AGREEMENT ON SOCIAL SECURITY BETWEEN THE GOVERNMENT OF THE REPUBLIC OF AUSTRIA AND THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA

The Government of the Republic of Austria and the Government of the People's Republic of China (hereinafter referred to as "Contracting Parties"),

Aiming to develop the friendly relations between the Republic of Austria and the People's Republic of China, and

Being desirous of furthering their mutual cooperation in the field of social security,

Have agreed as follows:

Article 1
Definitions

1. For the purpose of this Agreement:

(a) "Legislation" means,
as regards the People's Republic of China, the laws, the administrative, ministerial and local rules and regulations, and other legal provisions concerning the social insurance systems covered by the scope of this Agreement (item (a) of paragraph 1 of Article 2); and

as regards the Republic of Austria, the laws, regulations and statutory provisions concerning the social insurance systems covered by the scope of this Agreement (item (b) of paragraph 1 of Article 2);

(b) "Competent Authority" means,
as regards the People's Republic of China, the Ministry of Human Resources and Social Security, and the National Healthcare Security Administration, and

as regards the Republic of Austria, the Federal Minister or Federal Ministers responsible for the administration of the legislation specified in item (b) of paragraph 1 of Article 2;

(c) "Competent Agency" means,
as regards the People's Republic of China, the Social Insurance Administration of the Ministry of Human Resources and Social Security, and the Center of Healthcare Security Affairs Management of the National Healthcare Security Administration, or other bodies designated by the said Competent Authority; and

as regards the Republic of Austria, the agency, the institution, the organization or body responsible in full or in part for the implementation of the legislation specified in item (b) of paragraph 1 of Article 2;

(d) “Territory” means,
as regards the People’s Republic of China, the territory to which the *Social Insurance Law of the People’s Republic of China* and other relevant laws and regulations apply; and

as regards the Republic of Austria, its federal territory.

(e) “National” means,
as regards the People’s Republic of China, any individual possessing the nationality of the People’s Republic of China; and

as regards the Republic of Austria, an Austrian national.

2. Any term not defined in this Article shall have the meaning assigned to it in the applicable legislation of the respective Contracting Party.

Article 2
Scope of Legislation

1. This Agreement shall apply to the legislations related to the following social insurance schemes:

(a) As regards the People’s Republic of China,
(i) Basic Old-Age Insurance for Employees;
(ii) Basic Medical Insurance for Employees;
(iii) Work Injury Insurance;
(iv) Unemployment Insurance; and
(v) Maternity Insurance.

(b) As regards the Republic of Austria,
(i) Pension Insurance with the exception of the Insurance for Notaries;
(ii) Sickness Insurance;
(iii) Accident Insurance; and
(iv) Unemployment Insurance.

2. This Agreement shall also apply to any legislation which supersedes, amends, supplements or consolidates the legislation specified in paragraph 1 of this Article.

3. This Agreement shall not apply to legislation establishing a new social security scheme, unless the Contracting Parties jointly agree on this application.

4. Unless otherwise provided in this Agreement, the legislation referred to in paragraph 1 of this Article shall not include treaties or other international agreements on social security that may be concluded between one Contracting Party and a third Party, or legislation promulgated for their specific implementation.

Article 3
Personal Scope

Unless otherwise specified, this Agreement shall apply to all persons who are or have been subject to the legislation of one or both Contracting Parties, as well as any person who derives rights from those persons according to the applicable legislation.

Article 4
Equal Treatment

1. Unless otherwise provided in this Agreement, persons referred to in Article 3 of one Contracting Party shall, when they work or reside in the territory of the other Contracting Party, have the same obligations and rights as nationals of that Contracting Party regarding the application of the legislation of that Contracting Party.

2. Paragraph 1 of this Article shall not apply to the provisions of Austrian legislation concerning the participation of insured persons and employers in the administration of institutions and associations as well as adjudication in the field of social security.

3. As regards Austrian legislation concerning the crediting of periods of war service and periods considered as equivalent, nationals of the People's Republic of China who were Austrian nationals immediately before March 13, 1938, shall receive equal treatment with Austrian nationals.

Article 5
General Rules for Employed and Self-Employed Persons

Unless otherwise provided in this Agreement, an employed or self-employed person who works in the territory of one Contracting Party shall, with respect to that work, be subject only to the legislation of that Contracting Party. This shall also apply in cases in which the employer is in the territory of the other Contracting Party.

Article 6
Posted Persons

1. As regards basic old-age insurance for employees and unemployment insurance of the People's Republic of China as defined in item (a) (i) and (a) (iv) of paragraph 1 of Article 2, and pension insurance with the exception of the insurance for notaries and unemployment insurance of the Republic of Austria as defined in item (b) (i) and (b) (iv) of paragraph 1 of Article 2:

Where a person who is employed in the territory of one Contracting Party by an employer with a place of business in that territory is posted by that employer to the territory of the other Contracting Party in the context of that employment to perform services there for that employer, the legislation of the first Contracting Party shall continue to apply with regard to that employment during the first sixty calendar months as though the employee were still employed in the territory of the first Contracting Party.

2. Notwithstanding Article 5, where paragraph 1 of this Article applies to an employee who is posted to work in the territory of the People's Republic of China, the sickness insurance and accident insurance of the Republic of Austria as defined in item (b) (ii) and (b) (iii) of paragraph 1 of Article 2 shall also continue to apply.

3. Notwithstanding Article 5, where paragraph 1 of this Article applies, an employee who is posted to work in the territory of the Republic of Austria shall also be subject to the legislation of the People's Republic of China on basic medical insurance for employees, work injury insurance and maternity insurance as defined in item (a) (ii), (a) (iii) and (a) (v) of paragraph 1 of Article 2.

4. If the person posted in accordance with paragraph 1 of this Article concludes an additional labour contract with the posting employer's affiliated or subsidiary company in the territory of the other Contracting Party, paragraphs 1 to 3 of this Article shall also apply to this additional employment relationship.

5. If a posted person exercises an employment under an additional labour contract with any other employer or a self-employed activity in the territory of the other Contracting Party, Article 5 shall apply in respect to that additional employment relationship or self-employment.

Article 7
Employees on Board Sea-going Vessels

1. A person who is employed on board a sea-going vessel flying the flag of either Contracting Party shall be subject to the legislation of that Contracting Party.

2. However, where a person who ordinarily resides in the territory of one Contracting Party is sent to work on board a sea-going vessel flying the flag of the other Contracting Party, the legislation of the first Contracting Party shall apply to this person as though the person were employed in the territory of the first Contracting Party. For the application of the legislation under the different schemes of social insurance as defined in paragraph 1 of Article 2, the scope of legislation mentioned in paragraphs 1 to 3 of Article 6 shall apply to this paragraph accordingly.

Article 8
Members of Diplomatic Missions and Consular Posts, Public Employees

1. Nothing in this Agreement shall affect the provisions of the *Vienna Convention on Diplomatic Relations* of April 18, 1961, or of the *Vienna Convention on Consular Relations* of April 24, 1963.

2. Where a person, locally engaged, is employed in a diplomatic mission or consular post of one Contracting Party in the territory of the other Contracting Party, the legislation of the latter Contracting Party shall apply to that person.

3. A person employed by the government or other public institution of a Contracting Party and sent to perform services in the territory of the other Contracting Party shall,

in respect of those services, remain subject to the legislation of the first Contracting Party.

Article 9
Exceptions

The Competent Authorities of both Contracting Parties or the Agencies designated by those Authorities, may agree to grant an exception of Articles 5 to 8, with respect to particular persons or groups of persons, taking into account the nature and circumstances of the work, provided that any affected person shall be subject to the legislation of one Contracting Party.

Article 10
Implementing Arrangements

1. The Competent Authorities of the Contracting Parties shall conclude an Administrative Arrangement that sets out the measures necessary for the implementation of this Agreement.

2. The Competent Authorities of the Contracting Parties shall inform each other of any changes to their legislation which may affect the implementation of this Agreement.

3. The Competent Authorities of the Contracting Parties shall designate the Liaison Agencies in the Administrative Arrangement.

Article 11
Mutual Assistance

1. The Competent Authorities and Agencies of the two Contracting Parties shall assist each other in applying this Agreement to the extent permitted by their respective legislation. Such assistance shall be provided free of charge.

2. The Competent Authorities and Agencies of the Contracting Parties may contact each other or involved persons or their representatives directly.

Article 12
Issue of Certificate

In the circumstances described in Articles 6, 7, 8 (3) and 9, the Competent Agency of the Contracting Party whose legislation is applied shall, upon request, issue a certificate in respect of the relevant employment stating that the employee is subject to that legislation. In the circumstances described in Articles 6 and 9, the certificate must include information on the period for which it is valid.

Article 13
Exchange of Personal Data

The Administrative Arrangement, which has to be concluded in accordance with paragraph 1 of Article 10, has to specify the personal data to be exchanged for the application of this Agreement and the Administrative Arrangement as well as the necessary provisions to protect these data.

Article 14
Language of Communication

1. In implementing this Agreement, the Competent Authorities, Competent Agencies and Liaison Agencies of the Contracting Parties may communicate with each other in their official languages and English.

2. Documents shall not be rejected by the Competent Authority, Competent Agencies and Liaison Agencies of one Contracting Party solely because they are in an official language of the other Contracting Party.

Article 15
Exemptions from Charges and Authentication

1. Any exemption from or reduction of taxes, stamp duties, legal dues or registration fees provided for in the legislation of one Contracting Party in respect of certificates or documents which have to be submitted for the application of this legislation shall be extended also to similar certificates or documents which must be submitted for the application of this Agreement or the legislation of the other Contracting Party.

2. All statements, documents and certificates of any kind which must be submitted for the application of this Agreement shall not require any authentication by diplomatic or consular authorities.

Article 16
Settlement of Disputes

Disputes between the Contracting Parties regarding interpretation or application of this Agreement shall be settled through negotiation and consultation between the Competent Authorities or Liaison Agencies of the Contracting Parties. If disputes are not resolved within a certain period of time, they shall be settled through diplomatic channels.

Article 17
Transitional Provision

In applying Article 6, in case of persons who were posted to a Contracting Party prior to the date of entry into force of this Agreement, the periods of employment referred to

in that Article shall be considered to begin on the date of entry into force of this Agreement.

Article 18
Entry into Force

Both Contracting Parties shall notify each other in writing through diplomatic channels that they have completed the internal legal procedures necessary for the entry into force of this Agreement. The Agreement shall enter into force on the first day of the fourth month following the month in which the latter note is received.

Article 19
Duration and Termination

This Agreement shall be in force for an indefinite period of time. Nonetheless, either Contracting Party may terminate the Agreement with a written notice through diplomatic channels. The effect of the Agreement shall terminate on the last day of the twelfth month following the month in which the written notice of its termination is received by the other Contracting Party.

IN WITNESS WHEREOF, the undersigned, being duly authorized thereto, have signed this Agreement.

DONE in duplicate at Beijing on November 6, 2026, in German, Chinese and English languages, each text being equally authentic. In case of any divergence of interpretation, the English text shall prevail.

FOR THE GOVERNMENT OF THE REPUBLIC OF AUSTRIA	FOR THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA
Wolf Dietrich HEIM	WANG Xiaoping

	Unterzeichner	Parlamentsdirektion
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