Korea, Denmark, and Kyrgyzstan. It is advisable to check the list of "Bilateral Social Insurance Agreements Signed Between China and Foreign Countries" to confirm whether your home country is included. If you are from a country with such an agreement, you may apply to the Chinese social insurance agency for exemption from contributions to specific types of social insurance by submitting a "Certificate of Insurance Coverage" issued by your home country's social insurance institution or other certification methods compliant with the agreement. This helps avoid "double payment" of social insurance contributions. (Specifically, it shall be subject to the terms of the agreement)

3. How do I use social insurance for medical reimbursement?

When seeking medical treatment, presenting your social security card allows you to complete the entire process, including registration, consultation, and payment. At designated social security healthcare facilities, you can directly show your physical or electronic social security card, and the system will automatically deduct the portion covered by social insurance. You only need to pay the out-of-pocket amount. If you do not have your card with you, be sure to keep all medical invoices and apply for manual reimbursement at the social insurance agency within the specified time frame to avoid missing the deadline. Specific procedures and requirements are subject to the policies of the locality where you are enrolled in social insurance.

4. Can I transfer my social insurance between provinces?

Yes. The process is the same as for Chinese citizens. When moving from one city to another (e.g., Shanghai to Beijing), you can apply to the social insurance agency in the new location to transfer your records. Specifics are subject to the annual policy of the locality where you are enrolled.

5. Can I receive a pension overseas? What certificates are needed?

①向负责支付其待遇的社会保险经办机构提供由中国驻外使、领馆出具的生存证明,

②由居住国有关机构公证、认证并经中国驻外使、领馆认证的生存证明;

③按照规定通过互联网自助办理。

中国缔结或者参加的国际条约另有规定的, 按照条约规定的证明手续办理。

6.如果与用人单位产生了社保纠纷, 应该如何维权?

《暂行办法》第八条规定, 依法参加社会保险的外国人与用人单位或者境内工作单位因社会保险发生争议的, 可以依法申请调解、仲裁、提起诉讼。用人单位或者境内工作单位侵害其社会保险权益的, 外国人也可以要求社会保险行政部门或者社会保险费征收机构依法处理。

《在中国境内就业的外国人参加社会保险暂行办法》为外籍人士参保提供了明确的法律依据, 从参保范围、缴费规则到待遇享受、权益维护, 都有清晰的流程和保障。中国社保体系为外籍从业者提供了与本地职工同等的保障待遇, 了解缴费标准、掌握办理流程、善用权益保障, 能让你来华/在华工作、生活更安心。相信随着中国社保制度的不断完善和优化, 外籍人士将会获得更加优质、便捷、高效的服务。同时, 若需进一步了解地方政策的具体执行细则, 可通过官方网站、拨打服务热线或直接向社保经办机构咨询等途径, 获取官方答复。

*本文内容根据中国官方发布的《在中国境内就业的外国人参加社会保险暂行办法》及各地社保政策整理, 仅供参考, 具体参保要求、缴费标准及待遇细则, 请以当地人力资源和社会保障部门发布的官方文件或官方平台公示信息为准。

Yes. According to Article 7 of the "Interim Measures", pension recipients overseas must verify their eligibility annually. This can be done by:

① Providing a Proof of Life certificate from the Chinese embassy/consulate.

② Providing a Proof of Life document notarized locally and authenticated by the Chinese embassy/consulate.

③ Completing the verification online as per regulations.

Where international treaties concluded or acceded to by the People's Republic of China otherwise provide, the certification procedures shall be handled in accordance with the provisions of such treaties.

6. How can I protect my rights in a social insurance dispute?

Article 8 of the "Interim Measures" stipulates, foreigners legally participating in social insurance can apply for mediation, arbitration, or file a lawsuit in case of a dispute with their employer. If rights are infringed, you can also request the social insurance administrative department to handle the matter according to the law.

The "Interim Measures for the Participation in Social Insurance by Foreigners Employed in China" provide a clear legal basis for foreigners to enroll in social insurance, covering aspects such as scope of participation, contribution rules, benefit entitlements, and rights protection with well-defined procedures and safeguards. China's social insurance system offers foreign employees the same level of protection as local employees. Understanding contribution standards, mastering the application process, and utilizing rights protection mechanisms can make working and living in China more secure. With the continuous improvement and optimization of China's social insurance system, foreigners are expected to receive higher-quality, more convenient, and efficient services. For further details on the specific implementation rules of local policies, official responses can be obtained through official websites, service hotlines, or direct inquiries to social insurance agencies.

Note: This article is compiled based on China's officially released policies and is for reference only. For specific requirements, standards, and benefits, please refer to the official documents issued by local Human Resources and Social Security departments.